

# WHISTLEBLOWER POLICY

## 1. PROTECTED DISCLOSURES

An Eligible Whistleblower who makes a Protected Disclosure is entitled to protection under the *Corporations Act* (see clause 5.1 of this Policy for more information about protections).

A **Protected Disclosure**:

- is a report or disclosure that qualifies for protection under whistleblower legislation and this Policy; or
- is a disclosure of information by a **Discloser** (who is an Eligible Whistleblower) to an Eligible Recipient, where that Discloser has **Reasonable Grounds** to suspect that the information disclosed concerns a **Disclosable Matter**.

The criteria to satisfy a **Protected Disclosure** is summarised in the table below.

CRITERIA FOR PROTECTED DISCLOSURE *	REQUIREMENTS TO MEET THE CRITERIA
1. The Discloser must be an <b>Eligible Whistleblower</b>	Refer to the definition of <b>Eligible Whistleblower</b> in clause 8 of this Policy.
2. The disclosure must be made to an <b>Eligible Recipient</b>	Refer to the definition of <b>Eligible Recipient</b> in clause 8 of this Policy.
3. The disclosure must be about a <b>Disclosable Matter</b>	Examples of <b>Disclosable Matters</b> are set out at clause 3.1 of this Policy. The Discloser must have <b>Reasonable Grounds</b> to suspect that the information that they are disclosing concerns: <ul style="list-style-type: none"> <li>• misconduct; or</li> <li>• an improper state of affairs or circumstances.</li> </ul> A Discloser may still qualify for protection under the Corporations Act even if the information related to the Protected Disclosure turns out to be incorrect.
4. The disclosure should not be solely about a Discloser's <b>Personal Work-Related Grievance</b>	Examples of grievances that may be a Personal Work-Related Grievance are set out at clause 3.2 of this Policy.

\* (Refer to clause 8 Defined Terms for more information about the terms shown in bold).

## 2. OVERVIEW OF THIS POLICY

Discovery is committed to conducting its operations with integrity and to fostering and maintaining an ethical organisational culture. The purpose of this Whistleblower Policy (**Policy**) is to:

- ensure that an individual who makes a **Protected Disclosure** in relation to Discovery is provided with a safe and secure means to report improper conduct confidentially and without fear of **Detriment**; and

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- to foster a positive and open environment where employees, contractors and other associates of Discovery feel they can come forward to make a disclosure without negativity associated with whistleblowing.

Under the whistleblower protection regime in Australia, **Eligible Whistleblowers** are entitled to certain protections under the **Corporations Act** when they make reports of misconduct or an improper state of affairs about a company that meet specific criteria. This Policy sets out:

- who is entitled to protection as an Eligible Whistleblower under this Policy; and
- how reports about Disclosable Matters can be made under this Policy and how Discovery will act on such disclosures.

## 2.1. Policy Statement

This Policy sets out how Discovery will receive whistleblower reports that are Protected Disclosures, consistent with requirements under the Corporations Act, and how Discovery will act on such disclosures. Discovery commits to supporting Eligible Whistleblowers throughout the process of making a Protected Disclosure, and any subsequent investigation, and to protecting them from Detriment.

## 2.2. Policy Scope

This Policy applies to all Employees and Officers of Discovery, and any Eligible Whistleblowers who make a Protected Disclosure.

# 3. EXAMPLES

## 3.1. Examples of Disclosable Matters and Non-Disclosable Matters

In addition to conduct that is illegal or breaches any law applicable to Discovery, **Disclosable Matters** include conduct that may not involve a breach of law. For example, 'misconduct' or an 'improper state of affairs or circumstances' may indicate a systemic issue within Discovery that the relevant regulator should be made aware of. It may also relate to:

- dishonest or unethical behaviour and practices;
- conduct that may cause harm; or
- conduct that is in breach of Discovery's Code of Conduct.

Specific examples of a Disclosable Matter may include:

- illegal conduct, such as theft, dealing prohibited drugs, violence or threats of violence and criminal damage to property;
- fraud, money laundering or misappropriation of funds;
- bribery;
- non-compliance or breach of laws; or
- engaging in, or threatening, conduct that would cause Detriment to a Discloser (or an individual planning to make, or suspected to have made, a Protected Disclosure).

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Disclosures that are not about Disclosable Matters do not qualify for protection under the Corporations Act or this Policy but may be protected under other legislation (eg. the *Fair Work Act 2009* (Cth)).

### 3.2. Examples of a Personal Work-Related Grievance

Examples of grievances that *may* be Personal Work-Related Grievances and therefore may not qualify as a Protected Disclosure include:

- interpersonal conflict between the Discloser and another Employee;
- decisions (that do not involve a breach of workplace laws) in relation to:
  - the engagement, transfer or promotion of the Discloser;
  - the terms of engagement of the Discloser;
  - the suspension or termination of the engagement of the Discloser; and/or
  - discipline of the Discloser.

Whether or not a matter will be considered a Personal Work-Related Grievance will depend on the relevant facts and circumstances. There may be situations when disclosures about, or including, a Personal Work-Related Grievance still qualify for protection. For example, if:

- a Personal Work-Related Grievance includes information about misconduct, or information about misconduct also involves a Personal Work-Related Grievance;
- Discovery breaches employment or other laws punishable by imprisonment for a period of 12 months or more, engages in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the Discloser's grievance;
- the Discloser suffers from or is threatened with Detriment for making a disclosure; and/or
- the Discloser seeks legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act.

Where an Employee wishes to raise an issue that they believe may be more likely a Personal Work-Related Grievance and not covered by this Policy, they may consult Discovery's People & Culture team for advice about how to resolve the issue.

## 4. HOW TO MAKE A PROTECTED DISCLOSURE

### 4.1. Who to Contact

Disclosures may be made via Stopline (Discovery's external whistleblower reporting service operated by an independent service provider, Stopline Pty Ltd) or directly to any Eligible Recipients, including the WIO and the WPO below.

To assist with addressing any issues as soon as possible, Discovery encourages that disclosures be made via the Stopline service in the first instance.

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The Stopline service can be accessed via website, post, email, telephone or mobile phone app as follows:

- in writing via:
  - post to ATT: Discovery Parks c/o Stopline, PO Box 403, Diamond Creek VIC 3089;
  - email to [makeareport@stopline.com.au](mailto:makeareport@stopline.com.au);
  - online submission to <https://discoveryholidayparks.stoplinereport.com/>;
- by telephoning 1300 30 45 50 between 8:00am and 6:00pm AEST Monday to Friday.
- by downloading the free 'Stopline365' mobile app from the iTunes App Store or Google Play store and following the in app directions.

Alternatively, an Eligible Whistleblower may make a Protected Disclosure by providing details of the Disclosable Matter to an Eligible Recipient, including the WIO and WPO listed below.

**Whistleblower Investigation Officer (WIO)**

*Legal Officer*

**Whistleblower Protection Officer (WPO)**

*Chief People Officer*

If the WIO or WPO is the subject of or is involved in the Disclosable Matter, reports should be made:

1. if the WIO is the subject of or involved in the Disclosable Matter, to the WPO or via Stopline;
2. if the WPO is the subject of or involved in the Disclosable Matter, to the WIO or via Stopline;
3. if both the WIO and WPO are the subject of or involved in the Disclosable Matter, to the Chief Operations Officer (**COO**) or via Stopline;
4. if all of the above persons are the subject of or involved in the Disclosable Matter, to another Eligible Recipient or via Stopline.

Disclosures made internally can be made in person or by post, email or telephone:

- if in writing:
  - marked to the attention of the Whistleblower Investigations Officer, Whistleblower Protection Officer, Chief Operations Officer or other Eligible Recipient;
  - posted or delivered to Ground Floor, 60 Light Square, Adelaide SA 5000;
  - emailed to [legal@discoveryparks.com.au](mailto:legal@discoveryparks.com.au);
- by telephoning (08) 8219 3000 between 9:30am and 5:30pm AEST Monday-Friday (excluding public holidays) and requesting to speak with the WIO, WPO, COO or other Eligible Recipient as applicable.

## 4.2. Anonymous Disclosures

Disclosures may be made anonymously and still be entitled to protection under the Corporations Act and this Policy. However, the Discloser's status as an Eligible Whistleblower may need to be confirmed (subject to the confidentiality requirements at clause 5.3 of this Policy).

To make an **anonymous report** or enquiry:

- written disclosures should be marked 'confidential' and sent without any sender identifying information (i.e. within the sender email address);
- via telephone, ensure that any identification information is switched off; and

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- in person or via telephone, the Discloser should request to make the report anonymously at the outset of the telephone call or meeting.

A Discloser can:

- choose to remain anonymous while making a Disclosure, over the course of the investigation and after the investigation is finalised;
- refuse to answer questions they feel could reveal their identity and may adopt a pseudonym where appropriate.

The adoption of a pseudonym may be appropriate where the Discloser's identity is known to their supervisor or the WPO, but the Discloser prefers not to disclose their identity to others.

## 5. INVESTIGATION PROCESS

Discovery will investigate all reports of Disclosable Matters made in accordance with this Policy. Investigations will commence as soon as practicable after a Protected Disclosure is received by the WIO, WPO, COO or other Eligible Recipient (as applicable). Discovery encourages all employees, contractors and other associates to feel comfortable disclosing information under this Policy where there are Reasonable Grounds to suspect that the information relates to a Disclosable Matter. It is important that Discovery receives enough information relevant to the Disclosable Matter to enable Discovery to properly investigate.

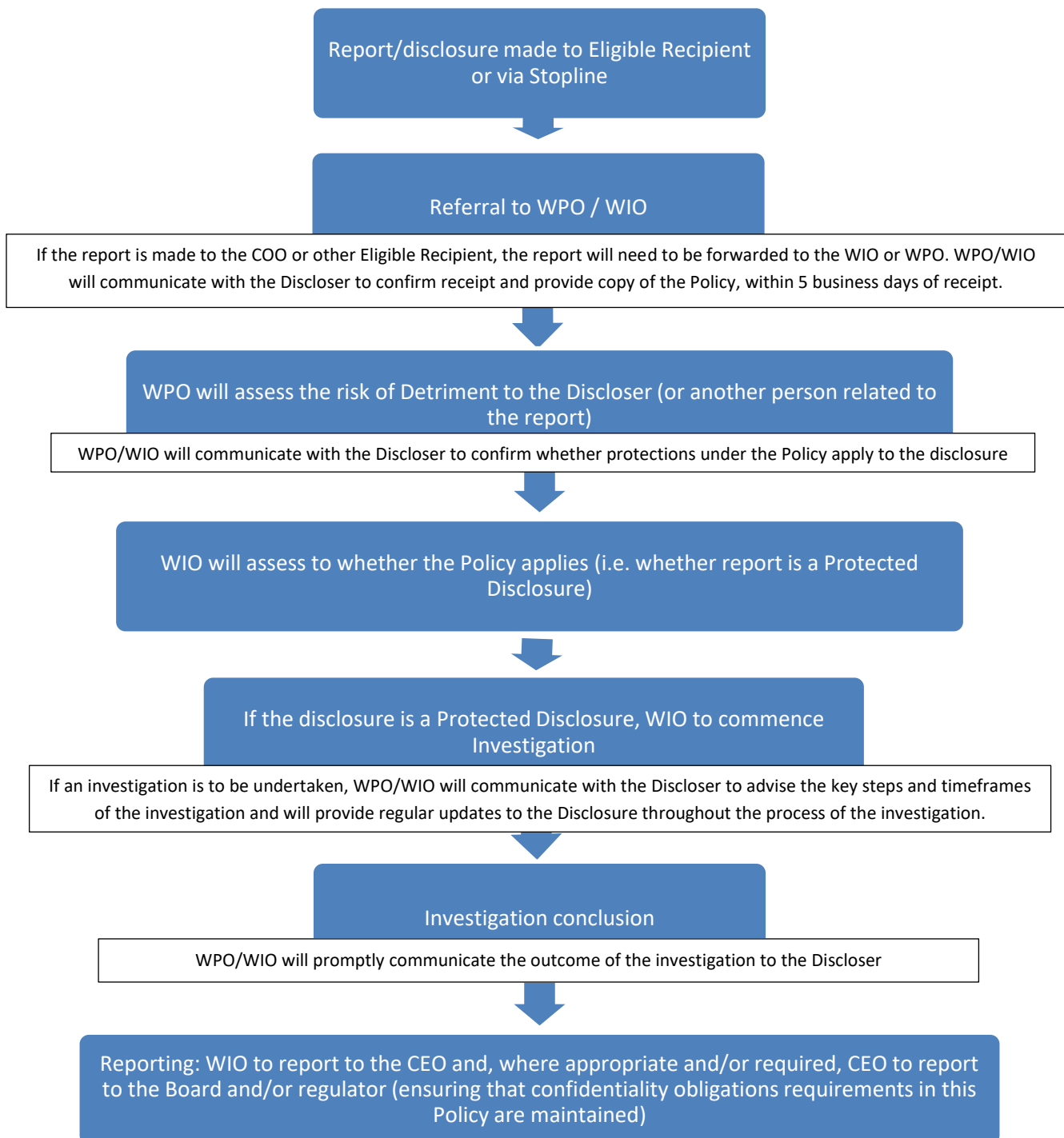
The investigation will be conducted in a timely, thorough, confidential, objective and impartial manner recognising the principles of natural justice and best practice investigative techniques, following the process outlined in the below Investigation Process Flowchart. If the WIO or WPO is the subject of or is involved in the Disclosable Matter and report made, the COO will resume the role of the WIO or WPO as applicable.

Once complete, the results of the investigation will be reported to the CEO and, where appropriate, reported by the CEO to the Board. Investigation documentation will be stored securely by all Eligible Recipients to prevent unauthorised access.

Where the Discloser has provided a means of contacting them, the Discloser will be kept updated regarding the progress and outcome of the investigation (see Investigation Process Flowchart below). It is important to note that Discovery may not be able to undertake an investigation if it is not able to contact the Discloser.

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## INVESTIGATION PROCESS FLOWCHART



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## 5.1. Protection of the Eligible Whistleblower and Others

There are protections available to Eligible Whistleblowers, including the protections under the Corporations Act. These protections are:

- identity protection (confidentiality);
- protection from Detriment;
- compensation and remedies; and
- civil, criminal and administrative liability protection.

For example, a Discloser, or another Employee or person, can seek compensation and other remedies through the courts if:

- they suffer loss, damage or injury because of a Disclosure; and
- Discovery failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.

These protections may also apply to disclosures to legal practitioners, regulatory and other external bodies, and 'public interest' and 'emergency' disclosures made in accordance with the Corporations Act. Discovery encourages Disclosers to seek independent legal advice in relation to specific protections.

## 5.2. Protection from Detriment

Discovery will take steps to assess the risk of Detriment to the Discloser or another person, including the subject of the disclosure, in relation to a disclosure as soon as it is received.

Discovery will take all reasonable steps to:

- ensure the protection of an Eligible Whistleblower who makes a Protected Disclosure against any reprisal or Detriment. This includes reprisals such as actual or threatened dismissal, demotion, harassment, bullying, discrimination or victimisation, or any other action or conduct that causes Detriment or threatens to cause Detriment.
- ensure the fair treatment of Employees who are mentioned in a Protected Disclosure, including those who are the subject of a disclosure, with the WIO ensuring the principles of natural justice and due process are upheld throughout the investigation process.

If a Discloser is implicated in any misconduct related to the Disclosable Matter, their liability for their own conduct is not affected by the making of the Protected Disclosure. However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action. It is important to note that the whistleblower protections do not grant immunity for any misconduct a Discloser has engaged in that is revealed in their Disclosure.

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### 5.3. Confidentiality

As required under law, all Protected Disclosures will be treated as confidential, unless an exception as set out below applies. An Eligible Recipient who receives a Protected Disclosure will not disclose any information:

- about the identity of the Discloser; or
- that is likely to lead to the identification of the Discloser,

other than where such a disclosure:

- is made to ASIC;
- is made to a member of the Australian Federal Police (within the meaning of the *Australian Federal Police Act 1979*);
- is made to a legal practitioner for the purpose of obtaining legal advice or legal representation in relation to the operation of this Policy;
- is made with the consent of the relevant Discloser;
- is reasonably necessary to conduct an investigation under this Policy (provided the information disclosed is not the identity of the Discloser and all reasonable steps are taken to reduce the risk that the Discloser will be identified); or
- where the Relevant Officer or a member of Discovery is required or authorised to disclose that information by law.

Discovery will take all reasonable steps to maintain the confidentiality of all Disclosures and the identity of Disclosers by:

- redacting or de-personalising personal information of the Discloser where practicable;
- storing electronic and paper documents securely;
- limiting access to all information relating to a Disclosure to those directly involved in managing and investigating the Disclosure; and
- reminding all persons involved in managing and investigating a Disclosure of the importance of maintaining confidentiality and the person's obligations in this regard.

A Discloser may lodge a complaint about a breach of confidentiality under this Policy by following the process for making a Protected Disclosure (see clause 4 of this Policy) and may also lodge such a complaint with a regulator, such as ASIC, APRA or the ATO, for investigation.

### 5.4. False Reports

Individuals that deliberately make a false report will not be able to access the whistleblower protections under the Corporations Act or this Policy. Deliberate false reports involve a Discloser reporting information they know to be untrue. This does not include situations where a Discloser has reasonable grounds to suspect misconduct but their suspicions are incorrect.

If an Employee is found to have deliberately made a false or dishonest report regarding a Disclosable Matter, disciplinary action may be taken against the Employee in accordance with relevant Discovery policies and employment legislation.

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## 5.5. Roles and Responsibilities

ROLE	RESPONSIBILITY
Eligible Recipient will	<ul style="list-style-type: none"> <li>Refer all potential Protected Disclosures to the WIO or WPO as applicable.</li> <li>Ensure confidentiality obligations are met (in accordance with clause 5.3 of this Policy).</li> </ul>
WIO will	<ul style="list-style-type: none"> <li>Monitor and receive disclosures from whistleblowing channels and ensure the integrity of the whistleblowing channels.</li> <li>Conduct initial review of disclosures to determine whether Policy applies and assess the risk of Detriment.</li> <li>Conduct investigations into Protected Disclosures.</li> <li>Ensure confidentiality obligations are met (in accordance with clause 5.3 of this Policy).</li> <li>Ensure the fair treatment of Employees who are mentioned in a disclosure, including those who are the subject of a disclosure.</li> <li>Report on investigation outcomes.</li> <li>Review and update the Policy in accordance with the Policy Review Process in clause 7.3 of this Policy.</li> <li>Monitor compliance with this Policy on an ongoing basis.</li> </ul>
WPO will	<ul style="list-style-type: none"> <li>Monitor and receive disclosures from Eligible Whistleblowers.</li> <li>Protect and support the Discloser, and other Employees mentioned in a disclosure, from Detriment.</li> <li>Communicate/correspond with Discloser on receipt of a disclosure, during any investigation and in relation to any investigation finding.</li> <li>Ensure confidentiality obligations are met (in accordance clause 5.3 of this Policy).</li> <li>Review and update the Policy in accordance with the Policy Review Process in clause 7.3 of this Policy .</li> </ul>
CEO will	<ul style="list-style-type: none"> <li>Approve changes to the Policy</li> </ul>
Discloser must	<ul style="list-style-type: none"> <li>Have reasonable grounds to suspect the disclosure concerns a Disclosable Matter.</li> <li>Provide a means for Discovery to contact them.</li> <li>Not knowingly submit a false report.</li> </ul>

## 6. DISCLOSURES MADE TO EXTERNAL PARTIES

### 6.1. Disclosures to Regulators

A Discloser may make a disclosure directly to regulatory bodies, or other external parties in some circumstances, about a Disclosable Matter and qualify for protection under the Corporations Act without making a report to Discovery. For example, to qualify for protection under the Corporations Act, disclosures of information relating to Disclosable Matters can be made to:

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- the Australian Securities and Investment Commission (**ASIC**) – ASIC manages laws relating to companies, financial markets and financial services and generally reviews misconduct by companies and their directors or Officers (eg, share market misconduct, insider trading). For more information about how ASIC handles whistleblower reports, please see [ASIC's guidance](#) on its website;
- the Australian Prudential Regulation Authority (**APRA**) – APRA generally deals with disclosures of matters such as compliance with prudential regulation or the safety and soundness of financial institutions; or
- another body prescribed by regulation – for example, failure to comply with tax obligations, failure to pay employee superannuation entitlements or administration of self-managed superannuation funds would generally be reported to the ATO.

Reports to regulators are not intended to deal with Park-related grievances.

## 6.2. Disclosures to Legal Practitioners

It is important to note that disclosures to a legal practitioner for the purposes of obtaining legal advice or legal representation in relation to the operation of the whistleblower provisions in the Corporations Act are protected (even in the event that a disclosure does not relate to a Disclosable Matter).

## 6.3. 'Public Interest' and 'Emergency' Disclosures

Disclosures may be made, in limited, specific circumstances, to a journalist or parliamentarian, where the disclosure is considered a 'public interest disclosure' or 'emergency disclosure' under the Corporations Act. Such a disclosure must have previously been made to ASIC, APRA or a prescribed body and written notice provided to the body to which the disclosure was made. In the case of a 'public interest disclosure', at least 90 days must have passed since the previous disclosure.

A Discloser should have regard to Discovery's Social Media Policy before making public statements and should contact an independent legal adviser before making a 'public interest disclosure' or 'emergency disclosure'.

# 7. POLICY APPLICATION

Compliance with this Policy is mandatory. If you require additional information in relation to this Policy, please contact the WPO or WIO.

## 7.1. Policy Monitoring

Compliance with this Policy will be monitored on an ongoing basis by the WIO. Any breaches will be reported to the CEO (and Board as applicable) to determine the appropriate action in response. Where appropriate, the Board will be advised of Protected Disclosures made and action taken.

## 7.2. Policy Implementation

This Policy will be circulated to all Employees and uploaded to the Discovery Intranet.

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This Policy must also be made available to any Eligible Whistleblower who is not an Employee or who does not have access to the Discovery Intranet, in accordance with the Investigation Process Flowchart above.

### 7.3. Policy Review

This Policy shall be reviewed and updated as necessary, including in response to any publication of relevant new guidance from ASIC and, in any event, at least once every two years.

The WIO and WPO will be jointly responsible for the review and update of the Policy and will review the Policy in accordance with the below Policy Review Process.

#### Policy Review Process:

1. WIO or WPO determine Policy needs to be updated or is due for periodic review.
2. WIO and WPO hold a meeting to discuss and propose the required changes to the Policy.
3. WIO makes the necessary amendments to the Policy and receives approval from the WPO.
4. WIO and WPO present the updated Policy to the CEO for review.
5. CEO approves Policy by informing the WIO and WPO of approval in writing.
6. Updated Policy is circulated to Employees and uploaded to the Discovery Parks Intranet. The WIO must retain a copy of the current Policy at all times.

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## 8. DEFINED TERMS

In this Policy, the following terms have the corresponding definitions set out below:

- (a) **Board** means the Board of Directors of Discovery.
- (b) **Corporations Act** means the Corporations Act 2001 (Cth).
- (c) **Detriment** includes (but is not limited to):
  - a. dismissal of an Employee;
  - b. injury of an Employee while working for Discovery;
  - c. changes to an Employee's position or duties to their disadvantage;
  - d. discrimination of an Employee;
  - e. harassment or intimidation of an individual;
  - f. harm or injury to an individual, including psychological harm;
  - g. damage to an individual's property, reputation, business or financial position;
  - h. retaliation; and/or
  - i. any other damage to an individual,
 but does not include, for example:
  - j. administrative action that is reasonable for the purpose of protecting a Discloser from detriment; and
  - k. managing a Discloser's unsatisfactory work performance, if the action is in line with Discovery's performance management framework.
- (d) **Director** means a member of the Board.
- (e) **Disclosable Matter** involves information that the Discloser has reasonable grounds to suspect concerns misconduct, or an improper state of affairs or circumstances, in relation to:
  - a. an entity; or
  - b. if the entity is a body corporate, a related body corporate of the entity.
- (f) **Discloser** means an individual who makes a report/disclosure of information concerning misconduct or an improper state of affairs or circumstances in relation to Discovery whether or not they are an Eligible Whistleblower.
- (g) **Discovery** means Discovery Parks Holdings Pty Ltd, Discovery Holiday Parks Pty Ltd and any Related Body Corporate of those entities.
- (h) **Eligible Recipient** includes:
  - a. an Officer of Discovery;
  - b. an auditor, or a member of an audit team conducting an audit, of Discovery (including a member of the Audit, Risk & Compliance Committee);
  - c. a Relevant Officer; and
  - d. a Senior Manager of Discovery (i.e. a member of Discovery's Executive Team).
- (i) **Eligible Whistleblower** means a current or former:
  - a. Employee of Discovery;
  - b. Officer of Discovery;

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- c. contractor, or an employee of a contractor, who has supplied goods or services to Discovery or a related company or organisation (including paid or unpaid workers and volunteers);
  - d. associate of Discovery, usually a person with whom Discovery acts in concert; and/or
  - e. spouse, relative or dependant of any of the people referred to above.
- (j) **Employee** means a person who is an employee of Discovery.
- (k) **Officer** has the meaning given to that term in the Corporations Act.
- (l) **Personal Work-Related Grievance** means a grievance about any matter in relation to the Discloser's employment, or former employment, having (or tending to have) implications for the Discloser personally but which:
- a. does not have significant implications for Discovery, or another regulated entity; and
  - b. does not relate to conduct, or alleged conduct, that would constitute conduct specified at 1317AA(5) of the Corporations Act, namely conduct that constitutes an offence against, or a contravention of, a provision of any of the following:
    - i. the Corporations Act;
    - ii. the ASIC Act;
    - iii. the Banking Act 1959;
    - iv. the Financial Sector (Collection of Data) Act 2001;
    - v. the Insurance Act 1973;
    - vi. the Life Insurance Act 1995;
    - vii. the National Consumer Credit Protection Act 2009;
    - viii. the Superannuation Industry (Supervision) Act 1993;
    - ix. an instrument made under an Act referred to in any of subparagraphs (i) to (viii); or
  - c. does not constitute an offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more; or
  - d. does not represent a danger to the public or the financial system; or
  - e. is not prescribed by regulations.
- (m) **Protected Disclosure** means a report or disclosure that qualifies for protection under whistleblower legislation and this Policy (as summarised in clause 1 of this Policy).
- (n) **Reasonable Grounds** means that a reasonable person in the Discloser's position would suspect that the information indicates misconduct or a breach of the law.
- (o) **Related Body Corporate** has the meaning given to that term in the Corporations Act.
- (p) **Relevant Officer** includes the CEO, member of the Board of Directors, Company Secretary or Senior Manager.
- (q) **Senior Manager** includes a member of Discovery's Executive Team.

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