

# Modern Slavery Policy

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## 1. POLICY STATEMENT

TasPorts has a strong commitment to social responsibility. In formulating and delivering its business strategy, TasPorts' takes into account its responsibility to the community, environment, its people and clients.

The purpose of this policy is to:

- (a) Ensure that the goods and services purchased through TasPorts' supply and value chains are ethical and minimise or eradicate modern slavery risks;
- (b) Set out the responsibilities of TasPorts, its employees, operations and suppliers in observing and upholding TasPorts' position on modern slavery; and
- (c) Provide information and guidance to TasPorts' employees on how to recognise and deal with modern slavery issues.

This policy is endorsed by TasPorts' board and senior management, who have ultimate responsibility for its implementation and references in this policy to TasPorts include a reference to all of TasPorts' subsidiaries.

## 2. WHO IS COVERED BY THE POLICY?

This policy applies to all directors of the Board, management, staff and contractors engaged and undertaking work on behalf of TasPorts, wherever they may be located (collectively referred to as **personnel** in this policy).

This policy applies to TasPorts' operations, activities and all of its dealings with third parties whether they be private organisations, individuals or any representatives of such entities. Compliance with this policy is the responsibility of all TasPorts' personnel (irrespective of an individual's particular role or responsibilities).

TasPorts expects its suppliers to uphold the same standards and TasPorts commits to working in partnership with its suppliers to implement this Policy.

## 3. MEANING OF MODERN SLAVERY

The *Modern Slavery Act 2018* (Cth) requires all Australian entities or foreign entities carrying on business in Australia that have a consolidated revenue of \$100 million or more, to publicly report on, amongst other things, risks of modern slavery in their operations (including investments and financial lending) and supply chains.

TasPorts defines **Modern Slavery** in accordance with the definitions provided in the *Modern Slavery Act 2018* (Cth), that is, including:

- (a) Slavery (the condition of a victim over whom any or all of the powers attaching to the right of ownership are exercised, including where such a condition results from a debt or contract made by the victim);
- (b) Servitude (the condition of a victim who provides labour or services including sexual services and because of the use of coercion, threat or deception, they are not free to stop working or leave their place of work and are significantly deprived of personal freedom);
- (c) Forced labour (the condition of a victim who provides labour or services and because of the use of coercion, threat or deception, they are not free to stop working or leave their place of work);
- (d) Deceptive recruiting (the condition of a victim being deceived about whether they will be exploited through a form of modern slavery);

- (e) Forced marriage (where coercion, threats or deception are used or where the victim does not understand or is incapable of understanding the nature and effect of the marriage ceremony which causes the victim to marry without their free or full consent);
- (f) Debt bondage (the condition of a victim's services being pledged as security for a debt, the debt is manifestly excessive, the reasonable value of the victim's services are not used to liquidate the debt, or the length and nature of the victim's services are not limited and defined);
- (g) Trafficking in persons (the recruitment, transportation, transfer, harbouring or receipt of persons, by means of coercion, threat or deception, for exploitation through modern slavery); and
- (h) The worst forms of child labour including:
  - (i) Where children are exploited through slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, serfdom and forced or compulsory labour;
  - (ii) The use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;
  - (iii) The use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs;
  - (iv) Children are engaged in work which is likely to harm their "health, safety or morals";<sup>1</sup> and
  - (v) Offences relating to use of children for production of child abuse material and to the production, dissemination or possession of child abuse material.

#### 4. ETHICAL STANDARDS

TasPorts endeavours to ensure that its personnel comply with all laws related to Modern Slavery and Prohibited Business Practices when undertaking operations or activities for the corporation. TasPorts' is endeavouring to ensure that within its supply chain:

- (a) Employment is freely chosen;
- (b) Child labour is not used;
- (c) A living wage is paid to all individuals;
- (d) Individuals are not required to work excessive hours;
- (e) Entities promote a no tolerance discrimination policy; and
- (f) Workers possess freedom of association and collective bargaining.

The principle of ethical behaviour also governs the conduct of all TasPorts' procurement activities. All personnel who procure goods, services, consultancy and capital work must comply with the standards of integrity, probity, professional conduct and ethical behaviour including:

- (a) To deal fairly, impartially and consistently with all suppliers;
- (b) To protect confidential and sensitive information obtained as part of a procurement process;
- (c) To formally declare any actual, potential or perceived conflicts of interest prior to the commitment of a procurement activity (or as soon as reasonably practicable after becoming aware of the conflict) and to ensure conflicts are managed effectively (including avoiding the conflict if possible) in a fair, transparent and free from bias manner;
- (d) To examine and consider the integrity of potential suppliers, including the original source (where possible) of any products or services procured and to determine whether there are risks of any harmful labour practices or human exploitation (of any kind) based on the industry, location of the supplier or other factors; and

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<sup>1</sup> s 4 of the Modern Slavery Act 2018 (Cth); Article 3 of the ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, done at Geneva on 17 June 1999 ([2007] ATS 38).

- (e) To ensure that procurement activities are documented in such a way as to demonstrate that decisions and purchases were made in accordance with corporation's procurement policies, and all other TasPorts policies and applicable laws.

## 5. DEALINGS WITH SUPPLIERS

TasPorts' approach to modern slavery and ethical business standards, including its expectations as set out in this Policy, should be communicated in writing to all suppliers.

In addition, suppliers are required to comply with TasPorts' Supplier Code of Conduct (which is available on TasPorts' website). TasPorts also encourages its suppliers to implement their own binding guidelines for ethical behaviour.

### Prohibited Business Practices

TasPorts requires all suppliers to comply with all applicable Australian and international laws in relation to prohibited business practices, and to support internationally accepted standards, treaties and declarations in relation to prohibited business practices, including (but not limited to):

- (a) Bribery and corruption;
- (b) Money laundering;
- (c) Financing terrorism;
- (d) Breaches of labour standards, including any form of exploitation or involuntary labour and workers' rights;
- (e) Breaches of modern slavery legislation including the *Modern Slavery Act 2018* (Cth);
- (f) Breaches of workplace health and safety laws;
- (g) Violations of human rights including discrimination in all its forms;
- (h) Breaches of privacy and data protection obligations;
- (i) Violations of trade and import rules; and
- (j) Unfair competition.

### Modern Slavery

TasPorts mandates that all its suppliers follow the following requirements related to risks of modern slavery before entering into any supplier contracts.

- (a) Suppliers shall not employ children under the legal age of employment in any country or local jurisdiction. If the minimum age of employment is not defined, it shall be 15 years of age. Workers under the age of 18 shall only perform work in accordance with legal requirements (e.g. with regards to working time, wages and working conditions) and subject to any requirement regarding education or training.
- (b) Suppliers shall not use any form of forced, bonded or involuntary labour. All labour must be voluntary. Workers must be allowed to maintain control over their identification documents (e.g. passports, work permits or any other personal legal documents). Suppliers must ensure that workers do not pay fees or make any payment connected to obtaining employment throughout the hiring process and the employment period. Suppliers shall be responsible for the payment of all fees and expenses (e.g. licences and levies) relating to workers, where legally required.
- (c) Punishment and/or mental or physical coercion of workers are prohibited. Disciplinary policies and procedures shall be clearly defined, legal and communicated to workers.
- (d) Suppliers shall comply with all applicable national laws and mandatory industry standards regarding working hours, overtime, wages and benefits. Suppliers shall pay workers in a timely manner and clearly convey the basis on which workers are being paid.

- (e) Deductions from wages, as a disciplinary measure shall not be allowed. Even in jurisdictions where such disciplinary measures are legally permitted, suppliers must minimise or eliminate such practices.
- (f) A supplier's employees must be able to join, if they wish, a union/employee representation of their choice, free from threat or intimidation. Suppliers must recognise and respect the right of their employees to collectively bargain in accordance with applicable laws.
- (g) Suppliers shall promote an inclusive work environment that values the diversity of its employees. Suppliers shall not discriminate or tolerate discrimination with respect to gender, race, religion, age, disability, sexual orientation, national origin or any other characteristic protected under applicable laws.
- (h) TasPorts expects its suppliers to strive to implement the standards of workplace health and safety at a high level by applying a health and safety management approach appropriate to business. Suppliers shall comply with applicable workplace health and safety regulations and provide a work environment that is safe and conducive to good health in order to preserve the well-being of employees, safeguard third parties and prevent accidents, injuries and work-related illness. This includes regular workplace risk assessments and the implementation of adequate hazard control and precautionary measures. Suppliers must ensure that their employees are adequately educated and trained in health and safety issues.

### **Supplier's Compliance**

TasPorts reserves the right, upon reasonable notice, to check compliance with the requirements of the Supplier Code of Conduct. Any breach of the obligations stipulated in TasPorts' Supplier Code of Conduct are considered a material breach of contract by the supplier.

TasPorts requires suppliers to notify its Commercial Finance Manager of any breaches (including any pending charges) of any laws related to Modern Slavery or Prohibited Business Practices. Such notifications are deemed part of a supplier's commitment to full and frank disclosure for the protection of TasPorts' business, its people, clients and the community.

Where a TasPorts employee has concerns that a supplier's conduct may constitute modern slavery or a breach of laws related to Modern Slavery or Prohibited Business Practices, that employee must contact the General Counsel/Company Secretary.

## **6. TRAINING AND COMMUNICATION**

Training on this policy forms part of the induction process for all new personnel. All existing personnel will receive relevant training at appropriate intervals on how to implement and adhere to this policy.

## **7. WHO IS RESPONSIBLE FOR THE POLICY?**

The Board of Directors has overall responsibility for ensuring this policy complies with TasPorts' legal and ethical obligations, and that all TasPorts' personnel comply with it.

The General Counsel/Company Secretary has primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate training on it at appropriate intervals. This policy, and TasPorts' internal control systems and procedures, will be subject to regular reviews to provide assurance that they are effective in countering modern slavery.

## 8. HOW TO RAISE A CONCERN

TasPorts supports and encourages personnel to raise genuine grievances about modern slavery matters, whether identified by, or affecting them, in the workplace. The personnel and the representatives of TasPorts' suppliers are also encouraged to report any instances that suggest:

- (a) That there is a risk, both potential and actual, of modern slavery occurring in the supply chain, activities or recruitment function of TasPorts or its suppliers; and
- (b) That suppliers or third party contractors engaged by TasPorts are engaging in, potential or actual modern slavery.

If at any time you:

- (a) Have any questions about the application of this policy; or
- (b) Need guidance or assistance in a particular case,

you should in the first instance consult a member of TasPorts' legal department.

TasPorts seeks to ensure that its personnel can raise concerns without fear that their future employment prospects will be adversely affected.

If you wish to report a concern in relation to Modern Slavery, including any conduct that may be a or result in a breach of this policy, you may raise it with General Counsel/Company Secretary.

## 9. RELATED POLICIES

TasPorts has a number of policies and plans that deal with the risk, mitigation and management of modern slavery risks in its activities, operations and supply chains, including:

- (a) TasPorts' Supplier Code of Conduct, where applicable;
- (b) Whistleblower Policy;
- (c) Public Interest Disclosure Policy and Procedure;
- (d) Gifts and Benefits Policy;
- (e) Procurement Policy;
- (f) Fraud and Corruption Control Policy; and
- (g) Conflict of Interest Policy.

## 10. GUIDELINES

Set out in Schedule 1 are some practical guidelines to assist personnel in complying with this Policy. This list is indicative only and does not address all potential circumstances to which this Policy may apply.

## SCHEDULE 1 : MODERN SLAVERY GUIDELINES

Set out below are a number of guidelines to assist personnel in complying with this Policy. The list is not intended to be exhaustive and is for illustrative purposes only.

### 1. ALWAYS:

- (a) Conduct appropriate due diligence throughout the lifecycle of our engagement with a supplier to address the risks of modern slavery in connection with the supply of products or labour.
- (b) Communicate our modern slavery requirements to suppliers and ensure that, where appropriate, suppliers are required to confirm their compliance with TasPorts' Supplier Code of Conduct and the *Modern Slavery Act 2018* (Cth).
- (c) Seek to anticipate and plan in advance for new or potential circumstances where modern slavery or the risk of modern slavery may occur, for example via the introduction of new products, services or suppliers.
- (d) Acknowledge the necessity to prevent, and address the risks of, modern slavery in our business operations and supply chains when setting key performance indicators (**KPIs**) and do not penalise individuals and teams for failing to meet KPIs as a result of such compliance. For example, make sure KPIs do not promote a focus on securing the lowest possible costs and rapid delivery times from suppliers as this may inadvertently contribute to modern slavery risks.
- (e) Regularly review a supplier's compliance with the requirements of TasPorts' Supplier Code of Conduct.
- (f) Immediately report any indications of modern slavery or any concerns you have about risks of modern slavery, in TasPorts' operations and supply chain.
- (g) Ensure all actions taken in the response to any instances of modern slavery are in the best interests of the suspected victim or victims.

### 2. NEVER:

- (a) Engage in practices of modern slavery such as using forced, compulsory or involuntary labour.
- (b) Do anything to enable someone else, including a supplier, agent or representative of TasPorts, to engage in or facilitate practices of modern slavery.
- (c) Allow detrimental treatment (dismissal, disciplinary action, threats or unfavourable treatment connected with raising a concern) as a result of an employee reporting, in good faith, a suspicion that modern slavery may be taking place in any part of TasPorts or its supply chains.
- (d) Attempt to resolve a situation of modern slavery yourself.

### 3. BE CAUTIOUS OF:

- (a) Processes that promote a 'tick box' approach to compliance in lieu of continuous improvement in the management of modern slavery risks.
- (b) High risk procurement and recruitment practices, such as engagement with indirect suppliers, employment agencies and sub-contracting arrangements.
- (c) High risk indicators of modern slavery in connection with supply, including but not limited to:
  - (i) The industry (i.e. frequent use of unskilled, short-term or temporary labour);
  - (ii) The product or service (i.e. materials reported to involve a risk of labour exploitation);
  - (iii) Geography (i.e. goods are made or labour is sourced in a country where there is a risk of labour exploitation); and
  - (iv) The entity (i.e. an entity has been previously reported as noncompliant with labour standards).

- (d) Background information about existing or potential suppliers and their representatives that may indicate the prevalence of improper practices, such as information from international organisations and NGOs regarding human rights and unethical business practices and information related to their reputation, beneficial ownership and qualifications.