

# Whistleblower Policy

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## 1. Objective

This policy embodies Beach's commitment to promoting a culture of compliance and ethical behaviour by offering protections to Whistleblowers in order to ensure the reporting and investigation of Improper Conduct.

## 2. Scope

This policy applies to Beach's current or former directors, officers, employees, suppliers of goods or services and their employees, contractors, associates and relatives and dependants of those persons (**Eligible Persons**).

This policy applies to a report which is made under this policy by an Eligible Person who has reasonable grounds to suspect that the information in their report indicates Improper Conduct (**Report**). If the Eligible Person does not have reasonable grounds, or to the extent a Report concerns personal work-related grievances, they are not covered by this policy.

This policy may be amended or replaced at the discretion of Beach or in accordance with the Acts or otherwise required by law. This policy should be read in conjunction with other associated Beach policies, including the [Whistleblower FAQ](#), which directors, officers and employees are expected to be familiar with and to comply with at all times. Policies can be found on Beach's intranet, website or can be obtained from the Company Secretary.

## 3. Policy Statement

This policy provides information about the means by which Eligible Persons can make a Report of Improper Conduct (**Whistleblowers**).

This policy summarises the protections and remedies available to Whistleblowers in relation to an actual or prospective Report in accordance with the *Corporations Act 2001* (Cth) and the *Taxation Administration Act 1953* (Cth) (the **Acts**). It also provides information on how to make a Report and how the Report will be investigated by Beach.

Directors, officers and employees can access the most up to date version of this policy on the Beach Intranet.

Persons may obtain information about this policy from the Reporting and Protection Officer.

## 4. Meaning of Improper Conduct

**Improper Conduct** is suspected or actual misconduct or an improper state of affairs or circumstances relating to Beach or its related bodies corporate and which includes conduct (without limitation):

- in the form of dishonesty, fraud, corruption, illegality, a breach of a law or regulation that applies to Beach, unethical behaviour, unsafe work practices, breach of Beach's policies or its Code of Conduct, serious or substantial waste or mismanagement, harassment or any other conduct that may cause loss of any type to Beach or is otherwise detrimental to Beach. It also includes the deliberate concealment of information that might reveal the conduct described above;

- constituting an offence or contravention of the Corporations Act, the ASIC Act, the Banking Act, the Data Collection Act, the Insurance Act, the Life Insurance Act, the National Consumer Credit Protection Act, the Superannuation Industry (Supervision) Act, tax laws or any instrument referred to in those Acts;
- constituting an offence against any law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more;
- representing a danger to the public or the financial system;
- relating to the tax affairs of Beach or any of its associates in respect of which the Whistleblower considers the information may assist Beach in performing functions or duties in relation to its or its associates tax affairs; or
- which is otherwise prescribed by the regulations to be a disclosable matter from time to time.

However, Improper Conduct does not include personal work-related grievances. This includes grievances about any matter in relation to the Whistleblower's employment personally, and that do not have significant implications for Beach and do not concern breaches of law or represent a danger to the public or financial system.

## **5. Appointment of persons and their responsibilities**

Persons will be appointed to perform roles under this policy either on a standing basis or specifically in relation to a Report.

No appointed person will however perform their role in respect of a Report if they are implicated either directly or indirectly in that Report. In the event an appointed person is implicated in a Report, the Chief Executive Officer will appoint a replacement person to perform the role in relation to that Report.

### **Reporting and Protection Officer**

The Chief Executive Officer (CEO) will appoint a Reporting and Protection Officer. Unless otherwise determined by the CEO, the Company Secretary is the standing Reporting and Protection Officer for the purposes of this policy.

The role and responsibilities of the Reporting and Protection Officer include:

- receiving Reports from Whistleblowers;
- liaising with the Review Panel (if appointed), the CEO or the Board in relation to the reporting and investigation of Reports;
- liaising with the Whistleblower and the Review Panel (if appointed) to ensure the protection required by the policy is provided to the Whistleblower in accordance with the Acts;
- where possible and appropriate, maintaining communication with the Whistleblower about the progress and outcome of an investigation, subject to any privacy and confidentiality obligations as required by law;
- ensuring that confidentiality and the standards of protection provided for in the policy and the Acts are maintained;
- assisting in the protection and support of Whistleblowers and other persons; and
- providing information to persons about the operation of this policy.

## **Review Panel**

The Board may appoint a Review Panel either on a standing basis or specifically in relation to a Report.

The Review Panel will be comprised of at least two people, consisting of the CEO or another director of Beach, and any combination of Beach directors, current or retired executives or senior management or external appointees with relevant expertise or experience.

The Review Panel (if appointed) is authorised to:

- receive Reports from the Reporting and Protection Officer (or other person authorised to receive a Report);
- assess Reports to determine appropriate action in its discretion;
- where appropriate, to assign Reports to an Investigating Officer;
- receive reports on the outcome of investigations from Investigating Officers;
- provide the CEO with recommendations of appropriate courses of action regarding the outcome of an investigation; and
- maintain a record of Reports, investigations and recommendations in accordance with confidentiality and privacy obligations, the Acts and as otherwise required by law.

## **Investigating Officer**

The Investigating Officer may be appointed by the CEO, the Review Panel or the Board.

The roles and responsibilities of the Investigating Officer include:

- conducting confidential investigations into complaints;
- reporting on the outcome of investigations to the Review Panel or CEO or Board, as directed; and
- ensuring that confidentiality and the standards of protection provided for in the policy are maintained.

## **Conflicts of Interest**

If the CEO is the subject of a Report all other duties of the CEO under this policy will be the responsibility of the Board.

All persons with any connection to the Report must immediately disclose that connection to the Review Panel or the CEO and will be excluded from the reporting and investigation process.

The Review Panel, the CEO or the Board has the power to prevent a person from dealing with a Report if it forms a view that the involvement of that person will compromise the proper handling of the Report or otherwise at its discretion.

## **6. Protection and Support**

### **Protection for Whistleblowers**

Beach is committed to protecting and supporting a Whistleblower who makes a Report and will, subject to any applicable laws,:

- keep the Whistleblower's identity confidential;

- conduct investigations of Reports on a confidential basis;
- protect the Whistleblower from victimising conduct; and
- monitor and manage the behaviour of other persons involved in the Report or Improper Conduct.

Under the Acts, a Whistleblower is entitled to other protections, including by not being subject to any civil, criminal or administrative liability and not having any contractual or other remedy enforced (or contractual or other right exercised) against the Whistleblower on the basis of the making of the Report.

However, the Whistleblower is not protected from civil or criminal liability or from the consequence of any breach of Beach's policies or any internal disciplinary processes for his or her own Improper Conduct, whether in the Report or not. Beach may, in its discretion, regard the making of the Report as a mitigating factor in relation to Beach's own internal disciplinary processes.

The Whistleblower is encouraged to contact the Reporting and Protections Officer if the Whistleblower has any concerns or otherwise requires support.

### **Protection against victimising conduct**

Beach will protect the Whistleblower and other persons from being victimised, including by suffering any detriment or threat of detriment because they have made, are proposing to make or are able to make a Report under this policy (**victimising conduct**). Beach will support and protect Whistleblowers from detriment by:

- Appointing the Reporting and Protection Officer to provide ongoing support to the Whistleblower;
- Maintaining the identity of the Whistleblower and the content of any Report confidential, and will not disclose the identity of Whistleblower and the content of any Report unless required by this Policy or by law; and
- Ensuring all officers and employees are aware of this policy and the protections available to Whistleblowers.

A Beach officer, employee, agent or contractor must not cause or threaten (either express or implied) to cause any detriment to any Whistleblower who that person believes or suspects has made or will make a Report under the Acts. Beach officers and employees who cause or threaten to cause any detriment to any Whistleblower contravene this policy and may commit an offence under the Acts.

Under the Acts, *detriment* may include dismissal, injury in employment, disadvantageous alteration of position/duties, discrimination, harassment or intimidation, harm or injury to a person or damage to a person's property, reputation or business or financial position. A Whistleblower may be entitled to compensation should they suffer any loss, damage, or injury as a result of any detrimental conduct.

Any person concerned about victimising conduct should immediately contact the Reporting and Protection Officer. Beach considers that any person who carries out or threatens any victimising conduct is in breach of this policy, which may result in disciplinary action, potentially including suspension or termination of employment or engagement.

### **Confidentiality**

Beach will keep the identity of the Whistleblower confidential and will not disclose the Whistleblower's identity to a third party unless:

- the Whistleblower consents to the disclosure;
- the disclosure is made to Australian Securities and Investments Commission (**ASIC**), Australian Prudential Regulation Authority (**APRA**), a member of the Australian Federal Police (**AFP**), the

Commissioner of Taxation (**ATO**) (if tax-related) or other prescribed body in accordance with the Acts;

- the disclosure is made to a legal practitioner for the purposes of Beach obtaining legal advice or representation in accordance with the Acts;
- a court or tribunal thinks it is necessary in the interests of justice; or
- where the disclosure is otherwise required or permitted by law.

Beach will not disclose information that is likely to lead to the identification of the Whistleblower unless:

- it would be permitted to disclose the Whistleblower's identify (as above); or
- where the disclosure of that information is reasonably necessary for purposes of investigating the Improper Conduct and Beach has taken reasonable steps to reduce the risk that the Whistleblower will be identified as a consequence of the disclosure.

### **Protection for employees mentioned in any Report**

Beach will provide any employee mentioned in a Report, who then becomes subject to an allegation of Improper Conduct as a consequence of that Report, with details of the allegation and a reasonable opportunity to respond as part of any investigation.

Employees who are mentioned in any Report will also be entitled to access to a confidential support and counselling hotline.

## **7. Whistleblower Complaint and Investigation Procedures**

### **Complaint procedure**

#### **Making a Report**

Whistleblowers can make a report to any of the following:

- the online third-party disclosure service [Beach Energy Online Reporting | Externally Managed Disclosure Portal \(stoplinereport.com\)](https://stoplinereport.com);
- the Reporting and Protection Officer;
- the Review Panel or a member of the Review Panel (if appointed);
- the person's manager;
- the CEO;
- where none of the other options are appropriate, to a member of the Board; or
- to any other Eligible Recipient under the Acts.

Contact details are provided below, where relevant. There is no requirement for a Whistleblower to identify themselves in any Report to qualify for the protections described in this policy.

## **Reporting and Protection Officer**

A Report can be made to Beach's Reporting and Protections Officer by post to Beach Energy Ltd, Level 8, 80 Flinders Street, Adelaide SA 5000 (marked to the attention of the Reporting and Protection Officer and as URGENT and CONFIDENTIAL).

A Report made to a Reporting and Protection Officer may be anonymous in which case an Eligible Person should not provide details of their identity.

## **Board**

A Report to a member of the Board can be made by post to: Beach Energy Limited, Level 8, 80 Flinders Street, Adelaide SA 5000 (marked to the attention of the Board member and as URGENT and CONFIDENTIAL).

## **Reports made to regulatory authorities under the Acts**

While Beach encourages Reports to be made under this policy, Eligible Persons may also make a protected disclosure to the relevant regulators or an emergency disclosure in accordance with the Acts.

For example, protected disclosures can also be made under the Acts to ASIC, APRA or the AFP or, if related to taxation, the ATO. Eligible Persons may also make protected disclosures to their legal representatives for the purpose of obtaining legal advice or representation.

Emergency disclosures can be made in specific circumstances; however, a Whistleblower must inform Beach in writing if they intend making an emergency disclosure otherwise, they may not be protected under this policy or the Acts.

## **Content of Report**

The Whistleblower should endeavour to provide specific, adequate and pertinent information with respect to dates, places, persons/witnesses, amounts and other information relevant to the Improper Conduct as this may assist Beach in investigating the matter. An optional Whistle-blower report form is available on the Beach Intranet, which may be helpful to a Whistle-blower in compiling the information that should be included in a Report.

## **Communication of Report**

The person receiving the Report will immediately provide the Report to the Review Panel (if formed) or to the CEO or if the Report involves any of those persons to the Chair of the Board of Directors.

A copy of the Report will also be provided to the Reporting and Protections Officer if they were not the original recipient of the Report.

If the Whistleblower has disclosed their name and contact details, the Reporting and Protection Officer will liaise with, protect and support the Whistleblower in accordance with this policy.

## **Investigation of Report**

The CEO or Review Panel (if appointed) will conduct an initial investigation into the Report and will determine at their discretion whether it is appropriate or necessary to appoint an investigator to conduct further investigation or whether the Report can be resolved by other appropriate action.

If appointed, the Investigating Officer's role is to gather information relating to the alleged Improper Conduct, consider the information and conclude whether or not there is any Improper Conduct based on that information. The Investigating Officer may obtain internal or external assistance such as human resources, accounting or legal support as the Investigating Officer considers necessary.

At the completion of the investigation, the Investigating Officer will report back to the CEO or Review Panel (as appropriate). Depending on the circumstances, the Investigating Officer may provide a recommendation about the action to be taken in response to the Report.

Investigations will be conducted on a confidential basis.

### **Action Following Investigation**

The CEO will decide the course of action to be taken following a Report and will consider the recommendations of the Review Panel in this regard, if one is appointed. Depending upon the nature of the matter and the outcome of the investigation, this may include no action being taken, internal disciplinary action, dismissal, or referral to the police or relevant regulator.

Unless the Report was made anonymously, the Whistleblower will be advised of the outcome of the investigation and the action to be taken insofar as it does not reveal confidential information, breach privacy laws or prejudice a course of action to be taken or contravene any law.

### **Reporting Requirements**

Subject to confidentiality and privacy obligations and as required under the Acts or any other law:

- all Reports, investigations and actions taken as a result of an investigation must be recorded by the Review Panel; and
- the CEO must report the key facts, findings, actions and outcomes in relation to all Reports to the Board.

### **Application**

This policy applies to all personnel associated with Beach activities.

## Document Control

### Document Status

Version	Date approved	Prepared by	Reviewed by	Endorsed by	Approved by
6	9 February 2024	Legal		Risk, Corporate Governance & Sustainability Committee	Board
5	5 December 2022	Legal		Risk, Corporate Governance & Sustainability Committee	Board
4	17-August-2018	PK		Risk, Corporate Governance & Sustainability Committee	Board
3	19-October-2016	CO		Corporate Governance Committee	Board
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1	26-May-2013	CO		Corporate Governance Committee	Board

### Amendment Record

Version	Section	Description of amendment
6	Throughout	Full review and update of policy
5	Throughout	Replaced MD with CEO
	Scope	Added references to other policies
	Complaint and Investigation Procedures	Updated Reporting and Protection Officer details