



## P15.2 - WHISTLEBLOWERS POLICY

### 1. Introduction

Metallica Minerals is committed to the highest standards of openness, probity, and accountability. An important aspect of accountability and transparency is a mechanism to enable staff and other members of Metallica Minerals to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows misconduct or an improper state of affairs within the organisation then this information should be disclosed through an appropriate channel without fear of reprisal. The purpose of this policy is to encourage reporting instances of Disclosable Conduct relating to Metallica Minerals. This policy is made available to all officers, employees, contractors, agencies, or any other party with a business relationship with Metallica Minerals through the following channels:

- The policy will be available on the company website at [www.metallicaminerals.com.au](http://www.metallicaminerals.com.au); or
- As a PDF version obtainable by email by sending a request to [reveal@metallicaminerals.com.au](mailto:reveal@metallicaminerals.com.au)
- A copy of the policy can also be posted by contacting 07 3249 3000 to request. This policy is prepared in accordance with the requirements of Part 9 of the Corporations Act 2001 (Cth).

### 2. What is Disclosable Conduct?

Metallica Minerals defines Disclosable Conduct as misconduct or an improper state of affairs that relates to Metallica Minerals. Disclosable Conduct includes:

- Conduct contravening Metallica Mineral's Code of Conduct or any other company policy including, for example, behaviour that is dishonest, unethical, or corrupt
- A criminal offence or breach of any Commonwealth or State legislation or local authority by-laws including, for example, any act of fraud or theft
- Is creating an unsafe work practice or failure to comply with Health & Safety legislation
- Damage to the environment or property or failure to comply with environmental legislation
- Actual or threatened violence
- Harassment, discrimination, victimisation or bullying

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- Any other conduct that may cause financial or non-financial loss to the entity or be otherwise detrimental to the interests of the entity
- Failure to comply with statutory accounting and reporting requirements
- Insider trading or Insolvent trading

In cases of harassment, discrimination, bullying or victimisation, an employee’s first recourse should always be through Metallica Minerals’ Grievance Procedure. However, employees should resort to whistleblowing if:

- They feel unsafe or consider their employment or personal security is at risk should they use the Company Grievance Procedure
- They have completed the official Grievance Procedure and still feel at risk

### 3. Who can make a Whistle-Blower disclosure?

An Eligible Whistle-Blower is entitled to report Disclosable Conduct in accordance with the provisions of this policy.

An Eligible Whistle-Blower is anyone who is currently or was previously:

- An officer or employee of Metallica Minerals
- An individual who supplies services or goods to Metallica Minerals
- An employee of a person that supplies services or goods to Metallica Minerals
- A relative or dependent of an individual referred to above.

### 4. When can a Disclosure be made?

To make a disclosure, an Eligible Whistle-Blower must have ‘reasonable grounds’ to suspect that Disclosable Conduct has occurred. As a guideline, having ‘reasonable grounds may’ include circumstances where the Eligible Whistle-Blower, for example:

- Obtained information in the ordinary course of their employment,
- Was witness or party to Disclosable Conduct,
- Has physical or documentary evidence to support their disclosure, or
- Can otherwise substantiate their disclosure.

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## 5. Exclusions

A Personal Work-Related Grievance is a concern, problem, or complaint that an employee has about their work, the workplace or someone they work with. Examples of Personal Work-Related Grievances include:

- Lack of staff development or training
- Improper leave allocation
- Inadequate or improper supervision
- Unreasonable rosters or hours of work
- Improper wage or salary levels.

## 6. Which Procedure to use?

It is important for individuals to consider the appropriate level to raise their concern. Metallica Minerals wishes to develop and mature a level of respect through the company and to do so it will be helpful if concerns are initially discussed with your immediate supervisor or manager. If the concern is about that supervisor, then it should be escalated to the Superintendent or the Manager of the Supervisor. If you are unsatisfied with a verbal response then concerns should be submitted through the company Grievance Procedure, using the appropriate forms obtainable from HR.

Once you enter a written grievance you must receive a written response and the matter may be escalated by you through the management chain. Supervisors and Managers may not refuse you the right to put forward a grievance or to escalate a grievance to the next level however, if you are concerned your well-being or employment is at risk in any way then it is appropriate for you to use the Whistleblowing Policy and procedures.

## 7. How to Report Disclosable Conduct

An Eligible Whistle-Blower should report Disclosable Conduct to one of the following individuals (Eligible Recipients):

- The Whistle-Blower Protections Officer
- A 'Senior Manager', as defined by section 9 of the Corporations Act 2003 (Cth). This includes the Executive Chair, CFO, Company Secretary, HR Manager, and General Manager.

## 8. Reports can be made using the contact details below:

Whistle-Blower Protection Officer (Company Secretary) Tel: 07 3249 3000 or Email: [reveal@metallcaminerals.com.au](mailto:reveal@metallcaminerals.com.au)

Anonymous Reports Post to Reveal, Metallica Minerals Ltd, GPO Box 122, Brisbane, Q 4001

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## 9. Confidentiality

An Eligible Whistle-Blower is entitled to make a report anonymously. Metallica Minerals will take reasonable steps not to disclose the identity of the Whistle-Blower or any information likely to lead to the identification of the Whistle-Blower, unless any of the following circumstances arise:

- Metallica Minerals obtains the consent of the Whistle-Blower to disclose their identity or disclose information that is likely to lead to their identification
- It is reasonably necessary for purposes of performing a meaningful investigation into a report of Disclosable Conduct, to disclose information that may lead to Whistle-Blower's identification

## 10. Whistle-Blower Protections

Metallica Minerals is committed to protecting the Whistle-Blower, their colleagues and relatives from victimisation or any other Detrimental Conduct. Detrimental Conduct includes:

- Unfair dismissal
- Unlawful dismissal
- Alteration of an employee's position or duties to his or her disadvantage
- Discrimination against the Whistle-Blower
- Harassment or intimidation of a person
- Harm or injury to a person, including psychological harm
- Injury to the Whistle-Blower's employment
- Damage to a person's property, reputation business, financial position, or any other damage.

If requested by the Eligible Whistle-Blower, Metallica Minerals will take action to protect them. Such action may include:

- Relocation or leave of absence during investigation where it will not be possible to maintain anonymity of the Whistle-Blower.
- Retaining all files and records relating to an investigation under strict security. Any individual who releases such information will breach of this policy and will be subject to disciplinary action.
- Referral to the company EAP Scheme with Gryphon Psychology

Metallica Minerals has appointed a Whistle-Blower Protection Officer, whose primary role is to protect the confidentiality of an Eligible Whistle-Blower.

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Detailed roles and responsibilities of the Whistle-Blower Protection Officer and other key personnel is contained in Appendix A.

## 11. Management of Whistle-Blower Reports.

## 12. Investigation

The Company Secretary (who is also Metallica Minerals' Whistle-blower Protection Officer) will oversee all investigations, except where the investigation relates to a member of the Executive Management Team. In the instance that the investigation relates to a member of the Executive Management Team, then the Board will nominate an appropriate Whistle-Blower Investigation Officer.

The Company Secretary may be required to consult with the HR Manager or a Senior Manager (as defined in Section 7), and will nominate an appropriate Whistle-Blower Investigation Officer, taking into consideration the nature and seriousness of the matter. The Whistle-Blower Investigation Officer should:

- Obtain full details and clarifications of the complaint from the Eligible Recipient.
- Advise the appropriate person to inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing held under the provision of these procedures.
- Consider if the involvement of Metallica Minerals Auditors and the Police is required at this stage and consult with the Managing Director/Chairman.
- Fully investigate the allegations with the assistance of other individuals/bodies, where appropriate. The Whistle-Blower Investigation Officer may consider the use of external agencies if required.
- Keep the Eligible Whistle-Blower informed of the progress of the investigation and, if appropriate, of the outcome by phone and email recording such communications as and when made.
- Reach a conclusion as to whether the allegations are substantiated, unsubstantiated, or if further information is required and provide a written report of the findings to the Metallica Minerals Managing Director/Chairman.
- If appropriate, provide a copy of the outcomes to Metallica Minerals' External Auditors to enable a review of the procedures and the potential impact on Metallica Minerals' internal control environment.

Upon conclusion of an investigation, the Managing Director and/or Chairman will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary or other appropriate Metallica Minerals procedures. Due to the varied nature of Whistle-Blower reports, which may involve both internal and external investigators and the Police, it is not possible to prescribe precise timeframes for investigations. The

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Whistle-Blower Investigation Officer should ensure that investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

### 13. Finalising the Whistle-Blower Process

If the Eligible Whistle-Blower is not satisfied their concern is being properly dealt with by the Whistle-Blower Investigation Officer, they have the right to raise it in confidence with the Managing Director/Chairman, or any other Eligible Recipients. If the investigation finds the allegations are unsubstantiated and all internal procedures have been exhausted, but the Eligible Whistle-Blower is unsatisfied with the outcome of the investigation, Metallica Minerals recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive, the Audit Commission, or the utility regulators), or, where justified, elsewhere.

### Review

Metallica Minerals will review this policy every two years to ensure that it remains effective and meets best practice standards.

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## APPENDIX A

### Roles and Responsibilities

#### Whistle-Blower Protection Officer

- Ensure confidentiality in the investigation and protecting the employee's identity
- Monitor and manage the behaviour of other employees related to the reported incident
- Offer a leave of absence while a matter is investigated
- Relocate employees to a different working group or department Whistle-Blower Investigation Officer
- Keep information relating to investigations stored safely
- Conduct a full investigation into any reported Disclosable Conduct.

#### Whistle-Blower Investigation Officer

- Keep information relating to investigations stored safely
- Conduct a full investigation into any reported Disclosable Conduct Managing Director/Chairman
- Determine and administer an appropriate remedy for an Eligible Whistle-Blower who has suffered any detriment
- Receive and respond to complaints made by an Eligible Whistle-Blower regarding Metallica Minerals' investigation process

#### Eligible Recipient

- Assess Whistle-Blower reports within 48 hours of their receipt
- Determine the channel through which a report from an Eligible Whistle-Blower will be addressed

Our policies will be reviewed from time to time to ensure they remain adequate, encourage best practice, and drive our planning and continuous improvement processes.

**Theo Psaros**  
**Executive Chairman**  
October 2023

**Scott Waddell**  
**Chief Financial Officer and Company Secretary**  
October 2023

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