

Hannover Life Re of Australasia Ltd  
**WHISTLEBLOWER POLICY**

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## **1. PURPOSE**

1.1 HLR Aus is committed to:

- (a) the highest standards of ethics and conduct in all of our business activities;
- (b) promoting a culture of honesty, ethical behaviour and corporate compliance; and
- (c) encouraging the reporting of any instances of suspected misconduct or unethical, illegal, fraudulent or undesirable conduct involving HLR Aus staff and/or business partners.

1.2 HLR Aus is also committed to ensuring that HLR Aus staff (both employees and contractors) who report this behaviour are supported and can do so without fear or threat of victimisation or detriment including intimidation, disadvantage or reprisal.

1.3 It is expected that staff who become aware of conduct reportable under this Policy will make the appropriate report either under this Policy or under other HLR Aus policies as appropriate (i.e. staff have the option of reporting under this Policy or via other appropriate mechanisms such as reporting to a direct manager, the Managing Director or Head of HR as considered appropriate). If the disclosure is of the type to which whistleblower protections apply (see section 3), staff are encouraged to make the disclosure to a person specified under section 3 to ensure they receive the special protections available for such disclosures at law.

1.4 This Policy incorporates the Whistleblowing provisions referred to in HLR Aus's Audit Committee Charter [..\Audit Committee Charter November 2020.pdf](#) and Fit and Proper Policy [..\Policies\Board Policies\Fit Proper Policy 2021 - Aust NZ 18.11.21.pdf](#).

## **2. REPORTABLE CONDUCT**

2.1 Any HLR Aus staff member is encouraged to make a report under this Policy if they have reasonable grounds to suspect that an HLR Aus director, officer, employee, contractor or other person who has business dealings with HLR Aus has engaged in conduct which is:

- (a) dishonest, fraudulent or corrupt, including bribery or any other activity that breaches the HLR Aus Code of Conduct and/or Fit and Proper policies;
- (b) illegal (e.g. theft, drug sale or use, violence, harassment or intimidation, criminal damage to property or other breaches of the law);
- (c) unethical or in breach of HLR Aus's policies;
- (d) potentially damaging to HLR Aus, an HLR Aus employee or a third party (e.g. unsafe work practices);
- (e) an abuse of authority;
- (f) damaging to HLR Aus's reputation (with or without a resulting financial loss);
- (g) incompatible with the fit and proper criteria contained in HLR Aus's Fit and Proper Policy;

- (h) considered to amount to harassment (including sexual harassment), discrimination, victimisation or bullying; and/or
- (i) considered to involve any other kind of serious impropriety.

2.2 The term 'reasonable grounds to suspect' is based on the objective reasonableness of the reasons for the whistleblower's suspicion. It ensures that a whistleblower's motive for making a disclosure, or their personal opinion of the person(s) involved, does not prevent them from qualifying for protection. A mere allegation with no supporting information is unlikely to be considered as having 'reasonable grounds to suspect'. However, a whistleblower does not need to prove their allegations.

### 3. WHISTLEBLOWER PROTECTIONS

#### 'Protected Disclosure' protections

3.1 HLR Aus will comply with the special protections available at law to whistleblowers for Protected Disclosures. Note that a whistleblower does not have to disclose their identity to qualify for these protections.

3.2 As set out in section 7, the special protections available to Protected Disclosures<sup>1</sup> (defined below) include that:

- (a) the whistleblower's identity (including information that is likely to lead to the identification of the whistleblower) must be kept confidential;
- (b) whistleblowers who have made a Protected Disclosure are protected from certain legal action;
- (c) it is strictly prohibited for someone to victimise or cause detriment to someone who has made a Protected Disclosure or is suspected of making a Protected Disclosure; and
- (d) the whistleblower's employment cannot be terminated because of the Protected Disclosure.

3.3 The whistleblower protections made available under this Policy and the *Corporations Act 2001* (Cth) (**Act**) will apply if a disclosure under this Policy (**Protected Disclosure**)<sup>2</sup> meets the following criteria:

- (a) the disclosure was made by an '**eligible whistleblower**'. An 'eligible whistleblower' is someone who is (or has been) any of the following:
  - (i) an officer, director or employee of HLR Aus;
  - (ii) someone who supplies services or goods to HLR Aus (whether paid or unpaid) or an employee of a supplier of services or goods to HLR Aus (whether paid or unpaid);
  - (iii) an associate of HLR Aus; or
  - (iv) a relative, spouse or dependent of someone referred to in paragraphs 3.3(a)(i) to 3.3(a)(iii).

<sup>1</sup> For the avoidance of doubt, unless otherwise stated, the same protections and rights apply in relation to a Protected Disclosure as those that apply to a Protected Tax Disclosure under Taxation Administration Act 1953 (**Tax Act**) (both defined and described below in this section 3).

<sup>2</sup> There are also similar protections that apply under the Tax Act for 'tax related' disclosures. See section 7 below.

- (b) the disclosure was made to an '**eligible recipient**'. An 'eligible recipient' is any of the following:
- (i) ASIC, APRA or a prescribed Commonwealth authority (schedule 2 provides details of how you can contact these authorities);
  - (ii) an officer, director or senior manager of HLR Aus or HLR Aus's related entities;
  - (iii) an auditor or a member of an audit team conducting an audit of HLR Aus or HLR Aus's related entities;
  - (iv) an actuary of HLR Aus or a related entity; or
  - (v) the Whistleblower Officer (**WO**) or any other person authorised by HLR Aus to receive disclosure that may qualify for special protection.
    - (A) At HLR Aus, the internal people who qualify as eligible recipients under the Act and the Tax Act are set out in schedule 1 to this Policy.
    - (B) Details of the mechanisms by which you can make a disclosure are set out in schedules 1 and 2.
    - (C) An eligible whistleblower can also access the special protections where the disclosure is made to a legal practitioner to obtain legal advice or representation in relation to the operation of the special protections and/or whistleblowing regime under the Act or Tax Act.
- (c) the subject of the disclosure is an '**eligible disclosure**'. An 'eligible disclosure' is information where the eligible whistleblower has reasonable grounds to suspect that the information:
- (i) concerns misconduct (including fraud, negligence, default, breach of trust and breach of duty), or an improper state of affairs or circumstances, in relation to HLR Aus or a related entity. See paragraph 2 above for examples of misconduct.
  - (ii) indicates HLR Aus (or an officer, director or employee of HLR Aus) has engaged in conduct that:
    - (A) constitutes an offence against or contravention of:
      - (1) the Act;
      - (2) the Australian Securities and Investments Commission Act 2001;
      - (3) the Banking Act 1959;
      - (4) the Financial Sector (Collection of Data) Act 2001;
      - (5) the Insurance Act 1973;
      - (6) the Life Insurance Act 1995;
      - (7) the National Consumer Credit Protection Act 2009;

- (8) an instrument made under an act referred to in any of subparagraphs (1) to (7) above;
  - (9) the Superannuation Industry (Supervision) Act 1993; or
  - (10) a Commonwealth law that is punishable by imprisonment for over a year; or
- (B) represents a danger to the public or the financial system.
- (1) HLR Aus operates in the life insurance business. Examples of misconduct which might qualify for the special protections under this Policy include inappropriately paying a claim to someone you know or underwriting someone that you know falls outside of the Underwriting Guidelines. Other examples of misconduct that might qualify for special protection include theft, corruption and fraud.

### **'Personal work-related grievance' protections**

- 3.4 Disclosures that relate to 'personal work-related grievances' do not qualify for protection under the Act and the Tax Act.
- 3.5 A disclosure will relate to a 'personal work-related grievance' if the information:
- (a) concerns a grievance about any matter in relation to the whistleblower's employment (or former employment) that has or tends to have implications for the whistleblower personally (including, for example, relating to an interpersonal conflict between the whistleblower and another employee, or relating to a decision regarding the whistleblower's promotion or transfer); and
  - (b) does not concern conduct or alleged conduct in paragraph 3.3(c).
- 3.6 Examples of personal work-related grievances that may not qualify as a Protected Disclosure under this Policy include:
- (a) interpersonal conflicts between employees;
  - (b) a decision about a transfer or a promotion; or
  - (c) a decision about the terms an employee's employment.
- 3.7 A disclosure concerning a 'personal work-related grievance' that is made to a legal practitioner to obtain legal advice or representation in relation to the operation of the special protections and/or whistleblowing regime under the Act may qualify for protection.
- 3.8 It is also important to recognise that, in some circumstances, a disclosure concerning a 'personal work-related grievance' may still qualify as a 'Protected Disclosure' if the disclosure otherwise meets the requirements set out in paragraphs 3.3(a), 3.3(b) and 3.3(c).

- 3.9 Regardless of whether you think your concern qualifies for special protection under this Policy, you should raise your concern in accordance with the mechanisms set out in schedule 1 of this Policy. Once the eligible recipient has had an opportunity to consider your concern, you will be advised whether or not you qualify for the special protections and, if not, the next appropriate course of action.

### **'Tax related' protections**

- 3.10 There are special protections available under the Tax Act similar to those that apply to Protected Disclosures under the Act. Whether a whistleblower makes a 'Protected Disclosure' or a 'Protected Tax Disclosure' (defined below) will depend on the type of information disclosed and to whom the disclosure is made.
- 3.11 For example, if an employee of HLR Aus discloses to the Commissioner of Taxation (**Commissioner**) information relating to an actual or suspected tax fraud, that disclosure is a 'Protected Tax Disclosure' (as defined below) for purposes of this Policy.
- 3.12 Disclosures will qualify for protection under the Tax Act if the discloser is an 'eligible whistleblower' with the same meaning as provided in paragraph 3.3(a) and the disclosure is made to:
- (a) the Commissioner in circumstances where the eligible whistleblower considers that the information may assist the Commissioner to perform his or her functions and duties under a taxation law in relation to HLR Aus or an associate of HLR Aus;
  - (b) an 'eligible recipient', which, for the purposes of the Tax Act, are:
    - (i) an auditor (or member of an audit team conducting an audit);
    - (ii) a registered tax agent or BAS agent who provides tax agent services or BAS services (not applicable to the HLR Aus business model);
    - (iii) a person authorised by HLR Aus to receive disclosures that may qualify for protection under the Tax Act (such as the WO); or
    - (iv) a director, secretary or senior manager of HLR Aus, or any other employee or officer of HLR Aus who has functions or duties that relate to tax affairs of HLR Aus (the internal people at HLR Aus who qualify as eligible recipients are set out in schedule 1 to this Policy); or
  - (c) to a legal practitioner for the purpose of obtaining legal advice or representation in relation to the operation of the special protections and/or whistleblowing regime under the Tax Act,

### **(Protected Tax Disclosure).**

- 3.13 A 'Protected Tax Disclosure', governed by the Tax Act, provides substantively the same protections to a whistleblower as those that apply to a Protected Disclosure under the Act. Special protections available in relation to Protected Disclosures and/or Protected Tax Disclosure are set out in section 7.

## **4. 'EMERGENCY' AND 'PUBLIC INTEREST' DISCLOSURES**

- 4.1 In certain limited circumstances relating to a Protected Disclosure under the Act (but not relating to a Protected Tax Disclosure under the Tax Act), a whistleblower may make an 'emergency' or 'public interest' disclosure of information to a member of a Parliament (Commonwealth, State or Territory) or a journalist.

4.2 An '**emergency disclosure**' may only be made in the following limited circumstances:

- (a) the whistleblower has previously made the Protected Disclosure to ASIC, APRA or a prescribed Commonwealth authority;
- (b) the whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health and safety of one or more persons or the natural environment;
- (c) the whistleblower gives the body to which it previously made the Protected Disclosure (being ASIC, APRA or a prescribed Commonwealth authority) written notice that: (i) identifies the initial Protected Disclosure made to the body; and (ii) says that the whistleblower intends to make an emergency disclosure;
- (d) the emergency disclosure is made to a member of Parliament (Commonwealth, State or Territory) or a journalist; and
- (e) the information disclosed in the emergency disclosure is not more than is necessary to inform the recipient of the substantial and imminent danger.

4.3 A 'public interest' disclosure may only be made in the following limited circumstances:

- (a) the whistleblower has previously made the Protected Disclosure to ASIC, APRA or a prescribed Commonwealth authority;
- (b) at least 90 days have passed since that Protected Disclosure was made;
- (c) the whistleblower does not have reasonable grounds to believe that action is being or has been, taken to address the matters to which the Protected Disclosure related;
- (d) the whistleblower has reasonable grounds to believe that making a further disclosure would be in the public interest;
- (e) at the end of the 90 day period, the whistleblower gives the body to which it previously made the Protected Disclosure (being ASIC, APRA or a prescribed Commonwealth authority) written notice that: (i) identifies the initial Protected Disclosure made to the body; and (ii) says that the whistleblower intends to make a public interest disclosure;
- (f) the public interest disclosure is made to a member of Parliament (Commonwealth, State or Territory) or a journalist; and
- (g) the information disclosed in the public interest disclosure is not more than is necessary to inform the recipient of the misconduct or the improper state of affairs or circumstances the subject of the Protected Disclosure.

4.4 For the purpose of an emergency or public interest disclosure, a 'journalist' is a person who is professionally working for a newspaper, magazine, radio or television broadcasting service, or commercial electronic services (such as via the internet) which are operated similar to a newspaper, magazine, or radio or television broadcast.

4.5 If you intend to make an emergency disclosure or a public interest disclosure, HLR Aus encourages you to seek independent legal advice so that you understand the criteria for making these types of disclosures.



## **5. MAKING A REPORT TO THE WHISTLEBLOWER OFFICER**

- 5.1 HLR Aus has a WO who is appointed by the Board. The WO is the Head of HR and staff can submit relevant information to the WO at any time.
- 5.2 You can contact the WO to obtain additional information about this Policy before you make a disclosure, or after a disclosure has been made.
- 5.3 All information relating to instances of reportable conduct must be submitted to the WO verbally or in writing. The submitted information should include a statement that the information is in respect of the Whistleblower Policy. All submitted information (including information the WO considers invalid) must be entered by the WO into a password protected electronic Whistleblower Register. Access to the Whistleblower Register will be limited to the WO.
- 5.4 Trivial, malicious or vexatious information that does not qualify as a Protected Disclosure will be considered invalid information. Invalid information does not qualify for protection under this Policy nor at law.
- 5.5 A disclosure can still qualify for protection in circumstances where a subsequent investigation reveals that the disclosure is incorrect.
- 5.6 If staff feel unable to report to the WO, they can alternatively report to any other person listed in schedule 1 of the Policy or anonymously via the Whistleblower Hotline, details of which are also set out in schedule 1.
- 5.7 Staff are also able to report directly to ASIC and APRA (as applicable) (or, for Protected Tax Disclosures, to the persons specified in the 'Tax related' protections as explained at paragraph 3.12). Contact details for these regulators are included in schedule 2.
- 5.8 A report may be made anonymously and still be able to qualify as a 'Protected Disclosure' if the person reporting does not wish to disclose their identity.

## **6. INVESTIGATING REPORTED CONDUCT**

- 6.1 SCHEDULE 3: of this Policy sets out the detailed Whistleblower Response Plan. To summarise:
  - (a) The WO will investigate all information on the reported conduct judged to be valid as soon as practicable after the matter has been reported. This includes that the WO will determine whether the matter reported qualifies as a 'Protected Disclosure'.
  - (b) Where appropriate, the WO will provide feedback to the whistleblower regarding the investigation's progress including anticipated timeframe and/or outcome (subject to considerations relating to the privacy of those against whom allegations are made). There may be circumstances where it may not be appropriate to provide details of the outcome to the whistleblower.
  - (c) The investigation will be conducted in an objective, fair and timely manner, and otherwise as is reasonable and appropriate having regard to the nature and circumstances of the reportable conduct. Investigation timeframes will vary depending on the precise nature of the conduct being investigated.
  - (d) The WO will report the results of all investigations to the Board Audit Committee. In doing so, information that is likely to lead to the identification of

the whistleblower (but not the whistleblower's actual identity) may be disclosed in the course of the investigation if it is reasonably necessary for the purposes of investigating a 'disclosable matter' referred to in paragraphs 3.3(c)(i)(A) and 3.3(c)(i)(B).

## **7. PROTECTIONS AND SUPPORT PROVIDED UNDER THIS POLICY AND AT LAW<sup>3</sup>**

7.1 HLR Aus is committed to ensuring confidentiality in respect of all matters raised under this Policy and ensuring that staff that make relevant disclosures are protected against victimisation.

7.2 The protection afforded by this Policy is in addition to, not in lieu of, any protection provided by legislation. For example, protections for whistleblowers who have made a Protected Disclosure are set out in Part 9.4AAA of the Act and, for Protected Tax Disclosures relating to tax avoidance behaviour and other tax related issues, at Part IVD of the Tax Act.

7.3 Protections for Protected Disclosures include:

- (a) Protecting the identity of whistleblowers:
  - (i) Reports may be made anonymously and there is no requirement for a whistleblower to identify themselves in order for that whistleblower's Protected Disclosure to qualify for protection.
  - (ii) Subject to compliance with legal requirements, upon receiving a Protected Disclosure under this Policy, HLR Aus will not disclose the whistleblower's name nor any particulars that would suggest or reveal the identity of the whistleblower (Confidentiality Obligation).
  - (iii) The Confidentiality Obligation means that the following information must not be disclosed:
    - (A) the actual identity of a whistleblower who has made a Protected Disclosure; or
    - (B) information that is likely to lead to the identification of a whistleblower who has made a Protected Disclosure.
  - (iv) The Confidentiality Obligation means that it is a contravention of this Policy, the Act and the Tax Act (as applicable) for a person to disclose the information at paragraph 7.3(a)(iii) above, if that person directly or indirectly obtained that information because the whistleblower made a Protected Disclosure.
  - (v) Breach of the Confidentiality Obligation can result in serious consequences including under the Act and the Tax Act (as applicable).
  - (vi) The only circumstances where an 'eligible recipient' at HLR Aus (such as the WO) is permitted to reveal information disclosing an eligible

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<sup>3</sup> For the avoidance of doubt, unless otherwise stated, the same protections and rights apply in relation to a Protected Disclosure as those that apply to a Protected Tax Disclosure (both defined and described in section 3). For ease of reference, the disclosures in this section have been described as Protected Disclosures, but the protections in this section also apply to Protected Tax Disclosures.

whistleblower's identity (including information that is likely to lead to the identification of the whistleblower) are where the:

- (A) whistleblower consents;
  - (B) information disclosing the whistleblower's identity is provided to ASIC, APRA, a member of the Australian Federal Police, or a legal practitioner for the purpose of obtaining advice or representation in relation to the operation of the special protections under the Act; or
  - (C) information being disclosed is not the actual identity of the whistleblower but is information that is likely to lead to the whistleblower's identification and that information is:
    - (1) (for a Protected Disclosure made under the Act) reasonably necessary for the purpose of investigating the matters the subject of the Protected Disclosure; or
    - (2) (for a Protected Tax Disclosure) reasonably necessary for the purposes of investigating misconduct, or an improper state of affairs or circumstances; and
    - (3) the person relying on this exception takes all reasonable steps to reduce the risk that the whistleblower will be identified.
- (vii) The same restrictions around the disclosure of an eligible whistleblower's identity apply to a Protected Tax Disclosure. The only circumstances where an 'eligible recipient' at HLR Aus (such as the WO) is permitted to reveal information disclosing an eligible whistleblower's identity (including information that is likely to lead to the identification of the whistleblower) in relation to a Protected Tax Disclosure are where the:
- (A) whistleblower consents; or
  - (B) information disclosing the whistleblower's identity is provided to the Commissioner, a member of the Australian Federal Police, or a legal practitioner for the purpose of obtaining advice or representation in relation to the operation of the special protections under the Tax Act.
- (viii) Under no circumstances does this Policy allow for or condone the disclosure of the actual identity of a whistleblower who has made a Protected Disclosure (unless that disclosure of the whistleblower's actual identity is made to APRA, ASIC or a member of the Australian Federal Police, or a legal practitioner as set out at paragraph 7.3(a)(vii)(B) above).
- (ix) For the purpose of investigation, information that is likely to, or may lead to, the identification of the whistleblower may be disclosed if it is reasonably necessary for the purpose of investigation concerning the subject matter of an 'eligible disclosure' described in paragraph 3.3(c).

- (x) 'Reasonable steps' to be taken to reduce the risk of the whistleblower's actual identity being disclosed include (for example):
  - (A) not broadly publishing the information;
  - (B) ensuring the investigation team is as small as is reasonably possible, and taking other steps to make the investigation as discrete as possible;
  - (C) only disclosing information to personnel absolutely necessary to the investigation;
  - (D) password protecting all records resulting from an investigation;
  - (E) limiting the disclosure of information to that absolutely necessary for the investigation; and
  - (F) clearly informing those involved in the investigation in writing of the requirement not to disclose the whistleblower's identity nor information likely to lead to the identification of the whistleblower.
- (xi) For the avoidance of doubt, the WO is able to disclose the subject matter of the Protected Disclosure without the whistleblower's consent.
- (xii) Any release of information in breach of this Policy will be regarded as a serious matter and may result in disciplinary action. There also may be serious consequences under the Act.
- (b) Protecting whistleblowers who have made Protected Disclosures from legal action:
  - (i) Whistleblowers who make a Protected Disclosure are not subject to any civil, criminal or administrative liability nor disciplinary action for making the disclosure.
  - (ii) Contractual rights and/or other remedies may not be enforced against a whistleblower for making a Protected Disclosure or on the basis of the Protected Disclosure.
- (c) Protection from self-incrimination:
  - (i) If the Protected Disclosure was: (a) made to ASIC, APRA or a prescribed Commonwealth body; or (b) a public interest or emergency disclosure, that information is not admissible in evidence against the whistleblower in criminal proceedings (or proceedings for the imposition of a penalty (unless the proceedings are in relation to the whistleblower making a false disclosure)).
  - (ii) It is important to understand that these protections do not afford the whistleblower with immunity for any misconduct he or she has been involved in.
- (d) Protecting against victimisation and detriment:

- (i) It is a contravention of this Policy and the Act (and/or the Tax Act, as appropriate) to cause any person detriment because of a belief or suspicion that the person subject to the detrimental conduct has made, could make or proposes to make a Protected Disclosure.
- (ii) HLR Aus will take all reasonable steps to ensure that whistleblowers who make a Protected Disclosure (regardless of whether they reveal their identity in making that disclosure) will be protected against victimisation and discrimination.
- (iii) The detrimental conduct (or threat of the detrimental conduct) does not have to be express. It could be an implied threat, for example.
- (iv) Detrimental conduct includes the following, or the threat of the following:
  - (A) dismissal;
  - (B) injury of an employee in their employment;
  - (C) alteration of an employee's position or duties to their disadvantage (such as a demotion);
  - (D) harassment;
  - (E) intimidation;
  - (F) discrimination between employees;
  - (G) causing harm or injury (including psychological harm);
  - (H) damage to property;
  - (I) damage to reputation;
  - (J) damage to a person's business or financial position; or
  - (K) behaviour that causes any other damage to a person.
- (v) Anyone subjected to detrimental treatment (or a threat to cause any detriment) as a result of making a Protected Disclosure should inform the WO immediately.
- (vi) HLR Aus will thoroughly investigate reports of any victimisation or detrimental conduct related in any way to a Protected Disclosure being made.
- (vii) If an internal investigation demonstrates that a person has been the subject of detrimental conduct related to an actual or anticipated Protected Disclosure, the person(s) perpetrating that conduct may be subject to management action (including disciplinary action or dismissal). There are also separate and serious consequences at law for victimising or causing detriment to a person because that person has made, could make, or is perceived to have made a Protected Disclosure.

- (viii) There are also serious consequences under the Act for people that cause detriment to people (and for people that aid, abet, counsel or procure that detrimental conduct) because of a belief or suspicion that the person subject to the detrimental conduct has made, could make or proposes to make a Protected Disclosure.
  - (ix) Importantly, a Protected Disclosure does not protect whistleblowers from supervisory, management or disciplinary action taken for legitimate reasons separate to the disclosure, such as managing a whistleblower's unsatisfactory work performance or misconduct.
- (e) Compensation and other remedies
- (i) A whistleblower who makes a Protected Disclosure may also be entitled to court ordered remedies.
  - (ii) These remedies include:
    - (A) compensation for any loss or damage suffered;
    - (B) injunctive relief restraining a person from engaging in detrimental conduct, or to prevent the effects of detrimental conduct;
    - (C) an order requiring an apology be given; and
    - (D) any other order that the court thinks is appropriate.
- (f) Support for whistleblowers
- (i) HLR Aus can initiate or coordinate support for whistleblowers who have or are in the process of making a Protected Disclosure (regardless of whether they have suffered detriment or victimisation). As a first step, whistleblowers who have made a Protected Disclosure to someone at HLR Aus (for example, the WO) should contact that person to discuss the support options available to them.
  - (ii) As explained in this Policy, whistleblowers who make a Protected Disclosure have recourse to make those disclosures anonymously and internally to people other than the WO, if reporting to the WO is not appropriate in the circumstances.
  - (iii) HLR Aus offers general support by:
    - (A) providing training on induction to HLR Aus in relation to this Policy;
    - (B) (in the event the disclosure is made internally) at the time of the disclosure being made, explaining the protections available to whistleblowers under this Policy and at law, and outlining the likely next steps; and
    - (C) where a Protected Disclosure has been made and the whistleblower has concerns relating to the disclosure (including in relation to detrimental conduct towards, or victimisation of, the whistleblower), HLR Aus provides support by:

- (1) the continual availability of the WO (who is also the Head of HR) to the whistleblower;
- (2) ongoing access to HLR Aus's Employee Assistance Program; and
- (3) enabling the whistleblower to perform their duties from a different location.

## **8. POLICY DISCLOSURE**

- 8.1 This Policy is to be distributed to all existing staff members at the date the Policy is approved by the Board and provided to all new staff members during their induction. 'Staff members' includes both employees and contractors.
- 8.2 A copy will also be made available upon request. Please contact the WO if you would like to obtain a copy of this Policy.
- 8.3 This Policy is available at [I:\restricted\\_area\Executive\Policies\Board Policies\Whistleblower Policy\\_01.01.20\\_v2.pdf](I:\restricted_area\Executive\Policies\Board Policies\Whistleblower Policy_01.01.20_v2.pdf) and on our website at <http://www.hannover-re.com.au>.

**SCHEDULE 1: LIST OF HLR AUS ELIGIBLE RECIPIENTS**

<b>Position / Title</b>	<b>Contact details</b>
<b>Managing Director</b>	Gerd Obertopp <a href="mailto:gerd.obertopp@hira.com.au">gerd.obertopp@hira.com.au</a>
<b>General Manager (Finance) and Company Secretary</b>	David Tallack <a href="mailto:david.tallack@hira.com.au">david.tallack@hira.com.au</a>
<b>Chief Risk and Compliance Officer</b>	Stuart Carmichael <a href="mailto:stuart.carmichael@hira.com.au">stuart.carmichael@hira.com.au</a>
<b>Appointed Actuary</b>	Jun Song <a href="mailto:jun.song@hira.com.au">jun.song@hira.com.au</a>
<b>Internal Auditor</b>	TBA
<b>Head of HR (Whistleblower Officer (WO))</b>	Jenny Varley <a href="mailto:jennifer.varley@hira.com.au">jennifer.varley@hira.com.au</a>
<b>A Director of HLR AUS</b>	Peter Gaydon <a href="mailto:peter.gaydon@hira.com.au">peter.gaydon@hira.com.au</a>
	John Wylie <a href="mailto:john.wylie@hira.com.au">john.wylie@hira.com.au</a>
	Sue Everingham <a href="mailto:sue.everingham@hira.com.au">sue.everingham@hira.com.au</a>
<b>Whistleblower Hotline</b>	<a href="https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=2024tx&amp;c=-1&amp;language=eng">https://www.bkms-system.net/bkwebanon/report/clientInfo?cin=2024tx&amp;c=-1&amp;language=eng</a>



## SCHEDULE 2: HOW TO CONTACT THE REGULATORY AUTHORITIES

1. You can report your concerns to:
  - 1.1 ASIC via the Office of the Whistleblower by:
    - (a) lodging a report via ASIC's online reporting form at: <https://asic.gov.au/report-misconduct> or
    - (b) by writing to ASIC at:

Australian Securities and Investments Commission  
GPO Box 9827  
Brisbane QLD 4001
  - 1.2 APRA by telephoning 1300 558 849
  - 1.3 The Commissioner by:
    - (a) completing a tip-off form in the contact section of the ATO app (see <https://www.ato.gov.au/general/gen/whistleblowers> or
    - (b) telephoning 1800 060 062; or
    - (c) writing to the following address (and mark your letter 'in confidence') and send to the Commissioner at:

Australian Taxation Office  
Tax Integrity Centre  
Locked Bag 6050  
Dandenong VIC 3175

### SCHEDULE 3: WHISTLEBLOWER RESPONSE PLAN

The following Whistleblower Response Plan outlines the steps to be taken by the WO or an eligible recipient at HLR Aus in the event that a disclosure is made in relation to HLR Aus which the person who receives the disclosure reasonably believes might qualify as a Protected Disclosure (under the meaning given to it in section 3) ('potential Protected Disclosure').

1. Disclosure made to employee of HLR Aus
  - 1.1 If the potential Protected Disclosure is made to an employee of HLR Aus who is not the WO or an 'eligible recipient' at HLR Aus (see section 3), the employee to whom the potential Protected Disclosure was made must refer the discloser to the Whistleblowing Policy and request that they make the disclosure to the WO in the manner set out in the Whistleblowing Policy.
  - 1.2 The person to whom the potential Protected Disclosure was made may also inform the discloser that their referral to the Whistleblowing Policy and to the WO and/or an eligible recipient is predominantly for their protection, because, if the disclosure is not made in the right way and/or to the right person, it may not qualify as a 'Protected Disclosure' under the Whistleblowing Policy or at law, and the special protections available to whistleblowers may not apply to that disclosure.
  - 1.3 The person to whom the potential Protected Disclosure was made must not reveal, confirm, infer or in any way communicate the identity of the person who made the potential Protected Disclosure nor any information or particulars that might reveal that person's identity.
2. Disclosure made to WO or an 'eligible recipient' at HLR Aus
  - 2.1 If the potential Protected Disclosure is made to the WO, the WO must record all details of the potential Protected Disclosure as soon as possible after the disclosure is made.
    - (a) Disclosure made to an 'eligible recipient' at HLR Aus
      - (i) If the potential Protected Disclosure is made to a person at HLR Aus who is an 'eligible recipient' (see section 3) but who is not the WO, the eligible recipient to whom that disclosure is made must:
        - (A) advise the whistleblower that the same disclosure should be made to the WO in order for the matter to be internally investigated, explain that the whistleblowing protections in this Policy and at law may apply, and request that the whistleblower make that same disclosure to the WO; and
        - (B) if the whistleblower does not elect to make the disclosure to the WO, the eligible recipient must then:
          - (1) advise the person who made the disclosure that, for the purpose of an internal investigation, the eligible recipient will advise the WO of the matters the subject of the disclosure but will not, in the course of doing so, disclose the actual identity of the person who made the disclosure; and

- (2) proceed to inform the WO of the matters the subject of the potential Protected Disclosure but not disclose the discloser's actual identity;
  - (C) if the whistleblower advises the eligible recipient that the report cannot or should not be made to the WO (for example, because it is inappropriate in the circumstances), the eligible recipient must raise this with the Managing Director in order to determine appropriate next steps; or
  - (D) if the disclosure is made anonymously, for example, by unnamed written letter, the eligible recipient is to inform the WO of the matters of the subject of the disclosure for investigation.
- (b) Disclosure made to WO
- (i) If the potential Protected Disclosure is made to the WO, the WO must:
    - (A) (where the whistleblower has disclosed their identity to the WO), refer the whistleblower to the whistleblowing regime under the Act and the Tax Act, and inform the whistleblower whether disclosure is a Protected Disclosure and/or Protected Tax Disclosure; and
    - (B) investigate in a timely manner all information on the reported conduct as soon as practicable after the matter has been reported to determine:
      - (1) whether the disclosure is a Protected Disclosure and/or a Protected Tax Disclosure;
      - (2) the truth and/or validity of the information in the disclosure; and
      - (3) the next steps required in relation to the disclosure; and
    - (C) where possible and/or appropriate, provide feedback and/or liaise with the whistleblower (or, as relevant, the eligible recipient who informed the WO of the subject matter of the potential Protected Disclosure) on a strictly confidential basis, to:
      - (1) request further information and/or documentation relating to the potential Protected Disclosure (as appropriate); and/or
      - (2) provide feedback regarding the investigation's progress (including anticipated timing) and/or outcome (as appropriate and subject to considerations relating to the privacy of those against whom allegations are made); and
    - (D) upon finalisation of the investigation, report the results of all investigations under this Policy to the Board Audit Committee.

The whistleblower's actual identity will not be disclosed in that report and reasonable efforts will be made to reduce the risk that the whistleblower will be identified as a result of the report and/or the whistleblower's disclosure.

3. Conduct of Investigations
  - 3.1 Any investigation conducted in relation to a disclosure (regardless of whether the disclosure qualifies as a Protected Disclosure and/or Protected Tax Disclosure) will be conducted in an objective and fair manner, and otherwise as is reasonable and appropriate having regard to the nature and circumstances of the reported conduct.
  - 3.2 HLR Aus will ensure fair treatment of its employees who are mentioned in a Protected Disclosure by (where applicable):
    - (a) ensuring that the disclosure is handled confidentially when appropriate in the circumstances;
    - (b) ensuring that the disclosure will be assessed and, if appropriate, the subject of an investigation;
    - (c) remembering that the objective of an investigation is to determine whether there is enough evidence to substantiate or refute the matters reported;
    - (d) advising the employee who is the subject of a disclosure about its subject matter, the progression of any investigation and its outcome, when appropriate in the circumstances; and
    - (e) offering ongoing access to HLR Aus Employee Assistance Program
  - 3.3 Upon the finalisation of the investigation, the WO will report the results of all investigations to the Board Audit Committee. The whistleblower's actual identity will not be disclosed in that report and reasonable efforts will be made to reduce the risk that the whistleblower will be identified as a result of the report and/or the whistleblower's disclosure.