



PETRONAS

PETRONAS Code of Conduct and Business Ethics

Country Supplement: **AUSTRALIA**

The PETRONAS Code of Conduct and Business Ethics Country Supplement: Australia is a specific reference for use in Australia. It does not describe all applicable laws or PETRONAS policies, or give full details on any particular law or policy. It does not constitute legal advice. It does not constitute or create a contract of employment. PETRONAS reserves the right to modify, revise, cancel or waive any policy, procedure or condition without notice and without revision of the Code. Moreover, the provisions of the Code may be modified by PETRONAS to adapt them to local laws and conditions.

Whilst the PETRONAS Code of Conduct and Business Ethics Country Supplement: Australia is expressed in terms of requirements of Employees, third party contractors, sub-contractors, consultants, agents, representatives and others performing work or services for or on behalf of PETRONAS in Australia are, in the course of performing the work or services, also expected to comply with the applicable principles of the Country Supplement regarding PART I: DRESS CODE, PART II: INFORMATION TECHNOLOGY, and PART VI: ANTIDISCRIMINATION, SEXUAL HARRASSMENT AND BULLYING. This does not create a relationship of employment with PETRONAS.

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Country Supplement:

Australia

Part I: Dress Code

For the purposes of Part III Section 4 of the PETRONAS Code of Conduct and Business Ethics (CoBE), the following Dress Code of PETRONAS (as established by PETRONAS for employees in Australia) shall be adopted and be applicable to all PETRONAS employees in Australia.

Each Employee's dress and personal grooming should be appropriate to the work situation. Employees are expected to exercise discretion and good judgement in their dress style, appearance and grooming habits.

Casual clothing may be permitted to be worn by Employees between Monday to Friday. Casual clothing includes:

- a collared shirt, polo shirt or blouse; and
- denim jeans.

Casual clothing does not include exercise apparel, spaghetti straps or tank tops.

If the level of attire does not meet the required standard of PETRONAS, managers will address this through individual meetings with Employees in the first instance. If improvement in attire is not improved and maintained in future, further action may be taken in accordance with the Performance Counselling and Discipline Policy

Part II: Information Technology

Employees must comply with the PETRONAS' Information Security Policy in effect from time to time, which may be obtained from your Chief Digital Officer.

- 1.1** Use of the PETRONAS computer systems is conditional upon compliance with all PETRONAS policies, including the Equal Employment Opportunity Policy and Duties of Good Faith, Fidelity, Diligence and Integrity. Users of the PETRONAS computer systems must not use the computer systems for the purpose of personal profit-making or for commercial activities other than those of PETRONAS.
- 1.2** The PETRONAS computer systems are to be used for PETRONAS business purposes. The systems are provided to users to facilitate communication between PETRONAS and its business partners, clients and suppliers, and to communicate within PETRONAS and to enhance its operating efficiency.
- 1.3** As a security measure, all users are required to use a password to access the PETRONAS computer systems. Users are only permitted to access PETRONAS computer systems with their own login ID and password. Passwords must be changed at regular intervals to minimise the risk of inadvertent disclosure of information to third parties. Users must not divulge their password to any person other than a member of the Human Resources Department to assist in the resolution of technology related issues.
- 1.4** All email communications sent from PETRONAS computer systems must comply with the Spam Act 2003. This Act regulates commercial electronic messages. The Spam Act refers to spam as 'unsolicited commercial electronic messaging'. Electronic messaging includes emails, instant messaging, SMS and other mobile phone messaging. A single message may be spam. The message does not need to be sent in bulk, or received in bulk.

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- 1.5** When using the PETRONAS email system, users must apply the same standards of language, expression and accuracy in email messages for PETRONAS' business purposes as those standards required to be applied in hardcopy communications. PETRONAS recognises that users may, on occasion, send or receive personal communications by email. A user's level of personal use should not be significant or negatively impact on the ability to perform work tasks.
- 1.6** PETRONAS recognises that users may, on limited occasions, access the Internet for their personal use. The level of personal use must not be significant and must not interfere with a user's work obligations. PETRONAS may block access to any internet site which contains material that may be considered offensive, obscene or pornographic, is not work-related and receives an unreasonably high volume of traffic from users, or PETRONAS otherwise considers it necessary or desirable to block.
- 1.7** Audit and other compliance measures will be instigated from time to time to ensure that users are complying with this policy. All email messages and Internet access logs are PETRONAS' records. PETRONAS reserves the right to monitor and record, through the use of software, email messages and Internet access by users (which may include personal information about users).
- 1.8** If users become aware of or suspect that the PETRONAS computer system has been accessed by unauthorised parties, or that confidential or sensitive information has been lost or disclosed to unauthorised parties, the user must advise the Human Resources Department immediately. Similarly, whenever passwords or other system access control mechanisms are suspected of being lost, stolen or disclosed to unauthorised parties, the user must immediately advise the Human Resources Department.

1.9 PETRONAS must comply with the licensing requirements of software suppliers. Any breach of software licensing can attract significant penalties including potential legal action. No user is permitted to install unlicensed software. Audit and other compliance measures will be instigated from time to time to ensure that breaches of software licensing are not occurring on PETRONAS computer systems.

1.10 Consequences of non-compliance include PETRONAS and/or a user breaching relevant civil and/or criminal laws which may result in civil or criminal penalties applying to PETRONAS and/or the user.

If PETRONAS management considers a user has in any way failed to comply with this policy the following actions may be taken: the user's access to all or part of the PETRONAS computer systems may be removed, PETRONAS may institute disciplinary measures in accordance with the Performance Counselling and Discipline Policy, and in the case of Serious Misconduct, terminate the employment of the user in accordance with the Termination Policy.

Part III: Performance Counselling & Discipline

PETRONAS has a Performance Counselling and Discipline Policy that outlines the process when performance counseling or discipline is necessary.

- 1.1** The circumstances where performance or conduct counselling and/or discipline may be required include but are not limited to where:
- a) An Employee has breached a term of their contract or of PETRONAS' policies (for example PETRONAS' Equal Employment Opportunity Policy);
 - b) An Employee has refused to carry out reasonable instructions from their Manager;
 - c) An Employee's performance has failed to meet PETRONAS' standards or expectations; or
 - d) An Employee has engaged in Serious Misconduct.
- 1.2** If an Employee's performance or behaviour is not in accordance with PETRONAS' expectations or standards, their Manager and/or Human Resources will arrange a meeting with them to provide counselling. Subsequent to this, if the Employee's performance or behaviour continues to fall below the required standard, their Manager, or Human Resources, will meet with them again. Depending on their conduct and the degree to which they have failed to comply with the agreed outcomes of the initial meeting, it may be necessary for PETRONAS to undertake further performance counselling, or to consider discipline up to and including termination of the Employee's engagement by PETRONAS.

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- 1.3** If it is alleged that an Employee has engaged in misconduct or Serious Misconduct, their Manager and/or Human Resources, will investigate the alleged behaviour. Such an investigation may be initiated by a grievance being made under PETRONAS' Grievance Policy.

After investigation has been concluded, the Employee's Manager will usually meet with them, together with Human Resources to discuss the outcome of the investigation. The Employee will be advised of the purpose of the meeting and be given the option to have a support person in attendance at the meeting. The Employee will be informed of the outcome in writing and all relevant documentation will be kept in their human resources file.

Part IV: Grievances

PETRONAS has a Grievance Policy that outlines the process when grievance resolution is necessary.

- 1.1** Any grievance raised in accordance with the Grievance Policy will be managed with strict confidentiality. Details of the matter will only be disclosed to those directly concerned.
- 1.2** When a grievance is raised, all parties will have the opportunity to tell their version of events. No assumptions, decisions or actions will be made until all relevant information and evidence have been collected and considered. All grievances will be taken seriously and assessed on their merits and facts.
- 1.3** It is unacceptable and against the law for any person to be treated differently for the reason that he or she decided to raise a grievance or to help someone else to do the same.
- 1.4** Employees are encouraged to report any grievance at the earliest possible time to allow for effective and timely resolution. A grievance may be reported to any manager or Human Resources. The person who is notified of the grievance will obtain the details of the grievance. They are then responsible for ensuring the continuance of the grievance process.
- 1.5** Wherever possible Employees should, in the first instance, attempt to resolve any grievance directly with the other parties involved. When engaging in this informal grievance resolution, Employees are encouraged to let the other person(s) know that they have a concern, what the concern is, and how they consider it could best be resolved.
- 1.6** Informal grievance resolution allows for grievances to be resolved directly and promptly by the parties with the assistance of a Manager or Human Resources. They will try to assist Employees to resolve the matter without the need for a formal complaint being made. The main focus will be to return the parties to productive work as soon as possible.

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- 1.7** In the case of a formal grievance, the grievance should be made in writing. The written document should contain specific allegations including dates, times and any witnesses. Employees should submit the document to their Manager or Human Resources. Subsequent to this the Human Resources Manager will commence the resolution process.

After receiving the grievance, Human Resources will meet with all parties to explain the formal resolution process and the parties' rights and responsibilities.

Human resources will notify the respondent(s) about the nature of the grievance, the grievance resolution process, their rights during the process, the timeframe for investigation, requirements for confidentiality, and possible consequences of the investigation. Any person interviewed as part of an investigation will be notified of the time in writing and may have a support person to be present when the interview is being conducted.

All evidence relating to the investigation will be formally documented by Human Resources. Subsequent to this, Human Resources will provide a report on the outcomes of the investigation. The parties will be informed in writing of the outcome of the formal complaint once the investigation is completed.

- 1.8** A request for a review or appeal of outcomes must be made in writing to the Human Resources Manager within twenty one (21) days of receiving notification of the outcome of the investigation. Within the request, Employees must advise as to the steps taken by them to date, the outcomes to date, and why they are seeking a review or appeal of the outcome. The relevant decision or outcome will be reviewed by the Chief Executive Officer (CEO). New information may be considered as part of the review or appeal at the discretion of the CEO.

Part V: Termination of Employment

PETRONAS has a Termination Policy that outlines the process when the employment relationship is terminated.

- 1.1** If an Employee wishes to terminate their employment with PETRONAS, they are required to give written notice to PETRONAS as set out in their contract of employment. PETRONAS may elect to make a payment in lieu of notice for all or part of an Employee's notice period. Alternatively, PETRONAS may require that an Employee not perform any duties and/or attend PETRONAS' premises during the relevant notice period.
- 1.2** If PETRONAS decides to terminate an Employee's employment, it is required to give them written notice in accordance with their contract of employment. PETRONAS may elect to make a payment in lieu of notice for all or part of their notice period. Alternatively, PETRONAS may require that an Employee not perform any duties and/or attend PETRONAS' premises during the relevant notice period.
- 1.3** If an Employee engages in misconduct, Serious Misconduct, or otherwise commit a serious or persistent breach of a term, PETRONAS may terminate their employment immediately without notice. Misconduct includes, but is not limited to: any act of dishonesty, serious breach of any PETRONAS policy, and fighting or aggressive or intimidating conduct.
- 1.4** If an Employee's employment is terminated due to redundancy, they will be entitled to the period of notice as set out in their contract of employment. PETRONAS may elect to provide an Employee with pay in lieu of notice for all or part of their notice period. An Employee may also be entitled to a severance payment subject to and in accordance with PETRONAS' legal obligations. Severance pay may not be available if PETRONAS has obtained acceptable alternative employment for the relevant Employee.

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- 1.5** Absence from work without consent and notification to PETRONAS may constitute abandonment of an Employee's employment. If an Employee fails to respond to reasonable attempts to contact them and to return to work, they may, by their actions, indicate their intention to no longer be bound by the contract of employment that exists between the Employee and PETRONAS.
- 1.6** PETRONAS will not provide a written reference to any Employee. Any personal reference provided by an Employee to another Employee must not be on PETRONAS letterhead and must not purport in any way to be a reference from, or authorised by, PETRONAS. Managers are permitted to speak about their interaction with an Employee for the purpose of a verbal reference.

Part VI: Antidiscrimination, Sexual Harassment and Bullying

- 1.1** Employees must not harass or discriminate against their colleagues or members of the public on the grounds of gender, relationship status, pregnancy, religious belief or activity, political belief or activity, family responsibilities, trade union activity (or inactivity), lawful sexual activity, age, ethnicity, irrelevant criminal record, irrelevant medical record, gender identity, physical features, impairment or disability, or any other attribute or characteristic protected under State or Federal equal opportunity legislation.
- 1.2** Discrimination for the purposes of this Code will include both Direct Discrimination and Indirect Discrimination.
- 1.3** Employees must not engage in the Sexual Harassment of other Employees or any other person performing work or services for or on behalf of PETRONAS.
- 1.4** Employees must not engage in the Bullying of other Employees or any other person performing work or services for or on behalf of PETRONAS.
- 1.5** Discrimination, Sexual Harassment and Bullying have the potential to create a risk to a person's health and safety, and may be unlawful under Federal, State or Territory equal opportunity legislation and the *Fair Work Act 2009* (Cth).

Part VII: Glossary

- 1.1 Bullying** means repeated and unreasonable behaviour directed towards a person or group of people. Bullying may include (but is not limited to):
- a) Abusive, insulting or offensive language or comments.
 - b) Aggressive and intimidating conduct.
 - c) Belittling or humiliating comments.
 - d) Unjustified criticism or complaints.
 - e) Deliberately excluding someone from work-related activities.
 - f) Denying access to information, supervision, consultation or resources to the detriment of the relevant person.
- 1.2 Employee(s)** means individuals engaged by PETRONAS under a contract of employment.
- 1.3 Direct Discrimination** occurs when a person, or a group of people, is treated less favourably than another person or group because of their background, or a certain attribute or characteristic.
- 1.4 Indirect Discrimination** occurs when there is an unreasonable rule or policy, which applies to everyone, but has an unfair effect on people who have a particular attribute or characteristic.
- 1.5 PETRONAS** means PETRONAS Australia Pty Ltd, its related body corporates (within the meaning in the Corporations Act 2001 (Cth), and all other Australian based subsidiaries or members of the PETRONAS group.

1.6 Serious Misconduct refers to conduct amounting to 'serious misconduct' under the Fair Work Regulations 2009 (Cth). Serious Misconduct includes the following conduct:

- a) Wilful or deliberate behaviour by an Employee that is inconsistent with the continuation of the employment contract.
- b) Conduct that causes serious or imminent risk to the health or safety of a person or to the reputation, viability or profitability of PETRONAS' business.
- c) Including, but not limited to, theft, fraud, sexual harassment, assault, being intoxicated at work and refusing to carry out a lawful and reasonable instruction consistent with the employment contract.

1.7 Sexual Harassment means unwelcome conduct of a sexual nature, such as an unwelcome sexual advance or request for sexual favours, which makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances. Sexual Harassment may include (but is not limited to):

- a) Unwelcome touching.
- b) Staring or leering.
- c) Unwanted invitations to go out on dates, or requests for sex.
- d) Sexually explicit pictures, posters, emails or SMS messages.
- e) Intrusive questions about a person's private life or body.

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