

# WHISTLEBLOWER POLICY

## PURPOSE

NAK is committed to fostering a culture of good corporate governance and ethical behaviour. This policy sets out NAK's approach to managing disclosures by whistleblowers. It is a key part of our risk management and corporate governance framework and supports our Policies and Procedure Manual.

This policy aims to:

- ensure that individuals who disclose wrongdoing can do so safely, securely and with confidence that they will be protected;
- ensure that there is a transparent process around receiving, handling and investigating disclosures; and
- encourage a culture of compliance with our legal and ethical obligations.

## SCOPE

This policy applies to everyone who performs work for or with NAK, including:

- all employees (whether ongoing, temporary, full time, part time or casual) and including trainees;
- directors and officers of NAK;
- relatives, dependents and spouses of current employees and officers of NAK;
- any person who works for NAK under a contract, including a consultant, contractor, subcontractor, employee of a contractor or subcontractor or employee of a labour hire company who has been assigned to work at NAK;
- former employees or officers of NAK; and
- any organisation (and its employees) that has a relationship or is associated with NAK as a customer, supplier, adviser, agent or otherwise.

In this policy, "NAK" means Natural Australian Kulture Pty Ltd. This policy also applies to disclosures made to NAK or Stopline in relation to matters within Part 9.4AAA (protection for whistleblowers) of the *Corporations Act 2001*.

## POLICY OVERVIEW

It is critical that people who become aware of possible illegal or unethical conduct are able to disclose their suspicions to an appropriate person with the knowledge that their disclosures will be investigated properly and that they will not suffer negative consequences as a result of making a disclosure. It is equally important that potential wrongdoers know that others are encouraged to report their wrongdoing.

The *Corporations Act 2001* requires that companies such as ours (and our related entities) have appropriate whistleblower policies and systems in place for receiving, investigating and acting on certain disclosures made by an "eligible whistleblower" to a relevant person. The *Taxation*

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*Administration Act 1953* also contains whistleblower protections. This policy covers the types of disclosures protected by these Acts.

This is distinct from personal work-related grievances, which may be raised through the Grievances Policy contained in the Policies and Procedure Manual.

## PROTECTIONS FOR WHISTLEBLOWERS

For the purposes of this policy, a whistleblower is a person who has reasonable grounds to suspect there has been misconduct or an improper state of affairs or circumstances in relation to NAK and discloses that suspicion using one of the methods described below.

## REPORTING UNDER THIS POLICY

Any matter that a person reasonably believes breaches NAK's policies or the law should be reported in accordance with this policy.

Examples of misconduct or an improper state of affairs (**Disclosable Conduct**) can include:

- breaches of laws or regulations;
- unlawful, corrupt or irregular activities or practices or use of NAK's funds or property;
- illegal activities (including theft, drug sales/use, violence or threatened violence and criminal conduct);
- breaches of NAK's policies and procedures;
- conduct that causes a substantial risk to public health, public safety or the environment;
- dishonest or unethical behaviour;
- financial fraud or mismanagement;
- other conduct likely to damage NAK's financial position or reputation;
- conduct that endangers the public or financial system;
- behaviour that is oppressive, discriminatory or grossly negligent;
- conduct or proposed conduct suspected to be in breach of the *Competition and Consumer Act 2010*, *Corporations Act 2001* or the *Australian Securities and Investments Commission Act 2001*; or
- concealing misconduct or an improper state of affairs.

**Disclosable Conduct** must be distinguished from personal work-related grievances. A personal work-related grievance is a grievance about any matter in relation to the discloser's current or past employment that impacts the discloser personally but does not have significant implications for NAK more broadly. Conflicts between employees, decisions regarding transfers and promotions and disciplinary actions will generally be personal work-related grievances.

NAK is committed to the protection of whistleblowers who report Disclosable Conduct in accordance with this policy. Other than as required by law and set out in this policy, NAK will not disclose the identity of whistleblowers without the whistleblower's consent to that disclosure. Australian law prohibits the disclosure of a whistleblower's identity other than as required to investigate the allegation or with the free consent of the whistleblower. All protected disclosure reports from

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whistleblowers will be kept confidential, except as required by law or where disclosure is necessary to regulatory authorities, law enforcement agencies or professional advisors.

The *Corporations Act 2001* also provides specific protections for whistleblowers relating to:

- identity protection (confidentiality);
- protection from detrimental acts or omissions;
- compensation and remedies; and
- civil, criminal and administrative liability protection.

See below for links to guidance material from the Australian Securities and Investments Commission (ASIC) and more information about these protections.

Specific protections are also provided under Australian tax laws (see the below link to information provided by the Australian Taxation Office).

## WHO TO DISCLOSE TO

For personal grievances, see the People, Safety & Wellbeing Manager.

You can make a whistleblower disclosure to any of the following internal Whistleblower Officers (by phone, email, mail or in person):

Name	Title	Contact details:
Michelle Pyers	Chief Financial Officer	Email: <a href="mailto:michelle@nakhair.com.au">michelle@nakhair.com.au</a> Phone: (07) 3899 9133 Mobile: 0423 269 752
Sonia Chadburn	Chief Executive Officer	Email: <a href="mailto:sonia@nakhair.com.au">sonia@nakhair.com.au</a> Phone: (07) 3899 9133 Mobile: 0421 346 135
Cass Reeves	Legal, Risk & Compliance Officer	Email: <a href="mailto:cass@nakhair.com.au">cass@nakhair.com.au</a> Phone: (07) 3899 9133 Mobile: 0401 360 166

You can make a whistleblower disclosure to our external whistleblower service (by phone, email, online or mail):

Stopline	Telephone: 1300 30 45 50 (Australia only) Email: <a href="mailto:makeareport@stopline.com.au">makeareport@stopline.com.au</a> Online: <a href="https://nakhair.stoplinereport.com">https://nakhair.stoplinereport.com</a> Mail: NAK Hair c/o Stopline, PO Box 403, Diamond Creek, VIC 3089 APP: Free download from the Apple iTunes store and Google Play
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## SUPPORT FOR WHISTLEBLOWERS

NAK is committed to doing what it reasonably can to protect whistleblowers making a protected disclosure report in accordance with this policy from reprisal or victimisation.

Depending on the nature of the allegation and the people involved, in order to protect a whistleblower, NAK may:

- monitor or manage the behaviour of employees;
- relocate employees;
- offer the whistleblower a leave of absence or flexible work during the investigation; or
- rectify any detriment that the whistleblower may have suffered.

NAK will look for ways to support all whistleblowers but will not be able to provide non-employees with the same type and level of support it provides to employees. NAK will take all reasonably practicable steps to protect non-employee whistleblowers.

A whistleblower who believes they, or any other person, have been subject to victimisation or harassment as a result of having made a disclosure under this policy, should immediately report the matter to the People, Safety and Wellbeing Manager. Where such an incident occurs, the Workplace Bullying and Harassment Policy (within the Policies and Procedure Manual) will apply.

## INVESTIGATION OF DISCLOSURES

An investigation will be undertaken by an independent investigator. Depending on the nature of the allegation, the investigator may be someone internal to NAK or an external party such as an external lawyer or accountant or other investigator as appropriate.

The investigator will conduct the investigation as soon as practicable, ensuring that all fact finding undertaken in a timely, confidential, fair and objective manner resulting in a report to the appropriate decision maker. The decision maker will then consider the report and decide what, if any, action is required.

Either the recipient of the disclosure or another appropriate person will keep the whistleblower informed of the progress of the investigation and outcome. The detail provided to the whistleblower will reflect the nature of the allegations and the rights of others involved and therefore may be limited.

## PROTECTION AGAINST VICTIMISATION

A whistleblower making a protected disclosure report will be protected from reprisal or victimisation in response to making a complaint under this policy. NAK will not tolerate victimisation of whistleblowers or others who raise complaints. Victimisation under this policy includes, but is not limited to:

- Punishing or retaliating against someone because they have made a complaint or are involved in a complaint process;
- Retaliating or treating anyone detrimentally who raises genuine complaints of unacceptable behaviour under this policy or another policy; or

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- NAK retaliating or treating employees detrimentally who raise genuine complaints of unacceptable behaviour.

Victimisation of a whistleblower by another employee (however senior) will be investigated as a breach of this policy and may result in disciplinary action up to and including termination.

## BREACHES OF THIS POLICY

Breaches of this policy will be taken seriously by NAK. NAK reserves the right to take appropriate disciplinary action up to and including termination for employee non-compliance with this policy.

## FALSE REPORTS

Whistleblowing is about reporting incidences of real or perceived improper conduct and is not about settling a grievance.

A report under this policy may damage the reputation or career prospects of people who are the subject of the allegations. Therefore, it is important that those who report Disclosable Conduct do so in good faith and with reasonable grounds for believing the information is correct or likely to be correct. NAK takes all reports seriously but will look unfavourably on any false reports or claims. Disciplinary action may be taken against any employee who knowingly makes a false report.

## AVAILABILITY AND MONITORING OF THIS POLICY

This policy will be made available to employees on NAK's SharePoint and as part of new employee induction and refresher training for existing employees. It will also be made available publicly on NAK's website. A copy of this policy will be provided to Stopline.

In all instances, the recipient of the disclosure will report the disclosure to any of the Whistleblower Officers or Stopline. The Whistleblower Officers or Stopline will maintain a register of disclosures, the outcome of investigations and any required remediation. This register is strictly confidential and the information in it will not be disclosed to anyone outside of the above Whistleblower Officers or Stopline without the express approval of the above Whistleblower Officers or Stopline.

At all times in recording and reporting on disclosures under this policy, NAK will do everything reasonably practicable to protect the whistleblower and their identity.

## ASIC WHISTLEBLOWER RESOURCES

ASIC has information regarding whistleblowing available from its website at:

<https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/>

In relation to rights and protections for whistleblowers, see Information Sheet 238 Whistleblower rights and protections:

<https://asic.gov.au/about-asic/asic-investigations-and-enforcement/whistleblowing/whistleblower-rights-and-protections/>

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For information for recipients of disclosures, see Obligations on company officers:

<https://asic.gov.au/for-business/running-a-company/company-officeholder-duties/whistleblowers-company-officeholder-obligations/>

## ATO WHISTLEBLOWER RESOURCES

The Australian Taxation Office (ATO) introduced new arrangements to protect whistleblowers in July 2019, information is available from: <https://www.ato.gov.au/general/gen/whistleblowers/>.

## REVIEW

NAK will review this policy annually to ensure that it reflects any relevant legislative changes and remains consistent NAK's values.

*Last Updated: October 2023*

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