

Safe to Speak Policy

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1. Purpose of Document

Hamilton Island Enterprises Limited (**HIE** or **Company**) is committed to maintaining a culture of integrity, accountability and transparency.

HIE encourages individuals to **safely raise concerns about misconduct or improper conduct** so that matters can be investigated and addressed appropriately.

The purpose of this **Safe to Speak Policy** is to:

- encourage people to speak up if they observe misconduct or wrongdoing;
- explain how disclosures can be made;
- outline the protections available to individuals who raise concerns;
- ensure HIE complies with whistleblower protections under:
 - Part 9.4AAA of the *Corporations Act 2001 (Cth)*
 - Part IVD of the *Taxation Administration Act 1953 (Cth)*

Individuals may seek confidential guidance about this Policy before making a report.

2. Scope

This Policy applies to all individuals connected with HIE, including:

- current and former employees;
- directors and officers;
- contractors and consultants;
- suppliers and service providers;
- business partners;
- volunteers and interns; and
- relatives, dependants or spouses of the above persons.

A person who makes a disclosure under this Policy is referred to as a Safe to Speak Reporter (also known as a Whistleblower).

3. Definitions

Term	Definition
HIE	Hamilton Island Enterprises Limited (ABN 61 009 946 909), its related entities, subsidiaries, successors and assigns.
Island	Hamilton Island, including Dent Island and the Hamilton Island Marina.
Detrimental Conduct	Any conduct that causes harm or disadvantage to a person because they made a disclosure, including dismissal, harassment, intimidation, discrimination, financial harm or damage to reputation.
Reportable Conduct	Information relating to misconduct or an improper state of affairs concerning HIE, including breaches of law, fraud, corruption, serious misconduct, or conduct that poses a danger to the public or financial system.

Safe to Speak Reporter (also known as a Whistleblower)	An eligible person who makes a disclosure under this Policy that qualifies for protection under the <i>Corporations Act 2001</i> (Cth) or the <i>Taxation Administration Act 1953</i> (Cth).
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4. When This Policy Applies

This Policy applies where a disclosure is made about Reportable Conduct to:

- an Eligible Recipient within HIE;
- the Australian Securities and Investments Commission (**ASIC**);
- the Australian Prudential Regulation Authority (**APRA**);
- the Australian Taxation Office (**ATO**) (for tax matters); and/or
- a legal practitioner for advice about whistleblower protections.

In limited circumstances, disclosures may also be made to a journalist or parliamentarian as a public interest disclosure or emergency disclosure where legislative conditions are satisfied.

A person may still receive protection even if the concern later proves to be incorrect, provided the disclosure was made on reasonable grounds.

5. What Should Be Reported

Individuals are encouraged to raise concerns where they have reasonable grounds to suspect misconduct or improper conduct.

Examples of Reportable Conduct include:

- fraud, theft, or financial misconduct;
- bribery or corruption;
- misuse of company funds;
- breaches of law or regulation;
- serious breaches of company policy;
- unethical conduct;
- conduct that endangers public safety;
- serious misconduct relating to taxation matters; and/or
- conduct that represents a danger to the public or financial system.

Reportable Conduct may include behaviour that does not necessarily breach a specific law but represents improper conduct or serious risk.

6. Personal Work-Related Grievances

This Policy does not generally apply to personal work-related grievances, such as:

- interpersonal conflicts between employees;
- decisions about promotions or transfers;
- disciplinary action; and/or
- performance management decisions.

These matters should be addressed through Human Resources or internal grievance procedures.

However, a disclosure may still qualify for protection where the grievance:

- involves systemic misconduct, or
- relates to a breach of law punishable by imprisonment, or
- indicates a danger to public safety.

7. Eligible Recipients

To receive protection under whistleblower laws, disclosures must be made to an Eligible Recipient.

Eligible Recipients include:

- a Director of Hamilton Island Enterprises Limited;
- a senior manager or officer of the Company;
- the General Counsel & Company Secretary;
- the Company's internal or external auditor;
- a person authorised by the Company to receive disclosures; and/or
- the online portal Whispli which allows for anonymous reporting at <https://hamiltonisland.whispli.com>

For the purposes of this Policy, the following persons are authorised recipients:

Name	Position	Contact
Michelle White	General Counsel & Company Secretary	mwhite@hamiltonisland.com.au
Jessica Patrick	Deputy General Counsel	jpatrick@hamiltonisland.com.au
Victoria Skinner	Senior Legal Counsel & Compliance Manager	vskinner@hamiltonisland.com.au
Nicole Walter	General Manager – People	NicoleWalter@hamiltonisland.com.au

8. Anonymous Reporting

Disclosures may be made anonymously and still receive legal protection.

A Reporter may choose to remain anonymous:

- when making the disclosure;
- during the investigation; and/or
- after the investigation is completed.

While anonymity is respected, providing contact details may assist the Company in conducting a more effective investigation.

Anonymous reports may be made through the online platform Whispli at <https://hamiltonisland.whispli.com>

9. Confidentiality

HIE is legally required to protect the identity of Safe to Speak Reporters.

A Reporter's identity must not be disclosed unless:

- the Reporter consents;
- the disclosure is made to ASIC, APRA, or the ATO; and/or
- the disclosure is made to a legal practitioner for legal advice.

Information relating to a disclosure may be shared without revealing the Reporter's identity where necessary to investigate the matter.

Unauthorised disclosure of a Reporter's identity may constitute a criminal offence under the Corporations Act.

To protect confidentiality, HIE will:

- store disclosure records securely;
- restrict access to authorised personnel;
- remove identifying information where possible; and

- remind staff of confidentiality obligations.

10. How to Make a Report

Where possible, disclosures should be made in writing and include:

- a description of the alleged conduct
- names of persons involved (if known)
- relevant dates or events
- any supporting information or evidence

Internal Reports may be made to any Eligible Recipient listed in section 6 or Whispli.

- Australian Securities and Investments Commission (ASIC)
 - <https://asic.gov.au/about-asic/contact-us/how-to-complain/report-misconduct-to-asic/>
- Australian Prudential Regulation Authority (APRA)
 - info@apra.gov.au
 - <https://www.apra.gov.au/contact-us>
- Australian Taxation Office (ATO) (for tax matters)
 - <https://www.ato.gov.au/general/gen/making-a-tip-off/>
- A legal practitioner (independent legal advice)

11. Investigation Process

When a disclosure is received, HIE will:

- conduct a preliminary assessment;
- determine whether the matter falls within the scope of this Policy; and
- determine whether an investigation is required.

Investigations may be conducted internally or by an independent external investigator.

Investigations will be conducted in a manner that is:

- Objective;
- Fair;
- Timely; and
- Confidential.

Where possible, investigations will be completed within approximately two months.

Procedural fairness will be provided to any person who is the subject of allegations.

12. Protection from Detrimental Conduct

HIE strictly prohibits retaliation against any person who raises a concern under this Policy.

Detrimental Conduct includes:

- dismissal or termination;
- harassment or bullying;
- discrimination;
- threats or intimidation;
- damage to reputation; and/or
- financial disadvantage.

Anyone engaging in retaliation may face disciplinary action up to and including termination of employment.

A Reporter may also seek compensation through the courts if they suffer loss or damage because of retaliation.

13. Support for Safe to Speak Reporters

Where appropriate, HIE may provide support measures including:

- access to support services;
- monitoring workplace wellbeing;
- adjustments to reporting lines or work arrangements; and/or
- ensuring confidentiality protections are maintained.

14. False or Misleading Reports

Deliberately making a report that is knowingly false or malicious may result in disciplinary action. However, a report will not lose protection simply because it is later found to be incorrect, provided it was made in good faith.

15. Breaches of this Policy

Breaches of this Policy may result in:

- disciplinary action;
- termination of employment or engagement; and/or
- civil or criminal liability under applicable laws.

16. Policy Availability

This Policy will be made available to:

- employees
- officers
- contractors and suppliers
- on public facing website
- on internal intranet sites.

It will be accessible via:

- company intranet;
- <https://www.hamiltonisland.com.au/community-and-development/policies-forms>
- employee induction materials; and
- governance documentation.

Training may also be provided to ensure employees understand their rights and responsibilities.

17. Feedback

Enquiries or feedback regarding this Policy may be directed to: corporate@hamiltonisland.com.au

18. Review

This Policy is subject to periodic review and revision by HIE.