

## ENERGY BAY GROUP Business Code of Conduct

### 1 Purpose

The purpose of this Code is to describe the standards of behaviour and conduct expected from employees and others in their interactions with all internal and external parties including customers, suppliers, clients, co-workers, management and the general public.

This Code of Conduct ('Code') recognises the importance of a workplace which actively promotes an environment of trust and respect, a culture which acts in the best interests of our customers, shareholders and staff, upholding behaviour that is honest, courteous, ethical and lawful. Aligning with Energy Bay Funds Management Pty Ltd and its subsidiaries (**Energy Bay**) capabilities framework:

- zero harm;
- trusted partner; and
- customer driven.

Compliance with this Code is mandatory, non-compliance may result in disciplinary action including termination of employment or contract for services.

### 2 Scope

The Policy applies to all full-time, part-time and casual employees of Energy Bay. The Policy does not form part of any contract of employment with Energy Bay. Nor does it form part of any contract for service with Energy Bay.

### 3 The Code requirements

All employees are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment or engagement with Energy Bay.

As representatives of Energy Bay, all employees are expected to conduct themselves in a professional and courteous manner and observe the following standards of behaviour both inside and outside the workplace where the employee can be perceived as representing. Energy Bay Workplace participants should observe the appropriate standard of behaviour while anywhere at work or a work-related function or activity, whether during working hours or not. Standards of behaviour include but are not limited to the following:

- Comply with all laws, policies, procedures, rules, regulations and contracts.
- Comply with all lawful and reasonable directions from their manager and any other employee authorised to give such directions.



# ENERGY BAY

- Promptly report any violations of law, ethical principles, policies of this Code as well as any known and suspected instances of fraud, corrupt or improper conduct to Energy Bay management.
- Employees are required to ensure that all financial records and reports created or generated comply with all relevant financial and accounting policies, procedures and principles.
- Be honest and fair in dealings with customers, clients, suppliers, co-workers, management and the general public.
- Display the appropriate image of professionalism at the workplace. This may include wearing the required uniform, safety equipment or work clothes, and if an employee wears their own clothes, ensuring their appearance is neat and tidy.
- Treat customers, clients, suppliers, co-workers, company management and the general public in a non-discriminatory manner with proper regard for their rights and dignity. In this regard, discrimination, victimisation or harassment based on a person's race, colour, religion, national origin, age, sex, sexual orientation, marital status, family responsibilities, pregnancy or potential pregnancy, union membership or non-membership, mental or physical disability, or any other classification protected by law will not be tolerated.
- Be courteous, respectful and well-mannered in both internal and external communication, this includes ensuring they do not say or do things that may offend or intimidate others.
- Maintain punctuality. If an employee is late or cannot report for work, please telephone and let the supervisor know as soon as possible.
- Do not use work time for private gain. If an employee is required to leave the work premises for personal reasons, they should advise their Manager well in advance.
- Do not misuse company assets. Employees are required to only use Energy Bay's equipment and facilities for business purposes and in accordance with all relevant policies and procedures.
- Energy Bay has a legitimate interest in the private activities of employees where such activities may bring disrepute upon Energy Bay in its relationships with customers, clients, suppliers, and the general public at large and may possibly call the employee's fitness for continued employment or to provide services into question.
- Maintain and develop the knowledge and skills necessary to carry out duties and responsibilities.
- Observe health and safety policies and obligations, and co-operate with all procedures and initiatives taken by Energy Bay in the interests of work health and safety.



# ENERGY BAY

- Employees have a responsibility to perform their duties in a safe and competent manner in accordance with relevant Work Health & Safety legislation and Energy Bay Work Health and Safety policies and procedures.
- Any breach of a safety procedure is a serious issue and may result in dismissal or other disciplinary action. A deliberate breach will result in demotion or dismissal.
- Be truthful in all dealings with persons encountered at the workplace. Employees must not make false or misleading declarations during the performance of their duties or when providing services on behalf of Energy Bay. A declaration can be considered to be misleading if information is omitted or presented in a manner that enables a misleading view of the situation to be formed. This includes failure to comply with reporting requirements and falsifying records and other documents.
- Moreover, all declarations to Energy Bay about an employee's academic results, prior employment or health condition must be open and truthful. Falsifying any information on a job application or in an employee file is regarded as a breach of trust and will result in dismissal.
- Refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper conduct or biased performance.
- Not act for an improper or ulterior purpose to the detriment (whether perceived or actual) of Energy Bay.
- Employees must not abuse the advantages of their position for private purposes, or solicit or accept any gift, benefit or improper payment in connection with their employment or engagement which might compromise, or be seen to compromise their integrity or Energy Bay's reputation. All gifts over the value of \$150 must be declared to the business through the appropriate channels.
- Respect Energy Bay's ownership of all of its property including but not limited to funds, equipment, supplies, books, records and confidential information (however described).
- Maintain during their employment or engagement with Energy Bay and after the termination of employment or engagement, the confidentiality of any confidential information, records or other materials acquired during the employment or engagement with Energy Bay.
- While employed at Energy Bay, employees may not engage in any business or activity that may conflict with their role within Energy Bay. Employees are to be mindful of and to avoid any actual or potential conflicts between personal interest (including the interest of their immediate family) and the interests of Energy Bay (unless otherwise agreed by the CEO). These interests can be financial or non- financial in nature.



# ENERGY BAY

- Not make any unauthorised statements to the media about Energy Bay's business (requests for media statements should be referred to the relevant Contact Person).
- Do not fight or use inappropriate language in the workplace.
- Never report for work in circumstances where there is a risk that you could be affected by or 'under the influence' of illicit drugs or alcohol (eg if you have ingested or otherwise taken drugs or alcohol the night before or in the period leading up to your next work period).
- Do not smoke during working hours unless it is during prescribed breaks and within designated areas.

## 4 Issues for managers and supervisors

Managers and supervisors should:

- Promote a team spirit.
- Required to ensure that all direct reports understand their responsibilities under the Code and any other relevant policies and procedures.
- Create a culture of open & honest communication and demonstrating the company values.
- Maintain confidentiality so far as is reasonably practicable when conducting investigations into grievances and disputes.
- Avoid bias in decision making.
- Ensure that all general employment matters are managed in accordance with the principles of Equal Employment Opportunity (EEO), i.e. in regard to advertising, recruitment, selection, induction, promotion, development, training, performance management, rewards and recognition
- Ensure compliance with Energy Bay 's procedures when carrying out counselling and discipline.
- Exercise objectivity when administering rewards or discipline.
- Not condone, permit, or fail to report any breaches of the Code as outlined above by employees under their supervision.
- Ensure employment related decisions are free from unlawful discrimination.
- Declare if they are aware of any activity or relationship of any Energy Bay employee that they believe could be construed as a potential conflict of interest?



# ENERGY BAY

Examples of potential conflicts of interest include:

- personal relationship between a manager and direct report
- segregation of duties where both parties are in a personal relationship

## **5 Breaches of this Code**

Employees should be aware that Energy Bay views breaches of this Code seriously. A breach of this Code may lead to disciplinary action including termination of employment or services.

If a violation is suspected the matter should be reported to management. No action will be taken against any employee reporting, in good faith, a violation of the code. Refer to Energy Bay's Whistleblower Policy for more information and alternate reporting options.

## **6 Variations**

Energy Bay reserves the right to vary, replace or terminate this Policy from time to time.

## **7 Related Policies and Guidelines**

- EEO, Anti-Discrimination and Harassment Policy
- Complaint & Grievance Policy
- Whistleblower Policy
- Work Health & Safety Policy
- Performance & Misconduct Policy
- Business Code of Conduct & Ethics Questionnaire & Disclosure of Outside Interest Form

