

# CFAO SOUTH AFRICA GROUP POLICY

## Whistle Blowing Policy

### Article 1 (Purpose)

CFAO SA Group is committed to the observance of all applicable laws, rules and regulations, and the purpose of this Whistleblowing Policy is to ensure compliance with rigorous standards of corporate ethics, and to operate within the relevant legal framework pertaining to “Whistleblowing” in South Africa. It further provides a channel for CFAO SA Group employees and 3<sup>rd</sup> parties to report concerns about contraventions of legislation to which the company is subject to; also misconduct, unethical or illegal activities or actions that violate the core principles of our Global Code of Conduct and Ethics (“COCE”).

### Article 2 (Definitions)

2.1) “**CFAO SA Group**” or “we” or “us” means CFAO Holdings SA (Pty) Ltd, and its direct and indirect subsidiaries.

2.2) A “**Whistleblower**” is a person who reports information about an activity within a private, public, or government organization that is deemed illegal, illicit, unsafe, wasteful, or fraudulent.

2.3) **Whistle Blowers (Pty) Ltd** (“Whistle Blowers”) is the independent service provider contracted by CFAO SA Group to administer their external Whistleblowing system through a multi-channel ethics hotline service.

### Article 3 (Scope)

3.1) Whistleblowing in South Africa is primarily regulated via **The Protected Disclosures Act 26 of 2000 (“the PDA”)**, also known as the “Whistleblowing Act”. The PDA intends to:

- make provisions for procedures in terms of which employees in both the private and the public sector may disclose information regarding unlawful or irregular conduct by their employers or other employees in the employ of their employers;
- to provide for protection of employees who make a disclosure which is protected in terms of this Act; &
- to provide for matters connected therewith.

3.2) The Act further requires that any person or body to whom a protected disclosure has been made, subject to **subsection (3), ‘duty to inform Employee or Worker’**, must as soon as reasonably possible, but in any event within 21 days after the protected disclosure has been made,

- decide whether to investigate or not, and
- to in writing, acknowledge receipt of the disclosure by informing the employee or worker of (i) the decision to investigate further or not, (ii) not to investigate the matter and the reasons for such decision, or (iii) to refer the disclosure to another person or body.

3.3) The person or body, referred to in subsection (3.2) above, must, at the conclusion of an investigation, inform the employee or worker of the outcome thereof.

3.4) The person or body, referred to in subsection (3.2) does not have to comply with subsection (3.2) above if the identity and contact details of the employee or worker who has made the disclosure is unknown; or if it is necessary to avoid prejudice to the prevention, detection or investigation of a criminal offence.



#### Article 4 (Obligation of the Employee)

Employees are obliged to promptly report any breach of this Policy or violations of law to which the company is subject to; also misconduct, unethical or illegal activities or actions that violate the core principles of our Global Code of Conduct and Ethics (“COCE”). Further to this,

4.1) It is **strictly prohibited** to make a fictitious or misleading Report.

4.2) The Employee shall exercise *reasonable care* to ensure there are valid grounds for believing that such disclosed information constitutes evidence of serious misconduct or violation of law by the Employer or Employees of the Employer

4.3) Employees are encouraged to not use Whistle Blowers to report on *grievances* in terms of their Rights under the Basic Conditions of Employment Act, Labour relations Act or Employment Equity Act. Such grievances should be lodged with Human Resources or Employee Representatives via the company’s *grievance procedure*.

#### Article 5 (How to make a report)

Whistleblowing Reports can be made to Whistle Blowers via the following ethics hotline channels:

5.1) Hotline telephone number **0800 007 093**

5.2) Online report via [www.whistleblowing.co.za](http://www.whistleblowing.co.za)

5.3) Via SMS **33490** where they will call you back

5.4) Via EMAIL at [cfao@whistleblowing.co.za](mailto:cfao@whistleblowing.co.za)

#### Article 6 (Persons in charge of reports (“PIC”))

6.1) A Report made to Whistle Blowers, will primarily be handled by the Head of Compliance for CFAO SA Group, once the Report is processed and sent by Whistle Blowers. Should the Report implicate or involve the Head of Compliance, then the Report is sent by Whistle Blowers to the Chief Financial Officer (CFO) and Chief Executive Officer (CEO) of CFAO SA Group, with care to not include the Head of Compliance.

#### Article 7 (Investigation & confidentiality)

7.1) The Person in charge of investigating a Report must proceed without unnecessary delay and observe Article (3.2), (3.3) & (3.4) above;

7.2) The Person in charge has an obligation to treat all information in a confidential and sensitive manner;

7.3) Notwithstanding sub-Article (7.2) above, the Person in charge may appoint an investigator to assist in the investigation and may disclose information from the Report, to the extent indispensable for the investigation purposes or as legally required to disclose to the authorities.

7.4) Any Director, Company Officer, Shareholder or Employee of CFAO SA Group, who obtains information related to the report during the course, and for the purpose of an investigation, shall have the same degree of confidential obligation and sensitivity as provided above.

7.5) Any Director, Company Officer, Shareholder or Employee of CFAO SA Group, including the Reporter, are obliged to cooperate with the Person in charge during an investigation into the Report.



### Article 8 (Prohibited Actions)

8.1) Any Director, Company Officer, Shareholder or Employee of CFAO SA Group, including the Reporter, is prohibited from obstructing the investigation, including to conceal, falsify or damage any information relating to the Report. Any offending person(s) may be subject to the company's Disciplinary code.

8.2) Any action, utterance or insinuation that has the effect of deterring Whistleblowers from reporting information in terms of this Policy is prohibited, as this may increase the risk and potential for CFAO SA Group to suffer harm or damages of a reputational, legal and financial nature.

8.3) Given the importance of this Policy, and the legal obligation to provide employees with effective methods to report unethical conduct, any deterrence of whistleblowing constitutes a disciplinary offence and offending person(s) may be subject to the company's Disciplinary code.

### Article 9 (Protection of the Whistleblower)

It is an obligation on all those who hold positions of influence over others to promote confidence in this Whistleblowing Policy and to refrain from casting doubt on the integrity with which reports of wrongdoing will be handled, either by the employer or by Whistle Blowers. **It is strictly prohibited** in CFAO SA Group to harass, intimidate or to take any retaliatory action whatsoever, against the Reporter, who in good faith, makes a Report. Any act of retaliation constitutes a disciplinary offence and such person may also be prosecuted in terms of the Whistleblowing legislative framework within South Africa.

### Article 10 (Notice of outcome)

Once an investigation is completed, the Person in charge will be required to notify the Reporter of the outcome, pursuant to the obligations of subsection (3) of The Protected Disclosures Act 26 of 2000, 'duty to inform Employee or Worker'.

### Article 11 (Correction and Preventive Measures)

11.1) Depending on the nature of the violation of law or principle(s) of COCE, or as a result of the investigation itself, the offending person(s) may be subject to the company's Disciplinary code.

11.2) CFAO SA Group undertakes to then make recommendations to correct the wrongdoing and ensure the proper implementation of such recommendations.

### Article 12 (Department in Charge)

Department in charge of this Policy is Compliance.

### Article 13 (Effective Date)

This Policy comes into effect as of 21 September 2021.

### Article 14 (Revision or Abolition)

This Policy may be revised or abolished with approval of CFAO SA Group Executive committee.

