

## Whistleblower/Official Complaint Policy

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### 1.0 Policy

The purpose of this policy is to provide clear guidelines on how a Whistleblower may report on Trinity Petroleum Services Pty Ltd (“Trinity Petroleum Services”) non-compliance with applicable laws and regulatory requirements, and breaches of its own policies and corporate values, and to provide suitable avenues for reporting, and protection of Eligible Whistleblowers.

**Eligible Whistleblower** means: an individual who is, or has been, any of the following:

- (i) an Officer of Trinity Petroleum Services;
- (ii) an employee of Trinity Petroleum Services;
- (iii) an individual who supplies services or goods to Trinity Petroleum Services (whether paid or unpaid);
- (iv) an employee of a person that supplies services or goods to Trinity Petroleum Services (whether paid or unpaid);
- (v) an individual who is an Associate of Trinity Petroleum Services;
- (vi) a relative of an individual referred to in any of paragraphs (i) to (v) above;
- (vii) a dependent of an individual referred to in any of paragraphs (i) to (v) above, or of such an individual’s spouse; and
- (viii) an individual relevantly prescribed by the regulations in relation to Trinity Petroleum Services.

**Whistleblower** means: a person/s who reports on an entity’s suspected mismanagement, misconduct, or a contravention, corruption, illegal behaviour or an improper state of affairs or circumstances.

**Whistleblowing** is defined as: The disclosure by a person to those in authority, of mismanagement, misconduct, contraventions, corruption, illegality, or some other wrongdoing.

The term ‘Whistleblowing’ may also be referred to as an ‘Official Complaint’ throughout this policy.

### 2.0 Scope

This Policy applies to:

- (i) Trinity Petroleum Services and all activities conducted by Trinity Petroleum Services;
- (ii) Trinity Petroleum Services interactions with its suppliers, contractors, and customers;
- (iii) Visitors to Trinity Petroleum Services business outlets;
- (iv) Other third parties making Official Complaints and who are not employed by Trinity Petroleum Services; and
- (v) Trinity Petroleum Services directors, employees, contractors, agents and consultants.

Employees making Official Complaints which are employment-related grievances and/or relating to how they are being treated in the workplace are to refer to the Grievance Policy and Misconduct Policy and/or speak to their Line Manager or Human Resources.

### 3.0 Objectives

Trinity Petroleum Services endeavours to be fully compliant with all laws and regulatory requirements, its own policies and to uphold its corporate values at all times.

Whistleblowers are encouraged by Trinity Petroleum Services to report any type of wrongdoing in accordance with this Policy.

An Official Complaint can relate, but is not limited, to the following examples:

- Quality, or unsatisfactory management of products sold by Trinity Petroleum Services;
- Dishonest, fraudulent or corrupt activities;
- Illegal activities such as theft, drug sale or use, violence, harassment, criminal damage to property or other breaches of state or federal legislation;
- Unethical behaviour and behaviour that breaches Trinity Petroleum Services Code of Conduct;
- Safety in the workplace and the potential endangerment of the public;
- Involves any other kind of serious impropriety.

## 4.0 Roles and responsibilities

### 4.1 Preliminary Steps

#### 4.1.1 Reporting of Serious Complaints

Any person who detects or has reasonable grounds for suspecting misconduct or a contravention or wrongdoing or an improper state of affairs is encouraged to raise any concerns through the channels listed below.

#### 4.1.2 Fuel-related complaints

Fuel-related complaints may be reported at Trinity Petroleum Services' Retail Sites, via email link on the Trinity Petroleum Services' website or by telephone to the Head Office.

Complainants will be required to complete a Fuel Quality or Quantity Investigation Form.

#### 4.1.3 Non-Fuel related complaints

Non-Fuel related complaints may be reported at Trinity Petroleum Services' Retail Sites, via the email link on the Trinity Petroleum Services' website or by telephone to the Head Office.

#### 4.1.4 External Whistleblower Reporting and Hotline

An external Whistleblower hotline is available for Whistleblowers to notify suspected or actual fraudulent behaviour. The whistle blower's identity will be kept confidential. Contact details for the Whistleblower Hotline are on the Trinity Petroleum Services' website.

You may also make a report to the following external parties:

- (i) Trinity Petroleum Services' Auditors;
- (ii) Australian Securities and Investments Commission (**ASIC**);
- (iii) Australian Prudent Regulation Authority (**APRA**);
- (iv) An external lawyer (if the purpose is to obtain legal advice or representation in relation to your report); or
- (v) Any relevantly prescribed Commonwealth Government Authority.

#### 4.1.5 Internal Whistleblower Reporting

You may also make a report to any of the following Trinity Petroleum Services internal contacts:

- (i) Your Line Manager if you are an employee or contractor;
- (ii) Any member of the FEH Executive Team;
- (iii) Any member of the FEH Board;
- (iv) A Director of Trinity Petroleum Services;
- (v) FEH Inhouse Solicitor; or

(vi) FEH Human Resources Manager.

## 4.2 How to Report

You can make an Official Complaint in person, verbally by telephone, or via written communication to Trinity Petroleum Services Head Office, 145 Hartley Street, CAIRNS QLD 4870 or via email to [mail@trinitypet.com.au](mailto:mail@trinitypet.com.au), or via Trinity Petroleum Services website - <http://www.trinitypet.com.au/contact-us>.

You can also contact the External Whistleblower hotline on 1800 857 376.

Details of how to report to External Parties may be different and will need to be obtained from the relevant party.

## 4.3 Confidentiality

All Official Complaints will be kept confidential, unless disclosure is required by law.

Trinity Petroleum Services will endeavor to protect the identity of the person making an Official Complaint unless:

- The complainant consents to disclosure;
- The disclosure is required by law; or
- The disclosure is necessary to further an investigation into the allegations.

## 4.4 Investigation of Reports

Official Complaints will be investigated by an appropriately capable officer or employee of Trinity Petroleum Services, or where required to ensure independence or avoid any conflict of interest, an external investigator. All investigations will be conducted in strict confidence, in a timely fashion, free of bias, and ensuring procedural fairness.

Any Official Complaint that is categorised as a workplace incident will be investigated in accordance with Trinity Petroleum Services Incident Reporting and Investigation Policy.

Trinity Petroleum Services will take any action required in relation to the Investigation Report including:

- Undertaking further investigations;
- Taking disciplinary action; and/or
- Notifying any relevant third parties including regulatory bodies/authorities.

## 4.5 Eligible Whistleblower Protection

Trinity Petroleum Services protects the identity of Whistleblowers from disclosure where possible unless disclosure is required by law.

Eligible Whistleblowers are protected by the *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Act)* as follows:

- anyone who discloses their identity may commit a criminal offence;
- anyone who commits an act, or threatens to commit an act to cause harm of any nature may commit a criminal offence;
- an Eligible Whistleblower making any Official Complaint in line with this Policy will be immune from liability for any civil, criminal or administrative liability (including internal disciplinary action);
- no contractual or other remedy may be enforced against an Eligible Whistleblower because of the Official Complaint; and
- no information contained in the Official Complaint may be used in evidence against an Eligible Whistleblower in criminal proceedings, or in proceedings for the imposition of a penalty, other than proceedings about the falsity of the information – **NB:** this is only applicable where an

Eligible Whistleblower's Official Complaint was made to APRA, ASIC or a prescribed Commonwealth authority, or where the report was an Emergency Disclosure as provided for in the Act.

#### 4.6 Whistleblower Support

Trinity Petroleum Services employees and their family members can access Trinity Petroleum Services Employee Assistance Program (**EAP**) at any time for support by contacting their closest EAP provider as detailed below:

|                                      |                      |                            |
|--------------------------------------|----------------------|----------------------------|
| Ritchie & Associates (Cairns region) | Phone (07) 4031 8038 | reception@ritchiepsych.com |
| On Bundock (Townsville region)       | Phone (07) 4724 0861 | reception@onbundock.com.au |

#### 4.7 Documentation

A record of all Official Complaint processes undertaken and their outcomes will be recorded by the FEH Legal team. Legal will communicate outcomes of investigations to relevant parties at its discretion.

An annual report will be provided to the FEH Board detailing the number of Official Complaints, the outcomes of these complaints, any remedial actions and the ongoing effectiveness of this Policy.

#### 4.8 Publication of Policy

This Policy will be published by Trinity Petroleum Services on its intranet and on its external website, and training will be provided internally to Trinity Petroleum Services employees via its annual compliance training program (online learning portal).

### 5.0 Associated documents

- FRM.TPS.Fuel Quality & Quantity Complaint Checklist
- POL.TEHS.Incident Reporting and Investigation Policy

### 6.0 References

- POL.THUM.Grievance
- POL.THUM.Code of Conduct
- FRM.TPS.Fuel Quality & Quantity Complaint Checklist

- *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019*
- FEH: Freedom Energy Holdings Pty Ltd (FEH) is the ultimate holding and parent company of the FEH Group which includes the wholly owned subsidiaries, Freedom Fuels Australia Pty Ltd and Trinity Petroleum Services Pty Ltd.
- FEH Board: FEH Board governs FEH's operations and is responsible for all matters relating to the policies, practices, management and operations of the FEH Group.
- FEH Executive Team: FEH Executive Committee is responsible for approvals and decisions pertaining to companies and subsidiaries of FEH Group to ensure proper internal control over the authorisation and execution of business transactions.
- FEH HR Manager: The Human Resources Manager is employed by Freedom Fuels Australia Pty Ltd. The FEH HR Manager is the Head of Department for the FEH Group and is responsible for approval and authorisation of various HR functions as detailed in this policy.
- FEH Inhouse Solicitor: The Inhouse Solicitor is employed by Freedom Fuels Australia Pty Ltd. The FEH Inhouse Solicitor is the Head of Department for the FEH Group and is responsible for approval and authorisation of various Legal, Risk and Compliance functions as detailed in this policy.