



Newcastle Coal
INFRASTRUCTURE GROUP

Code of Conduct

Policy



DOCUMENT NO:	PCUL.POL.05.02
NEXT REVIEW DATE:	31-10-2025
REVIEW FREQUENCY:	3 years
DOCUMENT OWNER:	Lauren Ross
DOCUMENT APPROVER:	Chief Executive Officer

TABLE OF CONTENTS

1.	PURPOSE	2
2.	SCOPE	2
3.	DEFINITIONS	2
4.	ROLES AND RESPONSIBILITIES	2
	4.1 Executive Leadership Team	2
	4.2 People and Culture	2
	4.3 Leaders.....	2
	4.4 Employee	3
5.	NCIG CHARTER	3
	5.1 NCIG Vision, Mission, and Values	3
	5.2 Objectives	3
6.	INDIVIDUAL OBLIGATIONS	3
	6.1 Expected Behaviours	3
	6.2 Unacceptable behaviours	4
	6.3 Whistleblowing	4
	6.4 Modern Slavery.....	4
	6.5 Anti-Corruption.....	4
7.	SOCIAL MEDIA CONSIDERATIONS	5
8.	NCIG’S RESOURCES AND ASSETS	5
9.	PERSONAL CONFLICTS OF INTEREST	5
10.	HEALTH AND SAFETY	6
11.	FITNESS FOR WORK	6
12.	NON-SMOKING/VAPING SITE	6
13.	EQUAL EMPLOYMENT OPPORTUNITY	6
14.	ANTI-DISCRIMINATION, BULLYING AND HARASSMENT	6
15.	GIFTS AND ENTERTAINMENT	7
16.	CONFIDENTIAL INFORMATION	7
17.	INTELLECTUAL PROPERTY	7
18.	PRIVACY	7
19.	BREACHES OF THIS CODE OF CONDUCT	7
20.	REFERENCES	8
21.	REVISION HISTORY	9
22.	APPENDIX 1 - NCIG VISION, MISSION AND VALUES	10

1. PURPOSE

Newcastle Coal Infrastructure Group Pty Ltd ('NCIG') is an organisation built on people who work together as a team and are committed to continually improving our business as a valued partner in the coal industry and the community in which we operate. The Code of Conduct outlines the way we work at NCIG. The values outlined in the NCIG Charter form the foundation of the Code of Conduct.

The NCIG Code of Conduct is underpinned by a full set of policies and procedures which cover the behaviour and standards of, and the way we work at, NCIG. Please see section 20 "References" for a list of these policies and procedures.

2. SCOPE

The NCIG Code of Conduct applies to employees, directors, and other officers of NCIG. The NCIG Code of Conduct also applies to all others who work for, act on behalf of or represent NCIG, including contractors, agents, and consultants.

This Policy does not form part of employees' contracts of employment with NCIG and it is not intended to be contractual in nature however where this Policy places obligations on you, you must comply. Section 19 "Breaches of this Code of Conduct" contains provisions regarding non-compliance.

3. DEFINITIONS

The terms "employees" and "you" throughout the Code of Conduct refer to all who must comply with the Code of Conduct.

4. ROLES AND RESPONSIBILITIES

4.1 Executive Leadership Team

- Present the Code of Conduct Policy to NCIG Board of Directors for approval;
- Actively promote and support the implementation of the Policy;
- Monitor the effective implementation of this Policy; and
- Address and/or report improper conduct.

4.2 People and Culture

- Update this Policy in line with review dates;
- Ensure that this Policy is aligned with relevant NCIG policies and values;
- Ensure this Policy meets legislative requirements;
- Ensure this Policy is aligned with relevant NCIG Policies and kept up to date with relevant industry best practice;
- Monitor the effective implementation of this Policy;
- Disperse this Policy to all workers and encourage questions and feedback;
- Communicate the policy with new employees as part of their on-boarding process
- Ensure the Policy is accessible to all employees and other individuals who this Policy applies to;
- Ensure the requirements of this Policy are adhered to by all individuals; and
- Address and/or report improper conduct.

4.3 Leaders

- Ensure this Policy is communicated with their teams;
- Actively promote and support the implementation of this Policy;
- Ensure the requirements of this policy are adhered to by all individuals; and
- Address and/or report improper conduct.

4.4 Employee

- Comply with obligations as outlined in this Policy; and
- Address and/or report improper conduct.

5. NCIG CHARTER

NCIG is committed to involving employees in the development and formation of the NCIG Charter, including its Vision, Mission, and Values. Employees will continue to be involved with the review of these documents.

5.1 NCIG Vision, Mission, and Values

Refer to appendix 1.

5.2 Objectives

We will deliver value to our shareholders, customers, and employees by focussing on the following objectives:

- **Safety** – achieving an injury free workplace where everyone is committed to working safely and to the safety of others
- **People** – continuing to foster an environment where people make a real and worthwhile contribution to their team and to the achievement of our business objectives
- **Customer Focus** – contributing to our customers' long-term viability by developing our business through being adaptive and flexible to their needs and by providing an internationally recognised, reliable terminal
- **Operating and Engineering Excellence** – providing a reliable cost-effective operation
- **Environment** – maintaining a positive community image by complying with our environmental obligations and actively supporting selected community projects.

6. INDIVIDUAL OBLIGATIONS

6.1 Expected Behaviours

You must always:

- Conduct yourself in accordance with the NCIG Charter, values, mission, identity, working behaviours and other applicable policies and procedures
- Demonstrate NCIG values
- Act in NCIG's best interests
- Ensure that you do not bring NCIG into disrepute
- Devote your whole time, attention, and ability to the business of NCIG while at work
- Comply with all NCIG's policies, procedures and practices as varied from time to time
- Act with honesty and integrity
- Treat everyone with respect and dignity
- Foster and promote a work environment and culture that is free from discrimination, bullying, harassment (including sexual harassment), victimisation and other inappropriate and unacceptable behaviour (see sections 6.2, 13 and 14 below)
- Take reasonable care for your own safety and health at work and at work-related activities and events
- Avoid adversely affecting the safety and health of others at work and at work-related activities and events
- Be responsible and accountable for your actions
- Ensure that you do not solicit or accept a gift, payment, or incentive from a third party that
- may compromise your decisions or judgement, or that may be perceived as compromising your decisions or judgement

- Follow all instructions, undertake any recommended inductions and training and comply with safe working procedures, including in relation to equipment, established by NCIG to protect your health and safety and the health and safety of others
- Abide by applicable laws and regulations
- Hold and remain eligible to hold a driver's licence, Maritime Security Identification Card or other relevant operating licences, qualifications, certificates and permits where these are required to fulfil the requirements of your position. You must notify NCIG immediately if any such qualifications are cancelled, revoked or are no longer valid. If required by NCIG, you must provide current copies of all necessary qualifications to NCIG.

6.2 Unacceptable behaviours

Employees must not engage in unacceptable behaviour. Unacceptable behaviour includes, but is not limited to:

- Verbal or written abuse, physical abuse, or assault
- Discrimination, harassment (including sexual harassment), bullying or victimisation
- Threatening or intimidating behaviour
- Damage to, theft or attempted theft of NCIG property
- Improper conduct or improper, illegal, or negligent professional behaviour
- Being affected by alcohol or other drugs while at work
- Behaviour which puts your health and safety, and the health and safety of others, at risk
- Exploiting another person for commercial gain
- Failure to comply with any NCIG policy

Refer also to section 14 of this Code of Conduct and NCIG's Respectful Workplace Policy for further information on unacceptable behaviour.

6.3 Whistleblowing

NCIG is committed to maintaining an open working environment in which, employees and other persons can report instances of improper conduct without fear of intimidation or reprisal. The NCIG Whistle-blower Policy supports NCIG's company values and Code of Conduct and specifically deals with the protection of the Whistle-blower.

Refer to NCIG's Whistle-blower Policy for further information.

6.4 Modern Slavery

NCIG is committed to acting ethically and with integrity in our all of our business dealings and relationships. This includes implementing and enforcing effective systems and controls to ensure modern slavery is not taking place within any part of our business and taking appropriate steps to reduce and mitigate the impacts of modern slavery within any of our global supply chains. NCIG is committed to compliance with all relevant requirements of the modern slavery laws and aims to act consistently with other international human rights principles, guidelines and standards. The NCIG Modern Slavery Policy aligns with NCIG's Code of Conduct and Whistle-blower Policy.

Refer to NCIG's Modern Slavery Policy for further information.

6.5 Anti-Corruption

NCIG is committed to conducting business in compliance with the law, including all applicable anticorruption and anti-bribery laws. In addition, NCIG strives to maintain high ethical standards and integrity in all business dealings. To fulfil these objectives, NCIG has adopted policies that apply to its employees. Employees must never offer or promise any personal or improper financial or other advantage in order to obtain or retain a business or other advantage from a third party. Nor may any employee accept any such advantage in return for any preferential treatment of a third party. The Anti-Corruption Policy outlines the rules of engagement with Business Partners, Government Officials and any other business or individuals. The Anti-Corruption policy supplements and does not replace, the Code of Conduct, or any other policy applicable to NCIG.

Refer to NCIG's Anti-Corruption Policy for further information.

7. SOCIAL MEDIA CONSIDERATIONS

NCIG considers posts and publications on all forms of social media to be in the public domain and as such are not to be used to make comments about NCIG, its shareholders, operation, or performance, or to represent NCIG on any subject without prior written permission from NCIG. Any approval given is subject to the NCIG Code of Conduct Policy and the Social Media Policy.

This Policy applies to any participation in social media forums when using:

- NCIG's electronic resources and IT facilities during and outside of work hours
- Personal IT facilities or devices during and outside of work hours
- Social media at work or outside of work where your personal use has a connection to NCIG, its employees or shareholders, or may bring NCIG in disrepute.

For the purposes of this Policy, "social media" includes, but is not limited to:

- Social networking sites, e.g. Facebook, Instagram, LinkedIn
- Video and photo sharing websites, e.g. Flickr, Youtube, TikTok, Tumblr
- Weblogs, including corporate blogs and personal blogs
- Micro-blogging sites, e.g. Twitter, Pinnit
- Forums and discussion boards, e.g. Yahoo! Groups, Google Groups
- Online encyclopedias, e.g. Wikipedia
- Comments on online news or media stories
- Any other websites as developed from time to time, including those that allow individual users of companies to use simple publishing tools.

Refer also to NCIG's Internet, Email and Mobile Phone Policy for further information.

8. NCIG'S RESOURCES AND ASSETS

You must at all times use NCIG's resources (including communication and information technology systems and electronic resources such as Internet and email) and premises responsibly and in the best interests of NCIG. NCIG monitors the use of these facilities and resources, and you must take all necessary steps to ensure that:

- NCIG's resources and assets, including funds, equipment, and information, are protected
- NCIG's resources and assets, including funds, equipment, and information, are used only for the purpose for which they were intended to be used and are used in accordance NCIG policies and procedures.

Access to inappropriate internet sites and the use of email to store or distribute offensive material is prohibited. Refer also to NCIG's Internet, Email and Mobile Phone Policy for further information.

9. PERSONAL CONFLICTS OF INTEREST

You must not place yourself in a situation which could result in a conflict of interest or potential conflict of interest. A conflict of interest occurs when personal interests of an employee, or related party, compete with the interests of NCIG. In such a situation, it can be difficult to act fully in the best interests of NCIG. Except with the prior written consent of the CEO, you must not during your employment:

- Undertake any other trade, business, or profession
- Become an employee, agent or contractor of another person or business.
- Have any direct or indirect financial interest in any entity or body that would be in conflict with your duties or responsibilities as an employee
- Hold any directorship or other office or accept any appointment to any entity or body (other than a related body corporate of NCIG).

If a conflict of interest arises or may arise, you must promptly disclose this in writing to your manager, for it to be considered by the CEO.

10. HEALTH AND SAFETY

A key NCIG value is our overriding commitment to health and safety. We care for the health, safety and wellbeing of our employees. Safe operations depend not only on technically sound plant and equipment, but also on every person working for NCIG (in any capacity) taking steps to prevent workplace related injuries and illnesses. Employees have a responsibility for protecting their own safety and the safety of others at work and at work-related events and activities.

Refer also to NCIG's Sustainable Development Management Plan and associated HSEC procedures.

11. FITNESS FOR WORK

You must comply with NCIG's Fitness for Work policy. This includes reporting to work and work-related events and activities, fit and ready to carry out assigned work, unaffected by drugs and/or alcohol. NCIG will conduct drug and alcohol testing as required from time to time and in accordance with NCIG's Fitness for Work policy. This includes urine testing, and may be conducted on a random, post incident, for cause or another basis.

NCIG may direct you to attend an Independent Medical Examination (at NCIG's cost) in circumstances where there is reasonable cause to believe you are unfit for work due to illness or injury. NCIG may obtain and use the results of these examinations for any purpose relating to your employment.

Refer also to NCIG's Fitness for Work Procedure and Fatigue Management Procedure.

12. NON-SMOKING/VAPING SITE

NCIG operations is a smoke-free site. Smoking and vaping are not permitted while at work and on NCIG's premises.

13. EQUAL EMPLOYMENT OPPORTUNITY

NCIG strives to create an environment in which employees can realise their full potential. NCIG is an equal opportunity employer and believes employees should be given "a fair go".

Equal employment opportunity refers to employment practices that are designed to allow existing employees to perform work without reference to or consideration of any individual characteristics (including but not limited to sex, race, or caring responsibilities, or any other characteristic protected by federal, state or local law) and for potential and existing employees to compete on their merits for employment, promotions, and opportunities for progression, without reference to individual characteristics.

Refer to NCIG's Diversity, Inclusion and Equity Policy and Respectful Workplace Policies for further information.

14. ANTI-DISCRIMINATION, BULLYING AND HARASSMENT

Employees and all other persons who work for NCIG in any capacity must treat all people with courtesy and respect. Discrimination, harassment (including sexual harassment), bullying and victimisation are serious workplace issues. NCIG does not tolerate any form of discrimination, harassment, bullying or victimisation and promotes a working environment free of such behaviours.

Examples of conduct that will not be tolerated include but are not limited to sexual, sexist, or racist comments, offensive jokes or gestures, sexually suggestive pictures, email, or voice messages, sexual advances, comments or conduct of a sexual nature and bullying. Pornographic material in any form is not permitted in our workplace. Employees must not discriminate against anyone on the basis of gender, marital status, sexuality, disability, age, pregnancy, race, ethnicity, political or religious beliefs or any other characteristic protected by federal, state or local law.

Refer to NCIG's Diversity, Inclusion and Equity Policy and Respectful Workplace Policy for further information.

15. GIFTS AND ENTERTAINMENT

It is NCIG's policy to not accept gifts, and only to accept entertainment in limited reasonable circumstances, as prescribed in the NCIG Gift and Entertainment Policy.

Refer to NCIG's Gifts and Entertainment Policy for further information.

16. CONFIDENTIAL INFORMATION

"Confidential information" is a valuable business asset and includes all information (whether or not it is described as confidential and whenever acquired) in any form or medium concerning any past, present or future business, operations, or affairs of NCIG (or any customer of NCIG) that has not been disclosed to the public.

You must not use, disclose, or copy confidential information in any form or in any manner except for the purpose of and to the extent necessary to perform your employment duties. You must also use your best endeavours including keeping such information in a safe place and implementing adequate security measures, to ensure that third parties do not use, disclose, or copy confidential information without authorisation.

These obligations do not apply if the CEO has agreed in writing to the specific disclosure or use or copying of confidential information, or where disclosure of specific confidential information is required to comply with any applicable law.

Your obligations to maintain the confidentiality of NCIG's confidential information continue after your employment ends.

17. INTELLECTUAL PROPERTY

NCIG owns the intellectual property rights to anything you create or develop during your employment with NCIG e.g. any systems or processes. Any Moral Rights assigned to the material will continue to belong to you, unless agreed to otherwise in writing.

When creating materials, employees must ensure that the intellectual property rights of others are not infringed. Any third-party copyright or other rights information must be recorded in the materials and Moral Rights must be acknowledged.

18. PRIVACY

NCIG will collect personal information about you during your employment. You consent to NCIG collecting, using, storing and disclosing your personal information for any lawful purpose relating to your employment or the conduct of NCIG's business.

Refer to NCIG's Privacy Policy and Procedure for further information.

19. BREACHES OF THIS CODE OF CONDUCT

NCIG takes its commitment to the NCIG Charter and NCIG's Code of Conduct seriously. If you breach the Code of Conduct, you may be subject to disciplinary action, up to and including termination of employment.

Employees in supervisory and managerial roles must not approve or allow conduct which is in breach of this Code of Conduct. If this occurs, disciplinary action may also be taken against the supervisor or manager.

If you become aware of conduct which breaches or is suspected to have breached this Code of Conduct, you must immediately report the conduct to your manager. Where appropriate, reports may be made on a confidential basis.

20. REFERENCES

- NCIG Whistle-blower Policy
- NCIG Anti-Corruption Policy
- NCIG Modern Slavery Policy
- NCIG Social Media Policy
- NCIG Privacy Policy and Procedure
- NCIG Internet, Email and Mobile Phone Policy
- NCIG Sustainable Development Management Plan
- NCIG Fitness for Work Procedure
- NCIG Fatigue Management Procedure
- NCIG Diversity, Inclusion and Equity Policy
- NCIG Respectful Workplace Policy
- NCIG Gifts and Entertainment Policy
- NCIG Policies and Procedures references are available on TREV (SharePoint)

21. REVISION HISTORY

DATE	REVISION NO.	DESCRIPTION OF CHANGE	PERSONS INVOLVED
May 2009	1	Initial NCIG Document	J Thomas
Jul 2009	2	Reviewed with Technicians	J Thomas, Technicians
Jan 2011	3	Whistle Blowing details added	J Thomas
Sept 2011	6	Review and Approval	GMT, Project Director, CEO Consultative Committee
April 2013	7	New Section 5 inserted – social media	A Fry, J Thomas
Aug 2014	8	Review; Whistle Blowing details changed and addition of Anti-Corruption	J Thomas, D Dickson, A Johansen
Oct 2016	9	Review; Updated Mission, Vision and Values	C Samuels
June 2018	10	Updated to include reference to Equity and Diversity and Respectful Workplace Policies.	C Samuels
Sept 2018	11	Update for Board to be approver and inclusion of text regarding individual obligations.	C Samuels
Aug 2020	12	General review, no content changes. New policy format.	L Ross
Sept 2020	13	Review & Approval	ARC & Board
Nov 2022	14	Legal & compliance review & update. Addition of reference to Modern Slavery References. Presentation to NCIG Board for approval	L. Ross N. Payne Ashurst

22. APPENDIX 1 - NCIG VISION, MISSION AND VALUES

