

2 BK ST CG Whistleblower Policy	
Revision: 3.0	Date: 29/03/2018
Document Id No.: 606	
Authorised by: Company Secretary	



1.0 Purpose

In keeping with our goal of creating an environment in the company where the truth can be heard, we actively encourage everyone in the business to challenge any behaviour which they believe is inconsistent with any of our values, our code of ethics, or this policy. All such challenges will be handled constructively, with the objective of either remedying the issue or explaining why the behaviour is considered inconsistent with our values, our code of ethics and this policy. A report can be made directly to either HCM or Bradken in accordance with clause 3.0 below.

This policy has been established:

- to encourage the reporting of unlawful and unethical behaviour; and
- to ensure that Bradken complies with its obligations to protect the reporting of such behaviour.

2.0 What behaviour can be reported under this policy?

We encourage all of our people to report any behaviour which they, acting in good faith, believe is:

- dishonest;
- fraudulent;
- corrupt;
- illegal (including theft, drug use, violence or threatened violence and criminal damage against property);
- in breach of Commonwealth or State legislation such as the Corporations Act, Trade Practices Act or Income Tax Assessment Act (Australia);
- unethical behaviour;
- any other serious improper behaviour;
- any unsafe work practice; or
- any other behaviour which may cause financial and non-financial loss to Bradken or would be otherwise detrimental to the interests of Bradken.

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3.0 Compliance Reporting (Bradken Direct)

Bradken has developed a process for the reporting of unlawful and unethical behaviour and the protection of individuals who report such behaviour.

Most issues should be raised with, and will be resolved by, the individual's immediate supervisor.

However, if the individual does not feel comfortable doing this, they should raise it with their site manager.

If the issue is not resolved to the satisfaction of the individual who raised the behavioural issue, or the individual feels uncomfortable using this process, then they should report the matter by email to whistleblower@bradken.com or in person to the Head of People & Communications at Bradken or via the Whistleblower hotline ph: +61 1800 272 3536.

For the purpose of this policy, the Head of People & Communications is the Whistleblower Protection Officer for Bradken. The Whistleblower Investigation Officer will be assigned on a case to case basis by the Whistleblower Protection Officer.

Should the Head of People & Communications be implicated in the report received, the Chief Executive Officer (CEO) (or Chairman if the Chief Executive Officer is implicated) will choose an alternate officer.

4.0 Compliance Reporting (HCM Direct)

If the individual wishes the issue to be escalated to HCM direct, the reporting process is explained in Appendix (A) of this policy.

5.0 Who may invoke this Policy?

This policy applies to everyone within the company and contractors and contractor's staff.

However, any person reporting behaviour which they believe is unlawful or unethical must have some reasonable basis for their concerns before reporting it and/or invoking the reporting protection element of this policy (see clauses 5.0 and 7.0).

6.0 Confidentiality

Individuals who report or seek to report unlawful or unethical behaviour shall have their identity protected (if anonymity is desired by them), subject to any legal requirements which may require disclosure of the identity of the individual.

As far as possible, the information disclosed will be limited to the person to whom the information is disclosed. Any files created or reports will be kept secure.

Information received from an individual reporting unlawful or unethical behaviour will be held in the strictest confidence and will only be disclosed to a person not connected with the investigation of the matters raised if:

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- (a) the individual who made the report has been consulted and consents to disclosure; or
- (b) if Bradken or the Whistleblower Protection Officer or Whistleblower Investigations Officer is compelled by law to do so.

The identity or any information that may lead to the identification of the individual who made the report will not be released to any person who is not involved in the investigation or resolution of the matter.

7.0 Investigation Process

Bradken will ensure that any individual who makes a report is kept informed about the outcomes of the investigation of his or her report, subject to considerations of the privacy of those against whom the allegations are made and our customary practices of confidentiality.

Steps 1 to 5 of this policy should be completed within one month of the behavioural issue being reported. Issues raised via the 'Whistleblower Protection Officer' and the 'Whistleblower Investigation Officer' will be handled in compliance with the following time schedule:

- Step 1 The Whistleblower Protection Officer records the behavioural issue raised immediately upon receipt of the report.*
- Step 2 The report is passed on to the Whistleblower Investigation Officer within 24 hours of the report being recorded. The Whistleblower Protection Officer will as soon as is practicable, advise the CEO of the report, if the CEO is implicated in the report the Chairman will be advised as well;*
- Step 3 The Whistleblower Investigations Officer completes preliminary investigations into the unlawful or unethical behaviour reported, and recommends appropriate action within five working days of step 2 (unless extraordinary circumstances or the complexity of the investigation requires more time in which the individual who has made the report will be advised of the extended investigation period) to the CEO, or to the Chairman if the behavioural issue relates to the CEO.*
- Step 4 The CEO or the Chairman decides on the appropriate action and communicates this back to the individual who reported the behavioural issue within a further five working days.*
- Step 5 The individual who reported the behavioural issue can ask for the decision to be reviewed by the Chairman. The chairman must register this request for a review within five working days of their decision being communicated to them. The chairman will complete the review and communicate the outcome, to the individual who made the report within 10 working days of receipt of the request to review the decision.*

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If the person making a report is not employed by Bradken, the person has to agree in writing to maintain confidentiality in relation to any information provided to him or her in relation to the report. This person will then be kept informed of the outcomes of the investigation.

All reports of unlawful or unethical behaviour will be the subject of a thorough investigation to seek evidence that either substantiates or refutes the claims made by the individual making the report.

The investigation will be conducted by the Whistleblower Investigations Officer. The officer will follow best practice investigations and will be fair and independent of the business unit concerned, the individual making the report or any person being the subject of the report. The rules of natural justice will be observed in any investigation arising out of the report.

In the case of serious allegations, Bradken may employ an outside investigator if the Whistleblower Protection Officer thinks this is appropriate.

8.0 Protection for individuals who report unlawful or unethical behaviour

It is a Bradken policy that where the individual is acting in good faith and makes a report in accordance with this policy, that person will not be personally disadvantaged by having made the report by:

- (a) dismissal;
- (b) demotion;
- (c) any form of harassment;
- (d) unfair discrimination; or
- (e) any current or future bias.

Where individuals believe that they have been treated unfairly as a result of reporting unlawful or unethical behaviour, then they have a right to raise the issue. If this does not satisfactorily resolve the matter then they may appeal to the Chairman.

Bradken will ensure that it has in place internal reporting arrangements to ensure that all verifiable unlawful or unethical behaviour is dealt with appropriately, and commits to rectify the wrong doing verified by the investigation to the extent practicable in all the circumstances, and ensure that systematic and recurring problems of unlawful or unethical behaviour are reported to those with sufficient authority to correct them.

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9.0 Other rights of individuals who report unlawful or unethical behaviour

The individual may request certain protection such as relocation or leave of absence during the investigation where it will not be possible to maintain anonymity. The individual has a right to ask for a review of the decision made in relation to the behaviour they reported by the Chairman.

Bradken commits to appoint and maintain an appropriately qualified Whistleblower Protection Officer who is accessible to everyone in the company at all times

10.0 Education, Training and Communication

Everyone at Bradken will be made aware of the unlawful or unethical behaviours that may arise and be given practical advice on how to avoid these situations. Appropriate training will be included in induction procedures.

Bradken's commitment to, and requirements for, reporting unlawful or unethical behaviour will be publicised to everyone in the company and to contractors.

11.0 Review

This policy will be reviewed regularly.

12.0 Accountability

Bradken has in place reporting on the operation of this policy against documented performance standards. The reporting will protect disclosure of the details of the individual who makes the report directly or by location.

13.0 Definitions

For the purpose of this policy, the following words have these meanings:

Whistleblower Investigation Officer means that person who has responsibility for conducting preliminary investigations into reports received from an individual within our company.

Whistleblower Protection Officer means a person who has responsibility for receiving the information and protecting the individual who has reported unlawful or unethical behaviour.

Approved by the Board on 18th April 2006

Reviewed and approved: 18th March 2007

Reviewed and approved: 10th April 2008

Reviewed and approved: 29th March 2018

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APPENDIX (A)

Compliance reporting (HCM direct)

The Hitachi Construction Machinery Group, which thoroughly complies with the law, corporate ethics, manners and morals, has established two types of reporting systems, the “**Compliance Hotline**” and the “**Global Alertline**”, for the purposes of enhancing self-cleansing capacity by quickly discovering and dealing with compliance violation-based wrongdoing at its earliest stages, as well as heightening compliance awareness, as indicated below. We continuously endeavour to popularize this reporting system by distributing cards, putting up posters and other such means, and we are renewing our efforts to popularize it through this notification.

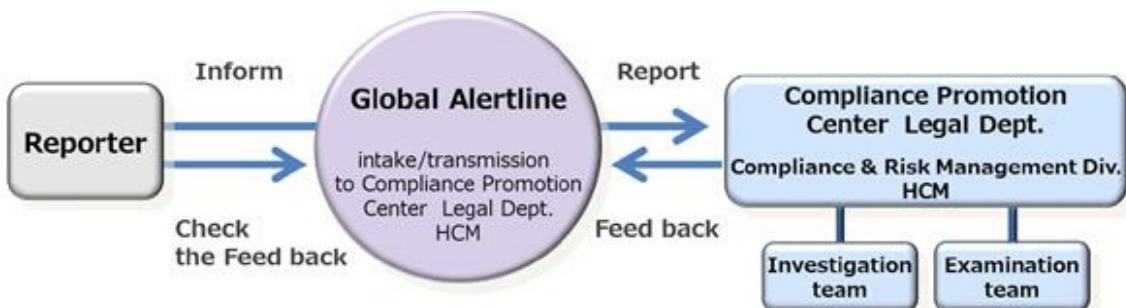
Compliance Hotline



The Compliance Hotline can be contacted by:

- a) dedicated email address: chl@hitachi-kenki.com
- b) regular mail to:
Compliance Hotline
Compliance Promotion Center, Legal Dept.
Hitachi Construction Machinery Co., Ltd.
2-16-1 Higashiueno, Taito-ku, Tokyo 100-0015
- c) dedicated telephone number: +81-3-5826-8170

Global Alertline



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The Global Alertline can be contacted by:

- a) multi-lingual website: <http://hitchi-kenki.alertline.com>
- b) toll-free telephone (in English or local language) as follows:

Country	Telephone Number
Australia	1800 053 117
China	10 800 711 1189 (North) 10 800 110 1108 (South)
France	0800 91 8289
Japan	KKDI 00531 11 0218 Soft Bank 0066 33 830446 NNT 0034 800 600089
South Africa	0800 980 533
Thailand	001 800 11002 7562
United Kingdom	0808 234 0679
Singapore	800 110 1615
Malaysia	1800 81 6397
Germany	0800 225 5288
Other Countries	Country Code + 877 821 2943