

1. Whistleblowing policy

All organisations face the risk of things going wrong from time to time, or of unknowingly harbouring malpractice. By encouraging a culture of openness within our organisation, we believe that we can prevent malpractice or address it effectively if it occurs.

1.1 Application of this policy

This policy applies to all Directors, Senior Executives and employees of Megaport in whatever capacity.

The aims of this policy are:

- » to encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate and that their confidentiality will be respected;
- » to provide staff with guidance as to how to raise those concerns; and
- » to reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work or own wrongdoings. For those circumstances, you should refer to the Complaints and Grievance Procedure.

If you are uncertain whether an issue is within the scope of this policy, you should seek advice from the People and Culture Director.

1.2 What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or improper conduct at work. This may include:

- » criminal activity;
- » miscarriages of justice;
- » danger to health and safety;
- » damage to the environment;
- » failure to comply with any legal or professional obligation or regulatory requirement;
- » bribery;
- » financial fraud or mismanagement;
- » negligence;

- » conduct likely to damage our reputation;
- » unauthorised disclosure of confidential information; and
- » the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern relating to any of the above.

If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities, you should report it under this policy.

1.3 Raising a concern

We hope that in many cases you will be able to raise any concerns with your manager. You may raise the issue with your manager in person or in writing. They may be able to ascertain a way of resolving your concern quickly and effectively. Your manager may refer the matter to the People and Culture Director and/ or General Counsel.

If for any reason you cannot raise the issue with your manager, you should raise your complaint with the People and Culture Director and/ or General Counsel.

If an issue cannot be raised with the P&C Director or General Counsel because of a conflict, then it may be raised directly with a Board member.

All complaints will be taken seriously.

1.4 Confidentiality

If you request that your identity is kept confidential, Megaport will take reasonable steps to protect your anonymity.

All information concerning a report under this policy will be held in the strictest confidence and will not be disclosed to a person who is not connected with the investigation unless:

- (a) you consent to the disclosure;
- (b) the disclosure is required by law;
- (c) the disclosure is necessary to prevent or lessen a serious threat to a person's health or safety;
- (d) the disclosure is necessary to enable Megaport to comply with a regulator's immunity or leniency program;
- (e) it is necessary to protect or enforce Megaport's legal rights or interest; or
- (f) it is necessary to defend any claims.

1.5 External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will be very rarely, if ever, appropriate to alert the media.

We encourage you to raise any concerns or complaints concerns under this policy before contacting an external body.

1.6 Investigation and outcome

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment and we may require you to attend meetings in order to provide further information.

We will aim to keep you informed of the progress of the investigation and the outcome. However, sometimes the need for confidentiality may preclude us from providing details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

1.7 False disclosures

If it is determined by an investigation that you made a report or complaint that was false, in circumstances where:

- » you knew that the report or complaint was false; or
- » you were reckless as to the truth or falsity of the contents of the report,

your conduct will be considered a serious breach of this policy and you may be subject to disciplinary proceedings.

1.8 Support

You will not suffer any detrimental treatment as a result of raising a genuine concern under this policy. Detrimental treatment includes dismissal, disciplinary action, threat or other unfavourable treatment connected with raising a concern.

If you believe that you have suffered any detrimental treatment, you should inform the People and Culture Director immediately.

If the matter is not remedied, you should raise it formally using our Complaints and Grievance Procedure.

Megaport will not tolerate any threats or retaliations against whistleblowers. Anyone involved in such conduct may be subject to disciplinary action.

1.9 Training

Training on this policy will be undertaken on an annual basis.

1.10 Monitor and review

The General Counsel will monitor compliance with this policy on an ongoing basis and the Policy will be formally reviewed annually to ensure the Policy and procedures set out in the Policy remain effective and appropriate for Megaport.