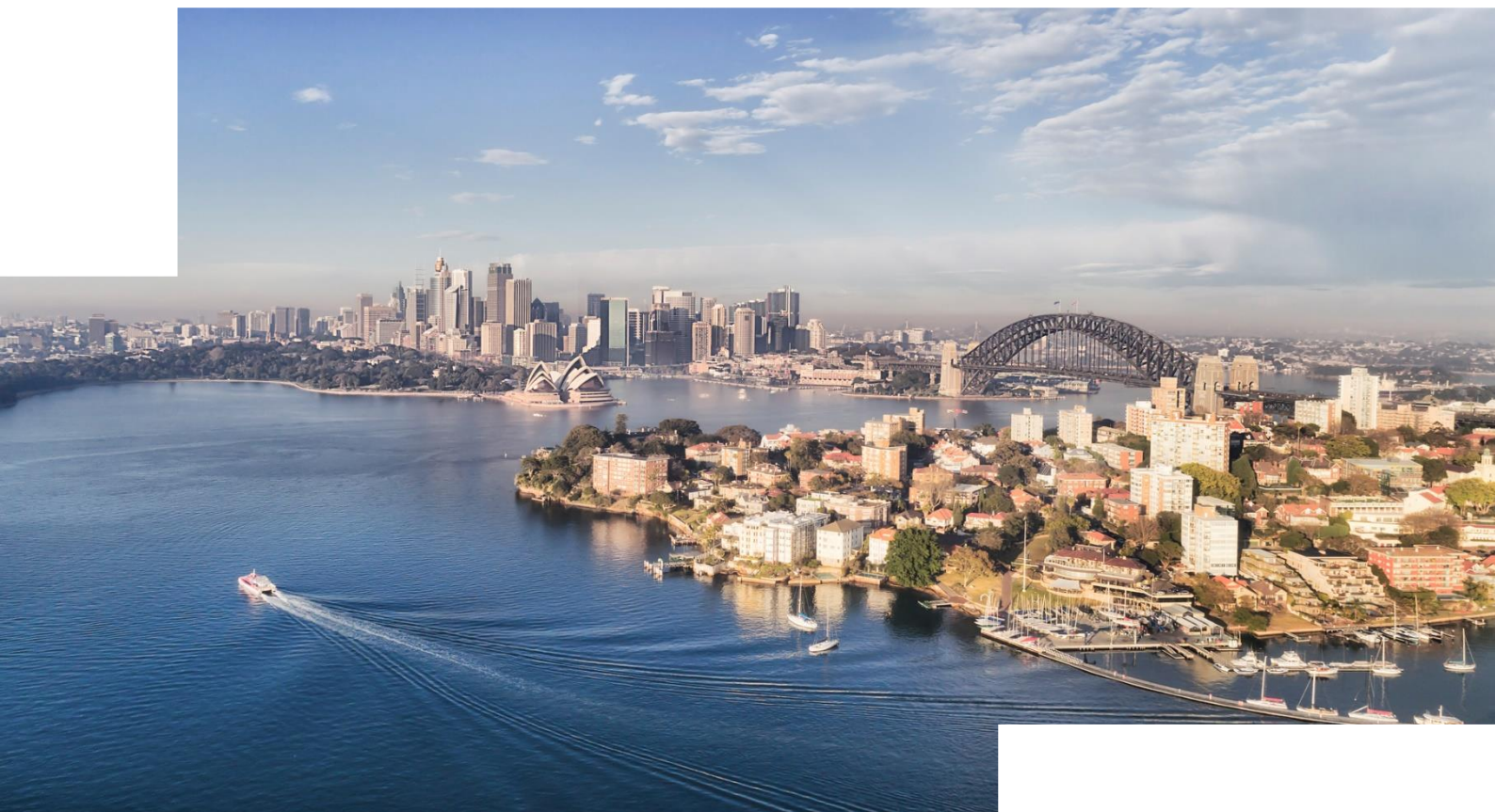


Credit Suisse Australia Whistleblower Policy



The Whistleblower Policy outlines the process for raising concerns in relation to misconduct and the protections that are available to Eligible Whistleblower.

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Introduction

This Policy is intended to help you understand the protections under the Whistleblowing Legislation including in respect of the right to confidentiality, the prohibition on victimization, detriment as a result of making a complying whistleblowing report, and the provision of support to Eligible Whistleblowers.

This Policy applies to all current and former employees Australia employees (collectively “**personnel**”) of Credit Suisse Management (Australia) and all other related Australian entities, collectively referred to in this Policy as “**Credit Suisse**”.

The purpose of this Policy is to address the legal protections that may be available to personnel who are considered Eligible Whistleblowers under the Corporations Act 2001 (Cth) (sections 1317AA to 1317AK) and the Taxation Administration Act 1953 (Cth) (sections 14ZZT to 14ZZZE) (collectively known as the “**Whistleblowing Legislation**”). These protections under the Whistleblowing Legislation only apply to certain types of disclosures, known as “**Qualifying Disclosures**”. There are specific provisions under Whistleblowing Legislation which provide Eligible Whistleblowers with legal rights in relation to reporting certain types of disclosures.

To assist personnel to understand when those statutory protections are available, additional information about the Whistleblowing Legislation is set out in [Annexure A](#) and identified in this Policy are specific requirements under the Whistleblowing Legislation for a report to be a Qualifying Disclosure.

Credit Suisse is committed to detecting and addressing misconduct and ensuring that those who become aware of misconduct can report it without being concerned that it will negatively affect them or their position.

This Policy should be read in conjunction with Credit Suisse’s [Code of Conduct](#) which is accessible to all personnel and can be found on Credit Suisse’s website. To the extent that there are any inconsistencies between this Policy and other internal Credit Suisse policies, this Policy will take priority in relation to Credit Suisse and its Australian operations.

1. Key definitions

Eligible Recipients- are individuals who has been designated in this Policy to which a disclosure can be made to and who is in one of the following positions:

- An officer of Credit Suisse and related bodies corporate (including senior executives of Credit Suisse and the Board);
- An auditor, or a member of an audit team conducting an audit of Credit Suisse or any related body corporate of Credit Suisse;
- An actuary of Credit Suisse or any related body corporate of Credit Suisse;
- Any person authorized by Credit Suisse to take disclosures (being those persons nominated in section 3 below); or
- A Senior Manager of Credit Suisse or any related body corporate of Credit Suisse. Senior Managers are generally those people who make, or participate in making, significant business decisions of Credit Suisse. Credit Suisse considers its Senior Managers to be the following senior personnel:
 - Managing Directors of Credit Suisse;
 - Heads of Division in Australia (including the Head of Human Resources and the Head of General Counsel);
 - Statutory Directors, Officers or Company Secretary of Credit Suisse; or
 - Credit Suisse's Internal Audit division in Australia, that is the Head of Internal Audit with divisional coverage of Credit Suisse's Australian operations.

Eligible Whistleblower- means former or existing Credit Suisse personnel who are or have been in a position a listed below are eligible to make reports under this Policy:

- An officer of Credit Suisse, which includes directors of the board and the company secretary of Credit Suisse;
- An employee of Credit Suisse;
- An individual who supplies services or goods to Credit Suisse;
- An employee of a supplier of services or goods to Credit Suisse;
- An individual who is an associate of Credit Suisse (this includes directors and secretaries of both Credit Suisse and any related bodies corporate);
- A spouse, child or other relative of an individual listed above;
- A dependent of any individual listed above or of their spouse; or
- Someone who was formerly any of the above (e.g., a former employee).

Disclosure Matter – means if you have reasonable grounds to suspect that you have information concerning:

- Misconduct (which includes fraud, negligence, default, breach of trust and breach of duty) or an improper state of affairs or circumstances in relation to Credit Suisse or any related body corporate of Credit Suisse; or
- Misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of Credit Suisse or an associate of Credit Suisse (**Tax Disclosures**).

Qualifying Disclosures – this is a disclosure that is:

- Made by an Eligible Whistleblower,
- Made directly to an Eligible Recipient, and
- About a Disclosable Matter.

Whistleblowing Legislation- Corporations Act 2001 (Cth) (sections 1317AA to 1317AK) and the Taxation Administration Act 1953 (Cth) (sections 14ZZT to 14ZZZE)

The Whistleblower Protection Officer -The following positions have been designated to assist in maintaining the wellbeing of the Eligible Whistleblower, including maintain confidentiality:

- Head of Human Resources, Australia.
- Head of Compliance, Australia.

2. Making a Disclosure

What Matters should be reported

The Whistleblowing Legislation provides protections to personnel who make disclosures of certain matters. To qualify for this protection, personnel must make a Qualifying Disclosure.

A Qualifying Disclosure is a disclosure that is:

- Made by an Eligible Whistleblower,
- Made directly to an Eligible Recipient, and
- About a Disclosable Matter.

This Policy is designed to facilitate and encourage to report if you have reasonable grounds to suspect that you have information concerning a Disclosable Matter under the Whistleblowing Legislation.

Some examples of conduct which should be reported under this Policy include:

- Corrupt, fraudulent, or other illegal conduct or activity (including but not limited to theft, dealing in, or use of illicit drugs, violence or threatened violence, and criminal damage against property)
- Financial irregularities;
- Failure to comply with, or breach of, legal or regulatory requirements; and
- Conduct involving substantial risk to public health and safety, or the environment.

Some additional examples of conduct that would be a Disclosable Matter are included in [Annexure A](#).

What matters should not be reported under this Policy

Personal work-related grievances should not be reported under this Policy and are not protected under the Whistleblowing Legislation. Personal work-related grievances are those that relate to the discloser's current or former employment and have, or tend to have, implications for the discloser personally, but do not:

- Have any other significant implications for Credit Suisse; or
- Relate to any conduct, or alleged conduct, about a Disclosable Matter.

Some examples of matters which should not be reported under this Policy include but are not limited to:

- An interpersonal conflict between individual employees
- A staff member's dissatisfaction with their pay
- A staff member's dissatisfaction with their performance feedback or the results of their annual performance review; and
- A staff member's failure to receive a promotion.

Credit Suisse personnel who wish to raise any personal work-related grievances should contact HR in Australia.

3. Who can an Eligible Whistleblower report conduct to?

Under the Whistleblowing Legislation, the individuals who are defined as Eligible Whistleblowers are eligible to make a whistleblowing report. Receiving disclosures is a process that requires careful training to ensure whistleblower protections are maintained. Reports made under this Policy can be made confidentially and anonymously at any time via the following methods.

- The Credit Suisse Integrity Hotline (via phone) or the Integrity Line (via web):
 - The Integrity Hotline (via phone) is available globally, 24 hours a day, 7 days a week and is operated by external personnel trained to receive disclosures of unusual incidents and concerns. Calls are taken in English, German, French or Italian and can be made anonymously.
 - The Integrity Line (via web) is a web-based solution which is also available globally, 24 hours a day, 7 days a week, to all Credit Suisse personnel globally. It is accessible from personal computers as well as private mobile devices such as smartphones or tablets. Via an encrypted Inbox function, it offers a secure and confidential means of communication between the discloser who has reported a concern, and Credit Suisse – completely anonymously where preferred by the discloser. This web-based solution provides the ability to communicate with the discloser, e.g., to request further information and/or provide responses, while protecting their identity.
 - For information on how to access the Credit Integrity Hotline or Integrity Line please refer to the Credit Suisse [Code of Conduct](#).
- By contacting the Head of Human Resources, Australia

Eligible Whistleblowers are encouraged to directly report any disclosure via the methods set out above. The making of a report via any of those methods will mean that it has been made to an **Eligible Recipient** under the Whistleblowing Legislation.

Under the Whistleblowing Legislation, Eligible Whistleblowers may also report such information to the following additional **Eligible Recipients**. Where the information to be reported relates to the tax affairs of Credit Suisse or an associate of Credit Suisse, whistleblowers are still encouraged to report any disclosure via the methods set out above.

Additionally, the Whistleblowing Legislation allows Eligible Whistleblowers to make Tax Disclosures to the following Eligible Recipients:

- A registered tax agent or Business Activity Statement (BAS) agent who provides tax agent services or BAS services to Credit Suisse;
- A Senior Manager of Credit Suisse as defined above in section 1 ; or
- Any other employee or officer (within the meaning of the Corporations Act 2001 (Cth) of Credit Suisse who has functions or duties that relate to the tax affairs of Credit Suisse.

Under the Whistleblowing Legislation, Eligible Whistleblowers may also report Disclosable Matters to:

- The Australian Securities and Investments Commissions (**ASIC**);
- The Australian Prudential Regulation Authority (**APRA**);
- In relation to Tax Disclosures, the Commissioner of Taxation (**ATO**); or
- Any other prescribed Commonwealth authority or regulator.

Examples of external regulators and their contact details are below:

<u>Regulator</u>	<u>Website</u>	<u>Contact</u>
<u>Australian Securities and Investment Commission</u>	<u>Whistleblowing ASIC - Australian Securities and Investments Commission</u>	<u>Tel: 1300 300 630</u>

Australian Prudential Regulation Authority	Become a 'whistleblower' or make a public interest disclosure APRA	contact an authorised officer by email: PID@apra.gov.au Tel: 1300 558 849
Australian Taxation Office	Tax whistleblowers Australian Taxation Office (ato.gov.au)	1Tel: 800 060 062

However, if a disclosure is made to one of the above regulators Credit Suisse will not automatically become aware of that report and therefore may not be able to respond to it in accordance with this Policy.

A disclosure will also qualify for protection where an Eligible Whistleblower makes a disclosure to a legal practitioner for the purposes of obtaining legal advice or legal representation about the operation of the Whistleblower Legislation, even in circumstances where the legal practitioner concludes that a disclosure does not relate to a Disclosable Matter. An Eligible whistleblower can obtain additional information about making a disclosure, including which Policy to make a disclosure under, by contacting the Head of Human Resources Australia.

4. Disclosure Process

How to make a disclosure

Disclosures are most useful when they include key information that offers actionable insight. Disclosures should include as much of the following information as possible if known by the person reporting the misconduct:

- **At the outset of your disclosure:**
 - Confirm that you are intending to make a compliant whistleblowing report for the purposes of this Policy; and
 - Advise the recipient if you wish to remain anonymous
- **Describe what occurred:** describe your understanding of basic facts relating to the disclosure. It is useful to also describe what should have happened, so that the report taker is clear about the nature of misconduct being described. Report what occurred; the sequence of events leading up to witnessing the act; steps observed, and any actions taken to confirm suspicions or observations.
- **Describe how the misconduct arose:** describe any factors that may have enabled the misconduct.
- **Describe where the misconduct occurred the physical location/address where the misconduct occurred:** the work location of those perpetrating the misconduct or the location where the misconduct was observed
- **Describe when the misconduct occurred:** key dates of actions suspected or observed relating to the misconduct being disclosed. If a series of events occurred, offer these in chronological order if possible.
- **Describe who was involved:** offer names and job titles of those associated with the misconduct (if known) or information that may help identify those that may have been associated with the misconduct. Also offer names of others that may have witnessed the misconduct or played a role in the acts being reported. Keep the recipient of your report informed as appropriate if facts change and cooperate in any investigation that Credit Suisse may conduct into the disclosure.

Anonymous disclosure

Eligible Whistleblowers are able to make an anonymous disclosure and still be entitled to the protections set out in this Policy and under the Whistleblowing Legislation if the other requirements for making the disclosure are complied with. Eligible Whistleblowers can remain anonymous over the course of the investigation and after any investigation has been finalized.

An Eligible Whistleblower may refuse to answer questions that they feel could reveal their identity during follow-up conversations.

However, if the Eligible Whistleblowers identity is not provided when making a whistleblowing report this:

- May prevent Credit Suisse from re-contacting the whistleblower confidentially to clarify or confirm information supplied;
- May impact on Credit Suisse's ability to proceed with an investigation – if there are gaps in information supplied that cannot be clarified directly in confidence with a whistleblower;
- Will prevent Credit Suisse from updating the whistleblower on Credit Suisse's efforts taken in response to their disclosure; and
- May affect Credit Suisse's ability to take steps to protect the whistleblower from detriment.

If an Eligible Whistleblower wants to maintain complete anonymity when making a disclosure, we suggest the whistleblower submits their disclosure on an anonymous basis via the methods outlined in this Policy. If a whistleblower chooses to make a disclosure to any other eligible recipient listed above in section, and also wants to maintain complete anonymity, we suggest that the Eligible Whistleblower:

- Submits their disclosure from a computer not connected to Credit Suisse's network;
- If making the disclosure by phone, calls from an unlisted number;
- If submitting an email, uses a private email address (such as Gmail or another external email provider) – not one connected to Credit Suisse's network; and
- Refrains from telling others that they have filed a whistleblowing disclosure.

Even if an Eligible Whistleblower does not disclose the report on an anonymous basis the person receiving the report is not permitted to reveal the identity of the Eligible Whistleblowers, or information that is likely to lead to the identification of the whistleblower, except in certain circumstances as set out below.

Disclosure Outside Credit Suisse

Generally only reports that are made to the list of people or entities set out in section 3 above will ensure protections are afforded to the Eligible Whistleblower when making a report. Making reports to others outside of Credit Suisse, except to the appropriate regulator, authorized auditor or actuary, registered tax / BAS agent (as appropriate), or to a legal practitioner, will not obtain the protection of the Whistleblowing Legislation or any other protections provided by this Policy.

There are two categories of disclosure that an Eligible Whistleblower may make to a journalist or a Member of Parliament and still obtain the protections of the Whistleblower Legislation. These are called Public Interest Disclosures and Emergency Disclosures; further details are contained in [Annexure A](#).

Unless a disclosure is being made under the above provisions, speaking to a journalist or a member of parliament about confidential information in relation to Credit Suisse without authorization is not permitted and may be a disciplinary offence.

Where a disclosure has been made where you have disclosed your identity to Credit Suisse you will have access to the assistance of a Whistleblower Protection Officer in this Policy.

The Whistleblower Protection Officer's role is to:

- Take steps to protect the interests of individuals making reports under this Policy.
- Act as a contact point for communication with the whistleblower
- Escalate any matter the Whistleblower Protection Officer considers appropriate to Country Management.
- Maintaining confidentiality, where relevant, including as required by Australian law
- Assist and support the Eligible Whistleblower and refer to counselling and/or other professional services as appropriate.

5. Handling of Reports

Investigation of a Report

All reported disclosures will be reviewed by Human Resources and/or Compliance, and where appropriate will be investigated at the earliest opportunity. Credit Suisse will endeavor to make any findings promptly. The way a disclosure is managed depends on what the matter involves and will be dealt with on a case-by-case basis. Further details regarding the handling of reports are contained in [Annexure B](#).

Investigations will be subject to the confidentiality and other protections set out under this Policy and will be undertaken by the appropriate independent parties, inside and/or outside Credit Suisse, depending on the nature of the investigation.

In order to ensure that any investigations and actions undertaken are fair and unbiased, it may be necessary to:

- Obtain specialist, independent advice, including the engagement of the relevant investigation teams from either inside Credit Suisse or refer the matter confidentially to a third-party investigation firm, if deemed appropriate having regard to the nature of the disclosable matter(s);
- Appoint a person and/or firm to assist in the investigation of a matter which is the subject of a report; or
- Refer the matter to the police or law enforcement where disclosures refer to or include criminal behaviour.

In the conduct of an investigation, Credit Suisse may proceed as follows:

- Determine the nature and scope of the investigation;
- Speak to anyone who may be affected or involved in the disclosure so that they are provided with the opportunity to respond to the matters therein;
- Consider these responses;
- Speak to witnesses who can provide evidence relevant to the disclosure;
- Consider such evidence; and
- Consider any other evidence relevant to the disclosure.

The findings of any investigation into a disclosure (together with any remediation action plan) will be recorded in accordance with Credit Suisse internal policies and will be subject to the record-keeping and confidentiality obligations set out in this Policy. The method for documenting and reporting the findings will depend on the nature of the disclosure. In cases where the findings give rise to an internal conduct review and disciplinary process against an employee, the matter will be escalated to the relevant Board of Directors or Conduct and Ethics Boards for review. If the individual is employed by Credit Suisse the final investigation report submitted to the Board may be redacted to protect the whistleblower's identity or information that may identify the Eligible Whistleblower.

Personnel Interests

An Eligible Whistleblower is encouraged to reveal, at the outset, any personal interest or involvement they may have in the matter. A failure to disclose any personal interests will not however prevent the reported disclosure being investigated pursuant to this Policy.

Fair treatment of employees that are the subject of a disclosure

Credit Suisse is also committed to ensuring the fair treatment of employees and other persons engaged by Credit Suisse who are mentioned in reports of disclosable matters, or to whom such disclosures relate. Fair treatment of those persons implicated in a misconduct disclosure may include but is not limited to:

- The opportunity to be “heard” on, and respond to the allegations as against them before any adverse findings are made against them; and
- The opportunity to have their responses considered by Credit Suisse and, in appropriate circumstances, investigated.

During any investigation into a report of disclosable matters, Credit Suisse will endeavor to ensure the fair treatment of employees, officers and others engaged by Credit Suisse who are implicated in the report until such investigation has concluded and claims have been proven or dismissed. Employees, officers, and others engaged by Credit Suisse should raise any suspected adverse or detrimental treatment in regard to the Head of Human Resources Australia or the Head of General Counsel Australia so that these matters may be addressed.

Credit Suisse will endeavor to respond promptly to any complaints raised by parties who are the subject of a disclosure where such party has concerns about unfair treatment in the context of assessment of, and investigation into the Disclosable Matter.

Providing updates to those making misconduct disclosures

Credit Suisse will, where appropriate, provide the Eligible Whistleblower with updates at various stages of any investigation into the disclosure. Any updates supplied to a whistleblower may need to be withheld or limited in order to also preserve the confidentiality of an investigation and the privacy of those potentially affiliated, named, implicated, or associated with the matters disclosed. The frequency and detail of any updates supplied (where appropriate), and the initiation or resolution of any potential subsequent investigation, may vary according to the matters reported and the context of the misconduct disclosed. Any updates will be provided to the whistleblower by the relevant investigation teams from inside Credit Suisse, where appropriate.

Credit Suisse will, where appropriate, advise the Eligible Whistleblower of the conclusion of any investigation and may provide them with details of the outcomes of that investigation. Where claims cannot be substantiated, and the whistleblower’s identity is known, Credit Suisse reserves the right to deem a disclosure closed and notify the Eligible Whistleblower accordingly.

6. False Reports

Consequences for knowingly making false or vexatious reports

Eligible Whistleblowers must have reasonable grounds for the claims made in their disclosures. However, a whistleblower is not required to prove their allegations and can still qualify for protection even if their disclosure turns out to be incorrect.

Where it is shown that a person reporting a disclosure has made malicious, false, or vexatious allegations of improper conduct, then the making of that disclosure will be considered a serious matter and may render the person concerned subject to disciplinary proceedings which may include demotion, suspension, or termination of employment. However, no action will be taken against an employee who makes a report, based on reasonable grounds to suspect misconduct or an improper state of affairs, which is not substantiated in a subsequent investigation.

7. Protection and support of Whistleblowers

Protecting confidentiality

You may choose to make a report on an anonymous basis, however, there are a number of advantages in connection with the investigation process if you disclose your identity. If you do disclose your identity and you are an **“Eligible whistleblower”** who is making a disclosure protected by the Whistleblowing Legislation via the methods set out in section 3 above or to other “eligible recipients”, the recipient has an obligation to keep your identity confidential. This includes keeping confidential information which could lead to the disclosure of your identity.

Credit Suisse has the legal right to share a whistleblower’s identity if reasonably necessary to refer an incident to authorities (such as ASIC, APRA, and the Australian Federal Police (**AFP**) or other prescribed body) who may wish to pursue the matter.

Under the Whistleblowing Legislation, it is also permissible to:

- Disclose information regarding the suspected or actual wrongdoing disclosed without revealing the Eligible Whistleblower’s identity or information that is likely to lead to the identification of the whistleblower;
- Disclose information other than the whistleblower’s identity if it is reasonably necessary for the purposes of the investigation and all reasonable steps are taken to reduce the risk that the whistleblower will be identified;
- Disclose the identity of a whistleblower, or information likely to lead to his or her identification to a legal practitioner for the purposes of obtaining legal advice or representation in relation to the disclosure; or
- Disclose the identity of an Eligible whistleblower. Where such disclosure is made with the consent of the Eligible Whistleblower.

In order to allow for a proper investigation of the matter, and to provide support to the whistleblower, the recipient of your disclosure may ask you to consent to the disclosure of your identity to specific individuals, which may include:

- Members of Compliance Investigations APAC, General Counsel Litigation and Investigations APAC, General Counsel Employment Law APAC, Human Resources Employee Relations APAC teams, the Head of General Counsel Australia) and/or the Head of Human Resources Australia; and
- Any other persons reasonably necessary for the purposes of investigating matters the subject of your disclosure.

To ensure the confidentiality of an Eligible Whistleblower’s identity, Credit Suisse will take reasonable steps to ensure:

- All personal information or reference to the whistleblower witnessing an event will be redacted;
- The whistleblower will be referred to in a gender-neutral context;
- Where possible, the whistleblower will be contacted to help identify certain aspects of their disclosure that could inadvertently identify them; and
- Disclosures will be handled and investigated by qualified staff.

If you are the recipient of a report from a whistleblower relating to a disclosable matter, you must not reveal the identity, or information that is likely to lead to identification, of the whistleblower without the written consent of the whistleblower or without the express permission from the Head of General Counsel, Australia to make the disclosure. Such action is illegal and may constitute a criminal offence.

Eligible Whistleblowers can be assured that any information released in breach of this Policy will be treated seriously and may result in disciplinary action, including dismissal. A breach of this Policy may in certain circumstances also result in criminal sanctions. Whistleblowers should report any suspected or actual breaches of confidentiality to the Head of Human Resources Australia.

General Protections

Credit Suisse is committed to protecting and respecting the rights of Eligible Whistleblowers. Credit Suisse will not tolerate any detriment caused or threatened to be caused against any person who has made, or who is believed to have made, a report regarding disclosable matters. Under the Whistleblowing Legislation, “detriment” is defined to include, without limitation, any of the following:

- Dismissal;
- Injuring an employee in their employment, (e.g., not giving an employee legal entitlement such as pay or leave);
- Changing an employee’s job to their disadvantage;
- Offering a potential employee different (and unfair) terms and conditions for the job, compared to other employees;
- Discriminating between employees to the disadvantage of a whistleblower;
- Harassment or intimidation of a person;
- Harm or injury to a person, including psychological harm;
- Not hiring someone because they have been a whistleblower;
- Damage to a person’s property, reputation, business, or financial position; or
- Any other damage to a person.

Any victimization, retaliation or detriment caused or threatened to be caused in reprisal for report regarding disclosable matters being made under this Policy will be treated as misconduct and may result in disciplinary action, which may include dismissal (or termination of engagement). If you experience or discover any such detrimental conduct, or potential conduct, you should report it immediately via the methods set out in section 3 of this Policy.

Where appropriate, to protect a whistleblower from the risk of detriment, Credit Suisse may:

- Conduct a risk assessment of the whistleblower, and any other staff that might be suspected of having made a disclosure
- Allow a whistleblower to perform their duties from another location
- Reassign the whistleblower to another role (at the same level)
- Make modifications to the whistleblower’s workplace or the way work duties are carried out; or
- Reassign or relocate other staff involved in the disclosable matter.

In some circumstances, Credit Suisse may be required to take administrative action to protect whistleblowers from detriment. This administrative action is not detrimental conduct. It will also not be detrimental conduct where Credit Suisse is required to manage a whistleblower’s unsatisfactory work performance in line with Credit Suisse’s performance management procedures. Where it is appropriate, Credit Suisse will inform the whistleblower about the reason for any administrative or management action.

If you experience or discover any such detrimental conduct, or potential conduct, you should report it immediately via the methods set out in section 3 above or to the Head of Human Resources, Australia.

Support of whistleblowers

Credit Suisse Code of Conduct encourages open dialogue and emphasizes the importance of speaking up as a critical component of our values. Credit Suisse firmly believes that those who reasonably suspect or witness misconduct should be able to report the same freely with the confidence that they will be supported, without the threat of retaliation and not punished or discriminated against for making a disclosure.

Eligible Whistleblowers are encouraged to raise any concerns arising out of a disclosure (or anticipated disclosure) or any subsequent investigation process via the methods set out in section 3 above.

To ensure Eligible Whistleblowers are supported both during, and following the making of a disclosure, they may also request additional support from the Whistleblower Protection Officer, if required. Credit Suisse also encourages Eligible Whistleblowers to make use of Credit Suisse’s employment assistance program or EAP provider, details of which are set out below:

Credit Suisse Work Life Coaching Program by Workplace Options to contact:

- Freephone: 1 800 730 931

- Reverse Charge Calling: +61 2 8046 6416
- E-Mail: support@resourcesforyourlife.com
- Website: www.resourcesforyourlife.com
- Company Code: CS-WLC

Criminal or civil liability

Eligible Whistleblowers who make a Qualifying Disclosure will not be subject to any civil liability (e.g., breaching a duty of confidence), criminal liability (e.g., prosecution for unlawfully releasing information) or administrative liability (e.g., disciplinary action) for making the disclosure. No contractual or other remedy may be enforced against them on the basis of their disclosure.

There is no immunity from any action in relation to misconduct that the Eligible Whistleblower was involved in, but Qualifying Disclosures will be inadmissible in relation to any such proceedings.

Annexure A: Additional information about the Whistleblowing Legislation

Whistleblowing Legislation

The protections under the Whistleblowing Legislation only apply to certain types of disclosures, known as Qualifying Disclosures. Although this Policy contains a summary of the relevant sections of those laws you should refer to the law itself for more information. If a whistleblower makes a Qualifying Disclosure (the requirements for which are summarized below), they will be entitled to protections under the Whistleblowing Legislation.

Qualifying Disclosures

For a “**Qualifying Disclosure**” to be made, a whistleblower must:

- Be an “**Eligible Whistleblower**”. A list of eligible whistleblowers for Credit Suisse is set out in section 1 of this Policy.
- Be reporting on a “**Disclosable Matter**”. These are matters described in key definitions of this Policy. A disclosure that does not relate to a “Disclosable Matter” is not covered by this Policy as it would not qualify for protection under the Whistleblowing Legislation, although such a disclosure may be protected under other legislation (such as the Fair Work Act 2009 (Cth)).
- Report that Disclosable Matter to an “**Eligible Recipient**”. A list of eligible recipients for Credit Suisse is set out in section 1 of this Policy.



Additional Examples of Disclosure Matters

The following are some examples of conduct that would be “disclosable matters” if you had reasonable grounds to suspect they had occurred:

- An offence against or a contravention of the Corporations Act 2001 (Cth) or the Australian Securities and Investments Commission Act 2001 (Cth). This would include conduct such as misleading and deceptive conduct, insider dealing and market manipulation; or
- An offence against any other law of the Commonwealth that is punishable by imprisonment for a period of 12 months or more. This would include conduct such as bribery of a Commonwealth Public Official; or Conduct that represents a danger to the public or the financial system.

In relation to Tax Disclosures, the whistleblower must have information relating to misconduct, or an improper state of affairs or circumstances, in relation to the tax affairs of Credit Suisse or an associate of Credit Suisse. The whistleblower must consider that the information they possess may assist the eligible recipient to perform functions or duties in relation to the tax affairs of Credit Suisse or an associate of Credit Suisse.

Personal work-related grievances should not be reported under this Policy. However, in some circumstances, a personal work-related grievance may amount to a disclosable matter. For example, this may occur where:

- A personal work-related grievance includes information about misconduct
- The disclosure relates to the breach of employment or other laws punishable by imprisonment for a period of 12 months or more
- The personal work-related grievance suggests misconduct beyond the whistleblower’s personal circumstances

- The Eligible Whistleblower suffers from or is threatened with detriment for making a disclosure; or
- The whistleblower seeks legal advice or legal representation about the operation of the Whistleblowing Legislation.

Public Interest and Emergency Disclosures

Under the Whistleblowing Legislation there are two categories of protected disclosures which will protect Eligible Whistleblower who reports to a journalist or a Member of Parliament. Except for these protected disclosures, disclosures to journalists or parliamentarians are not permitted unless expressly authorised by the Head of General Counsel, Australia.

An Eligible Whistleblower should contact an independent legal adviser before making a Public Interest Disclosure or an Emergency Disclosure.

Public Interest Disclosure – this category allows a whistleblower to make a disclosure to a journalist or parliamentarian if:

- The Eligible Whistleblower has previously made a disclosure to ASIC, APRA, or any other prescribed Commonwealth authority
- At least 90 days have passed since the disclosure was made to ASIC, APRA, or any other prescribed Commonwealth authority
- The Eligible Whistleblower does not have reasonable grounds to believe that action is being taken to address the matters to which the previous disclosure related
- The Eligible Whistleblower has reasonable grounds to believe that making a further disclosure of the information would be in the public interest; and
- Following the end of the 90-day period, the whistleblower gives the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that the whistleblower intends to make a public interest disclosure.

Emergency Disclosure – this category allows an Eligible Whistleblower to make a disclosure to a journalist or a parliamentarian if:

- The Eligible Whistleblower has previously made a disclosure to ASIC, APRA, or any other prescribed Commonwealth authority
- The whistleblower has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment; and
- The **whistleblower** gives the body to which the previous disclosure was made a written notification that includes sufficient information to identify the previous disclosure and states that the whistleblower intends to make an emergency disclosure.

For both Public Interest and Emergency Disclosures, the extent of the information disclosed must be no greater than is necessary to appropriately inform the recipient of the relevant misconduct or substantial imminent danger.

Additional Protections and Penalties

Under the Whistleblowing Legislation, a person may bring civil proceedings for a compensation order or pursue civil penalties even when a criminal prosecution has not been, or cannot be, pursued. This may include circumstances in which a whistleblower (or any other person) has suffered loss, damage or injury and Credit Suisse has failed to prevent a person from causing the detriment.

Annexure B Disclosure Process

