

WHISTLEBLOWER POLICY

INTRODUCTION

Introduction and Purpose

Eastern Metals Limited (**Company**) recognises that whistleblowers can play an important role in the identification of bad behaviour in companies, but often can come under pressure to not report that bad behaviour due to the perceived potential for retribution if they did. Accordingly, the Company has introduced this Whistleblower Policy (**Policy**) that's designed to encourage the reporting of matters that may cause harm to individuals, or financial or non-financial loss to the Company, or damage to the Company's reputation and to protect whistleblowers against detrimental conduct.

The Company's Whistleblower Policy forms part of its blueprint for good corporate behaviour alongside its Code of Conduct and Ethics, its Fraud Policy, and its Harassment and Bullying Policy.

This Policy is available on the Company's website.

Scope

This Policy applies to all full time and part time staff, consultants and contractors of the Company.

What is a whistleblower?

A Whistleblower means a person who wishes to make, attempts to make, or makes a report of Reportable Conduct in accordance with this Policy **and**

- a) Is, or has been, an associate, Director, Officer, Staff, supplier, tenderer or other person, paid or unpaid, who has business dealings with the Institute; or
- b) Is a relative, spouse or dependent of a person listed in (a) above.

What is Reportable Conduct ?

Reportable Conduct means:

- Conduct which is dishonest, fraudulent or corrupt, including financial fraud or bribery;
- Illegal acts including theft, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law;
- Official misconduct or maladministration;
- Unethical conduct;
- Conduct that could be damaging to the Company, a Company employee or a third party, including but not limited to unsafe work practices, environmental damage, health risks or abuse of Company property or resources; or

- Conduct which involves any other kind of serious impropriety.

Reportable Conduct do not include personal work-related grievances (e.g. conflicts between employees, or decisions relating to your promotion or termination).

Whistleblowers must have some reasonable grounds for raising their concerns. Having reasonable grounds does not necessarily mean having irrefutable proof. A strong suspicion is sufficient grounds for taking the matter forward. However, allegations that are known, or ought to be known, to be false or without substance should not be pursued. Persons should not knowingly make false or vindictive reports as this could result in disciplinary action.

Who should a whistleblower report his or her concerns to?

A Whistleblower should report Reportable Conduct to his or her supervisor or line manager, but if this is inappropriate in the circumstances the whistleblower should not hesitate to contact the Managing Director/CEO, the Company Secretary, or the Chairman of the Board. These persons can be contacted directly, by phone, email or letter. A Whistleblower can also report their concerns to another Eligible Recipient. An Eligible Recipient is:

- A Director of the Company Board;
- An Officer or a Senior Manager
- A Whistleblower Protection Officer (**WPO**) with authority to receive protected disclosures;
- The Company's Auditor; or
- The authorities responsible for the enforcement of the law in the relevant area

How will the Company assess and investigate a whistleblower's allegations?

Eastern Metals will appoint an appropriate person, who may in certain circumstances be independent of the Company to investigate an allegation of Reportable Conduct.

All reports of Reportable Conduct will be assessed by the Company to determine if the disclosure falls under this Policy. A decision will be made as to whether the Reportable Conduct should be investigated. The Company's response to a disclosure will vary depending on the nature of the disclosure. Matters will be investigated thoroughly, promptly and appropriately. Where appropriate, an investigator will prepare a report for the Company, ideally within 90 days of the matter being raised. The Whistleblower will receive feedback on the progress of the investigation and whether anything has come to light that may give cause for concern.

A Whistleblower who has reasonable grounds for his or her own safety may be granted leave of absence during the course of the investigation.

At the end of the investigation, the investigator will report their findings to the CEO who will then determine the appropriate response. If the Reportable Conduct involves the CEO, the investigator will report their findings to another person (e.g. Chair of the Board or other Board member).

Depending on the outcome, the Company may implement the investigator's recommendations, seek

legal advice/ review or make a report to a regulatory body.

The outcome of the review will be examined and endorsed by the Company Board's Risk Committee before implementation of any actions.

Eastern Metals is committed to implementing the findings and recommendations of any investigation with a view to rectifying any wrongdoing as far as are practicable in the circumstances.

Whistleblower protection

Eastern Metals is committed to ensuring that any individual is not disadvantaged in any way from validly raising concerns about suspected behaviour covered by its Whistleblower Policy.

Breach of this Policy

Any breach of this Policy will be taken seriously and may result in disciplinary action (including termination of employment).

Review of this Policy

The Board will regularly assess this Whistleblower Policy to ensure continuing adequacy and appropriateness.

Date adopted:
22 July 2021