

SkyCity Entertainment Group Limited Whistleblowing Policy – New Zealand

January 2019

Purpose

SkyCity is committed to conducting business in a manner which is safe, ethical, professional and compliant with the law.

This purpose of this Policy is to set out the processes by which serious wrongdoing in relation to any of SkyCity's New Zealand based entities can be reported and the subsequent protections that may apply to the reporter both internally and under New Zealand law.

This Policy aims to promote openness and transparency within SkyCity and prescribe measures by which persons who make a report under this Policy may do so without fear of intimidation, reprisal or disadvantage.

What is serious wrongdoing?

Serious wrongdoing is any conduct engaged in by SkyCity (including an employee of SkyCity) which constitutes:

- a criminal offence such as fraud, theft, assault or wilful damage;
- a serious risk to the maintenance of law, including the prevention, investigation and detection of offences and the right to a fair trial; or
- a serious risk to public health or public safety or the environment.

A report in relation to any conduct which is not 'serious wrongdoing' as detailed above may not qualify for the protections at law noted below.

For more information on roles and responsibilities in relation to conduct involving fraud and dishonesty specifically, see the SkyCity Fraud Policy.

Who can make a report under this Policy?

Any SkyCity employee can make a report under this Policy. For the purposes of this Policy, the following persons also qualify as an employee:

- a former employee of SkyCity;
- a secondee or volunteer of SkyCity;
- a contractor who performs work for SkyCity; and
- a person concerned in the management of SkyCity (such as a SkyCity Board member).

Any person who makes a report but does not fall within the categories above may not qualify for the protections at law noted below.

How can you make a report?

A qualifying employee can report any form of serious wrongdoing in one of the following ways:

- via the employee's supervisor or line manager;
- via the Group GM Risk (phone: +64 21 242 3248 email: erica.jenkin@skycity.co.nz); or

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- via the safe2tell anonymous hotline (free phone: 0800 112 228 or email: safe2tell@skycity.co.nz).

If a report of serious wrongdoing by a qualifying employee relates to:

- a SkyCity Executive or a SkyCity Director (other than the Chair of the Audit & Risk Committee), then the matter will be referred to the Chair of the Audit & Risk Committee; or
- the Chair of the Audit & Risk Committee, then the matter will be referred to the Chairperson of the SkyCity Board.

A qualifying employee may be entitled to report outside of SkyCity's internal procedures in certain situations (see the section on 'special disclosures' below).

How will a report be investigated?

All reports will be investigated in accordance with the diagram at Appendix One.

All investigations will be carried out in an unbiased and impartial manner.

SkyCity will ensure fair treatment of any employee of SkyCity who is mentioned in a report or to whom a report relates. This includes giving that person a reasonable opportunity and period of time to respond to an adverse report and allowing that person to be represented at any interview relating to an adverse report.

How may you be protected by SkyCity?

SkyCity will protect the rights of a qualifying employee who, in good faith, reports on any serious wrongdoing under this Policy.

A qualifying employee who makes a report under this Policy will not be personally disadvantaged or suffer any detriment, retaliation, intimidation or victimisation from within SkyCity. This includes protection against dismissal, injury in employment, discrimination, harassment, reputational damage and alteration of duties to the individual's disadvantage.

How may you be protected at law?

A qualifying employee who reports serious wrongdoing in accordance with the processes in this Policy (a "protected disclosure") can claim certain protections under the Protected Disclosures Act 2000 ("the **Act**"), provided they:

- believe that the information they are reporting is true or likely to be true (i.e. the report must be made in good faith);
- want that information investigated; and
- want disclosure of that information to be protected.

The Act offers the following protections:

- no civil, criminal or disciplinary proceedings can be taken against a qualifying employee for making a protected disclosure; and
- a qualifying employee who suffers retaliatory action by their employer for making a protected disclosure may be able to take personal grievance proceedings.

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A qualifying employee who makes a protected disclosure has the right to remain anonymous, and their identity will be kept confidential by the recipient/s of the report unless:

- the qualifying employee consents in writing to the disclosure of their identity; or
- the disclosure of identifying information:
 - is essential to the effective investigation of the allegations in the protected disclosure;
 - is essential to prevent serious risk to public health or public safety or the environment; or
 - is essential for transparency and fairness.

Special disclosures

There are some situations where a qualifying employee can report serious wrongdoing outside of SkyCity's internal procedures.

The Act provides that a qualifying employee can make a special form of protected disclosure to the following persons/authorities:

- the CEO of SkyCity, provided the employee believes on reasonable grounds that the person to whom the wrongdoing should be reported to internally:
 - is or may be involved in the serious wrongdoing alleged in the report; or
 - is not the appropriate person to receive the report (based on their relationship or association with a person who is or may be involved in the serious wrongdoing); or
- an appropriate authority (being the heads of any public sector bodies and certain other individuals as defined in the Act), provided the employee believes on reasonable grounds that:
 - the CEO of SkyCity is or may be involved in the serious wrongdoing alleged in the report;
 - immediate reference to an appropriate authority is justified by reason of the urgency of the matter to which the report relates, or some other exceptional circumstances; or
 - SkyCity has failed to act on the matter to which the report relates within 20 working days after the date on which an original report was made;
- a Minister of the Crown, provided the employee has:
 - already made the report in accordance with the other provisions of this Policy;
 - believes on reasonable grounds that the person or appropriate authority to whom the report was made has decided not to investigate the matter or has not progressed/actioned the matter; and
 - reasonable grounds to continue to believe that the information reported is true or likely to be true.

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Availability of this Policy This Policy will be made available to all employees of SkyCity.

This Policy can be accessed through:

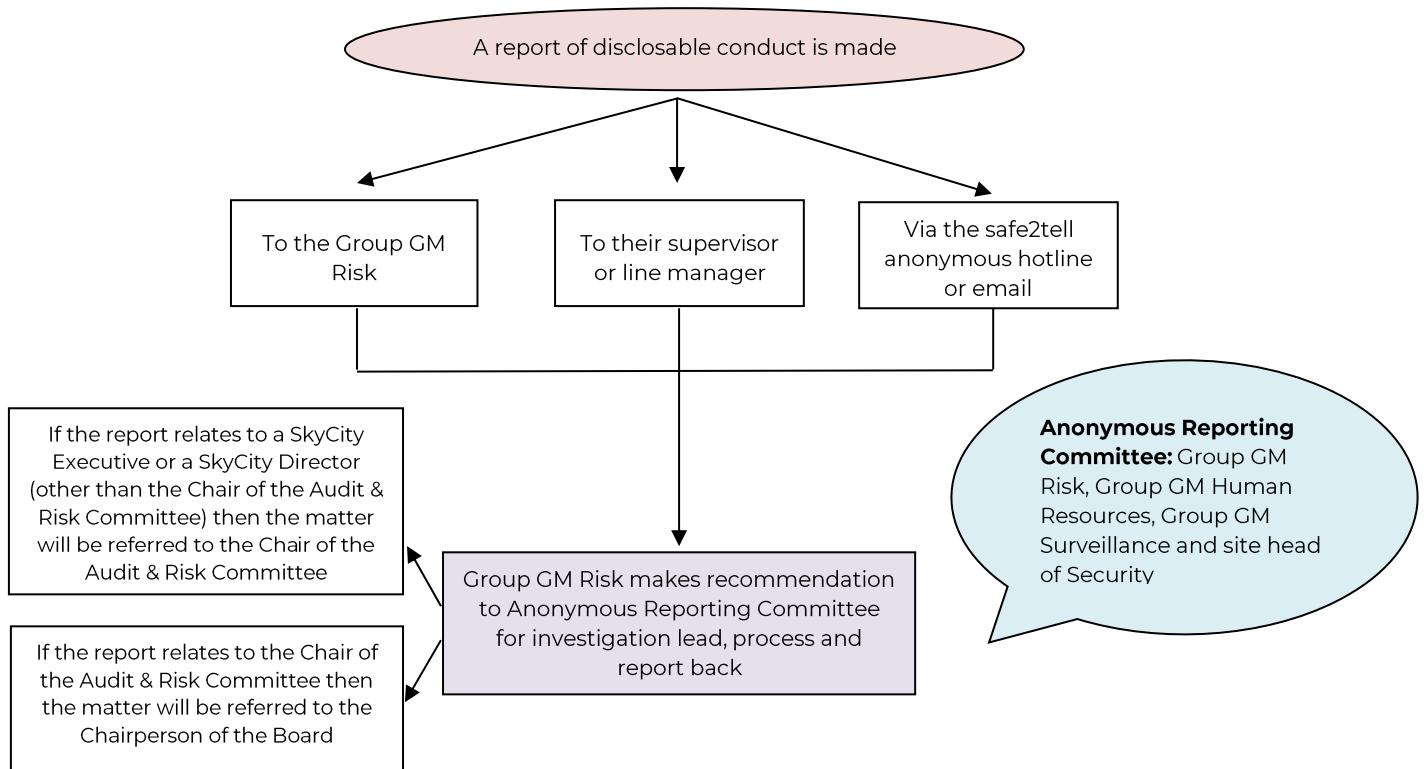
- the SkyCity Entertainment Group intranet;
- the SkyCity Entertainment Group corporate website; and
- the Group GM Risk.

Administration of this Policy This Policy will be reviewed and updated by the SkyCity legal team on an annual basis.

If you are unsure as to the application of this Policy, please contact the SkyCity Legal Team at [*AKLLegalTeam@skycity.co.nz](mailto:AKLLegalTeam@skycity.co.nz).

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Appendix One – Investigation Process



Criteria for Security to lead:

- Relating to physical theft, damage to premises or assault

Criteria for Surveillance to lead:

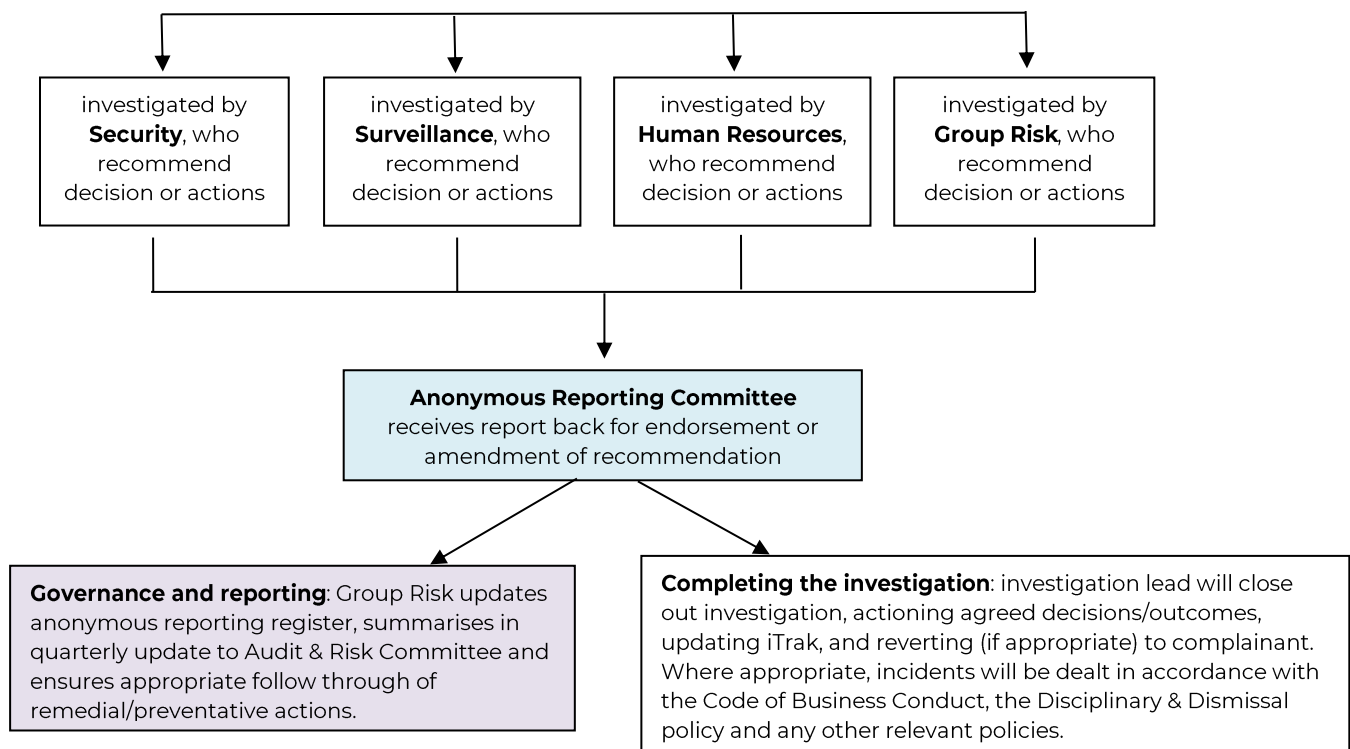
- potential for gaming fraud or patron theft

Criteria for Human Resources to lead:

- related to employee behaviour or employee contracts/legislation

Criteria for Group Risk to lead:

- significant in complexity/size
- significant financial or reputational implications



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