

# Whistleblowing Policy

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| Approved date | 28 August 2023 |
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## 1. POLICY STATEMENT

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This policy sets out the process for raising concerns about actual, suspected or anticipated wrongdoings within Meridian Energy Limited and its subsidiaries (“*Meridian Group*”).<sup>1</sup> It sets out what a wrongdoing is, who those wrongdoings can be reported to and how Meridian will address such wrongdoings. Meridian is committed to complying with the laws and practices that protect the rights of people who raise concerns about wrongdoings in or by Meridian, including the Protected Disclosures (Protection of Whistleblowers) Act 2021.

## 2. PURPOSE OF THIS POLICY

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The purpose of the policy is to:

- make Meridian Persons (as defined in section 3 below) feel confident about raising concerns regarding actual, suspected or anticipated wrongdoings within the Meridian Group, by offering a reporting and investigation mechanism that protects a person making a disclosure from reprisal or disadvantage. The policy provides protection to Meridian Persons that disclose a wrongdoing as well as Meridian Persons who disclose information in support of, or relating to, a disclosure.
- provide an avenue for Meridian Persons (as defined in section 3 below) to raise these concerns and receive feedback on any actions taken; and
- reassure Meridian Persons that they will be protected from possible reprisals or victimisation if their allegation is made in good faith.

## 3. SCOPE AND FIT

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This is a Corporate Group Policy. It applies to all directors and employees (including any secondees, contractors or consultants) of the Meridian Group (“*Meridian Persons*”).

## 4. POLICY DETAIL

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### 4.1 REPORTING CONCERNS

Each Meridian Person must use good judgement to enhance trust, respect and the reputation of Meridian, including taking action to prevent the occurrence of a wrongdoing.

To the extent that any Meridian Person becomes aware of any activities of wrongdoing, they should follow the process set out in this policy.

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<sup>1</sup> Excluding Flux Federation Limited which has its own Whistleblowing Policy.

### ***Reporting within Meridian Group***

If you want to make a disclosure about a wrongdoing or provide information in support of a disclosed wrongdoing, you can report it to any of the following Meridian staff:

- your People Manager;
- Chief People Officer;
- General Counsel or a member of the Legal Team;
- Chief Financial Officer; or
- Chief Executive.

If you want to make a disclosure about a wrongdoing involving the Chief Executive, you can also report it to the Chair of the Meridian Board or the Chair of Meridian's Audit and Risk Committee.

You may make a disclosure at any time in person, by email, call or post.

If you make a disclosure from or to a Meridian email address, your email may be accessed by certain people within our IT department in accordance with Meridian's other policies. If you are concerned about those limited circumstances in which your email might be accessed, you may prefer to make your disclosure verbally or by mail.

For the purposes of this policy, a "wrongdoing" includes:

- any unethical or inappropriate behaviour (including but not limited to physical, verbal or sexual harassment, workplace bullying, discrimination, manipulation or falsification);
- fraudulent or any other illegal behaviour;
- corrupt conduct;
- unsafe work practices;
- conduct involving substantial or serious risk to public health or safety;
- conduct involving substantial or serious risk to the environment;
- a substantial mismanagement of Meridian or the wider Meridian Group's resources; or
- any other conduct that could cause loss to the Meridian Group or become detrimental to the Meridian Group.

### ***Reporting to an external organisation***

You may also report a "serious wrongdoing" to an appropriate external authority at any time, whether or not you have also made a disclosure to Meridian staff.

An appropriate external authority will depend on the type of serious wrongdoing to be reported, but could include the Ombudsmen, Human Rights Commission, Worksafe New Zealand or the Privacy Commissioner. See the Schedule 2 of the Protected Disclosures (Protection of Whistleblowers) Act for a full list of external authorities.

For the purposes of this policy, a "serious wrongdoing" includes:

- conduct that poses a serious risk to the health and safety of an individual, the public or the environment;
- conduct that poses a serious risk to the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial; or
- an offence.

## 4.2 INFORMATION TO PROVIDE

It is helpful if you are able to provide some or all of the following information when you are reporting a wrongdoing or providing information in support of a disclosed wrongdoing as this will assist in any investigation. However, it is more important that a concern is raised even if not all details are provided.

Information that is helpful to provide as part of your reporting of any serious wrongdoing includes:

- Nature of the wrongdoing;
- Any background to the wrongdoing including dates and history of the issue;
- Why you believe the allegation of wrongdoing is true (relying on facts rather than speculation if possible); and
- Any supporting information you may have.

Be aware that the earlier you report a concern, the easier it may be to take action.

## 4.3 ANONYMITY AND CONFIDENTIALITY

You have the right to report an allegation of wrongdoing anonymously. Meridian is committed to protecting Meridian Persons in making genuine disclosures and all reasonable efforts will be made to ensure that anonymous disclosures remain anonymous. Anonymity cannot be guaranteed in limited circumstances (e.g. court orders).

Meridian Persons wishing to report a wrongdoing should be aware that it will be more difficult to investigate and take action in relation to wrongdoing that is reported anonymously. Meridian encourages individuals to put their name to concerns which they raise in case additional information is required further into the investigation. You will be given support if required.

Meridian Persons who make a disclosure about a wrongdoing must at all times keep the information disclosed confidential between themselves and the person to whom they have disclosed the information.

Any information you disclose will be treated confidentially and only shared to the extent necessary to allow the person to whom the disclosure was made or the Chief Executive (as applicable) to conduct a fair and thorough investigation, and to take any remedial action, in accordance with applicable laws.

All Meridian Persons have a duty to cooperate, as required, in the investigation of reports of any potential discrimination, retaliation, threats or harassment resulting from the reporting or investigation of any wrongdoing. However, you may refuse to answer questions that you feel may reveal your identity at any time.

## 4.4 INVESTIGATION PROCESS

All whistleblowing disclosures will be treated seriously and addressed promptly and discretely (as far as is reasonably possible). Investigation processes will vary depending on the nature of the conduct reported. All investigations must be conducted in a manner that is fair, objective and affords natural justice to all people involved.

Within 20 working days of receipt of the disclosure, the applicable person(s) to whom the disclosure was made must examine seriously the allegations of wrongdoing and decide whether a full investigation is warranted. The disclosure and the evidence provided will be considered in an unbiased and fair manner. A full investigation will generally be warranted unless, for example, the allegation is frivolous or vexatious or does not concern matters that are wrongdoings under this policy. At the end of the 20 working days, the person to whom the

disclosure was made, or the Chief Executive as applicable, will report back to you to advise the outcome of their examination and their decision whether or not to fully investigate the matter, including the reasons for that decision.

If warranted, a full investigation will be undertaken by the Chief Executive or their nominee (or in relation to wrongdoing involving the Chief Executive that is reported to the Chair of the Meridian Board or the Chair of Meridian's Audit and Risk Committee, by the Chair of the Meridian Board or the Chair of Meridian's Audit and Risk Committee) as soon as practicably possible.

Those accused of the wrongdoing will have the right to answer the allegation. If you made the allegation other than anonymously, you will also have the right to be heard during the investigation and to be kept informed of progress as appropriate.

Prompt and appropriate corrective action will be taken as determined by the investigator.

If an allegation is made in good faith by a Meridian Person but is not confirmed by the investigation, no action will be taken against the Meridian Person.

If you have concerns with the way the investigation is progressing or the outcome of an investigation there are avenues for you to raise your concerns with an appropriate authority, (such as to the Human Rights Commission, Worksafe New Zealand or the Privacy Commissioner, depending on the nature of the wrongdoing). For more information visit the [Office of the Ombudsman website](#).

#### 4.5 NON-RETALIATION

It is in Meridian's best interests that Meridian Persons report wrongdoings. Meridian will not tolerate any behaviour that discourages someone from reporting a wrongdoing or is seen as retaliation or victimisation to a reported wrongdoing.

Allegations of wrongdoings should be made in good faith and not be vexatious or frivolous or without good reason.

You will not face disciplinary actions or be disadvantaged on the grounds that you have reported a wrongdoing in good faith.

## 5. POLICY INFORMATION TABLE

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| <b>Name</b>                                   | Whistleblowing Policy |
| <b>Owner</b>                                  | General Counsel       |
| <b>Last Approval Date</b>                     | 28 August 2023        |
| <b>Review Frequency</b>                       | Annual                |
| <b>Next Review Date</b>                       | August 2024           |
| <b>Linked Policies, Guidelines, Processes</b> | Code of Conduct       |