

## **WHISTLE-BLOWER POLICY**

### **1. Introduction**

PointsBet Holdings Limited (**PointsBet**) is committed to the highest standards of conduct and ethical behaviour in all of our business activities, and to promoting and supporting a culture of honest and ethical behaviour, corporate compliance and good corporate governance.

PointsBet encourages the reporting of any instances of suspected unethical, illegal, fraudulent or undesirable conduct involving PointsBet's businesses, and will ensure that those persons who make a report shall do so without fear of intimidation, disadvantage or reprisal.

This Policy is also underpinned by the PointsBet values of:

- Courage
- Integrity
- Commitment
- Passion

### **2. What does this Policy do?**

You may have concerns about conduct within PointsBet which appears to you to be illegal, unethical or otherwise improper, but you may feel apprehensive about raising your concerns because of the fear of possible adverse repercussions to you. This might be the case, for example, if your concerns relate to conduct of your immediate manager.

The aim of this policy is to make you feel confident about raising concerns internally, by offering a reporting and investigative mechanism that is objective, confidential, independent and protects you from reprisal or disadvantage.

Under this Policy:

- you are encouraged to report your concerns, whether openly or, if preferred, anonymously;
- if you report your concerns, you will be afforded confidentiality unless you indicate (or the law requires) otherwise;
- concerns reported by you will be properly investigated with a view to establishing the truth and correcting any wrongdoing where possible;
- you will be advised of the outcome of the investigation and any action taken as much as practicable; and
- you will not be victimised or adversely affected because of your action in reporting your concerns provided of course, that there is a basis for your concerns, and that you have acted in good faith and without malicious intent.

# **POINTS**BET

## **EVERY POINT MATTERS**

### **3. Who does this Policy apply to?**

This Policy applies to anyone who is employed by or works at PointsBet, including employees (whether permanent, part-time, fixed-term or temporary), contractors, consultants, secondees and directors.

### **4. Policy on Whistleblowing**

All PointsBet employees have a responsibility to help detect, prevent and report instances of suspicious activity or wrong doing, referred to as a Reportable Matter. You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage with your immediate manager, and serious matters will then be escalated through to senior management.

PointsBet is committed to ensuring that all employees have a safe, reliable and confidential way of reporting any Reportable Matters. You should report a Reportable Matter under this Policy if you:

- have previously reported a Reportable Matter and you are not satisfied with the response to your report; or
- feel unable to raise the Reportable Matter with your manager, either because your manager is the subject of your report or because you have another reason to believe that your manager is unlikely to deal with the report properly.

### **5. What is a “Reportable Matter”?**

You may make a report under this Policy if you believe that a PointsBet director, officer, employee, contractor, supplier, tenderer or other person who has business dealings with PointsBet has engaged in conduct (Reportable Matter) which:

- is dishonest, fraudulent or corrupt activity, including bribery or other activity in breach of the PointsBet Anti-Bribery and Corruption Policy;
- is illegal activity (such as theft, drug sale or use, violence, harassment or intimidation, criminal damage to property or other breaches of state or federal law);
- is unethical or in breach of PointsBet’s policies (such as dishonestly altering company records or data, adopting questionable accounting practices or wilfully breaching the PointsBet Code of Conduct or other policies or procedures);
- is potentially damaging to PointsBet, a PointsBet employee or a third party, such as unsafe work practices, environmental damage, health risks or abuse of PointsBet property or resources;
- amounts to an abuse of authority;
- may cause financial loss to PointsBet or damage its reputation or be otherwise detrimental to PointsBet’s interests;
- involves harassment, discrimination, victimisation or bullying; or

- involves any other kind of serious impropriety.

### **6. How to Report**

Any report under this Policy can be made to the following Whistle-blower Protection Officers:

- People & Culture Manager
- Group General Counsel & Company Secretary
- Head of Finance

While reports can be made anonymously if preferred, this may affect the ability to investigate the matter properly and to communicate with you about your report.

Nothing in this Policy should be taken as restricting you from reporting any matter or providing any information to a regulator (such as ASIC), PointsBet's auditor or a member of the audit team or any other person in accordance with any relevant law, regulation or other requirement.

### **7. Action required when your Report is made**

The person who you make a report to under this Policy must ensure that the matter is properly investigated.

If this person is not a Group Executive, he or she must advise the relevant Group Executive, who is then responsible for ensuring that the matter is properly investigated as described.

### **8. Investigation Process**

Investigation processes will vary depending on the precise nature of the conduct being investigated. The purpose of the investigation is to determine whether or not your concerns are substantiated, with a view to PointsBet then rectifying any wrongdoing uncovered to the extent that this is practicable in all the circumstances.

The investigation will be thorough, objective, fair and independent of you, anyone who is the subject of the Reportable Matter, and any business unit concerned. The investigation will also have proper regard to the principles set out in the Australian Standard on Whistle-blower Protection Programs.

### **9. Communicating with you about your Report**

The Whistle-blower Protection Officer will keep you informed of the outcome of the investigation arising from your report, subject to considerations of the privacy of anyone who is the subject of the Reportable Matter and normal confidentiality requirements.

Where practicable, you will be provided with initial feedback within a week of making your report, and any further feedback on a fortnightly basis as the matter progresses.

### **10. Your Protection**

The Whistle-blower Protection Officer will ensure that all files relating to your report are kept secure, and that information received from you is held in confidence and is only disclosed to a person not connected with the investigation if:

- you have been consulted and have consented to the disclosure; or
- it is required or permissible by law.

It is possible that someone might deduce your identity without there having been a breach of confidentiality, if the nature of your report points to one particular individual having made it, or otherwise as a consequence of the nature of the investigatory process.

PointsBet recognises that “whistle-blowing” can be a very stressful and difficult thing to do. Provided that you are acting in good faith and that you have not yourself engaged in serious misconduct or illegal conduct, to the maximum extent possible you will not be subject to disciplinary sanctions by PointsBet in relation to any matters that you report.

PointsBet will safeguard your interests, having regard to this Policy, the Australian Standard on Whistle-blower Protection Programs, and any other applicable policies and laws.

In particular, PointsBet will take whatever action is possible consistently with this Policy to make sure that you are not personally disadvantaged for making your report, whether by dismissal, demotion, any form of harassment, discrimination or any form of current or future bias.

If you claim to have been the subject of any such action as a consequence of making your report, and the matter cannot be resolved with you by management, the matter will be referred to the Chair of the Audit, Risk and Compliance Committee.

Any person found in breach of the provisions in this Policy will be subject to disciplinary procedures, up to and including the termination of employment or engagement with PointsBet.

### **11. False Reporting**

A false report of a Reportable Matter could have significant effects on PointsBet’s reputation and the reputations of other staff members and could also cause considerable waste of time and effort.

Any deliberately false reporting of a Reportable Matter, whether under this Policy or otherwise, will be treated as a serious disciplinary matter.

### **12. Records**

The People & Culture Manager will maintain a record of all whistle-blowing incidents and actions taken under this Policy, so that the Policy can be periodically reviewed.



### **13. Questions**

Any questions about this Policy should be directed to the Group General Counsel & Company Secretary or the People & Culture Manager.

Specific questions about whistle-blower protection issues can be directed to the Whistle-blower Protection Officer.

### **14. Review**

This Policy will be reviewed annually by the Company Secretary to ensure that it remains effective and relevant to PointsBet and that it continues to comply with relevant laws.

Approved by the Board 21 March 2019