

# Group Whistleblower Policy

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## Purpose and scope

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### Purpose

We are committed to fostering a culture where you feel safe to speak up about things that concern you. We encourage you to raise concerns. This could be anything from illegal conduct to behaviour that isn't in line with our Values or Code of Conduct.

You are encouraged to speak up and constructively challenge in your everyday duties, including calling out, at the time, behaviour that doesn't feel quite right.

If you don't feel comfortable doing this, or if you feel that you need support and protection, the SpeakUP Program provides services you can use to report a concern, including anonymously if you wish.

This policy explains:

- how you can report concerns to the SpeakUP Program;
- which concerns will be assessed as 'Whistleblower Disclosures' (e.g. fraud, theft, bribery, harassment (sexual or non-sexual), insider trading, making false statements to customers and failing to disclose conflicts of interest, but not customer complaints or work-related grievances that impact you and do not have broader implications for the Group);
- how Whistleblower Disclosures are managed, and what the SpeakUP Program will do with any concerns that are not Whistleblower Disclosures; and
- how we will support and protect you if you are a Whistleblower.

### Scope

This policy applies to the Group, Directors, Employees, Seconded and other persons described in this policy as 'Eligible Persons' or 'Eligible Recipients', but it does not apply to customers. This policy does not form part of any contract of employment or any industrial instrument. It is available on one.CBA and CBA's website.

This policy is applied in accordance with the laws of the relevant jurisdictions where we operate. For those parts of the Group that are subject to laws or regulatory requirements that conflict with this policy, the more stringent standard applies. Refer to Appendix C for requirements applicable to the United Kingdom.

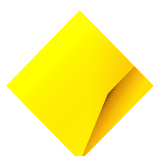
ASB Bank Limited, PT Bank Commonwealth and CBA Europe N.V. have whistleblower policies which align with the core principles and intent of this policy.

## Policy statement

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Any concern you report will be treated seriously and sensitively.

All Whistleblower Disclosures will be handled in accordance with this policy and applicable whistleblower legislation. Any form of actual or threatened victimisation (e.g. termination, demotion, harassment, harm or injury) towards someone as a result of an actual or suspected Whistleblower Disclosure will not be tolerated. This sort of conduct is referred to as 'Detrimental Conduct' in this policy.



# Policy requirements

## Overview

### Reporting a concern

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- Can I report a concern anonymously?
- What will happen when I report a concern?

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- Will my concern be assessed as a Whistleblower Disclosure?
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- What happens during an investigation?

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- What protections and support will be available if my concerns are assessed as a Whistleblower Disclosure?
- Can I escalate any issues?
- What happens if I am the subject of a Whistleblower Disclosure?

## Reporting a concern

### ***How can I report a concern?***

You can report a concern via the:

- SpeakUP Hotline – a 24/7 telephone and email service managed by an external vendor; or
- SpeakUP Online – a 24/7 secure online portal.

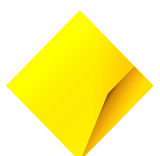
Refer to Appendix A for their contact details.

You can also make a report to certain individuals who are referred to in this policy as 'Eligible Recipients' (e.g. directors, company secretaries and Senior Leaders). The full list of Eligible Recipients is set out on page 4.

### ***Can I report a concern anonymously?***

You can report a concern anonymously and, if the concern is a Whistleblower Disclosure, you will still qualify for Whistleblower protection under this policy. You can continue to remain anonymous after you've made a report, including throughout or after any investigation into your concern. You may also refuse to answer questions throughout the process that could reveal your identity.

If you report concerns anonymously to the SpeakUP Hotline or SpeakUP Online, you will receive a unique reference. You can then contact the relevant service to provide further information or request an update at any time.



Although you are not required to do so, you are encouraged to share your identity when reporting a concern as it may make it easier and quicker for us to address it. Remaining anonymous may limit our ability to properly and efficiently investigate or manage your concern.

### ***What will happen when I report a concern?***

Once the SpeakUP Program receives your concern, they will:

- acknowledge receipt if there is a means to contact you; and
- assess your concern to determine if it is a Whistleblower Disclosure.

## **Assessment**

### ***Will my concern be assessed as a Whistleblower Disclosure?***

Your concern will be assessed as a Whistleblower Disclosure (i.e. a concern that is being treated by the Group as a whistleblowing matter under this policy) if:

- you are an Eligible Person;
- your concern is about Reportable Conduct; and
- you reported your concern to the SpeakUP Hotline, SpeakUP Online or to one of the individuals listed below under the heading '*Who is an Eligible Recipient?*'.

### ***Am I an Eligible Person?***

You are an Eligible Person if you are, or have been:

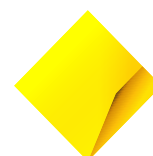
- a full-time, part-time or casual employee of the Group;
- a director or other officer (e.g. a company secretary) of a Group company;
- a Group Contractor, consultant, supplier or service provider (or one of their employees or subcontractors);
- a Group Seconded, volunteer, Associate, or a licensee (or its authorised representative or their employee);
- a Group broker, auditor, trustee, custodian or investment manager (or one of their officers, employees, suppliers or suppliers' employees); or
- a relative, spouse or dependent of one of the above (or a dependent of their spouse).

If you live in New Zealand and give us information that supports a Whistleblower Disclosure, then you are also an Eligible Person.

### ***Is my concern about Reportable Conduct?***

Reportable Conduct is conduct in relation to the Group that, you have a reasonable basis for suspecting:

- amounts to misconduct or an improper state of affairs, such as:
  - fraud or theft (e.g. falsifying loan or credit applications, misappropriating funds);
  - corrupt behaviour (e.g. accepting or offering a bribe, dishonestly taking advantage of an employment position);
  - illegal activities (e.g. sexual assault, engaging in insider trading, manipulating financial markets, laundering money, knowingly making false statements to customers, misreporting financial information, selling illicit drugs, acting violently);
  - a serious or systemic breach of internal policy, including the Code of Conduct (e.g. sexual harassment or failing to disclose conflicts of interests); or
  - negligent acts, a breach of trust or a breach of duty; or



- indicates a significant risk to public safety or the stability of (or confidence in) the financial system; or
- constitutes an offence against, or breach of, certain Laws.

If your concern turns out to be incorrect, you won't be penalised and any relevant protections under this policy will still apply. However, if you deliberately make a disclosure that you know isn't true, or is misleading, you will likely breach our Code of Conduct, which may result in disciplinary action. There could also be legal consequences if you knowingly make a false disclosure.

#### ***What types of concerns are not Reportable Conduct?***

Personal work-related grievances are generally not classified as Reportable Conduct. These are grievances relating to your employment (e.g. remuneration, performance reviews, transfers, promotions or disciplinary action) or to an interpersonal conflict between you and another employee. Personal work-related grievances tend to have implications for you personally, but do not have any other significant or broader implications for the Group.

To raise a personal work-related grievance under the Group's grievance process, refer to the Group Workplace Grievance Review Procedure.

Although not usually the case, personal work-related grievances may amount to Reportable Conduct under this policy if, for example, they:

- indicate a systemic issue; or
- relate to actual or threatened Detrimental Conduct against a person because they have disclosed or are believed or suspected to have disclosed, or be planning to disclose, other Reportable Conduct.

Customer complaints are another type of concern that are generally not classified as Reportable Conduct. If you are a customer and are not satisfied with our products, services, staff or complaint handling process, please contact CBA with your concern via phone, email, online or post. Details are available via this link: <https://www.commbank.com.au/support/compliments-and-complaints.html>

#### ***Who is an Eligible Recipient?***

Each of the following is an Eligible Recipient:

- the SpeakUP Hotline and SpeakUP Online;
- an officer, including a Director or company secretary of any Group entity;
- a Senior Leader;
- the Whistleblower Protection Officer;
- a Group Internal Auditor;
- an External Auditor; or
- an Actuary.

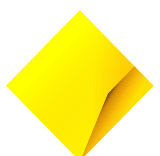
You can find further details about these Eligible Recipients in Appendix A.

#### ***What will happen if my concern is assessed as a Whistleblower Disclosure?***

If your concern is assessed as a Whistleblower Disclosure, the SpeakUP Program will refer it to a Whistleblower Investigation Officer.

The Whistleblower Investigation Officer is generally a member of the SpeakUP Investigations or SpeakUP Resolutions team. In some cases, for example due to a conflict, a member of Group Services Legal or another internal team may be appointed the Whistleblower Investigation Officer.

The Whistleblower Investigation Officer will review the Whistleblower Disclosure to decide whether any of the allegations raised should be investigated.



Sometimes we may decide not to investigate a Whistleblower Disclosure or part of it – for example, if we have previously investigated the allegations in the disclosure and there is no new material. We will inform you whether or not an investigation will be undertaken if you can be contacted.

It is important to note that Eligible Recipients are typically not in a position to conduct a review or an investigation into the concerns you raise because they are generally not trained in or resourced for reviews or investigations.

***What will happen if my concern is assessed as not being a Whistleblower Disclosure?***

If your concern is assessed as not being a Whistleblower Disclosure, the SpeakUP Program will refer the concern to the most appropriate area of the Group for management (e.g. the business unit the subject of the concern or Workplace Relations).

**Investigation**      ***What happens during an investigation?***

If the Whistleblower Investigation Officer decides that your Whistleblower Disclosure will be investigated, the Whistleblower Investigation Officer will conduct or commission an investigation with the support of internal or external resources as appropriate.

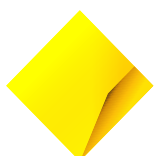
Investigations follow an objective and fair process, and will be conducted independently of you and the person(s) the subject of the Whistleblower Disclosure. We will seek to conduct the investigation as quickly as the circumstances allow. The Whistleblower Investigation Officer will update you on the progress of the investigation (if you can be contacted).

**Outcome**      ***What happens after an investigation?***

Once an investigation ends, the Whistleblower Investigation Officer or investigator will issue a report on, or summary of, the findings and the evidence on which the findings are based to the relevant management or decision maker. Depending on the circumstances of the Whistleblower Disclosure, and any privacy or confidentiality concerns, you, and/or the person who is subject of the Whistleblower Disclosure, will be informed of the findings; however, neither you nor the person who is the subject of the Whistleblower Disclosure will be provided with a copy of the investigation report / summary.

**Protections, support and escalations**      ***What protections and support will be available if my concerns are assessed as a Whistleblower Disclosure?***

We understand that you may be concerned about being identified or the potential for repercussions as a result of reporting your concerns. The support and protections outlined in the following table are available to you irrespective of whether the concerns reported in your Whistleblower Disclosure are substantiated. In addition to these protections, you may be entitled to the legal protections outlined in Appendix B or, in the case of the United Kingdom, Appendix C.



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## Protecting your identity

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Your identity (or any information that would be likely to identify you) will not be shared with anyone except in the following circumstances:

1. you provide consent; or
2. it is reasonably necessary for investigating a matter raised in your Whistleblower Disclosure and:
  - the information shared is not of your identity as the Whistleblower; and
  - we have taken all reasonable steps to reduce the risk that you will be identified from the information; or
3. the disclosure is to a legal practitioner to obtain legal advice or representation regarding the operation of the whistleblower provisions of the *Corporations Act*, or
4. the disclosure is otherwise permitted or required by law (e.g. your identity may be disclosed to ASIC, APRA or the Australian Federal Police).

The reasonable steps we will take to protect your identity and information in your Whistleblower Disclosure that is likely to identify you, may include:

- securely storing all paper and electronic documents and other materials relating to the Whistleblower Disclosure;
- where possible, communicating with you to help identify the aspects of your concerns that could inadvertently identify you;
- potentially using a pseudonym to refer to you; and
- providing training and awareness about the confidentiality requirements and consequences of breaching confidentiality to those involved in receiving, handling and investigating Whistleblower Disclosures.

Note that while we will take all reasonable steps to protect your identity, it may be difficult if your concern relates to information that only a few people know about or was told to you confidentially.

Non-identifying information about your Whistleblower Disclosure may also be shared with senior management or our governance bodies (for example, the CBA Board, Audit Committee, MGC and Subsidiary Boards).

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## Protecting you against Detrimental Conduct

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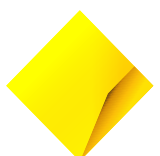
We will take all reasonable steps to protect you from Detrimental Conduct (defined below).

You will have access to the Whistleblower Protection Officer as provided in this policy. The Whistleblower Protection Officer will:

- assess and monitor any risks of Detrimental Conduct; and
- take reasonable steps to protect you from those risks. These reasonable steps may include making modifications to your workplace or the way you perform your work duties.

If, despite these reasonable steps, Detrimental Conduct occurs, it will not be tolerated and appropriate action (e.g. disciplinary action) will be taken against those responsible.

Detrimental Conduct means any actual or threatened conduct against you or another person for making, or proposing to make, a Whistleblower Disclosure, or because you have been involved in the investigation of a Whistleblower Disclosure. It includes:



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- termination, suspension, demotion or involuntary transfer;
  - harassment (sexual or non-sexual), bullying or intimidation;
  - over or under work;
  - missed promotion;
  - denied training opportunities;
  - undermined authority or heavily scrutinised work;
  - harm or injury, including psychological harm; and
  - any other conduct that constitutes victimisation.

Not all conduct will amount to Detrimental Conduct, such as managing poor work performance in line with the Group's performance management procedures, disciplinary action in response to misconduct unrelated to your Whistleblower Disclosure (or where you intentionally make a Whistleblower Disclosure that you know isn't true, or is misleading), or action that is reasonable to protect you from Detrimental Conduct (for example, moving you from your immediate work area to another office).

We may, at our discretion, grant you immunity from internal disciplinary proceedings relating to matters that come to light as a result of your Whistleblower Disclosure.

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### Wellbeing support

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The Whistleblower Protection Officer will assist you in maintaining your wellbeing, which may include providing strategies to minimise and manage stress resulting from making the Whistleblower Disclosure or referring you to counselling and/or other professional services as appropriate.

In addition to support available from the Whistleblower Protection Officer, if you are a current or former employee of the Group (or their immediate family member), you are able to access the Group's confidential counselling service, the Employee Assistance Program. Upon request, this service may also be extended to other Eligible Persons.

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### ***Can I escalate any issues?***

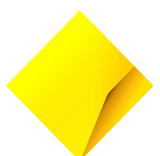
You should immediately tell the Whistleblower Protection Officer if:

- you are experiencing (or think you might experience) Detrimental Conduct; or
- you are concerned about the actions being taken under this policy. For example, if you think there has been a breach of your protection as a Whistleblower, or if you are concerned about an assessment made by the SpeakUP Program or Whistleblower Investigation Officer (including, for example, any concerns you have following an assessment by the SpeakUP Program that your concern is not a Whistleblower Disclosure).

The Whistleblower Protection Officer will review the issues you have raised and, if material, escalate them to a member of the MGC or other Group governance committee, as appropriate. In respect of other issues raised to them, the Whistleblower Protection Officer may take such action as they consider appropriate. However, it may not be possible to take action if you wish to remain anonymous.

You can ask that the Whistleblower Protection Officer, or the Executive Manager, SpeakUP Program, escalate your issues to a member of the MGC or other appropriate Group governance committee if you:

- are not satisfied with a decision of the Whistleblower Investigation Officer to not conduct an investigation;



- are not satisfied with the findings of the investigation;
- consider that the Whistleblower Protection Officer has not appropriately escalated the concerns that you raised with them; or
- consider that this policy has not been followed, for example if there has been a breach of your Whistleblower protections.

If you want to escalate an issue, you must put this in writing and ask the Whistleblower Protection Officer or the Executive Manager, SpeakUP Program to send it to a member of the MGC or another governance committee. When the MGC or governance committee considers your issue, they are not required re-open or re-investigate the Whistleblower Disclosure.

#### ***What happens if I am the subject of a Whistleblower Disclosure?***

If you are the subject of a Whistleblower Disclosure we will ensure that you receive fair treatment and an impartial investigation.

You may be informed of the allegations against you and, if so, you will be provided with an opportunity to respond to the allegations. Where you are made aware of the investigation, you will be informed of the investigation findings (subject to confidentiality requirements), however you will not be provided with a copy of the investigation report.

If you are a current or former employee of the Group (or their immediate family member), you are able to access the Group's confidential counselling service, the Employee Assistance Program, for wellbeing support.

#### ***How are conflicts of interest managed under the policy?***

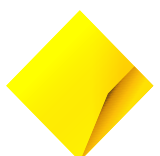
All people with roles under this policy (**Policy Roles**) must disclose any actual, potential or perceived conflicts of interest that they have in relation to a Whistleblower Disclosure to the SpeakUP Program and manage those conflicts in accordance with the Group Conflicts Management Policy.

In the event that an individual holding a Policy Role has an actual, potential or perceived conflict in relation to a specific Whistleblower Disclosure or investigation, another person may be appointed to the Policy Role for the purposes of that Whistleblower Disclosure or investigation by relevant line management or a member of the MGC (as appropriate).

## Accountabilities

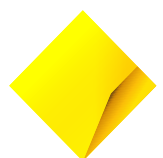
The accountabilities under this policy are set out in the below table.

<b>If you are</b>	<b>You are accountable for</b>
the <b>MGC</b> (including its members individually) or a member of another appropriate Group governance committee	<ul style="list-style-type: none"> <li>• Championing the SpeakUP Program and overseeing its implementation and effectiveness.</li> <li>• A member of the MGC will fill the roles of the Executive Manager, SpeakUP Program and Whistleblower Investigation Officer, or appoint individuals to those roles, if a disclosure concerns an employee in the BEAR Supervisory Office, SpeakUP or Group Investigations teams (or their reporting lines).</li> </ul>
the <b>Whistleblower Investigation Officer</b> (Line 1)	<ul style="list-style-type: none"> <li>• Determining whether Whistleblower Disclosures should be investigated and, if so, conducting or commissioning an investigation in a timely, fair and objective manner (including by remaining independent of the Whistleblower and the person(s) about whom an allegation has been made).</li> </ul>





	<ul style="list-style-type: none"> <li>• Providing feedback on the progress and timeframes of the investigation to the Whistleblower, as appropriate.</li> <li>• To the extent permitted, informing the Whistleblower and/or person(s) subject of the Whistleblower Disclosure of the investigation findings.</li> </ul>
<p>the <b>Whistleblower Protection Officer</b> (Line 1)</p>	<ul style="list-style-type: none"> <li>• Assessing and monitoring any risks of Detrimental Conduct and taking reasonable steps to protect Whistleblowers from those risks.</li> <li>• Assisting in maintaining the wellbeing of Whistleblowers.</li> <li>• Maintaining the confidentiality of Whistleblowers, where relevant.</li> <li>• Reviewing concerns raised by Whistleblowers to the WPO and, if material, escalating the concerns to a member of the MGC or other appropriate Group governance committee. For non-material concerns, taking such action as the WPO considers appropriate.</li> </ul>
<p>the <b>Whistleblower Reporting Officer</b> (Line 1)</p>	<ul style="list-style-type: none"> <li>• Overseeing the SpeakUP Program and assessment of Whistleblower Disclosures.</li> <li>• Overseeing the fulfilment of the SpeakUP Program's reporting requirements to the Audit Committee and other appropriate Group governance committees.</li> <li>• Overseeing the management of a secured central repository for recording of Whistleblower Disclosures.</li> </ul>
<p>the <b>Executive Manager, SpeakUP Program</b> (Line 1)</p>	<ul style="list-style-type: none"> <li>• Managing the SpeakUP Program.</li> <li>• Co-ordinating a whistleblower training program (which may include face-to-face training, written materials and/or online learning modules) for Eligible Recipients, service providers and Staff Members involved in managing and investigating Whistleblower Disclosures.</li> <li>• Monitoring and assessing the effectiveness of the SpeakUP Hotline and SpeakUP Online.</li> <li>• Providing secretariat services for the MGC.</li> <li>• Escalating Whistleblower concerns as appropriate to a member of the MGC or other Group governance committee.</li> </ul>
<p>an <b>Eligible Recipient</b> (Line 1)</p>	<ul style="list-style-type: none"> <li>• Receiving and referring Whistleblower Disclosures in accordance with this policy, including seeking consent (preferably in writing) to share a Whistleblower Disclosure with the SpeakUP Program in order for the concern to be assessed and, if appropriate, investigated.</li> <li>• Seeking legal advice including from Group Services Legal (as required and appropriate) on the operation of the whistleblower provisions of the <i>Corporations</i></li> </ul>



	<ul style="list-style-type: none"> <li>Act, including with respect to a particular Whistleblower Disclosure.</li> <li>Completing annual Whistleblower training.</li> </ul>
<b>SpeakUP Program</b> (Line 1)	<ul style="list-style-type: none"> <li>Implementing and complying with the principles set out in this policy and the Group Whistleblower Procedure.</li> <li>Compliance / regulatory reporting of Whistleblower matters.</li> <li>Implementing the whistleblower training program coordinated by the Executive Manager, SpeakUP Program.</li> </ul>
<b>Group Services Legal</b> (Line 1)	<ul style="list-style-type: none"> <li>Providing legal advice or representation to the Group, including to Eligible Recipients, in relation to the operation of the whistleblower regime and the <i>Corporations Act</i>, including with respect to a particular Whistleblower Disclosure.</li> </ul>
<b>BU/SU Controls Officer</b> (Line 1)	<ul style="list-style-type: none"> <li>Ensuring timely and accurate capture of SpeakUP Program-related incidents, issues and controls in RiskinSite.</li> <li>Proactively engaging Line 2 BU/SU Risk in relation to any instances of non-compliance with this policy and the Group Whistleblower Procedure.</li> </ul>
<b>BU/SU Risk</b> (Line 2)	<ul style="list-style-type: none"> <li>Reviewing BU/SU processes and controls to assess their compliance with this policy and the Group Whistleblower Procedure.</li> </ul>
<b>Group Audit &amp; Assurance</b> (Line 3)	<ul style="list-style-type: none"> <li>Providing independent assurance over the Group's compliance with this policy and the Group Whistleblower Procedure in accordance with usual Group Audit and Assurance practice.</li> </ul>

## Compliance statement

This policy forms part of the SpeakUP Program and has been developed having regard to the whistleblower obligations with which CBA must comply, including those contained in the *Corporations Act 2001 (Cth)*, *Tax Administration Act 1953 (Cth)*, ASIC Regulatory Guide 270 Whistleblower policies, the ASX Corporate Governance Principles and Recommendations, 4th Edition and equivalent legislation in other jurisdictions. This policy has also been developed having regard to the ABA Guiding Principles – Improving Protections for Whistleblowers.

## Breach of policy

**Consequences** Breach of this policy may be regarded as misconduct, which may lead to disciplinary action (including termination of employment or engagement). An individual may also be exposed to criminal or civil liability for a breach of relevant legislation. This policy must be read together with the Group Whistleblower Procedure. Failure to follow the Group Whistleblower Procedure may amount to a breach of this policy.

**Escalation** Any alleged breach of this policy will be taken seriously and, if appropriate, will be separately investigated. Potential or realised breaches of obligations outlined



in this policy must be escalated according to the Group Issue Management Procedure or Group Compliance Incident Procedure.

## Definitions

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In this policy, defined terms are capitalised. Those terms have the meaning given to them below.

<b>ABA</b>	Australian Banking Association.
<b>Actuary</b>	An internal or external actuary performing an actuarial function for any Group entity.
<b>ASIC</b>	Australian Securities & Investments Commission.
<b>APRA</b>	Australian Prudential Regulation Authority.
<b>Associate</b>	Has the meaning given to that term in the <i>Corporations Act</i> and includes a director or secretary of CBA and any related bodies corporate, or an individual acting in concert with CBA.
<b>ATO</b>	Australian Taxation Office.
<b>Audit Committee</b>	CBA Board committee named the 'Audit Committee'.
<b>CBA</b>	Commonwealth Bank of Australia ACN 123 123 124.
<b>CBA Board</b>	Board of directors of CBA.
<b>Contractors</b>	Individuals who are not employees, and external corporations or organisations, engaged to perform services for the Group.
<b>Detrimental Conduct</b>	Any actual or threatened conduct against you or another person for making, or proposing to make, a Whistleblower Disclosure, or because you have been involved in the investigation of a Whistleblower Disclosure. Types of Detrimental Conduct are referred to in the 'Protections, support and escalations' section on page 7 above.
<b>Director</b>	Director of a Group entity board of directors.
<b>Eligible Person</b>	An individual listed on page 3 of this policy under the heading ' <i>Am I an Eligible Person?</i> '.
<b>Eligible Recipient</b>	A person or channel (SpeakUP Hotline or SpeakUP Online) designated in this policy as an avenue through which a disclosure can be made in order to qualify for protections under this policy.
<b>Employee</b>	Full-time, part-time and casual employee of the Group.
<b>External Auditor</b>	An auditor employed by an organisation external to CBA Group that is involved in conducting an audit for CBA or a Subsidiary.
<b>Group</b>	CBA and its Subsidiaries, and onshore and offshore controlled entities (being entities that are subject to the control of CBA in terms of section 50AA of the <i>Corporations Act</i> ).
<b>Group Internal Auditor</b>	An employee or Seconded of an audit team involved in conducting an audit, other than support and administrative staff, ultimately reporting to either the Group Auditor, the Chief Internal Audit ASB or the Chief of Audit Executive PT Bank Commonwealth.



<b>Laws</b>	<p>The:</p> <ul style="list-style-type: none"> <li>• <i>Corporations Act 2001</i>;</li> <li>• <i>Australian Securities and Investments Commission Act 2001</i>;</li> <li>• <i>Banking Act 1959</i>;</li> <li>• <i>Financial Sector (Collection of Data) Act 2001</i>;</li> <li>• <i>Insurance Act 1973</i>;</li> <li>• <i>Life Insurance Act 1995</i>;</li> <li>• <i>National Consumer Credit Protection Act 2009</i>; and</li> <li>• <i>Superannuation Industry (Supervision) Act 1993</i>,</li> </ul> <p>and any other law of the Commonwealth which provide for offences the commission of which is punishable by imprisonment for a period of 12 months or more.</p>
<b>Misconduct Governance Committee / MGC</b>	<p>An executive management committee comprising:</p> <ul style="list-style-type: none"> <li>• Deputy Chief Executive Officer (Chair);</li> <li>• Group General Counsel;</li> <li>• Group Chief Risk Officer;</li> <li>• Group Executive Human Resources; and</li> <li>• such other persons appointed to the Committee from time to time.</li> </ul> <p>Note: 'Other appropriate Group governance committee' refers to governance committees discharging the role and responsibilities of the MGC in jurisdictions maintaining their own governance over the Whistleblower process.</p>
<b>Reportable Conduct</b>	Any conduct in relation to the Group as defined on pages 3 and 4 of this policy under the heading ' <i>Is my concern about Reportable Conduct?</i> '.
<b>Seconded</b>	An individual who is seconded temporarily to the Group but who is employed by a non-Group entity.
<b>Senior Leader</b>	The Chief Executive Officer, a Group Executive, an Executive General Manager, the Group Auditor, and any employee specified in the SpeakUP Program album on one.CBA, as having been determined by the MGC from time to time as eligible to receive disclosures under this policy.
<b>SpeakUP Program</b>	A program to provide safe avenues and formal processes to enable Staff Members and third parties to raise issues without fear of reprisal. The program includes the Group's Executive Manager, SpeakUP Program, their direct reports and manager, and the Deputy CEO.
<b>Staff Member</b>	A full-time or part-time employee of, or Contractor or Seconded to, the Group.
<b>Subsidiary</b>	Has the meaning given to that term in the <i>Corporations Act</i> .
<b>We / Us / Our</b>	Refer above to the definition of 'Group.'
<b>Whistleblower</b>	An Eligible Person who makes a disclosure of Reportable Conduct in accordance with this policy.
<b>Whistleblower Disclosure</b>	A disclosure of a concern made by a Whistleblower that is being treated by the Group as a disclosure made under this policy.



<b>Whistleblower Investigation Officer / WIO</b>	Any of, or a combination of, the following: <ul style="list-style-type: none"> <li>• Executive Manager, SpeakUP Investigations (or delegate);</li> <li>• Executive Manager, SpeakUP Resolutions (or delegate);</li> <li>• Group Services Legal (as applicable); or</li> <li>• any other Staff Member determined by the Executive Manager, SpeakUP Program to be appropriately skilled to investigate the disclosure.</li> </ul>
<b>Whistleblower Protection Officer / WPO</b>	General Manager HR Strategy Transformation and Advisory (or delegate).
<b>Whistleblower Reporting Officer / WRO</b>	General Manager, BEAR & SpeakUP (or delegate).

## Policy governance

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<b>Approver</b>	CBA Board
<b>Exemption Authority</b>	Executive Leadership Team Non-Financial Risk Policy Subcommittee
<b>Owner</b>	General Manager, BEAR & SpeakUP
<b>Support</b>	Group Services Legal Group and Business Unit Compliance
<b>Review Cycle</b>	Every three years
<b>Next Review Date</b>	13 April 2025

## Relevant documents

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<b>Related internal documents</b>	<p>Group Code of Conduct</p> <p><a href="#">Group Issues Management Procedure</a></p> <p><a href="#">Group Compliance Incident Procedure</a></p> <p>Group Whistleblower Procedure</p> <p>ASB Whistleblower Policy</p> <p>PT Bank Commonwealth Whistleblower Policy</p> <p>CBA Europe N.V. Whistleblower Policy</p> <p>Group Workplace Grievance Review Procedure</p>
<b>External sources of obligations</b>	<p><i>Corporations Act 2001</i> (Cth), Part 9.4AAA (“Protection for Whistleblowers”)</p> <p><i>Tax Administration Act 1953</i> (Cth)</p> <p>ASIC Information Sheet 239: <i>How ASIC handles whistleblower reports</i> (INFO 239)</p> <p><i>Fair Work Act 2009</i></p> <p>ASIC Regulatory Guide 270 <i>Whistleblower policies</i></p>



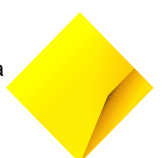
ASX Corporate Governance Principles and Recommendations, 4th Edition

ABA Guiding Principles – *Improving Protections for Whistleblowers*

CPS 520 *Fit & Proper*

*UK Employment Rights Act 1996*

Financial Conduct Authority Handbook Senior Management Arrangements,  
Systems and Controls 18 Whistleblowing



## Avenues for making the disclosure

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### SpeakUP Hotline

The SpeakUP Hotline is available 24/7, and is managed by an external vendor on our behalf.

You can contact the Hotline as follows:

- a 24-hour hotline on 1800 773 258;
- from overseas on + 61 2 9151 9156; or
- by email to [speakup@speakuphotline.com.au](mailto:speakup@speakuphotline.com.au)

In most cases, the SpeakUP Hotline will ask your permission to share the information you provide with us so that we can investigate the concern.

### SpeakUP Online

Disclosures can be raised directly with the Group 24/7 via a secure online portal powered by Whispli, an external vendor to the Group.

The information submitted via SpeakUP Online will be lodged directly with the CBA SpeakUP Program and subsequently referred to the relevant internal team for management in accordance with relevant privacy procedures.

SpeakUP Online offers the ability for those raising concerns to communicate securely with the relevant internal team that is managing the matter.

SpeakUP Online can be accessed via one.CBA or at <https://cba.whispli.com/speakuponline>

### Other Eligible Recipients

The Whistleblower Protection Officer can be contacted by email at [WPO@cba.com.au](mailto:WPO@cba.com.au)

Details for other Eligible Recipients can be accessed via one.CBA.



## Legal protections

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### Criteria for protection

Some laws provide additional protections and remedies for certain disclosures by people who make them in accordance with the provisions of that legislation. These protections are designed to encourage people to disclose unlawful, improper or unethical behaviour to relevant parties.

The criteria for you to qualify for protection as a whistleblower under the *Corporations Act* (or *Tax Administration Act*, where relevant) includes:

- you are an Eligible Person in relation to the Group; and
- you have made a disclosure of information relating to Reportable Conduct; and
- you have made:
  - a disclosure directly to an Eligible Recipient or to ASIC, APRA or another Commonwealth body prescribed by regulation; or
  - a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the whistleblower provisions in the *Corporations Act*; or
  - an Emergency Disclosure or Public Interest Disclosure, both of which are defined on the next page of this policy.

You may wish to seek independent legal advice in relation to any such disclosure, which may help you to further understand your rights and protections.

### Legal protections

Disclosures can be made anonymously and disclosers are still protected under the *Corporations Act* (or *Tax Administration Act*, where relevant). These protections include:

- making it an offence to disclose your identity (or information which is likely to lead to your identification) without your consent or unless an exception applies. The exceptions are described in the table on page 6 of this policy under the subheading 'Protecting your identity'. If the disclosure of your identity is allowed or required by law then the disclosure may be made with or without your knowledge or consent;
- making it an offence for a person to threaten to cause Detrimental Conduct to you or to another person with the intention for you to fear that the threat will be carried out if that person does so because you or any other person makes, or may make, a disclosure that qualifies for protection under the Act;
- compensation and remedies through the courts if, for example, you suffer loss, damage or injury because of a disclosure and the Group failed to take reasonable precautions to prevent the Detrimental Conduct;
- civil liability, for example any legal action against you for breach of an employment contract, duty of confidentiality or another contractual obligation;
- criminal liability, for example attempted prosecution for unlawfully releasing information, or other use of the disclosure against you in a prosecution (other than for making a false disclosure); and
- administrative liability, for example disciplinary action for making the disclosure.

These protections do not grant immunity for any misconduct you may have engaged in that is revealed in your disclosure.

No contractual or other remedy may be enforced or exercised against you because you have made a Whistleblower Disclosure.

Disclosures that are not Reportable Conduct do not qualify for protection under the *Corporations Act* but may be protected under legislative instruments such as the *Fair Work Act 2009*.





Relevant laws are described in the 'Relevant Documents' section of this policy.

## Emergency Disclosures

An Emergency Disclosure is the disclosure of information to a journalist or parliamentarian, where:

- you have previously made a disclosure of the information to ASIC, APRA or another Commonwealth body prescribed by regulation;
- you have reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- before making the emergency disclosure, you have given written notice to the body to which the previous disclosure was made that:
  - includes sufficient information to identify the previous disclosure; and
  - states that you intend to make an emergency disclosure; and
- the extent of the information disclosed in the emergency disclosure is no greater than is necessary to inform the journalist or parliamentarian of the substantial and imminent danger.

It is important that you understand the criteria for making an Emergency Disclosure. You should consider seeking independent legal advice in relation to any such disclosure, which may help you to further understand your rights and protections.

## Public Interest Disclosures

A Public Interest Disclosure is the disclosure of information to a journalist or a parliamentarian, where:

- at least 90 days have passed since you made the disclosure to ASIC, APRA or another Commonwealth body prescribed by regulation;
- you do not have reasonable grounds to believe that action is being, or has been taken, in relation to your disclosure;
- you have reasonable grounds to believe that making a further disclosure of the information is in the public interest; and
- before making the public interest disclosure, you have given written notice to the body to which the previous disclosure was made that:
  - includes sufficient information to identify the previous disclosure; and
  - states that you intend to make a public interest disclosure.

It is important that you understand the criteria for making a Public Interest Disclosure. You should consider seeking independent legal advice in relation to any such disclosure, which may help you to further understand your rights and protections.

## Reporting to regulators and other external parties

In addition to your rights under this policy, you may communicate with a government agency, law enforcement body or a regulator (i.e. ASIC, APRA or the ATO in Australia), including making a disclosure or reporting a breach of your legislative protections as a Whistleblower, in accordance with any relevant law, regulation or prudential standard applicable in a jurisdiction in which the Group operates.

Information about reporting externally in Australia can be found at the following links:

- [ASIC](#)
- [APRA](#)
- [ATO](#)

You may also seek independent legal advice before or after making a disclosure or during the investigation process, which may help you to further understand your rights and protections.



# Requirements for the Group's operations in the United Kingdom

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Reportable Conduct also includes anything that would amount to a 'Protected Disclosure' within the United Kingdom. Protections in the United Kingdom arise under the *Employment Rights Act 1996*.

A Protected Disclosure is a disclosure, made in the public interest, which in the reasonable belief of the Whistleblower making the disclosure shows that one or more of the following has been, is being or is likely to be committed:

- a criminal offence;
- a breach of legal obligation;
- a miscarriage of justice;
- danger to the health or safety of any individual;
- damage to the environment; or
- the deliberate covering up of wrongdoing in the above categories.

A Protected Disclosure can be made to another entity if the Whistleblower reasonably believes that the conduct relates solely or mainly to the conduct of another person or entity unrelated to the Group.

In the UK, the Group is regulated by both the Financial Conduct Authority (FCA) and the Prudential Regulation Authority (PRA).

In addition to the internal channels, Whistleblowers can also disclose Reportable Conduct to the FCA or to the PRA. Reporting to the FCA or to the PRA is not conditional on a disclosure first being made to a Senior Leader or through the Group's SpeakUP Hotline or SpeakUP Online service. It is not necessary for a disclosure to be made to the Group in the first instance. Whistleblowers can also report using the Group's internal channels and also to the FCA or PRA, either simultaneously or consecutively.

Disclosures to the FCA:

- Phone: +44 (0)20 7066 9200
- Email: [whistle@fca.org.uk](mailto:whistle@fca.org.uk)
- In writing: Intelligence Department (Ref PIDA), Financial Conduct Authority, 12 Endeavour Square, London, E20 1JN

Disclosures to the PRA:

- Phone: +44 (0)203 461 8703
- Email: [PRAwhistleblowing@bankofengland.co.uk](mailto:PRAwhistleblowing@bankofengland.co.uk)
- In writing: Confidential reporting (whistleblowing), PRA, 20 Moorgate, London EC2R 6DA

The Group will collect, use, store, transfer and otherwise process a Whistleblower's personal data including providing personal data to third parties and transferring personal data within and outside the European Economic Area, in accordance with applicable data protection regulations. Further details relating to the processing of such personal data are set out in the Group Internal Privacy Policy (which is non-contractual and may be amended from time to time) and the Group's Privacy Policy (and any other relevant policies and procedures relating to data protection in force from time to time).

