



WHISTLEBLOWER POLICY

Acusensus Limited ACN 625 231 941 (Company)

1. Application to Acusensus

This Whistleblower Policy (**Policy**) applies to the Company and its subsidiaries (and a reference to the 'Company' in this Policy will include a reference to any subsidiary).

This Policy is made available to all employees via the JSM Portal. For volunteers, suppliers or other individuals, this Policy is publicly available on the Company's website at <https://investors.acusensus.com/corp-gov/>.

2. Why do we need this Policy?

- 2.1 Acusensus is committed to a culture of integrity, transparency and accountability. The Company has established this Policy as a means for identifying wrongdoing, including alleged and suspected misconduct or illegal activity, that otherwise may not be uncovered, and providing a safe and confidential channel for raising concerns about wrongdoing.
- 2.2 This Policy addresses the statutory regime for whistleblower protection under the *Corporations Act 2009* (Cth), and the *Taxation Administration Act 1953* (Cth) and associated regulations (**Whistleblower Laws**). It is designed to support the the Company's purpose and strategy and ensure the Group meets its legislative and regulatory requirements.
- 2.3 Acusensus encourages you to 'speak up' and report a Disclosable Matter (as defined below) according to this Policy and to adopt the attitude '*when in doubt, report*'. We are committed to identifying and responding to each Disclosable Matter and supporting anyone who decides to report it.
- 2.4 All reports made are taken seriously, so it is important that you do not knowingly make false or misleading reports. This may constitute a breach of Group policy and you could be subject to disciplinary action.
- 2.5 This Policy outlines the procedure for our management of a Disclosable Matter.

3. Definitions

In this Policy:

ACNC means the Australian Charities and Not-for-profits Commission.

AFP means the Australia Federal Police as defined in the *Australian Federal Police Act 1979* (Cth).

APRA means the Australian Prudential Regulation Authority.

ASIC means the Australian Securities and Investments Commission.

ATO means the Australian Taxation Office.

Company means Acusensus Limited ACN 625 231 941.

Corporations Act means the *Corporations Act 2001* (Cth).

Disclosable Matter has the meaning given in section 5.

Group means the Company and each of its subsidiaries and related bodies corporate as those terms are defined in the Corporations Act.

IGT means the Inspector-General of Taxation.

Taxation Administration Act means the *Taxation Administration Act 1953* (Cth).

TPB means the Tax Practitioners Board.

4. Application of this Policy to you

4.1 This Policy applies to you if you are, or formerly were, any of the following:

- 4.1.1 an employee or officer of the Group (including permanent, part-time, fixed term or temporary employees, interns, secondees, and directors);
- 4.1.2 a supplier of services or goods to the Group (whether paid or unpaid), including their employees (for example, current and former contractors, consultants, service providers and business partners, including volunteers);
- 4.1.3 an associate of any member of the Group; or
- 4.1.4 a relative, dependant or spouse of an individual described in the above paragraphs (for example, relatives, dependants or spouses of current and former employees, contractors, consultants, service providers, suppliers and business partners).

5. What is a Disclosable Matter?

5.1 A **Disclosable Matter** is information which you have reasonable grounds to suspect concerns misconduct, or an improper state of affairs or circumstances, in relation to the Company, of any

member of the Group, or our business (including in relation to an officer or employee of the Company or of any member of the Group).

5.2 A **Disclosable Matter** includes conduct which you have reasonable grounds to suspect was engaged in by an entity or person named in paragraph 5.1, and which:

5.2.1 breaches the Corporations Act, the *Australian Securities and Investments Commission Act 2001* (Cth), the *Banking Act 1959* (Cth), the *Financial Sector (Data Collection) Act 2001* (Cth), the *Insurance Act 1973* (Cth), the *Life Insurance Act 1995* (Cth), the *National Consumer Credit Protection Act 2009* (Cth), or the *Superannuation Industry (Supervision) Act 1993* (Cth), or tax legislation (meaning any legislation that has the primary function of imposing tax in Australia);

5.2.2 is an offence against any other law of the Commonwealth of Australia that is punishable by imprisonment for a period of 12 months or more; or

5.2.3 indicates a significant risk to public safety or the stability of, or confidence in, the financial system (even if it does not involve a breach of a particular law).

5.3 A **Disclosable Matter** includes conduct that may not involve contravention of a particular law.

5.4 By way of example only, a Disclosable Matter may include misconduct or serious wrongdoing that you reasonably believe:

5.4.1 is dishonest, illegal, fraudulent, corrupt or unsafe;

5.4.2 is unethical, including any conduct that would breach the Company's Code of Conduct;

5.4.3 involves irregular use of company funds or practices (including misleading accounting or financial reporting practices);

5.4.4 is impeding internal controls, or internal or external audit processes;

5.4.5 involves misuse of our business information;

5.4.6 is damaging to our business, financial position or reputation;

5.4.7 poses a significant risk to the stability of the financial system;

5.4.8 endangers the health and safety of any employee or member of the public, including contraventions of human rights, including modern slavery; or

5.4.9 poses a significant risk to the environment.

6. This Policy does not apply to certain matters

6.1 This Policy and the Whistleblower Laws do not apply to a disclosure which is solely about a personal work-related grievance, where the grievance:

6.1.1 concerns your current or former employment, and has (or tends to have) implications for you personally;

6.1.2 has no significant implications for the Company or any member of the Group that do not relate to you; and

- 6.1.3 does not concern actual or alleged conduct described in paragraph 5.2, and does not breach laws against whistleblower-related victimisation.
- 6.2 Subject to paragraph 6.3, a personal work-related grievance may include the following:
 - 6.2.1 an interpersonal conflict between you and another employee;
 - 6.2.2 a decision relating to your terms and conditions of engagement, or to your engagement, transfer or promotion; and
 - 6.2.3 a decision to suspend or terminate your engagement, or otherwise to discipline you.
- 6.3 A personal work-related grievance may still qualify for protection under this Policy and the Whistleblower Laws if:
 - 6.3.1 it includes information about actual or alleged conduct described in clause 5.2;
 - 6.3.2 it relates to information which suggests misconduct beyond your personal circumstances; or
 - 6.3.3 it relates to a breach of laws against whistleblower-related victimisation.
- 6.4 If you wish to report a personal work-related grievance, please refer to the Company's Code of Conduct and Disciplinary Policy.
- 6.5 Disclosures that are not about a Disclosable Matter do not qualify for protection under this Policy or the Whistleblower Laws. They may however be protected under other laws, such as the *Fair Work Act 2009* (Cth) and anti-discrimination or equal opportunity legislation, and so we encourage you to explore other avenues to speak up about your concern, such as by referring to the Company's Code of Conduct or speaking to a member of our People Team.

7. How to make a report

- 7.1 You should report a Disclosable Matter as soon as you become aware of it. If you wish to seek additional information before formally reporting a Disclosable Matter, you may contact any of our Whistleblower Protection Officers listed below, or seek advice from an independent lawyer.
- 7.2 The Company is committed to identifying and addressing wrongdoing as early as possible. In the first instance, you should report a Disclosable Matter to:
 - 7.2.1 any of our Whistleblower Protection Officers, who are the Company's General Counsel and Head of Team Experience and Performance. Contact details for the Whistleblower Protection Officers can be found in the Company directory;
 - 7.2.2 an officer (Directors or the Company Secretary) or member of the Executive Leadership Team of the Company;
 - 7.2.3 an auditor, or member of an audit team conducting an audit, or actuary, of the Company or a Group company; or
 - 7.2.4 for tax-related disclosures, any of the above, or a registered tax agent, BAS agent, or any other employee or officer who has functions or duties that relate to the tax affairs of the Company or a Group company.

- 7.3 To qualify for whistleblower protection under the Whistleblower Laws, your report under paragraph 7.1 must be made directly to a person specified in paragraph 7.1.
- 7.4 You may also report a Disclosable Matter to ASIC, APRA or another Commonwealth body prescribed by law or regulation. This report will qualify for whistleblower protection under the Whistleblower Laws. You will qualify for protections under the Whistleblower Laws even if you make a disclosure to one of these external bodies without first having reported your Disclosable Matter under paragraph 7.2. See ASIC Information Sheet 239 *How ASIC handles whistleblower reports* (INFO 239) for more information.
- 7.5 For tax-related disclosures, you may also report to the TPB or the Commissioner of Taxation (the ATO) where you consider the information may assist the ATO or TPB to perform its functions under a taxation law, the IGT, a prescribed body of which you are a member of the purpose of obtaining assistance, or a medical practitioner or psychologist, for the purpose of obtaining medical or psychiatric care, treatment or counselling.
- 7.6 You may report a Disclosable Matter to a lawyer for the purpose of obtaining legal advice or representation relating to the operation of the whistleblower provisions in the Whistleblower Laws. This report is protected even if the lawyer concludes that it does not relate to a Disclosable Matter.
- 7.7 Your report can be made anonymously (see section 11).

8. Public interest or emergency disclosure

- 8.1 A report made about a Disclosable Matter to a member of parliament or a journalist will not be protected under the Whistleblower Laws, unless it is a 'public interest disclosure' or an 'emergency disclosure'.
- 8.2 To make a **public interest disclosure**:
- 8.2.1 you must have previously reported the Disclosable Matter to a regulator specified in paragraph 7.3, and at least 90 days must have passed since that previous report;
 - 8.2.2 after that 90-day period, you must give the regulator who received that previous report, a written notice that:
 - (a) includes sufficient information to identify your previous report; and
 - (b) states that you intend to make a public interest disclosure;
 - 8.2.3 you must not have reasonable grounds to believe that action is being, or has been, taken to address the matters relating to the previous report;
 - 8.2.4 you must have reasonable grounds to believe that making a further report to a member of parliament or journalist would be in the public interest; and
 - 8.2.5 you must disclose information to the member of parliament or a journalist only to the extent necessary to inform them of the Disclosable Matter.
- 8.3 To make an **emergency disclosure**:
- 8.3.1 you must have reasonable grounds to believe that the Disclosable Matter concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;

- 8.3.2 you must have previously reported the Disclosable Matter to a regulator specified in paragraph 7.3, and you must also subsequently give it a written notice that:
- (a) includes sufficient information to identify your previous report; and
 - (b) states that you intend to make an emergency disclosure; and
- 8.3.3 you must disclose information to the member of parliament or a journalist only to the extent necessary to inform them of the substantial and imminent danger.
- 8.4 It is important for you to understand the above criteria for making a public interest disclosure or an emergency disclosure.
- 8.5 We strongly encourage you to seek advice from an independent lawyer before making a public interest disclosure or an emergency disclosure.

9. Handling and investigating a report of a Disclosable Matter

- 9.1 If you report a Disclosable Matter under paragraph 7.1 to a person who works in the Company, you will be notified within a reasonable time that your report has been received.
- 9.2 You should not attempt to investigate any Disclosable Matter yourself.
- 9.3 The Company will assess your report to determine:
- 9.3.1 whether it qualifies for protection under the Whistleblower Laws and this policy; and
 - 9.3.2 how the Company will respond to the matters raised, including whether any investigation is required.
- 9.4 We will respond to any report of a Disclosable Matter where we consider that it was made on reasonable grounds.
- 9.5 Whilst our process and timing may vary depending on the nature of the Disclosable Matter, these are the key steps that may be involved in our handling of a report of a Disclosable Matter:
- 9.5.1 As soon as is reasonably practicable after receiving your report, we may, in relation to the matters raised in your report:
 - (a) determine that no investigation or inquiry is necessary (for example, because there is sufficient objective evidence available in the report, or because even if proven, the matters disclosed do not constitute actionable misconduct or wrongdoing);
 - (b) undertake internal inquiries, such as a desktop review of relevant documentation or making discreet enquiries of relevant personnel;
 - (c) conduct an internal investigation; and/or
 - (d) appoint an external investigator to conduct an investigation.
 - 9.5.2 We may also take such other steps as we consider reasonable and appropriate to properly assess your report and to determine appropriate outcomes.

- 9.5.3 You may be invited to provide additional information to assist any assessment or investigation of your report, including a description of the facts and circumstances of the misconduct or improper state of affairs or circumstances.
- 9.5.4 We will decide what steps should be taken to address any verified misconduct or improper state of affairs or circumstances.
- 9.5.5 You will receive feedback on the progress or outcome of the assessment or investigation (subject to privacy and confidentiality restrictions).
- 9.6 There may be limitations to our investigation process. We may not be able to undertake an investigation if we are not able to contact you (for example, if the report is made anonymously and you have refused to provide, or have not provided, further information in relation to your disclosure, including a means of contacting you).
- 9.7 We will provide you with regular updates if you can be contacted (including through anonymous channels). The frequency and timeframe may vary depending on the nature of your report.
- 9.8 The method for documenting and reporting the findings from an investigation will depend on the nature of the report. Those findings will be documented and reported to those responsible for oversight of this Policy. In doing so, we will preserve confidentiality by taking measures described in paragraph 11.
- 9.9 At the end of the investigation, you will be informed of the outcome of the investigation, unless circumstances are such that it may not be appropriate to provide details of the outcome to you. You will not receive a copy of the investigation report.
- 9.10 Where you are not satisfied with the investigation process or outcome, or the handling of your report, you may raise these concerns with any person identified in paragraph 7.2. The Company is not obliged to reopen any investigation which has been concluded.

10. What protections will a whistleblower receive?

- 10.1 We are committed to protecting and supporting whistleblowers who report a Disclosable Matter according to this Policy. If you report this, the following protections are in place to protect you:
 - 10.1.1 identity protection (confidentiality) (see paragraph 11);
 - 10.1.2 protection from detrimental acts or omissions (see paragraph 12);
 - 10.1.3 compensation and other remedies (see paragraph 13); and
 - 10.1.4 civil, criminal and administrative liability protection (see paragraph 14).
- 10.2 Those protections apply not only to internal disclosures, but to disclosures to lawyers, regulatory and other external bodies, and public interest disclosures and emergency disclosures described in paragraph 8.
- 10.3 You can still qualify for protection even if your disclosure turns out to be incorrect.

11. Identity protection (confidentiality)

- 11.1 Your report can be made anonymously and still be protected under the Whistleblower Laws.

- 11.2 You can choose to remain anonymous while making a report, over the course of the investigation and after the investigation is finalised. You can refuse to answer questions that you feel could reveal your identity at any time, including during follow-up conversations. If you wish to remain anonymous, you should maintain ongoing two-way communication with the Company, so that the Company can ask follow-up questions or provide feedback.
- 11.3 If you choose to remain anonymous, the most practical way to protect your anonymity is to contact us via an anonymised email address. If we need to speak to you to investigate your report, we will advise you how we propose to do that and maintain your anonymity.
- 11.4 You may adopt, or we may assign to you, a pseudonym for the purpose of your report. This may be appropriate where your identity is known to your supervisor or a Whistleblower Protection Officer, but you prefer not to disclose your identity to others.
- 11.5 All information disclosed in your report, including your identity (where you choose not to disclose this), will remain confidential to the extent required by law.
- 11.6 If you report a Disclosable Matter under this Policy, a person cannot disclose your identity or information that is likely to lead to your identification (which the person obtained directly or indirectly because of your report), as part of the investigation process or otherwise, except under paragraph 11.6.1 or 11.6.2 below.
- 11.6.1 A person can disclose your identity:
- (a) to ASIC, APRA or a member of the AFP or, for tax-related disclosures, to the Commissioner of Taxation (the ATO), ACNC, the IGT or the TPB;
 - (b) to a lawyer (for the purposes of obtaining legal advice or legal representation about the Whistleblower Laws);
 - (c) a person or body prescribed by regulations; or
 - (d) with your consent.
- 11.6.2 We can disclose information contained in your report that may lead to your identification, with or without your consent, if:
- (a) the information does not include your identity;
 - (b) we have taken all reasonable steps to reduce the risk that you will be identified from the information; and
 - (c) it is reasonably necessary for investigating the issues raised in your report.
- 11.7 It is illegal for a person to disclose your identity or information that is likely to lead to your identification, except under paragraph 11.6.1 or 11.6.2 above. You may lodge a complaint about a breach of confidentiality with:
- 11.7.1 the Company's Chief Executive Officer or Chair; or
- 11.7.2 a regulator, such as ASIC, APRA or the ATO, for investigation.
- 11.8 Measures that we will take to protect your identity include the following:
- 11.8.1 all personal information or references to you will be redacted or disguised in relevant documents;

- 11.8.2 where possible, we will consult with you to identify any aspects of your report that could inadvertently identify you;
- 11.8.3 disclosures will only be handled and investigated by qualified staff or external advisers;
- 11.8.4 all paper and electronic documents and other materials relating to the disclosure will be stored securely;
- 11.8.5 access to information relating to the disclosure will be limited to those directly involved in managing and investigating the disclosure and our whistleblower program; and
- 11.8.6 each person who is involved in handling and investigating a disclosure will be reminded about the confidentiality requirements, including that an unauthorised disclosure of a discloser's identity may be a criminal offence.

12. Protection from detrimental acts or omissions

- 12.1 If you report a Disclosable Matter under this Policy, there are legal protections for protecting you (or any other person) from victimisation in relation to your report. The Company will assess the risk of detriment to you and relevant individuals connected to your report.
- 12.2 Subject to this policy (see for example paragraph 12.6), your position within our business will not be altered to your detriment or disadvantage as a result of making a report of a Disclosable Matter. You will not be otherwise dismissed, demoted, harassed, discriminated against, or subject to bias as a result of making your report of a Disclosable Matter.
- 12.3 A person cannot engage in conduct that causes detriment to you (or another person), in relation to your report, if:
 - 12.3.1 the person believes or suspects that you (or another person) made, may have made, proposes to make or could make a report that qualifies for whistleblower protection; and
 - 12.3.2 the belief or suspicion is the reason, or part of the reason, for the conduct.
- 12.4 A person cannot make a threat to cause detriment to you (or another person) in relation to your report. A threat may be express or implied, or condition or unconditional. If you or another person have or has been threatened, it is not a requirement for you or the other person to actually fear that the threat will be carried out.
- 12.5 Detrimental conduct that is prohibited under the law includes:
 - 12.5.1 dismissal of an employee;
 - 12.5.2 injury of an employee in his or her employment;
 - 12.5.3 alteration of an employee's position or duties to his or her disadvantage;
 - 12.5.4 discrimination between an employee and other employees of the same employer;
 - 12.5.5 harassment or intimidation of a person;
 - 12.5.6 harm or injury to a person, including psychological harm;
 - 12.5.7 damage to a person's property;

- 12.5.8 damage to a person's reputation;
 - 12.5.9 damage to a person's business or financial position; or
 - 12.5.10 any other damage to a person.
- 12.6 Examples of actions that are not detrimental conduct include:
- 12.6.1 administrative action that is reasonable for the purpose of protecting a discloser from detriment (for example, moving a discloser who has made a disclosure about their immediate work area to another location to prevent them from detriment); and
 - 12.6.2 managing a discloser's unsatisfactory work performance, if the action is in line with the Group's performance management framework.
- 12.7 To the extent it is reasonable and practical to do so, we will monitor and manage the behaviour of any people who are involved in your report.
- 12.8 We will take all reasonable precautions to ensure that you (and your colleagues and relatives) are not harmed, injured, intimidated, harassed, bullied or victimised by any of our employees, officers, contractors, suppliers, consultants and directors.
- 12.9 We will consider any reasonable requests for additional protections that you may make or we consider necessary for your protection (for example, leave of absence during any investigation).
- 12.10 If you believe you have suffered whistleblowing-related detriment, you may make a report about this to the Company by contacting any person identified in paragraph 7.2, seek independent legal advice or contact regulatory bodies such as ASIC, APRA or the ATO.
- 12.11 An employee who causes, or threatens to cause, detriment to any actual or suspected whistleblower (being a person whom the employee suspects has reported or will report a Disclosable Matter) may be subject to disciplinary action under our Disciplinary Policy. A person engaging in detrimental conduct may also be subject to serious civil or criminal penalties as well as court orders under the Whistleblower Laws, including an order to:
- 12.11.1 require the person to compensate the suspected whistleblower, or any other person, for loss, damage or injury as a result of the detrimental conduct;
 - 12.11.2 prevent, stop or remedy the effects of the detrimental conduct;
 - 12.11.3 require the person to apologise to the suspected whistleblower for engaging in the detrimental conduct;
 - 12.11.4 reinstate to the same position or a position at a comparable level, the suspected whistleblower who was terminated from a particular position; or
 - 12.11.5 require the person to pay exemplary damages to the suspected whistleblower or to any other person.

13. Civil, criminal and administrative liability protection

- 13.1 You are protected from any of the following in relation to your report of a Disclosable Matter under this Policy:
- 13.1.1 civil liability (for example, any legal action against you for breach of an employment contract, duty of confidentiality or another contractual obligation);
 - 13.1.2 criminal liability (for example, attempted prosecution of you for unlawfully releasing information, or other use of your report against you in a prosecution (other than for making a false disclosure)); and
 - 13.1.3 administrative liability (for example, disciplinary action for making the report).
- 13.2 The above protections do not grant immunity for any misconduct you have engaged in that is revealed in your report. For more information, you should seek independent legal advice before making your report.

14. Ensuring fair treatment of individuals mentioned in a disclosure

- 14.1 Measures that we will take to ensure fair treatment of our employees who are mentioned in any report of a Disclosable Matter under this Policy, or who are the subject of any such report, include the following:
- 14.1.1 disclosures will be handled confidentially, when it is practical and appropriate in the circumstances;
 - 14.1.2 each disclosure will be assessed and may be the subject of an investigation; and
- 14.2 where appropriate, an employee who is the subject of a disclosure will have an opportunity to respond to relevant allegations before any adverse findings of fact are made, and for employees, before any disciplinary action is taken.

15. Evaluation and review

- 15.1 The Audit and Risk Management Committee is responsible for monitoring, reporting and reviewing this Policy, and will ensure that:
- 15.1.1 this Policy is reviewed at least once every two years by the Board of directors of the Company; and
 - 15.1.2 compliance with this Policy is monitored regularly, and the effectiveness of this Policy is reported to the Board of directors of the Company.
- 15.2 This Policy may be amended by resolution of the Board of directors of the Company.

Last updated: January 2025.