

Phoslock Whistleblowing policy

风斯乐检举政策

1 Introduction

1 前言

At Phoslock Environmental Technologies Limited ACN 099 555 290 (**Phoslock**) we are committed to conducting our business with honesty and integrity, and we expect our officers, employees, contractors, suppliers and agents to maintain high standards as set out in our code of conduct. A culture of openness and accountability is essential to minimise the risk of illegal or unethical conduct and to address this conduct if it occurs.

风斯乐环境技术有限公司澳洲公司注册号码 (ACN) 099 555 290 (**风斯乐**) 致力于以诚实和正直的态度开展业务, 我们期望我公司管理人员, 员工, 承包商, 供应商和代理商按照我们的行为准则的规定, 保持高标准。开放和问责文化对于最大限度地减少非法或不道德行为的风险, 并在这种行为发生时予以处理至关重要。

This policy is an important tool for helping Phoslock to identify wrongdoing that may not be uncovered unless there is a safe and secure means for disclosing wrongdoing, and Phoslock encourages employees and non-employees who are aware of possible wrongdoing to have the confidence to speak up.

这项政策是帮助风斯乐识别除安全可靠的方式披露不当行为以外其他可能发现的不当行为的重要工具, 并且风斯乐鼓励意识到可能的不当行为的员工和非雇员有信心发表意见。

This policy sets out a process for reporting illegal, corrupt or unethical conduct occurring in our business. Your disclosure can be made anonymously, and your identity will be kept confidential (except in certain permitted circumstances). We are committed to ensuring that anyone who reports such conduct is not victimised as a result.

本政策规定了报告业务中发生的非法, 腐败或不道德行为的流程。您可以匿名进行披露, 您的身份将被保密 (某些获准情况除外)。我公司致力于确保任何举报此类行为的人不会因此受到伤害。

There are protections available under this policy and by law, provided:

本政策和法律规定提供以下保护:

- you are one of our officers, employees, or otherwise have a connection with us, as set out at paragraphs 3.1 and 3.2 of this policy;
- 如本政策条款第3.1和3.2款所述, 您作为我公司管理人员、员工之一, 与本公司关系密切;
- you have reasonable grounds for your concern;
- 您有合理理由提出担忧之事;
- your concern relates to the types of matters set out at paragraph 5 of this policy; and
- 同时您所关切方面可在本政策第5条查看相关说明;
- you raise your concern with one of the recipients set out at paragraph 6 or as set out at paragraph 14.
- 您可向政策第6或第14条所述的接收者提出担忧之事。

2 Interaction between this policy and legislative whistle blower protections

2 此政策与立法举报人保护措施之间的相互作用

- 2.1 In Australia, various pieces of legislation protect whistleblowers from negative treatment including the *Corporations Act 2001* (Cth) (**Corporations Act**) and *Taxation Administration Act 1953* (Cth) (**Whistleblower Protection Laws**). Other jurisdictions have their own whistleblowing regimes and you must also comply with those laws to the extent they apply to you.
- 2.1 澳大利亚各立法保护举报人免受不当待遇，包括2001年《公司法》（联邦）（《公司法》）和1953年《税收管理法》（联邦）（《举报人保护法》）。其他司法管辖区也有自己的举报制度，且您必须在适用于自己的范围内遵守这些法律。
- 2.2 One of the aims of this policy is to comply with our legislative obligations to provide information about the protections available to whistleblowers, including the protections under the Whistleblower Protection Laws. This policy is to be read subject to those statutory protections.
- 2.2 本政策的目的之一是遵守我方立法义务，以提供有关举报人可获得的保护，包括《举报人保护法》所规定的保护信息。阅读该政策时应遵守这些法定保护措施。
- 2.3 This policy has been prepared with reference to Australian law and regulation. While we will endeavour to offer whistleblowers in any jurisdiction the protections set out in this policy, the legal protections outlined in this policy are matters of Australian law and may not be available where the whistleblower is located and/or if the reported activity occurs outside of Australia. In such cases, whistleblowers are encouraged to discuss the matter with a whistleblowing protection officer on a confidential basis before taking further action.
- 2.3 本政策参照澳大利亚法律法规制定。我们将努力在任何司法管辖区向举报人提供本政策中所规定保护，但本政策中所概述的法律保护属于澳大利亚法律问题，举报人所处位置和/或所举报的活动发生位置在澳大利亚辖区以外不适用。此情况下鼓励举报者可在采取进一步行动之前与举报保护官员在保密基础上先作讨论。

3 Who does this policy apply to?

3 政策适用于谁？

- 3.1 This policy applies to:
- 3.1 本政策适用于：
- anyone who performs work for us, which includes:
 - 任何为本公司执行工作的人员，包括：
 - our officers and employees;
 - 本公司管理人员和员工；
 - consultants, secondees and volunteers;
 - 顾问，借调人员和志愿人员；
 - our associates;
 - 本公司同事；
 - our contractors, suppliers, agents and their employees; and
 - 公司承包商，供应商，代理商及其员工；和
 - all Phoslock operations including our subsidiaries.
 - 包括公司旗下子公司在内的所有风斯乐业务。
- 3.2 If you are not an individual described above, please refer to Schedule 1 titled “Disclosures by external persons”.
- 3.2 如果您不是上述个人，请参阅附表1“外部人员披露”。

- 3.3 As a condition of working with us, you are required to comply with any lawful directions made by Phoslock in respect of this policy. This policy is not intended to be contractually binding and does not form part of any contract you may have with us.
- 3.3 作为与我公司合作条件之一，您必须遵守风斯乐就本政策作出的任何合法指示。本政策并不具有合同约束力，也不构成您可能与我公司签订的任何合同的一部分。
- 3.4 If you are an eligible whistleblower, and you make a protected disclosure, you will be protected under the Whistleblower Protection Laws.
- 3.4 如果您作为合格举报人，并且进行了保护范围内的披露，您将受到举报人保护法的保护。

4 Interpretation

4 释义

4.1 In this policy, where the context requires, the following terms are used:

4.1 在本政策中，据内容需要，须使用下列术语：

- (1) **you** refers to individuals to whom this policy applies;
- (1) **您**是指政策适用的个人；
- (2) **we** or **us** refers to Phoslock and our subsidiaries;
- (2) **我们**是指风斯乐和旗下子公司；
- (3) **Corporations Act** means Corporations Act2001(Cth);
- (3) **《公司法》**指2001年《公司法》（联邦）；
- (4) CEO means the managing director of Phoslock or, if there is not a managing director, the chief executive officer of Phoslock (as applicable).
- (4) CEO是指风斯乐的执行董事，若无执行董事，则指风斯乐的首席执行官（如适用）。
- (5) discloser means a person who makes a disclosure;
- (5) 披露人是指作出披露的人；
- (6) disclosure means a disclosure of improper conduct, made on reasonable grounds;
- (6) 披露系指基于合理理由披露不当行为；
- (7) improper conduct means the matters set out in paragraph 5 of this policy;
- (7) 不当行为系指本政策第5条所列行为事项；
- (8) officer is defined in the Corporations Act and includes a director or secretary;
- (8) **《公司法》**对管理人员作了定义，包括董事或秘书；
- (9) protected disclosure means a disclosure protected by the Whistleblower Protection Laws (and includes internal disclosures and disclosures to regulatory and other external bodies, public interest disclosures and an emergency disclosure as defined in the Corporations Act);
- (9) 受保护披露是指受举报人保护法保护的披露（包括内部披露和向监管机构及其他外部机构披露，公共利益披露以及《公司法》所界定的紧急披露）；
- (10) protected matter means a matter protected under the Whistleblower Protection Laws;
- (10) 受保护事项系指受举报人保护法保护的事项；
- (11) senior manager is defined in the Corporations Act, and relevantly means a person other than a director or secretary) who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the corporation; or has the capacity to affect significantly the corporation's financial standing;
- (11) **《公司法》**对高级经理进行了定义，高级经理是指董事或秘书以外的人，他们做出或参与做出影响公司全部或大部分业务的决策；或有能力对公司的财务状况造成显著影响；
- (12) tax affairs means affairs relating to any tax imposed by or under, or assessed or collected under, a law administered by the Commissioner of Taxation;
- (12) 税务事务指与由税务局局长所执行的法律征收或根据该法律所征收的任何与税项有关的事务，或与根据该法律所评定或征收的任何税项有关的事务；

(13) Whistleblower Protection Laws includes the Corporations Act and Taxation Administration Act 1953 (Cth).

(13) 《举报人保护法》包括《公司法》和《1953年税收管理法》（美国联邦）。

5 What can be the subject of a disclosure?

5 披露主题包括什么？

5.1 This policy encourages reporting of the following types of improper conduct (which may not necessarily be unlawful), provided you have reasonable grounds for your concern:

5.1 本政策鼓励举报下列类型的不当行为（不一定是违法行为），但须有合理理由提出担忧之事：

Type of conduct 行为类型	Example/s 示例/s
<p>Misconduct in relation to Phoslock or a subsidiary. 与风斯乐或其子公司有关的不当行为。</p> <p>Misconduct includes fraud, negligence, default, breach of trust, or breach of duty in relation to Phoslock or a subsidiary. 不当行为包括与风斯乐或子公司有关的欺诈，疏忽，违约，背信或失职。</p>	<p>Examples: 示例:</p> <p>Deliberately or negligently breaching laws in the conduct of our business. 在我们的业务中蓄意或疏忽违反法律。</p> <p>Deliberately overcharging customers or charging customers for services they did not receive. 蓄意向客户多收费或向客户收取未得到的服务费用。</p>
<p>An improper state of affairs or circumstances in relation to Phoslock or a subsidiary. 有关风斯乐或子公司的不当事务或情况。</p>	<p>Example: 示例</p> <p>Unethical conduct, such as systemic or serious breaches of our code of conduct or our anti-bribery and corruption policy. 不道德行为，例如系统性或严重违反我们的行为守则或反贿赂和反腐败政策。</p> <p>Conduct which may cause financial or non- financial loss to Phoslock or be otherwise detrimental to the interests of Phoslock, such as financial mismanagement. 可能给风斯乐公司造成财务或非财务损失或以其他方式损害风斯乐公司利益的行为，如财务管理不善。</p>

<p>Information that indicates that Phoslock or its subsidiaries or any of our officers or employees have engaged in conduct that constitutes a serious breach of the Corporations Act, ASX Listing Rules or other laws administered by Australian Securities and Investments Commission (ASIC) or the Australian Prudential Regulation Authority (APRA) as set out in Schedule 2.</p> <p>表明风斯乐或其子公司或本公司任何管理人员或员工从事严重违反《公司法》，ASX上市规则或其他由澳大利亚证券投资委员会(ASIC)或澳大利亚审慎监管局(APRA)管理的法律（见附表2）的行为的信息。</p>	<p>Examples: 示例</p> <p>Insider trading. 内幕交易。</p> <p>Trading while insolvent. 在资不抵债的情况下进行交易。</p> <p>Breach of continuous disclosure rules. 违反持续披露规则。</p> <p>Victimising a person who is, or is thought to be, a discloser. 伤害披露者或被认为是披露者的人。</p> <p>Breaching the confidentiality of a discloser. 违反披露者的保密性。</p>
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<p>Information that indicates that Phoslock or a subsidiary or any of our officers or employees have engaged in conduct that breaches any other Commonwealth laws, punishable by 12 months or more imprisonment.</p> <p>表明风斯乐或子公司或我公司任何管理人员或员工从事违反其他任何联邦法律的行为的信息，可处以12个月或以上监禁。</p>	<p>Example: 示例</p> <p>Bribing a government official. 贿赂政府官员。</p>
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<p>Information that indicates that Phoslock or a subsidiary or any of our officers or employees have engaged in conduct that represents a danger to the public or to the financial system.</p> <p>表明风斯乐或子公司或我们的任何管理人员或员工从事对公众或金融系统构成危险行为的信息。</p>	<p>Examples: 示例</p> <p>Deliberately or negligently misleading the public about the safety of a product. 蓄意或疏忽就产品的安全性误导公众。</p> <p>Systemic conduct that might pose a risk to stability of, or confidence in, our financial system. 可能对本港金融体系的稳定或信心构成风险的系统性行为。</p>
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<p>Information that indicates misconduct or an improper state of affairs or circumstances, in relation to the tax affairs of Phoslock, or an associate¹ of Phoslock and you consider this information may assist the recipient to perform their functions or duties in relation to those tax affairs.</p> <p>表明与风斯乐或风斯乐的联营公司的税务事务有关的不当行为或不当事务或情况的信息，且您认为该信息可能有助于</p>	<p>Example: 示例</p> <p>Information about a tax evasion scheme within the business. 有关企业内逃税计划的信息。</p>
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接收方履行与这些税务事务有关的职能或职责。	
Any attempt to conceal or delay disclosure of any of the above conduct. 隐瞒或延迟披露上述任何行为的任何企图。	

5.2 Concerns should not be reported under this policy if they are more appropriately raised under another company policy.

5.2 如果公司其他政策更适用于所提关切，则相关内容不应在此政策下提出。

5.3 This policy should not be used for complaints relating to personal work-related grievances, such as an interpersonal conflict between the discloser and another person, a decision relating to engagement, transfer or promotion of the discloser, a decision relating to the terms and conditions of engagement of the discloser or a decision relating to suspension, termination or discipline of the discloser.

5.3 本政策不适用于与个人工作相关的投诉，如披露人与另一人之间的人际冲突，与披露人的聘用，调动或晋升有关的决定，与披露人的聘用条款和条件有关的决定或与披露人的停职，终止或纪律有关的决定。

5.4 Concerns of that nature should be raised with:

5.4 应向下列人员提出上述性质的关切:

(1) if you are one of our employees, officers, secondees or volunteers – with the CEO of Phoslock;

(1) 公司员工，管理人员，借调人员或志愿人员---及风斯乐的CEO；

(2) otherwise – concerns should be raised with the Company Secretary or a non-executive director of Phoslock.

(2) 或向公司秘书或风斯乐的非执行董事提出担忧之事。

5.5 A personal work-related grievance may still qualify for protection if:

5.5 在下列情况下，与工作有关的个人申诉仍有资格获得保护:

(1) it includes information about misconduct, or information about misconduct includes or is accompanied by a personal work-related grievance (mixed report);

(1) 其中包括关于不当行为的信息，或关于不当行为的信息包括或附有与个人工作有关的申诉（混合式报告）；

(2) the entity has breached employment or other laws punishable by imprisonment for a period of 12 months or more, engaged in conduct that represents a danger to the public, or the disclosure relates to information that suggests misconduct beyond the discloser's personal circumstances;

(2) 实体违反雇佣或其他可被处以12个月或以上监禁的法律，从事对公众构成危险的行为，或披露的信息涉及披露者个人情况以外的不当行为；

(3) the discloser suffers from or is threatened with detriment for making a disclosure; or

(3) 或披露人因进行披露而遭受损害或受到损害威胁；

(4) the discloser seeks legal advice or legal representation about the operation of the whistleblower protections under the Corporations Act.

(4) 披露人就《公司法》规定的举报人保护政策寻求法律咨询或法律代表。

- 5.6 If you are one of our officers or employees and you have concerns about the actions of a third party, for example a supplier asking you for a kickback arrangement, we also encourage you to report these concerns under this policy. You should contact your line manager or the Company Secretary for guidance.
- 5.6 如果您是我们的管理人员或公司员工，并且您受到第三方的行为影响，例如供应商要求您提供回扣安排，我们也鼓励您根据本政策提出担忧之事。您应该联系您的部门经理或公司秘书寻求指导。

¹ Associate in this context refers to an associate of a company as defined in the *Income Tax Assessment Act 1936*, and includes a partner, a trustee of a trust where the company or their associate benefits from the trust, a controlling entity, and a controlled company.

¹上文所述联营公司是指1936年所得税评估法中定义的公司的联营公司，包括合伙人，公司或其联营公司从信托中受益的信托受托人，控权实体和被控权公司。

6 How do I make a disclosure?

6 如何披露?

6.1 In most situations, if you have a concern about something, we recommend you speak to your supervisor or manager or the Chief Financial Officer or Company Secretary before making a disclosure under this policy. However if you are not comfortable doing so, you fear victimisation or other adverse action, or you feel that the issue has not been resolved, you can make a disclosure under this policy.

6.1 在大多数情况下, 如果您对某件事有所顾虑, 我们建议您在根据本政策进行披露之前与您的主管或经理或首席财务官或公司秘书进行沟通。但是, 如果您不乐意这样做, 且担心受害或其他不利行为, 或者您觉得问题尚未得到解决, 您可以根据本政策进行披露。

6.2 If you wish to make a disclosure about improper conduct pursuant to this policy, we encourage you to report it to one of our designated whistleblowing protection officers. They are authorised to receive disclosures and can also provide additional information about this policy and Whistleblower Protection Laws.

6.2 如果您希望根据本政策披露不正当行为, 我们鼓励您向我们指定的举报保护管理人员报告。他们被授权接受披露, 也可以提供有关本政策和举报人保护法的补充信息。

6.3 They know how to handle disclosures and can be contacted on: Phone: +61 3 9110 0002

6.3 想要了解他们如何处理披露, 可联系: 电话: +61 3 9110 0002

- Email: disclosures@phoslock.com.au
- 电子邮件: disclosures@phoslock.com.au
- Mail: Level 16/1 Collins St, Melbourne, VIC, 3000, AUSTRALIA
- 电子邮件: Level 16/1 Collins St, Melbourne, VIC, 3000, AUSTRALIA

6.4 It is our preference that disclosures about improper conduct are made through our designated whistleblowing protection officers. However you may also make an internal disclosure to:

6.4 我们倾向于您通过我们指定的举报保护管理人员披露有关不当行为的情况。但是, 您也可以向以下人员进行内部披露:

An officer or senior manager of Phoslock or a subsidiary 风斯乐或其子公司的高级管理人员或高级经理	An auditor or a member of an audit team conducting an audit of Phoslock or a subsidiary 对风斯乐或其子公司进行审计的审计师或审计小组成员	An actuary of Phoslock or a subsidiary 风斯乐或其子公司的精算师
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6.5 If the disclosure relates to improper conduct in our tax affairs, internal disclosures may also be made to:

6.5 如果披露涉及我们税务事务中的不当行为, 则还可以向以下方面进行内部披露:

<p>An officer or senior manager of Phoslock</p> <p>风斯乐管理人员或高级经理</p>	<p>Any other employee or officer who has functions or duties relating to the tax affairs of Phoslock</p> <p>具有与风斯乐税务事务相关职能或职责的任何其他员工或管理人员</p>	<p>An auditor or a member of an audit team conducting an audit of Phoslock</p> <p>对风斯乐进行审计的审计师或审计小组成员</p>	<p>A registered tax agent or BAS agent providing tax agent or BAS services to Phoslock.</p> <p>向风斯乐提供税务代理或BAS服务的注册税务代理或BAS代理。</p>
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- 6.6 You may also be able to report your concern externally. Please read paragraph 14 of this policy if you are considering this.
- 6.6 您也可以向外提出担忧之事。若有此想法，请阅读本政策的第14条。
- 6.7 You may wish to seek independent legal advice (at your own cost) for the purpose of obtaining legal advice or representation in relation to making a disclosure.
- 6.7 您可能希望寻求独立的法律意见(自费)，以便就作出披露取得法律意见或陈述。

7 Can I make a disclosure anonymously?

7 可以匿名披露吗？

- 7.1 You can make a disclosure of improper conduct anonymously. However to enable us to properly investigate and respond to disclosures, we encourage disclosers to provide their name when making a disclosure.
- 7.1 可以匿名披露不当行为。然而，为了使本公司能够适当地调查和回应披露，我们鼓励披露者在作出披露时提供他们的姓名。
- 7.2 If you make an anonymous disclosure, the person investigating the disclosure will not be able to provide you with information about the status of any investigation into the conduct.
- 7.2 如果匿名披露，调查该披露的人员将无法向您提供有关对该行为的任何调查情况的信息。

8 Can someone make a disclosure on my behalf?

8 可代替披露吗？

- 8.1 A relative or another person can make a disclosure on your behalf. The victimisation protections in this policy apply regardless of who communicates the disclosure.
- 8.1 亲属或其他人可以代替进行披露。本政策中的受害保护适用于任何传达披露信息的人员。

9 Confidentiality of disclosures

9 披露的保密性

- 9.1 We will keep a discloser's identity (or information likely to lead to a person being identified as a discloser) confidential, except in the following circumstances:

- 9.1 我方将对披露人的身份（或可能导致某人被认定为披露人的信息）保密，但下列情况除外：
- the discloser consents in writing to this information being disclosed; 披露方书面同意披露该信息；
 - during the investigation process, we are permitted to disclose information (other than the identity of the discloser) reasonably necessary for the purposes of investigating the disclosure. We will take reasonable steps to reduce the risk of the discloser being identified;
 - 我们获准在调查过程中披露为调查该披露而合理需要的信息（披露人的身份除外）。公司将采取合理手段降低披露人被识别的风险；
 - we need to disclose this information to obtain confidential legal advice or representation; or
 - 我们需要披露这些信息以获得保密的法律意见或陈述；或
 - we are required or permitted to do so by law, or we need to disclose the information to prevent a serious and imminent threat to life, health or property.
 - 我们的做法经法律规定或允许，或者我们需要披露资料，以防止对生命，健康或财产造成严重和紧迫威胁。
- 9.2 If you receive information about the identity of a discloser (whether directly or indirectly), you must keep that information confidential (except in the circumstances permitted above). If you do not keep that information confidential or you disclose information likely to lead to the person being identified as a discloser (except in the circumstances permitted above):
- 9.2 如果您收到有关披露者身份的信息（无论是直接还是间接），您必须对该信息保密（上文允许的情况除外）。如果您不对该信息保密或您披露的信息很可能导致该人被认定为披露人（上文允许的情况除外）：
- if you are one of our employees – you will be subject to disciplinary action, which may include a formal written warning or termination of your employment,
 - 如果属于本公司员工之一——您将受到纪律处分，其中可能包括正式书面警告或终止雇用，
 - if you are not one of our employees – we may terminate your engagement or appointment or take other appropriate corrective action; and
 - 如果非本公司员工---我们可能终止您的聘用或任命，或采取其他适当的纠正措施；和
 - you may be exposed to criminal and civil penalties including substantial fines and/or jail.
 - 您可能会面临刑事和民事处罚，包括巨额罚款和/或监禁。
- 9.3 Files and records relating to disclosures will be treated as confidential and stored securely.
- 9.3 与披露有关的文件和记录将被视为机密并安全存储。

10 How will we investigate a disclosure?

10 如何对泄密事件进行调查？

- 10.1 The way we will investigate a disclosure of improper conduct will depend on who raises the concern, the seriousness and nature of the conduct disclosed, and who receives the disclosure. The objective of an investigation is to determine whether there is evidence which substantiates the concern raised in the disclosure.
- 10.1 我们调查披露不当行为的方式，将视乎提出担忧之事的人员，披露行为的严重性和性质，以及收到披露的人员。调查的目的是确定是否有证据证实披露所提出担忧之事。

10.2 The usual steps in responding to a disclosure are set out below. We expect each step to take no more than one week, however timeframes may vary depending on the nature of the disclosure.

10.2 回应披露的通常步骤如下。我们预计每一步所需时间不超过一周，但时间框架可能因披露的性质而异。



披露初始评估调查与披露者交谈报告披露证实

如果资格范围内的披露人披露了采访证人披露不成立

不当行为，请转至下一步整理记录

如果没有，请告知披露者其他选择分析信息

(如适用)

10.3 If the disclosure is appropriately dealt with under this policy, we will endeavour to:

10.3 如果披露依本政策适当得到处理，我们将努力：

- investigate the disclosure within a reasonable period of time,
- 合理时间内对披露进行调查，
- ensure that any investigation is fair and objective;
- 确保任何调查的公正和客观性；
- avoid conflicts of interest in carrying out any investigation; and
- 在进行任何调查时避免利益冲突；和
- keep information relating to disclosures (including the identity of the discloser) confidential except as required by law and permitted under this policy.
- 对与披露有关的信息（包括披露人的身份）保密，法律要求和
政策允许的除外。

10.4 The investigation team will be coordinated by the Company Secretary and or CEO. In some cases, we may appoint external investigators such as lawyers or forensic accountants.

10.4 调查小组将由公司秘书和或首席执行官协调。特定情况下我们可能会委任外聘调查员，例如律师或法务会计师。

10.5 If the discloser can be contacted, the Company Secretary or recipient of the disclosure will discuss the likely steps of the investigation with the discloser (including whether the discloser consents to their identity being disclosed) and provide the discloser with updates from time to time (where appropriate).

10.5 如果能够联系到披露方，公司秘书或披露方将与披露方讨论调查的可能步骤（包括披露方是否同意披露其身份），并不时向披露方提供最新进展（如适用）。

10.6 The outcome of any investigation will be reported on a confidential basis to the CEO and or to the Board of Directors and, where possible, to the discloser.

10.6 任何调查的结果将在保密的基础上报告给首席执行官和/或董事会，并在可能的情况下报告给披露方。

11 How do we ensure fair treatment of employees mentioned in a disclosure?

11 如何确保披露所涉及员工可得到公平对待?

11.1 Our usual practice is to ensure that any investigation process is confidential and air.

11.1 我们通常的实施方法是确保任何调查过程的保密性和公平性。

11.2 We will endeavour to:

11.2 我们将努力做到:

- maintain the privacy of employees who are mentioned in a disclosure or to whom a disclosure relates;
- 维护披露中提及的员工或披露所涉及的员工的隐私;
- provide employees who are mentioned in a disclosure or to whom a disclosure relates, an opportunity to respond (where appropriate and subject to our requirements to maintain confidentiality).
- 为披露中提到的员工或披露所涉及的员工提供回应机会 (在适当的情况下, 并遵守我们的保密要求)。

11.3 We are committed to protecting persons from being victimised in the workplace as a result of an actual or potential disclosure. These protections are essential to creating an environment where our employees, officers and others who work with us are comfortable reporting any improper conduct. However for practical reasons, we may not be able to extend the full range of protections to persons who are not our officers or employees.

11.3 我公司致力于保护人员在工作场所不会因实际或潜在披露而受到伤害。这些保障对于创造一个使本公司员工、管理人员和其他共事人员能够放心地举报任何不当行为的环境至关重要。不过, 基于实际原因, 公司可能无法将保障范围全面扩展至非本公司管理人员或员工的其他人员。

12 Victimisation is prohibited

12 受害行为的禁止

12.1 **Victimisation** is conduct that:

12.1 **受害行为**是指以下行为:

- causes any detriment to another person; or
- 对他人造成任何损害; 或
- constitutes the making of a threat to cause detriment to another person,
- 构成对他人造成损害的威胁行为,
- where the reason (or part of the reason) for that conduct is a belief or suspicion that the other person (or any other person) made, may have made, proposes to make, or could make a disclosure of improper conduct.
- 该行为的理由 (或部分理由) 是相信或怀疑该另一人 (或任何其他他人) 已作出, 可能已作出, 拟作出或可能作出不正当行为的披露。

12.2 **Detriment** includes but is not limited to:

12.2 **损害**包括但不限于:

- dismissing or demoting an employee;
- 辞退, 降职;
- injuring an employee in their employment;
- 员工在就职期间受到伤害;
- altering an employee's position or duties to their disadvantage;
- 改变受雇员工的职位或职责, 使其处于不利地位;
- discriminating between an employee and other employees;

- 区别对待一员工和其他员工；
 - harassing or intimidating a person;
 - 骚扰或恐吓某人；
 - harming or injuring a person, including causing psychological harm;
 - 伤害或伤害某人，包括造成心理伤害；
 - damaging a person's property, reputation, business or financial position or causing any other damage to a person.
 - 损害某人的财产，名誉，影响某人业务或财务状况或对其造成任何其他损害。
- 12.3 **Detriment** does not include reasonable management action to protect a person from detriment (for example reallocating duties or reporting lines) or to manage unsatisfactory performance of a person who is or may be a discloser.
- 12.3 **损害**不包括合理的以保护个人免受损害的管理行为（例如，重新分配职责或报告关系），或管理作为披露人或可能作为披露人的人员的不令人满意的表现。
- 12.4 If you consider that you have been victimised as a result of making a disclosure, or in the belief that you have made, or may make, a disclosure, you should immediately report this to the Company Secretary. You can also report victimising conduct under this policy.
- 12.4 如果您认为您因作出披露而受害，或认为您已作出或可能作出披露，您应立即向公司秘书报告。您也可以根据此政策报告受害行为。
- 12.5 If you are found to have engaged in victimisation:
- 12.5 如果您被发现参与了受害行为：
- if you are one of our employees - you will be subject to disciplinary action which may include a formal written warning or termination of your employment with us;
 - 如果您是我们的员工之一---您将受到纪律处分，其中可能包括正式书面警告或终止您与我公司的雇佣关系；
 - if you are not one of our employees – we may terminate your engagement or appointment or take other appropriate corrective action.
 - 如果您不是我们的员工---公司可能会终止您的聘用或任命，或采取其他适当纠正措施。
- 12.6 The Whistleblower Protection Laws prohibit victimisation. If a court decides that you have victimised another person in breach of the Whistleblower Protection Laws, the court may order you to:
- 12.6 举报人保护法禁止受害行为。如果法院裁定您违反了举报人保护法，使另一人受害，法院可以命令您：
- pay compensation to the person who was victimised;
 - 向受害人支付赔偿；
 - pay substantial fines and/or go to jail.
 - 支付巨额罚款和/或入狱。
 - We may also be ordered to pay substantial penalties and legal costs.
 - 我们还可能被勒令支付大量罚款和法律费用。

13 What support and protections do we provide for disclosers?

13 我们可以为披露者提供哪些支持和保护？

- 13.1 If you are one of our employees or officers, you are entitled to support through our Company Secretary, who may engage external support services for persons making whistleblower complaints. We may explore options such as taking leave, relocation to another area of business or a secondment arrangement while the disclosure is being investigated.
- 13.1 如果您是我们的员工或高级管理人员，您有权通过我们的公司秘书获得支持，该秘书可能会

为举报人员提供外部支持服务。调查期间，我们可能会考虑一些选择，例如请假，调往另一业务范畴或借调安排。

- 13.2 If you are one of our employees, you will not be subject to disciplinary action for making a disclosure on reasonable grounds. You may however still be subject to disciplinary action for misconduct that is revealed as a result of your disclosure. We may take the disclosure into account when determining the nature of any disciplinary action taken against you.
- 13.2 如果您作为本公司员工之一，您不会因基于合理理由作出披露的行为而受到纪律处分。然而，您仍可能会因您披露的不当行为而受到纪律处分。在确定对您采取任何性质的纪律处分时，我们可能会将披露的内容考虑在内。
- 13.3 If you think your disclosure has not been dealt with sufficiently, or if you think your identity has been disclosed in breach of this policy, you may raise the concern with the Company Secretary if you have not already done so, or report this concern under this policy.
- 13.3 如果您认为您的信息披露没有得到充分处理，或者您认为您的身份被披露违反了本政策，您可以向公司秘书提出担忧之事(如果您还没有这样做的话)，或者根据本政策报告担忧的点。

14 Can I report my concern externally?

14 我可以向外部报告担忧之事吗？

- 14.1 This policy is intended to facilitate internal disclosures of improper conduct as defined in this policy.
- 14.1 本政策旨在促进本政策中定义的不当行为的内部披露。
- 14.2 In addition to being reportable under this policy, disclosures about protected matters (as defined in the Whistleblower Protection Laws) can be reported directly to an external regulatory body including ASIC or APRA or the Commissioner of Taxation (for a protected disclosure under the *Taxation Administration Act*).
- 14.2 除可在本政策下报告外，有关受保护事项(定义在举报人保护法中)的披露可直接向外部监管机构报告，包括ASIC或APRA或税务专员(就税务管理法下的受保护披露而言)。
- 14.3 The Corporations Act enables you to make a public interest disclosure or an emergency disclosure about a protected matter to a journalist or a member of parliament in certain limited circumstances. It is important for the discloser to understand the criteria for making a public interest or emergency disclosure before doing so. Before doing so, a disclosure must have previously been made to ASIC, APRA or a prescribed body and written notice provided to the body to which the disclosure was made. In addition, in the case of a public interest disclosure, at least 90 days must have passed since the previous disclosure.
- 14.3 《公司法》使您能够在某些有限的情况下向记者或议会成员披露公共利益或关于受保护事项的紧急情况。披露者在披露公共利益或紧急情况之前了解披露的标准是很重要的。在这样做之前，必须事先向ASIC，APRA或规定的机构进行披露，并向披露对象机构提供书面通知。此外，在进行公共利益披露的情况下，距上次披露至少必须已过90天。
- 14.4 Before reporting any concern externally, we recommend you contact our Company Secretary. Our Company Secretary can discuss the available options with you. We also recommend you seek independent legal advice (at your own cost) before reporting any concern externally. A disclosure to a legal practitioner for the purposes of obtaining legal advice or representation in relation to the operation of the Whistleblower Protection Laws is a protected disclosure.
- 14.4 在向外部报告任何问题之前，我们建议您联系我们的公司秘书。我们的公司秘书可以与您讨论可供选择的方案。我们还建议您在向外部报告任何问题之前寻求独立的法律咨询（费用自理）。为取得与举报人保护法的实施有关的法律意见或陈述而向法律从业者披露的资料，属受保护披露。
- 14.5 Nothing in this policy is intended to prevent any person from reporting possible breaches of laws to relevant government agencies or authorities.
- 14.5 本政策的任何内容均无意阻止任何人向有关政府机构或当局举报可能的违法行为。

15 Protections available to disclosers at law

15 披露人可获得的法律保护

15.1 If your disclosure is a protected disclosure as defined under the Whistleblower Protection Laws, these laws provide that:

15.1 如果您的披露是根据举报人保护法定义的受保护披露，以下法律规定：

- you cannot be subject to any civil, criminal or administrative liability, for making a protected disclosure;
- 您不会因作出受保护的披露而承担任何民事，刑事或行政责任；
- no contractual or other remedy may be enforced and no contractual or other right may be exercised against you on the basis of the protected disclosure;
- 不得强制执行任何合同或其他补救措施，也不得基于受保护的披露对您行使任何合同或其他权利；
- you may be subject to civil, criminal or administrative liability for conduct that is revealed by the protected disclosure; and
- 您可能因受保护披露所披露的行为而承担民事，刑事或行政责任；和
- if the protected disclosure is to ASIC, APRA or the Commissioner of Taxation, or is a public interest disclosure or emergency disclosure as permitted under the Corporations Act (see paragraph 14 of this policy), the information is not admissible in evidence against you in criminal proceedings, or in proceedings for the imposition of a penalty, except for proceedings in respect of providing false information.
- 如果受保护的信息披露是向ASIC，APRA或税务专员披露的，或者是《公司法》允许的公共利益披露或紧急情况披露（见本政策第14条），则该信息不得在刑事诉讼或处罚诉讼中作为不利于您的证据，但与提供虚假信息有关的诉讼除外。

15.2 If you have been victimised for making a protected disclosure under the Whistleblower Protection Laws or in the belief that you have, or may make such a disclosure, possible remedies available under the Whistleblower Protection Laws (and enforceable by you through the courts) include reinstatement, compensation, an order prohibiting the victimisation or an apology. The victimiser can be ordered to pay substantial monetary fines or imprisoned. Protections for our employees also exist under the *Fair Work Act*. These are enforceable as a matter of statute and do not form part of this policy.

15.2 如果您因根据举报人保护法进行受保护的披露而受害，或认为您已经或可能进行此类披露，根据举报人保护法（并可由您通过法院强制执行），可能提供的补救措施包括复职，赔偿，禁止受害的命令或道歉。受害者可被命令支付巨额罚款或监禁。《公平工作法》也为我们的员工提供了保护。这些规定作为法规可以强制执行，并不作为本政策的一部分。

16 What are the consequences of a baseless disclosure?

16 毫无根据的披露会有什么后果？

16.1 You may be liable to disciplinary or other form of appropriate corrective action if we conclude that you have made a disclosure maliciously and without having reasonable grounds to do so. The legal protections are not available if a disclosure is made without reasonable grounds and is deliberately false.

16.1 如果我们断定您是恶意披露且没有合理理由这样做，您可能会受到纪律处分或其他形式的适当纠正措施。如果在没有合理理由和故意虚假的情况下作出披露，则得不到法律保护。

17 Other information about this policy

17 关于此政策的其他信息

- 17.1 The CEO has responsibility for this policy including ensuring it is reviewed every 12 months.
- 17.1 首席执行官负责此政策，包括确保每12个月对其进行一次审查。
- 17.2 This policy is located on Phoslock's website at; phoslock.com.au.
- 17.2 此政策已上传在风斯乐公司网站; phoslock.com.au
- 17.3 We reserve the right, at our absolute discretion, to change this policy from time to time. You are required to periodically review the policy to update yourself on any changes to the policy.
- 17.3 我们保留随时改变此政策的绝对酌情权。您需要定期回顾此政策，以便了解此政策的任何变更之处。
- 17.4 If you have any questions about this policy, please contact the Company Secretary.
- 17.4 如果您对本政策有任何疑问，请与公司秘书联系。

Schedule 1

附表1

Disclosures by external persons

外部人员披露

This schedule applies to individuals including:

本附表适用于以下个人:

- our former officers, employees, consultants and associates²;
- 本公司前管理人员, 员工, 顾问和同事;
- relatives of our current and former officers, employees, consultants and associates³;
- 现就职和前管理人员, 员工, 顾问和同事的亲属;
- our former contractors, suppliers, agents, and their employees;
- 本公司以前的承包商, 供应商, 代理商及其员工;
- relatives of our current and former contractors, suppliers, agents and their employees.
- 本公司现在及以往承包商, 供应商, 代理商及其员工亲属。

A relative includes a spouse (including de facto), parent, child or dependant.

亲属包括配偶 (包括事实上的), 父母, 子女或受抚养人。

If you have a concern about improper conduct occurring in relation to our business, you may raise your concern, via the following.

如果您对与我们的业务有关的不当行为有所担忧, 您可以通过以下方式提出您的担忧之事。

- Phone: +61 3 9110 0002 ask for the Company Secretary Email:
- 电话: +61 3 9110 0002, 咨询公司秘书邮箱;
- Mail: Attn: Company Secretary, Level 16/1 Collins Street, Melbourne, VIC 3000, Australia
- 邮箱: Attn: Company Secretary, Level 16/1 Collins Street, Melbourne, VIC 3000, Australia

You can raise your concern anonymously. The identity of a discloser (or information likely to lead to a discloser being identified as a discloser) will be kept confidential, except to the limited extent advised otherwise.

您可以匿名您的担忧之事。披露人的身份 (或可能导致披露人被识别为披露人的信息) 将予以保密, 特殊情况另议。

Your concern must be based on reasonable grounds **and** relate to the types of conduct outlined below:

您所提担忧之事必须有合理的理由, 并与下列行为类型有关:

Type of conduct 行为类型	Example/s 示例/s
-------------------------	-------------------

<p>Misconduct in relation to Phoslock or a subsidiary. 与风斯乐或其子公司有关的不当行为。</p> <p>Misconduct includes fraud, negligence, default, breach of trust, or breach of duty in relation to Phoslock or a subsidiary. 不当行为包括与风斯乐或子公司有关的欺诈, 疏忽, 违约, 背信或失职。</p>	<p>Examples: 示例</p> <p>Information that indicates that we have deliberately or negligently breached any laws in conducting our business. 表明我们在开展业务时蓄意或疏忽违反任何法律的信息。</p> <p>Deliberately overcharging customers or charging customers for services they did not receive. 故意向顾客滥收费用或向客户收取没有得到的服务费用。</p>
<p>An improper state of affairs or circumstances, in relation to Phoslock or a subsidiary. 与风斯乐或子公司相关的不当事件或情况。</p>	<p>Examples: 示例:</p> <p>Unethical conduct, such as systemic or serious breaches of our code of conduct or our anti-bribery and corruption policy. 不道德的行为, 例如系统或严重违反我们的行为准则或我们的反贿赂和反腐败政策。</p> <p>Conduct which may cause financial or non-financial loss to Phoslock or be otherwise detrimental to the interests of Phoslock, such as financial mismanagement. 可能给风斯乐公司造成财务或非财务损失或以其他方式损害风斯乐公司利益的行为, 如财务管理不善。</p>
<p>Information that indicates that we or any of our officers or employees have engaged in conduct that constitutes a breach of the Corporations Act or other laws administered by ASIC and APRA as set out in Schedule 2. 表明我们或我们的任何管理人员或公司员工从事了违反《公司法》或其他由ASIC和APRA管理的法律(见附表2)的行为的信息。</p>	<p>Examples: 示例:</p> <p>Insider trading. 内幕交易。</p> <p>Trading while insolvent. 在资不抵债的情况下进行交易。</p> <p>Breach of continuous disclosure rules. 违反持续披露规则。</p> <p>Victimising a person who is, or is thought to be, a discloser. 伤害披露者或被认为披露者的人。</p> <p>Breaching the confidentiality of a discloser. 违反披露者的保密性。</p>

² Associate in this context is defined in the Corporations Act.

² 在此情况下, 联营公司的定义见《公司法》。

³ Associate in this context is defined in the Corporations Act.

³ 在此情况下, 联营公司的定义见《公司法》。

<p>Information that indicates that we or any of our officers or employees have engaged in conduct that breaches any other Commonwealth laws punishable by 12 months or more imprisonment.</p> <p>表明我们或我们的任何管理人员或公司员工从事违反其他任何联邦法律的行为的信息，可被处以12个月或12个月以上的监禁。</p>	<p>Example: Bribing a government official 示例: 贿赂政府官员</p>
<p>Information that indicates that we or any of our officers or employees have engaged in conduct that represents a danger to the public or the financial system.</p> <p>表明我们或我们的任何管理人员或公司员工从事对公众或金融系统构成危险的的行为的信息。</p>	<p>Examples: 示例: Deliberately or negligently misleading the public about the safety of a product 蓄意或疏忽地在产品安全方面误导公众 Systemic conduct that might pose a risk to stability of, or confidence in, our financial system. 可能对本港金融体系的稳定或信心构成风险的系统性行为。</p>
<p>Information that indicates misconduct or an improper state of affairs or circumstances, in relation to our tax affairs of Phoslock or an associate of Phoslock and you consider this information may assist the recipient to perform their functions or duties in relation to those tax affairs.</p> <p>表明我们或风斯乐关联公司在税务方面的不当行为或不当状态的信息，且您认为此信息可能有助于接收者履行与这些税务事务有关的职能或职责。</p>	<p>Example: information indicating a tax evasion scheme within the business. 示例: 企业内部存在逃税计划的相关信息。</p>

Schedule 2

附表2

Legislation administered by Australian Securities and Investments Commission (ASIC) or Australian Prudential Regulation Authority (APRA)

澳大利亚证券投资委员会(ASIC)或澳大利亚审慎监管局(APRA)管理的相关立法 ASIC:

- the Corporations Act 2001;
- 2001年《公司法》；
- the ASIC Act 2001;
- 《2001年ASIC法

APRA:

- the Banking Act 1959;
- 1959年《银行法》；
- the Financial Sector (Collection of Data) Act 2001;
- 2001年《金融部门（收集数据）法》；
- the Insurance Act 1973;
- 1973年《保险法》；
- the Life Insurance Act 1995;
- 1995年《人寿保险法》；
- the National Consumer Credit Protection Act 2009;
- 2009年《国家消费者信贷保护法》；
- the Superannuation Industry (Supervision) Act 1993; or
- 1993年《退休金行业（监督）法》；或
- an instrument made under those Acts.
- 根据此等法令订立的文书。