



Constitution (Corporate Policies) Instrument 2022

Compilation No. 1

Compilation date:	3 May 2024
Includes amendments up to:	Act 4, 2024
Registered:	21 May 2024

Prepared by the Office of Company Secretary, Urabbapolis
Enactorate of Urabbaparcensia Proprietary Limited ACN 159 318 859

About this compilation

This compilation

This is a compilation of the *Constitution (Corporate Policies) Instrument 2022* as made and in force on 3 May 2024 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending law and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified.

Self repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

Contents

Part 1—Preliminary	1
1 Name	1
2 Commencement	1
3 Authority	1
4 Definitions	1
Part 2—The corporate policies	3
5 Corporate policies	3
6 Power of Minister to update policy and contact information	3
7 Compilation information	3
Schedule 1—Corporate policies	5
Policy 1—Privacy Policy	6
1. Purpose	7
2. Scope	7
3. Availability of this Policy to the public	7
4. Definitions used in this Policy	8
5. Why we collect personal information	10
6. How we collect personal information	11
6.1. Principle behind collection	11
6.2. Method of collection	11
6.3. The kinds of personal information we collect	11
6.4. When do we collect personal information?	11
6.5. Notice of collection	12
6.6. Collecting sensitive information	13
6.7. Indirect collection	13
6.8. Anonymity	13
6.9. Collecting through websites	14
7. Disclosure of information	14
7.1. Purposes of disclosure	14

Contents

7.2. Direct marketing	15
7.3. Disclosure at proceedings of corporate bodies	15
7.4. Disclosure of conduct history	16
7.5. Disclosure outside Australia	16
8. Quality and security of personal information	16
8.1. How we ensure quality of the quality of personal information	16
8.2. Storage and security of personal information	17
8.3. Destruction or de-identification of information	17
9. Your rights in relation to personal information	18
9.1. Accessing and correcting your personal information	18
9.2. How to make a complaint or access personal information	18
Contact information	19
Compilation information	20
Policy 2—Whistleblowing Policy	21
1. Purpose	21
2. Scope	22
3. Availability of this Policy to officers and employees	22
4. Definitions used in this Policy	23
5. Principles	25
6. Personal work-related grievances	26
7. How to disclose	27
7.1. What information do I need to make a disclosure?	27
7.2. Who do I make a disclosure to?	28
7.3. Method of disclosure	29
8. Protection of whistleblowers	29
8.1. How will I be protected if I speak up about relevant matters?	29
8.2. How will we ensure confidentiality?	32
9. False disclosures	33
10. Handling and investigating a disclosure	34
10.1. What happens when a report is received?	34
10.2. The investigation procedure	34

10.3. Outcome of the investigation	35
Contact information	37
Compilation information	37
Endnotes	40
Endnote 1—About the endnotes	40
Endnote 2—Abbreviation key	42
Endnote 3—Legislation history	43
Endnote 4—Amendment history	44
Index	47

Part 1—Preliminary

1 Name

This instrument is the *Constitution (Corporate Policies) Instrument 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole instrument	The day after this instrument is registered.	11 October 2022

Note: This table relates only to the provisions of this instrument as originally enacted. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under subsection 133(2) of the Constitution.

4 Definitions

In this instrument:

Section 4

compilation information, in relation to a policy, means information included under section 7.

Minister means, in relation to a policy, the Minister identified in column 2 of table 1 of Schedule 1 in relation to the policy.

policy means a corporate policy made under this instrument.

Note: Unless the Parliament otherwise provides, the Manager-General may make, revoke and alter documents the Parliament may make under section 133 of the Constitution (including a corporate policy): see subsection 133(2) of the Constitution.

policy and contact information means information appearing in a policy (other than compilation information) separately identifiable from other text in the policy.

update, in relation to policy and contact information, means the insertion, alteration or deletion of the information.

Part 2—The corporate policies

5 Corporate policies

- (1) Schedule 1 has effect.
- (2) A provision of this instrument declaring a particular Minister as a rule-maker for a policy applies despite the definition of *rule-maker* in subsection 7(1) of the *Legislation Act 2022*.

6 Power of Minister to update policy and contact information

- (1) The Minister by notifiable instrument, update policy and contact information in a policy.
- (2) Policy and contact information:
 - (a) shall be separately identifiable from other parts of the policy; and
 - (b) does change the effect of a policy.

7 Compilation information

Policy numbers

- (1) A policy shall have a number which shall be the item number of the policy in the table in Schedule 1.

Compilation date

- (2) The preparer of a compilation of this instrument or a policy must include in each policy the date:
 - (a) on which the policy was made or last amended (other than by way of an update of policy and contact information) by or under an Act or legislative instrument; and
 - (b) on which the policy and contact information of the policy was last updated (if any).

Part 2 The corporate policies

Section 7

Inclusion of other information

- (3) The preparer of a compilation of this instrument or a policy may include information relating to the compilation or amendments to the policy not falling in subsection (1) or (2).

Schedule 1—Corporate policies

Note: See section 5.

The Manager-General makes the following corporate policies to be administered by the Minister specified in column 2:

Corporate policies		
Item	Column 1 Policy	Column 2 Minister administering policy
1	Privacy Policy	Advocate-General
2	Whistleblowing Policy	Advocate-General

Policy 1—Privacy Policy

Last revised on 3 May 2024.

1. This Policy outlines the personal information handling practices of the Enactorate of Urabbaparcensia Proprietary Limited (**Urabbaparcensia**). Being the people of a charitable democracy that values responsibility, accountability and creativity, human rights is something that Urabbaparcensians take very seriously. Indeed, the commitment Urabbaparcensia has to human rights (as recognised under Australian law) is embedded under section 134 of the Constitution). Article 17 of the International Covenant on Civil and Political Rights (ICCPR), to which Australia is a party, states no one shall be subjected to arbitrary or unlawful interference with their privacy.
2. Urabbaparcensia is established under its Constitution as a non-state jurisdiction, with recognition of judicial as well as legislative and executive functions, and has entities formed within it including management agencies, judicial bodies, campus government and associations. Our work as a charity and as a jurisdiction means we will need to handle personal information.
3. This policy is the privacy policy of Urabbaparcensia for the purposes of the Australian Privacy Principle 1.3, which has effect as Australian law under the *Privacy Act 1988* of the Parliament of the Commonwealth (the Australian privacy law).
4. Paragraph 149(2)(a) of the Constitution declares that each entity formed within Urabbaparcensia is responsible for its own privacy policy. An entity that handles personal information will have a specific privacy policy, which is subject to this Policy.

1. Purpose

5. This policy aims to:

- 5.1. ensure personal information is collected and used lawfully;
- 5.2. outline Urabbaparcensia' practices in handling personal information in accordance with the Australian Privacy Principles; and
- 5.3. provide information on the mechanisms by which individuals can access information about themselves held by Urabbaparcensia, and (if necessary) request correction of such information.

2. Scope

6. This policy applies to personal information (as defined in the Australian privacy law) which is handled or to be handled within Urabbaparcensia, an associated jurisdiction or subsidiary. This policy does not override Australian or Urabbaparcensian law but is indicative of the Corporate Government's approach to handling personal information. Information is taken to be handled if it is collected, stored or used.

3. Availability of this Policy to the public

7. This policy and the privacy policies of entities formed within Urabbaparcensia are available to the public from entity privacy contacts and Urabbaparcensian Privacy Authority (UPA), an independent agency of the Urabbaparcensian Government.
8. Please see 'contact information' below to find the contact details of UPA and other privacy contacts.

4. Definitions used in this Policy

9. In this Policy:

9.1. **you** means yourself as an individual, whose personal information is protected by Australian privacy law; and

9.2. **us, we, and our** means the Enactorate of Urabbaparcensia Proprietary Limited and each entity (including an entity formed within Urabbaparcensia or an associated jurisdiction) that is subject to this Policy.

10. The following definitions are used in this Policy:

10.1. **Australian privacy law** means the *Privacy Act 1988* of the Commonwealth (which includes the Australian Privacy Principles);

10.2. you are **excluded** from the premises of Urabbaparcensia if you are suspended or disqualified from the proceedings of Urabbaparcensia, or are lawfully excluded by a ranger in order to ensure attendance before an internal tribunal, to preserve order or to prevent the repeat of an offence or committing another offence;

10.3. you are **disqualified** from the proceedings of Urabbaparcensia if you are imprisoned for an offence against the Commonwealth, State or Territory or some other countries, or disqualified from the proceedings of a relevant non-state jurisdiction;

10.4. **personal information** means information or an opinion about an identified individual, or an individual who is reasonably identifiable:

10.4.1. whether the information or opinion is true or not; and

10.4.2. whether the information or opinion is recorded in a material form or not;

10.5. a **relevant non-state jurisdiction** includes Urabbaparcensia and other companies that organise themselves on a jurisdictional basis and which is obliged to share conduct history with Urabbaparcensia, for the purposes of mutual assistance in enforcement of the obligations of persons to the jurisdictions concerned, such as appearance at a tribunal, by falling in paragraph 9(4)(b) of the Urabbaparcensian Constitution;

10.6. **sensitive information** includes your:

10.6.1. racial or ethnic origin;

10.6.2. political opinions;

10.6.3. membership of a political association;

10.6.4. religious beliefs or affiliations;

10.6.5. philosophical beliefs;

10.6.6. membership of a professional or trade association; or

10.6.7. membership of a trade union;

10.6.8. sexual orientation or practices;

10.6.9. criminal record;

10.6.10. health information as defined by section 6FA of the Australian privacy law, such as your health record and organ donor registration;

10.6.11. genetic information about an individual that is not otherwise health information; or

10.6.12. biometric information that is to be used for the purpose of automated biometric verification or biometric identification and biometric templates;

10.7. you are **suspended** from the proceedings of Urabbaparcensia if there is a warrant for your arrest from a relevant state jurisdiction, or a warrant to appear before a judicial or other evidence-gathering body of a relevant non-state jurisdiction.

5. Why we collect personal information

11. We collect, hold, use and disclose personal information to administer the including in the administration of our laws and for the provision of charitable benefits by us. The objective of the collection, holding use and disclosure is to prepare and maintain historical records of Urabbaparcensia, to comply with Australian law, for analytical purposes and (where the consent of the individual is given) for promotional purposes.

12. These functions and activities include:

12.1. identifying parties to a legal proceeding (including an internal legal proceeding);

12.2. reserving our right to refuse access to premises and proceedings to persons who are excluded from our premises, or disqualified or suspended from our proceedings;

12.3. ensuring that each elector is a person who is acting as or for a member in respect of particular membership of Urabbaparcensia and eligible to vote;

- 12.4. obtaining evidence in legal proceedings;
- 12.5. producing and maintaining historical records including minutes;
- 12.6. levying membership fees of our members;
- 12.7. the functions and activities of jurisdictional divisions, campus government entities and associations, of each will be covered by a specific privacy policy in addition to this Policy.

6. How we collect personal information

6.1. Principle behind collection

- 13. At all times we try to only collect the information we need for the particular function or activity we are carrying out.

6.2. Method of collection

- 14. The main way Urabbaparcensia collects personal information about you is when you give it to us, however we may receive information from a third party if allowed to do so under the Australian Privacy Principles. We may only collect personal information we ask for it or which we believe we would get if we ask for it.

6.3. The kinds of personal information we collect

- 15. We collect personal information such as your name, former names, date and place of birth, occupation, address and contact details as well as other personal information specific to the reason for the collection (such as employment history or health information).

6.4. When do we collect personal information?

- 16. We collect personal information when you:

- 16.1. contact us to ask for information (but only if we need it to confirm whether you are eligible to receive the information you ask for);
- 16.2. make a complaint or disclosure about any alleged offence against the internal law to a corporate authority, but only if the complaint relates to your personal information or if you wish to be contacted to receive updates about the progress of any investigation, inquiry or other action taken in relation to matters being subject of your complaint or disclosure;
- 16.3. give any evidence or make any official statement to an internal tribunal or inquiry;
- 16.4. apply to be registered as a holder of membership of Urabbaparcensia;
- 16.5. apply to be registered on the internal electoral roll;
- 16.6. apply for any position within Urabbaparcensia;
- 16.7. access a service provided by an entity within Urabbaparcensia, and such collection will be subject to the entity's privacy policy in addition to this Policy;
- 16.8. give an authorised person, such as a ranger or bodyguard your name and location upon request, as a condition of entering Urabbaparcensia.

6.5. Notice of collection

17. We always notify you when we collect (or intend to collect) personal information about you as required under Australian Privacy Principle 5. The notice of collection of personal information contains a statement on the consequences of not providing the information.
-

6.6. Collecting sensitive information

18. Sometimes Urabbaparcensia may need to collect sensitive information about you, for example, when you access services or apply for a position with us. However such information is only obtained if done with your written consent and if directly related to any of our functions or activities.

6.7. Indirect collection

19. We try to collect personal information from you wherever possible. However, personal information may be collected from third parties if:

- 19.1. required for a legal proceeding (including an internal legal proceeding);
- 19.2. for the administration of the approved benefits regime (being the system of approval of contracts with our officers and related parties); or
- 19.3. the personal information is available publicly or from your authorised representative.

6.8. Anonymity

20. Entry to public spaces operated by Urabbaparcensia may generally be done anonymously. However, an authorised person (such as a Park Ranger) may ask for identification if the authorised person reasonably believes you are excluded from the premises of Urabbaparcensia. You may make an enquiry anonymously or under a pseudonym unless such enquiry is about a matter involving confidential or protected information in which case you may need to identify yourself, to ensure that we are able to disclose the confidential or protected information to you.

21. Without the provision of personal information as reasonably requested:

21.1. you may be removed from company premises if an authorised person reasonably believes you are a disqualified or suspended from company premises;

21.2. you will not be able to register as a holder of membership or an elector or attend as a member or cast a vote at a meeting at a corporate proceeding; and

21.3. you may not be able to transact with us in matters involving the disclosure of confidential or protected information, as we may not be able to prove you are a person eligible to receive the information.

6.9. Collecting through websites

22. Each website operated by us has its own privacy policy, subject to this Policy, which covers matters specific to the website such as the analytical tools used on the website, cookies, embedded media, email lists, registrations and feedback.

7. Disclosure of information

7.1. Purposes of disclosure

23. Your personal information may be disclosed to relevant non-state jurisdictions and their contracted service providers for the purpose of:

23.1. preparation and publication of proceedings of corporate bodies;

23.2. maintenance of registers of place holders, electors and members;

23.3. administration of the approved benefits regime; and

23.4. efficient provision of services by management, local management and associations.

7.2. Direct marketing

24. We only use your personal information for the direct marketing of our programs if:

24.1. we collect the information from you or another person and you have given your consent for the information to be used for a direct marketing purpose, or it is impracticable to obtain that consent; and

24.2. we provide simple means by which you may easily request not to receive direct marketing communications from us, and you have not made such a request.

25. Using sensitive information for direct marketing is only possible with your consent.

7.3. Disclosure at proceedings of corporate bodies

26. If you appear before a proceeding held in a legislative or judicial body held in open court your name may be disclosed in publications of the proceeding.

27. Evidence is generally received in open court unless we are legally required to hear it in a closed session, or in exceptional circumstances as declared by the tribunal. You may be allowed to give evidence privately if you are protected under our Whistleblower Policy.

28. If you have any questions about appearance at an internal legal proceeding you should contact the tribunal concerned.

7.4. Disclosure of conduct history

29. Your conduct history (being any outstanding charges and outcomes of judicial decisions) is only made available in respect of lawful enforcement functions conducted by us (such as investigations), as evidence in legal proceedings of a relevant non-state jurisdiction or with your written consent (including written consent given for application for a position with us).

7.5. Disclosure outside Australia

30. We may disclose to non-state jurisdictions and their service providers outside Australia, including in the European Union, Canada, New Zealand, the United Kingdom and the United States. Such recipients will be subject to law or agreements where the recipient has the same or more stringent arrangements in relation to your personal information than Urabbaparcensia.

31. Unless authorised by the Australian privacy law, we may not adopt a Federal, State or Territory government-issued identifier as an identifier for your records or use or disclose such an identifier. For example, we may only use your tax file number (TFN) for matters relating to our obligations under taxation law (such as employee records).

8. Quality and security of personal information

8.1. How we ensure quality of the quality of personal information

32. To ensure that the personal information Urabbaparcensia collects is accurate, up-to-date and complete, we:

32.1. records information in a consistent format;

32.2. where necessary, confirms the accuracy of information we collect from a third party or a public source;

- 32.3. promptly adds updated or new personal information to existing records;
- 32.4. regularly audits our contact lists to check their accuracy; and
- 32.5. reviews the quality of personal information before use or disclosure.

8.2. Storage and security of personal information

33. We take steps to protect the security of the personal information we hold from both internal and external threats by:

- 33.1. regularly assessing the risk of misuse, interference, loss, and unauthorised access, modification or disclosure of that information
- 33.2. taking measures to address those risks, for example, we keep a record (audit trail) of when someone has added, changed or deleted personal information held in our electronic databases and regularly check that staff only access those records when they need to
- 33.3. conducting regular internal and external audits to assess whether we have adequately complied with or implemented these measures.

8.3. Destruction or de-identification of information

34. We destroy or de-identify personal information in a secure manner when we no longer need the information (or need it to be identified with an individual). This will be done in accordance with the applicable records disposal authority.

9. Your rights in relation to personal information

9.1. Accessing and correcting your personal information

35. Under Australian privacy law (Australian Privacy Principles 12 and 13) you have the right to ask for access to personal information that we hold about you, and ask that we correct that personal information. You can ask for access or correction by contacting the competent privacy officer in the entity. If you need help finding who the competent privacy officer is or need help making a complaint or request, you may contact the Urabbaparcensian Privacy Authority (UPA).
36. If you ask, we must give you access to your personal information, and take reasonable steps to correct it if we consider it is incorrect, unless there is an Australian law that allows or requires us not to.
37. We will ask you to verify your identity before we give you access to your information or correct it, and we will try to make the process as simple as possible. If we refuse to give you access to, or correct, your personal information, we must notify you in writing setting out the reasons.
38. If we make a correction and we have disclosed the incorrect information to others, you can ask us to tell them about the correction. We must do so unless there is a valid reason not to.
39. If we refuse to correct your personal information, you can ask us to associate with it (for example, attach or link) a statement that you believe the information is incorrect and why.

9.2. How to make a complaint or access personal information

40. If you wish to complain to an entity within Urabbaparcensia about how it has handled your personal information, or access your personal information, you should complain to the competent privacy
-

officer of the entity, or if there is no such officer, the Urabbaparconsian Privacy Authority (UPA). If you need help finding who the competent privacy officer is or need help making a complaint or request, you can contact UPA.

41. If an entity receives a complaint or request from you about how it has handled your personal information the competent officer will determine what (if any) action the entity should take to resolve the complaint. The competent officer will confirm with you promptly of receipt of your complaint or request and then respond to it within 30 days.
42. If the competent officer decides that a complaint should be investigated further, the complaint will usually be handled by a more senior officer than the officer whose actions you are complaining about.
43. If you are not satisfied with the response from a competent officer of an entity, you may make a complaint or request directly with UPA.
44. If you are not satisfied with the response from either the competent officer of an entity or UPA, you may wish to:
 - 44.1. seek legal advice; or
 - 44.2. contact the Office of the Australian Information Commissioner (OAIC).

Contact information

For more information on your rights in relation to personal information, please contact the Urabbaparconsian Privacy Authority (UPA).

Urabbaparconsian Privacy Authority
P O Box 33202

Constitution (Corporate Policies) Instrument 2022
Privacy Policy
Compilation information

Domain LPO
MELBOURNE VIC 3142

www.urabbaparcensia.au

info@urabbaparcensia.au

Compilation information

Policy number 1

Version number 2

Made by *Constitution (Corporate Policies) Instrument 2022* on
10 October 2022.

Last updated by *Statute Law Revision (Bodyguard) Act 2024* on
3 May 2024.

Contact information last updated 3 May 2024.

Policy 2—Whistleblowing Policy

Last revised on 3 May 2024.

1. Purpose

1. This Policy is the whistleblowing policy of the Enactorate of Urabbaparcensia Proprietary Limited (**Urabbaparcensia**) and its subsidiaries for the purposes of section 1317A1 of the *Corporations Act 2001* of the Commonwealth (the **Corporations Law**), and aims to:
 - 1.1. encourage eligible whistleblowers to disclose improper conduct in good faith if they know or have reasonable grounds to suspect such conduct
 - 1.2. set out a mechanism for eligible whistleblowers to disclose misconduct or dishonest or illegal activity that has occurred or is suspected within the organisation
 - 1.3. outline how Urabbaparcensia deals with disclosures from eligible whistleblowers in a way that will protect the identity of the whistleblower and provide for secure storage of the information
 - 1.4. ensure that any relevant matters are identified and dealt with appropriately
 - 1.5. ensure that eligible whistleblowers who disclose wrongdoing can do so safely, securely and with confidence that they will be protected and supported, and
 - 1.6. help to ensure that Urabbaparcensia maintains the highest standards of ethical behaviour and integrity.

2. Scope

2. This Policy applies to disclosures (including potential disclosures) of relevant matters by eligible whistleblowers to eligible recipients. It does not apply to disclosures:
 - 2.1. by persons other than eligible whistleblowers;
 - 2.2. regarding matters that are not relevant matters; or
 - 2.3. made to persons who are not eligible recipients.
3. This Policy applies throughout Urabbaparcensia and its subsidiaries. This policy does not override Australian or Urabbaparcensian law but is indicative of the Corporate Government's approach to handling disclosures. In many cases an entity formed within Urabbaparcensia may also have its own whistleblower policy. Such policies are supplementary to, and not replacements for, this Policy. Entity-specific whistleblower policies include more information on nominated whistleblower contacts and methods for submitting a disclosure specific for team members of entities.
4. If you or your disclosure is not covered by this Policy, there are still ways in which you can make a suggestion or complaint regarding our programs or governance processes. In most cases it is advisable to contact the agency or organisation you are having issues with, who will be able to address your concerns directly. Please see 'contact information' below for more information on how to contact us.

3. Availability of this Policy to officers and employees

5. This Policy and the whistleblower policies of entities formed within Urabbaparcensia are available to officers and employees from entity whistleblowing contacts and Urabbaparcensian Corporate

Whistleblowing Authority (UCWA), an independent agency of the Urabbaparcensian Government.

6. Please see 'contact information' below to find the contact details of UCWA and whistleblowing contacts.

4. Definitions used in this Policy

7. In this Policy:

7.1. **you** means yourself as an eligible whistleblower, who has made or intends to make a disclosure within the scope of this Policy, and wishes to avail themselves of protection against reprisal for having made the report; and

7.2. **us, we, and our** means the Enactorate of Urabbaparcensia Proprietary Limited and its subsidiaries.

8. The following definitions are used in this Policy:

8.1. the **Corporations Law** means the *Corporations Act 2001* of the Commonwealth. Part 9.4AAA of the Act governs whistleblowing protections;

8.2. an **eligible recipient** includes:

8.2.1. our officers, auditors and actuaries;

8.2.2. a person authorised by us to receive disclosures under Part 9.4AAA of the Corporations Law;

8.3. an **eligible whistleblower** means a person who falls under section 1317AAA of the Corporations Law, and includes:

8.3.1. a current or former team member; and

8.3.2. the spouse, parent or remoter lineal ancestor, child or remoter issue, or brother or sister of a current or former team member. Although family members are under no obligation to make a disclosure, if such persons do choose to disclose relevant matter in line with this Policy, we will extend to them the relevant rights and protections under this Policy as eligible disclosers.

8.4. **relevant matter** means information concerning misconduct, or an improper state of affairs or circumstances in relation to Urabbaparcensia or a related body corporate related bodies corporate (which section 50 of the Corporations Law defines as a holding company of a company and subsidiaries of the company or holding company), and includes any past, present or likely future activity or behaviour by Urabbaparcensia or a related body corporate and officers and employees of Urabbaparcensia or a related body corporate considered to be:

8.4.1. dishonest;

8.4.2. corrupt (including soliciting, accepting or offering a bribe, or facilitating payments or other such benefits);

8.4.3. fraudulent;

8.4.4. illegal (including theft, drug trafficking, violence or threatened violence, or property damage);

8.4.5. a breach of our internal laws or corporate policies;

8.4.6. improper conduct relating to accounting, internal controls, compliance, actuarial, audit or other matters of concern to the whistleblower;

8.4.7. a serious impropriety or an improper state of affairs or circumstances;

- 8.4.8. endangering health or safety;
- 8.4.9. damaging or substantially risking damage to the environment;
- 8.4.10. a serious mismanagement of our resources;
- 8.4.11. detrimental to our financial position or reputation;
- 8.4.12. maladministration (an act or omission of a serious nature that is negligent, unjust, oppressive, discriminatory or is based on improper motives);
- 8.4.13. concealing relevant matters.

8.5. **team member** includes one of our:

- 8.5.1. employees;
- 8.5.2. officers;
- 8.5.3. contractors (including employees of contractors);
- 8.5.4. volunteers;
- 8.5.5. suppliers;
- 8.5.6. consultants.

5. Principles

9. This Policy is framed around a number of important principles:

- 9.1. **Higher standard** – This Policy is designed to comply with our external and internal legal obligations. If anything in this Policy is inconsistent with any law imposed on us, or with our internal

law, that legal obligation or the “higher standard” will prevail over this Policy;

9.2. **Speaking up** – Whistleblowing is an important part of freedom of speech under right to free speech under article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Australia is a party, and the right to fair comment under section 137 of the Urabbaparcensian Constitution;

9.3. **Our expectations of team members** – We expect team members to act honestly and ethically, and to make any report on reasonable grounds;

9.4. **Our responsibility to whistleblowers** – Our obligations to eligible whistleblowers are spelled out in this Policy, but in particular in clause 8 ‘Protection of whistleblowers’;

9.5. **Confidentiality and consent**—We will maintain confidentiality of all reports and protect the identity of reporters to the fullest extent possible. While we encourage you to identify yourself to the eligible recipient, you may opt to report your concerns anonymously.

6. Personal work-related grievances

10. While everybody is encouraged to speak up and report any concerns to us, not all types of conduct are intended to be covered by this Policy or by the protections under the Corporations Law. This Policy does not apply to customers or service users, or to personal work-related grievances, unless the grievance includes victimisation due to whistleblowing.

11. Personal work-related grievances are those that relate to the discloser’s current or former employment with us that might have implications for the discloser personally but do not:

- 11.1. have any other significant implications for us; or
 - 11.2. relate to any conduct or alleged conduct about a relevant matter.
12. Personal work-related grievances include grievances such as interpersonal conflicts, decisions about promotions, decisions that do not involve a breach of workplace laws, or terms and conditions of employment.
13. However, personal work-related grievances may be covered by this Policy where they include information about misconduct, an allegation that the entity has breached employment or other laws punishable by imprisonment by a period of 12 months or more, or the grievance includes victimisation due to whistleblowing.

7. How to disclose

7.1. What information do I need to make a disclosure?

14. To make a disclosure protected by the Corporations Law you must know of or have reasonable grounds to suspect misconduct, or an improper state of affairs or circumstances in relation to our entities.
15. For a disclosure to be investigated, it must contain enough information to form a reasonable basis for investigation. It is important therefore that you provide as much information as possible. This includes any known details about the events underlying the report such as the:
- 15.1. date;
 - 15.2. time;
 - 15.3. location;

- 15.4. name or identifying information of person(s) involved;
- 15.5. possible witnesses to the events;
- 15.6. evidence of the events (e.g. photos, documents, emails);
and
- 15.7. any steps you may have already taken to report the matter elsewhere or to resolve the concern.

7.2. Who do I make a disclosure to?

- 16. In order to be protected as an eligible whistleblower under the Corporations Law, you must make a disclosure to an eligible recipient.
- 17. Section 1317AAA of the Corporations Law specifies classes of persons such as directors, senior managers and auditors of Urabbaparcensia as eligible recipients. There is also provision for Urabbaparcensia to authorise persons to receive disclosures. For the purposes of this Policy, the following are authorised to receive disclosures:
 - 17.1. bodies that may receive and hear evidence under the agreement of jurisdiction contained in the Urabbaparcensian Constitution including internal courts, tribunals and Enactorial Commissions of Inquiry;
 - 17.2. internal law enforcement bodies including the Urabbaparcensian Corporate Bodyguard (UCB);
 - 17.3. the Urabbaparcensian Inspectorate;
 - 17.4. Urabbaparcensian Comptroller's Office (UCO);

17.5. Governance Integrity Commission Urabbaparcensia (GICU);

17.6. the Urabbaparcensian Ombudsman;

17.7. whistleblower contacts in our entities (nominated team members of district governments and associations), in relation to relevant matter in relation to the entity.

18. We highly recommend you approach, in the first instance, the whistleblowing contact in your entity. If you need to locate your nominated whistleblowing contact or believe it is not appropriate to communicate with them, you may contact UCWA.

7.3. Method of disclosure

19. Internal law enforcement and whistleblowing contacts will generally provide a number of mechanisms by which a disclosure of information can be made, including telephone, email and (in some circumstances) in-person options.

20. While we encourage you to identify yourself to the eligible recipient, you may opt to report your concerns anonymously such as by adopting a pseudonym.

21. Your personal information will be handled in accordance with our Privacy Policy.

8. Protection of whistleblowers

8.1. How will I be protected if I speak up about relevant matters?

22. If you have reasonable grounds to suspect relevant matters, even if it turns out your concerns are mistaken, we will support and protect you and anyone else assisting in the investigation.

23. Urabbaparcensia will also protect individuals who have made a report in connection with us:

23.1. to the Australian Securities and Investments Commission (**ASIC**) or the Australian Prudential Regulation Authority (**APRA**) or another Commonwealth regulatory body prescribed in Federal legislation;

23.2. to a lawyer for the purposes of obtaining legal advice or legal representation about whistleblower protections; or

23.3. that qualifies as an emergency or public interest disclosure under the Corporations Law. It is important that you understand the criteria for making a public interest or emergency disclosure and you may wish to consult an independent legal adviser before making a public interest or emergency disclosure.

24. We will not tolerate any detriment inflicted on you because you or somebody else has made, or might make, a report of relevant matters. Examples of a detriment include:

24.1. retaliation, dismissal, suspension, demotion, or termination of your role;

24.2. bullying, harassment, threats or intimidation;

24.3. discrimination, subject to current or future bias, or derogatory treatment;

24.4. harm or injury;

24.5. damage or threats to your property, business, financial position or reputation; or

24.6. revealing your identity as a whistleblower without your consent or contrary to law;

24.7. threatening to carry out any of the above actions.

25. Protections under this Policy:

25.1. apply regardless of whether any concerns raised in a report are found to be true, provided that you are acting honestly and ethically and made the report on reasonable grounds.

25.2. applies to individuals conducting, assisting or participating in an investigation.

26. Anyone found to be victimising or disadvantaging another individual for making a disclosure under this Policy will be disciplined and may be dismissed or subject to criminal penalties, as well as sanctions in the internal legal system.

27. If you believe you have suffered a detriment in violation of this Policy, we encourage you to report this immediately to the whistleblower contact or UCWAUrabbaparcensian Corporate Whistleblowing Authority. Your concerns of being disadvantaged will be treated as a report of relevant matters in line with this Policy.

28. Anyone engaging in detrimental conduct may be subject to serious consequences, including disciplinary action and/or termination of engagements or contracts, as applicable. They may also be subject to criminal penalties, as well as sanctions in the internal legal system.

29. You may also be entitled to the following legal protections for making a report:

- 29.1. protection from civil, criminal or administrative legal action;
- 29.2. protection from having to give evidence in legal proceedings;
- 29.3. compensation or other legal remedy; and
- 29.4. protections in our internal legal system.

8.2. How will we ensure confidentiality?

- 30. A discloser can choose to remain anonymous while making a disclosure, over the course of the investigation and after the investigation is finalised. However, we encourage all individuals to disclose their identity when raising a concern. This will assist us to gather further information on your report. If you choose to disclose your identity, your details will be treated confidentially to the fullest extent possible in connection with the investigation.
- 31. We will take measures to protect your identity in line with our Privacy Policy such as by redacting your personal information, storing your information and disclosure securely, referring to you in a gender-neutral context and only allowing qualified staff to investigate your disclosures.
- 32. If you choose to disclose your identity, your details will be treated confidentially to the fullest extent possible in connection with the investigation, and your identity will not be disclosed unless:
 - 32.1. you consent in writing to the disclosure;
 - 32.2. the disclosure is made to ASIC, APRA or the Australian Federal Police (AFP);

- 32.3. the disclosure is made to a lawyer for the purpose of obtaining advice;
- 32.4. the disclosure is authorised under the Corporations Law; and/or
- 32.5. disclosure is necessary to prevent or lessen a threat to a person's health, safety or welfare.
33. We encourage all individuals to disclose their identity when raising a concern. This will assist us to gather further information on your report. All information relating to a report of relevant matters will be stored securely under our Privacy Policy and access will be limited to authorised staff.
34. It is illegal for a person to identify a discloser, or disclose information that is likely to lead to the identification of the discloser unless an exception above applies. If you feel that your confidentiality has been breached, you can lodge a complaint with a regulator, such as ASIC, APRA or the ATO, for investigation. We may also take disciplinary action against individuals that breach the confidentiality of a discloser, including summary dismissal, prosecution in the internal legal system or reference to a competent Federal or State law enforcement body.

9. False disclosures

35. Disclosures protected under this Policy must be made on reasonable grounds. Anyone who knowingly makes a false report/disclosure of relevant matters may be subject to disciplinary action, including dismissal. The disciplinary action will depend on the severity, nature and circumstance of the false disclosure.
36. There is also the potential for referral for prosecution in the internal legal system, which could lead to the disqualification from the

membership proceedings of Urabbaparcensia, such as meetings and elections. A person is not able to work or hold office in Urabbaparcensia if disqualified.

10. Handling and investigating a disclosure

10.1. What happens when a report is received?

37. Within a reasonable timeframe (which shall be 30 days unless another timeframe is specified by the competent investigating body) of receiving a disclosure the whistleblowing contact assesses it to determine whether:

37.1. it is a disclosure which qualifies for protection under the Corporations Law; and

37.2. a formal, in-depth investigation is required by an investigative team.

38. The whistleblowing contact or another team member will endeavour provide you with regular updates.

39. We may not be able to investigate a disclosure if:

39.1. we are unable to contact the discloser; or

39.2. the disclosure was made to a person (including an eligible recipient) who does not have authority to initiate an investigation into the matter.

10.2. The investigation procedure

40. The investigating body will handle and investigate disclosures protected under this Policy in accordance with its own investigation policies, and will:

- 40.1. assess the disclosure;
- 40.2. determine whether and how to investigate;
- 40.3. determine whether Commonwealth authorities need to be notified; and
- 40.4. assign the case to an investigative team if appropriate. The team must be free of any real or perceived conflicts of interest.

- 41. If an investigation is deemed necessary, we will conduct it fairly, objectively and in a timely manner and accordance with this Policy and the policies of the investigative body. The investigation process will vary depending on the nature of the disclosure and the amount of information provided.
- 42. The investigating body may need to speak with you as part of an investigation. If your identity is known, a team member of the investigating body will endeavour to keep you informed about the status of an investigation.
- 43. If there is insufficient information to warrant further investigation, or the initial investigation immediately identifies there is no case to answer, you will be notified at the earliest possible opportunity.

10.3. Outcome of the investigation

- 44. At the conclusion of the investigation, a report will be prepared outlining:
 - 44.1. a finding of all relevant facts;
 - 44.2. a determination as to whether the allegation(s) have been substantiated or otherwise and

Constitution (Corporate Policies) Instrument 2022
Whistleblowing Policy

Handling and investigating a disclosure

- 44.3. if the allegations are substantiated, a recommendation that either the employing entity takes its own entity-specific disciplinary action, or the case referred for prosecution in the internal legal system.
45. In the case of entity-specific disciplinary action being taken, any individuals who are accused of misconduct in a report (a respondent) will have an opportunity to respond to allegations before any adverse findings are made and before any disciplinary action (if appropriate) is taken. The disciplinary action will be dependent on the severity, nature and circumstances of the relevant matters.
46. In the case of prosecution in the internal legal system, the person charged (a defendant) will have an opportunity to respond to allegations in the competent tribunal. An application may be made by the prosecutor to exclude the person from our premises while the case is ongoing; a person so excluded is done so on full pay. A person condemned and disqualified through the internal legal system cannot take up any role (paid or unpaid) with us and cannot vote in our proceedings (such as general meetings, elections, etc).
47. Where possible and appropriate, having regard to our privacy and confidentiality obligations, you will be informed of the outcome of any investigation into your concerns. You may be required to give evidence at the tribunal but if you believe the safety of you or your family will be compromised can make an application to do so at a private hearing and have your name suppressed. Please contact the tribunal concerned to discuss whether this option is available to you should you be required to give evidence.

Contact information

For more information on making a disclosure protected under the Corporations Law, please contact the Urabbaparcensian Corporate Whistleblowing Authority (UCWA).

Urabbaparcensian Corporate Whistleblowing Authority
P O Box 33202
Domain LPO
MELBOURNE VIC 3142

www.urabbaparcensia.au

info@urabbaparcensia.au

Compilation information

Policy number 2

Version number 2

Made by *Constitution (Corporate Policies) Instrument 2022* on 10 October 2022.

Last updated by *Statute Law Revision (Bodyguard) Act 2024* on 3 May 2024.

Contact information last updated 3 May 2024.

U2024C00009

Endnotes

Endnote 1—About the endnotes

**Constitution (Corporate Policies) Instrument 2022
Whistleblowing Policy
Compilation information**

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

- Endnote 1—About the endnotes
- Endnote 2—Abbreviation key
- Endnote 3—Legislation history
- Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key in endnote 2 sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending law and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The Constitution authorises the Company Secretary (under authorisation by the Manager-General) to make editorial and presentational changes to a compiled law on similar terms as outlined in the *Legislation Act 2003* of the Parliament of the Commonwealth. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of the Company Secretary.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history. If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	orig = original
am = amended	par = paragraph(s)/subparagraph(s)
amdt = amendment	/sub-subparagraph(s)
art = article	pres = present
c = clause(s)	prev = previous
C[x] = Compilation No. x	(prev...) = previously
Ch = Chapter(s)	Pt = Part(s)
def = definition(s)	r = regulation(s)/rule(s)
Dict = Dictionary	reloc = relocated
disallowed = disallowed by Parliament	renum = renumbered
Div = Division(s)	rep = repealed
ed = editorial change	rs = repealed and substituted
exp = expires/expired or ceases/ceased to have effect	s = section(s)/subsection(s)
gaz = gazette	Sch = Schedule(s)
LA = <i>Legislation Act 2022</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	Sub-Ch = Sub-Chapter(s)
(md not incorp) = misdescribed amendment cannot be given effect	SubPt = Subpart(s)
mod = modified/modification	underlining = whole or part not commenced or to be commenced
No. = Number(s)	U = Corporate Register of Legislation
o = order(s)	UP = Corporate Register of Legislation (pre-2024)
Ord = Ordinance	

Endnote 3—Legislation history

Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Constitution (Corporate Policies) Instrument 2022	10 Oct 2022 (U2022L00001)	11 Oct 2022 (s 2(1) item 1)	—

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Statute Law Revision (Bodyguard) Act 2024	4, 2024	03 May 2024	03 May 2024	

Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Part 1	
s 4.....	am. Act No 4, 2024
Part 2	
s 5.....	am. Act No 4, 2024
Schedule 1	
Note to Schedule 1 heading.....	ad. Act No 4, 2024
Words before table in Schedule 1..	am. Act No 4, 2024
Table in Schedule 1.....	rs. Act No 4, 2024
Policy 1	
Policy 1 heading.....	rs. Act No 4, 2024
c 1-4.....	am. Act No 4, 2024
Part 1	
c 5.....	am. Act No 4, 2024
Part 2	
c 6.....	rs. Act No 4, 2024
Part 3	
c 7, 8.....	rs. Act No 4, 2024
Part 4	
c 9, 10.....	am. Act No 4, 2024
Part 5	
c 11, 12.....	am. Act No 4, 2024
Part 6	
Division 6.2	
c 14.....	am. Act No 4, 2024
Division 6.4	
c 16.....	am. Act No 4, 2024
Division 6.6	
c 18.....	am. Act No 4, 2024
Division 6.8	
c 20.....	am. Act No 4, 2024

Endnote 4—Amendment history

Provision affected	How affected
Part 7	
Division 7.5	
c 30.....	am. Act No 4, 2024
Part 8	
Division 8.1	
c 32.....	am. Act No 4, 2024
Division 8.2	
c 33.....	am. Act No 4, 2024
Part 9	
Division 9.1	
c 35.....	am. Act No 4, 2024
Division 9.2	
c 40.....	am. Act No 4, 2024
c 43, 44.....	am. Act No 4, 2024
Policy 1 contact information	rs. Act No 4, 2024
Policy 1 compilation information	rs. Act No 4, 2024
Policy 2	
Policy 2 heading.....	rs. Act No 4, 2024
c 45 -47 (first occurring)	rep. Act No 4, 2024
Part 1	
c 1	am. Act No 4, 2024
Part 2	
c 3, 4.....	am. Act No 4, 2024
Part 3	
c 5, 6.....	rs. Act No 4, 2024
Part 4	
c 7, 8.....	am. Act No 4, 2024
Part 5	
c 9	am. Act No 4, 2024
Part 7	
Division 7.2	
c 17, 18.....	am. Act No 4, 2024
Part 8	

Endnotes

Endnote 4—Amendment history

Provision affected	How affected
Division 8.1	
c 23.....	am. Act No 4, 2024
c 27.....	am. Act No 4, 2024
Part 9	
c 36.....	am. Act No 4, 2024
Policy 2 contact information	rs. Act No 4, 2024
Policy 2 compilation information	rs. Act No 4, 2024

Index

This index does not form part of the instrument or related materials, and is included for convenience of reference only.

A

- abbreviation key, 41–42
- accessing personal information, 18–19, Sch 1 Policy 1 c 35–39
- accountability (value), 6, Sch 1 Policy 1 c 1
- activities and functions involving
 - collection of personal information, 10–11, Sch 1 Policy 1 c 12
- adoption of corporate policies, 3, s 5
- Advocate-General’s Department**
 - availability of Privacy Policy from, 7, Sch 1 Policy 1 c 7, 8
 - availability of Whistleblowing Policy from, 22, Sch 1 Policy 2 c 5, 6
- affiliations or beliefs, religious, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.4
- AFP, disclosure of identity to, 32, Sch 1 Policy 2 c 32.2
- agreement of jurisdiction
 - evidence-gathering bodies, 28, Sch 1 Policy 2 c 17.1
- amendment history, 44–46
- amendments to policies, information on, 3–4, s 7
- anonymity, 13–14, 29, Sch 1 Policy 1 c 20, 21, Sch 1 Policy 2 c 20
- APP 5 notice, 12, Sch 1 Policy 1 c 17
- approved benefits
 - collection of personal information for system of approval of, 13, Sch 1 Policy 1 c 19.2
- APRA, protection of persons who make report to, 30, Sch 1 Policy 2 c 23.2
- ASIC, protection of persons who make report to, 30
- associations
 - collecting information in relation to, 11, Sch 1 Policy 1 c 12.7
 - associations (political), membership of, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.3
 - associations (trade and professional), membership of, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.6
- audit trail, 17, Sch 1 Policy 1 c 33.2
- auditor-general equivalent, 28
- Australia, disclosure outside, 16, Sch 1 Policy 1 c 30, 31
- Australian Federal Police (AFP), disclosure of identity to, 32, Sch 1 Policy 2 c 32.2
- Australian privacy law, references to, 8, Sch 1 Policy 1 c 10.1
- Australian Prudential Regulation Authority (APRA), protection of persons who make report to, 30, Sch 1 Policy 2 c 23.2
- Australian Securities and Investments Commission (ASIC), protection of persons who make report to, 30, Sch 1 Policy 2 c 23.1
- authorised persons, collection of information by, 12, Sch 1 Policy 1 c 16.8
- authorised recipients of disclosures under the Whistleblower Policy
 - making disclosures to, 28–29, Sch 1 Policy 2 c 16–18
- authority, 1, s 3
- availability of policies
 - Privacy Policy, 7, Sch 1 Policy 1 c 7, 8
 - Whistleblower Policy, 22–23, Sch 1 Policy 2 c 5, 6

B Index

B

beliefs, inclusion as sensitive information,
9, Sch 1 Policy 1 c 10.6.4

benefits, approved
collection of personal information for
system of approval of, 13, Sch 1
Policy 1 c 19.2

**Bill of Rights, 6, 26, Sch 1 Policy 1 c 1,
Sch 1 Policy 2 c 9.2**

**biometric information, inclusion as
sensitive information, 10, Sch 1
Policy 1 c 10.6.12**

**bodyguard, collection of information by,
12, Sch 1 Policy 1 c 16.8**

**breaches of internal laws and corporate
policies, inclusion as relevant matter
in Whistleblowing Policy of, 24, Sch 1
Policy 2 c 8.4.5**

**bribery, inclusion as relevant matter in
Whistleblowing Policy of, 24, Sch 1
Policy 2 c 8.4.2**

C

campus government entities
collecting information in relation to, 11,
Sch 1 Policy 1 c 12.7

**Canada, disclosure of personal
information to entities located in, 16,
Sch 1 Policy 1 c 30**

**charitable democracy, 6, Sch 1 Policy 1
c 1**

Chief Law Officer's Department
availability of Privacy Policy from, 7,
Sch 1 Policy 1 c 7, 8
availability of Whistleblowing Policy
from, 22–23, Sch 1 Policy 2 c 5, 6

**collection of personal information, 11–14,
Sch 1 Policy 1 c 13**

commencement, 1, s 2

Company
establishment as non-state jurisdiction
of, 6, Sch 1 Policy 1 c 2

compilation information, ii

**compilation information in policies, 3–4,
s 7**
definition of, 2, s 4
Privacy Policy, 20
Whistleblower Policy, 37

**complaints in relation to personal
information, 18–19, Sch 1 Policy 1
c 40–44**

Comptroller's Office, 28

**concealing relevant matters, inclusion as
relevant matter in Whistleblowing
Policy of, 25, Sch 1 Policy 2 c 8.4.13**

**confidentiality, 26, 29, 32–33, Sch 1
Policy 2 c 9.5, Sch 1 Policy 2 c 21,
Sch 1 Policy 2 c 30–34**

**consent principle (Whistleblowing
Policy), 26, Sch 1 Policy 2 c 9.5**

**consequences of not providing personal
information, 14, Sch 1 Policy 1 c 21**

constituent micronations
collecting information in relation to.
Sch 1 Policy 1 c 12.7

Constitution
agreement of jurisdiction, 28, Sch 1
Policy 2 c 17.1
Bill of Rights under, 6, 26, Sch 1
Policy 1 c 1, Sch 1 Policy 2 c 9.2
jurisdiction established under, 6, 9,
Sch 1 Policy 1 c 2, Sch 1 Policy 1
c 10.5
making of instrument under, 1, s 3
power to make policies under, 1, s 3
responsibility to make entity privacy
policies established by, 6, Sch 1
Policy 1 c 4

**consultants, inclusion in scope of
Whistleblowing Policy, 25, Sch 1
Policy 2 c 8.5.6**

**contact history, disclosure of, 16, Sch 1
Policy 1 c 29**

contact information, 3, s 6
definition of, 2, s 4
Privacy Policy, 19–20
Whistleblower Policy, 37

contents
, ii–iii

**contractors, inclusion in scope of
Whistleblowing Policy, 25, Sch 1
Policy 2 c 8.5.3**

**Corporate Bodyguard, 28, Sch 1 Policy 2
c 17.2**

corporate policies, 3–4, 5–39, Pt 2, Sch 1

**corporate policies, breaches of, inclusion
as relevant matter in Whistleblowing
Policy of, 24, Sch 1 Policy 2 c 8.4.5**

Corporations Act 2001, 23
 Corporations law, references to, 23,
 Sch 1 Policy 2 c 8.1
 correcting personal information, 18–19,
 Sch 1 Policy 1 c 35-39
 corrupt conduct, inclusion as relevant
 matter in Whistleblowing Policy of,
 24, Sch 1 Policy 2 c 8.4.2
 creativity (value), 6, Sch 1 Policy 1 c 1
 criminal records, inclusion as sensitive
 information, 9, Sch 1 Policy 1 c 10.6.9

D

damage to property, inclusion as relevant
 matter in Whistleblowing Policy of,
 24, Sch 1 Policy 2 c 8.4.4
 damage to the environment, damage to,
 inclusion as relevant matter in
 Whistleblowing Policy of, 25, Sch 1
 Policy 2 c 8.4.9
 dates of compilation of policies, 3, s 7(2)
 dealing with disclosures under the
 Whistleblower Policy, 34–36, Sch 1
 Policy 2 c 37-47
 definitions, 1–2, s 4
 Privacy Policy, 8–10, Sch 1 Policy 1 c 9,
 10
 Whistleblower Policy, 23–25, Sch 1
 Policy 2 c 7, 8
 democracy, charitable, 6, Sch 1 Policy 1
 c 1
 destruction and de-identification of
 personal information, 17, Sch 1
 Policy 1 c 34
 detriment to financial position or
 reputation, inclusion as relevant
 matter in Whistleblowing Policy of,
 25, Sch 1 Policy 2 c 8.4.11
 detriment to whistleblowers and
 investigators, prevention of, 29–33,
 Sch 1 Policy 2 c 22-34
 direct marketing
 disclosure of personal information for
 the purpose of, 15, Sch 1 Policy 1
 c 24
 disclosure of contact history, 16, Sch 1
 Policy 1 c 29
 disclosure of personal information, 14–
 16, Sch 1 Policy 1 c 23-31

disclosure outside Australia, 16, Sch 1
 Policy 1 c 30, 31
 disclosures under the Whistleblower
 Policy, 34–36, Sch 1 Policy 2 c 37-47
 false, 33–34, Sch 1 Policy 2 c 35, 36
 handling and investigating, 34–36, Sch 1
 Policy 2 c 37-47
 making, 27–29, Sch 1 Policy 2 c 14, 15
 protections for people making and
 investigating, 29–33, Sch 1 Policy 2
 c 22-34
 dishonest conduct, inclusion as relevant
 matter in Whistleblowing Policy of,
 24, Sch 1 Policy 2 c 8.4.1
 disqualification (sanction), 8, Sch 1
 Policy 1 c 10.3, Sch 1 Policy 1 c 10.3
 drug trafficking, inclusion as relevant
 matter in Whistleblowing Policy of,
 24, Sch 1 Policy 2 c 8.4.4

E

electors
 collecting information in relation to, 10,
 12, Sch 1 Policy 1 c 12.3, Sch 1
 Policy 1 c 16.5, Sch 1 Policy 1 c 16.7
 eligible recipients, 23, Sch 1 Policy 2 c 8.2
 making disclosures to, 28–29, Sch 1
 Policy 2 c 16-18
 eligible whistleblowers, 23–24, Sch 1
 Policy 2 c 8.3
 protection of, 29–33, Sch 1 Policy 2
 c 22-34
 employees, inclusion in scope of
 Whistleblowing Policy, 25, Sch 1
 Policy 2 c 8.5.1
 endangerment of health and safety,
 inclusion as relevant matter in
 Whistleblowing Policy of, 25, Sch 1
 Policy 2 c 8.4.8
 endnotes
 1—About the endnotes, 40–41
 2—Abbreviation key, 41–42
 3—Legislation history, 42–43
 4—Amendment history, 44–46
 enforcement service, 28
 entities formed within the Enactorate
 whistleblower policies of, Sch 1 Policy 1
 c 4
 entities formed within Urabba Parks

F Index

whistleblower policies of, 6
environment, damage to, inclusion as relevant matter in Whistleblowing Policy of, 25, Sch 1 Policy 2 c 8.4.9
ethnic origin, inclusion as sensitive information. Sch 1 Policy 1 c 10.6.1, Sch 1 Policy 1 c 10.6.1
European Union, disclosure of personal information to entities located in, 16, Sch 1 Policy 1 c 30
evidence
collecting information in relation to, 11, Sch 1 Policy 1 c 12.4
evidence-gathering bodies, 28, Sch 1 Policy 2 c 17.1
exclusion
definition of, 8, Sch 1 Policy 1 c 10.2
expectations of team members, 26, Sch 1 Policy 2 c 9.3

F

false disclosures, 33–34, Sch 1 Policy 2 c 35, 36
Federal Police, disclosure of identity to, 32, Sch 1 Policy 2 c 32.2
financial position or reputation, detriment to, inclusion as relevant matter in Whistleblowing Policy of, 25, Sch 1 Policy 2 c 8.4.11
fraudulent conduct, inclusion as relevant matter in Whistleblowing Policy of, 24, Sch 1 Policy 2 c 8.4.3
functions and activities involving collection of personal information, 10–11, Sch 1 Policy 1 c 12

G

genetic information, inclusion as sensitive information, 10, Sch 1 Policy 1 c 10.6.11
GICU, 29
Governance Integrity Commission Urabbaparcensia, 29
government identifiers, use of, 16, Sch 1 Policy 1 c 31
grievances, personal work-related, 26–27, Sch 1 Policy 2 c 10-13

H

handling and investigating disclosures under the Whistleblower Policy, 34–36, Sch 1 Policy 2 c 37-47
health and safety, endangerment of, inclusion as relevant matter in Whistleblowing Policy of, 25, Sch 1 Policy 2 c 8.4.8
health information, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.10
higher standard principle, 25, Sch 1 Policy 2 c 9.1
historical records
collecting information in relation o the preparation of, 11, Sch 1 Policy 1 c 12.5
how to make a complaint in relation to personal information, 18–19, Sch 1 Policy 1 c 40-44
how to make disclosures under the Whistleblower Policy, 27–29, Sch 1 Policy 2 c 14, 15

I

illegal conduct, inclusion as relevant matter in Whistleblowing Policy of, 24, Sch 1 Policy 2 c 8.4.4
index, 47–55
indirect collection of personal information, 13, Sch 1 Policy 1 c 19
information
personal, 6–20, Sch 1 Policy 1, Sch 1 Policy 1
Inspectorate, 28
integrity body, 29
internal audit, 28
internal laws, breaches of, inclusion as relevant matter in Whistleblowing Policy of, 24, Sch 1 Policy 2 c 8.4.5
internal proceedings
collection of personal information in, 10–11, 13, 15, Sch 1 Policy 1 c 12, Sch 1 Policy 1 c 19.1, Sch 1 Policy 1 c 26-28
internet collection of personal information, 14, Sch 1 Policy 1 c 22

investigating disclosures under the Whistleblower Policy, 34–36, Sch 1 Policy 2 c 37-47
investigation procedure, 34–36, Sch 1 Policy 2 c 40-43
investigators
 protection of, 29–33, Sch 1 Policy 2 c 22-34

J

jurisdictional divisions
 collecting information in relation to, 11, Sch 1 Policy 1 c 12.7

K

kinds of personal information collected, 11, Sch 1 Policy 1 c 15

L

law enforcement service, 28, Sch 1 Policy 2 c 17.2
Law Officer’s Department
 availability of Privacy Policy from, 7, Sch 1 Policy 1 c 7, 8
 availability of Whistleblowing Policy from, 22–23, Sch 1 Policy 2 c 5, 6
legal proceedings
 collection of personal information in, 10–11, 13, 15, Sch 1 Policy 1 c 12, Sch 1 Policy 1 c 19.1, Sch 1 Policy 1 c 26-28
legislation history, 42–43
legislative instruments
 making policies, 2, s 4
location, providing, 12, Sch 1 Policy 1 c 16.8

M

making complaints in relation to personal information, 18–19, Sch 1 Policy 1 c 40-44
making disclosures under the Whistleblower Policy, 27–29, Sch 1 Policy 2 c 14, 15

maladministration, inclusion as relevant matter in Whistleblowing Policy of, 25, Sch 1 Policy 2 c 8.4.12

Manager-General in Council
 making of corporate plans and policies by, 5, Sch 1

marketing
 disclosure of personal information for the purpose of, 15, Sch 1 Policy 1 c 24

matters relevant to the Whistleblower Policy, 24–25, Sch 1 Policy 2 c 8.4

membership
 collecting information in relation to, 11, 12, Sch 1 Policy 1 c 12.6, Sch 1 Policy 1 c 16.4

membership of a political association, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.3

membership of a professional or trade association, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.6

membership of a trade union, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.7

method of collection of personal information, 11, Sch 1 Policy 1 c 14

method of disclosure, 29, Sch 1 Policy 2 c 19-21

method of investigation, 34–36, Sch 1 Policy 2 c 40-43

micronations
 collecting information in relation to, 11, Sch 1 Policy 1 c 12.7

Minister, alteration of policy and contact information in corporate policies by, 2, 3, s 4, s 6

minutes
 collecting information in relation to the preparation of, 11, Sch 1 Policy 1 c 12.5

misleading disclosures, 33–34, Sch 1 Policy 2 c 35, 36

mismanagement of resources, inclusion as relevant matter in Whistleblowing Policy of, 25, Sch 1 Policy 2 c 8.4.10

N

name, 1, s 1

O Index

name, providing, 12, Sch 1 Policy 1 c 16.8
nature (corporate), 6, Sch 1 Policy 1 c 1
New Zealand, disclosure of personal information to entities located in, 16, Sch 1 Policy 1 c 30
non-state jurisdiction, establishment of the Enactorate as, 6, Sch 1 Policy 1 c 2
non-state jurisdictions, 9, Sch 1 Policy 1 c 10.5, Sch 1 Policy 1 c 10.5
 sharing information with. Sch 1 Policy 1 c 23-31, Sch 1 Policy 1 c 23-31
notice of collection of personal information, 12, Sch 1 Policy 1 c 17
notifiable instruments
 that update policy and contact information, 3, s 6
numbers of policies, 3, s 7(1)

O

objectives for collection of personal information, 10–11, Sch 1 Policy 1 c 11, 12
Office of the Australian Information Commissioner (OAIC), 19
officers, inclusion in scope of Whistleblowing Policy, 25, Sch 1 Policy 2 c 8.5.2
Ombudsman, 29
online collection of personal information, 14, Sch 1 Policy 1 c 22
organ donor registration, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.10
orientation, sexual, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.8
other non-state jurisdictions, 9, Sch 1 Policy 1 c 10.5, Sch 1 Policy 1 c 10.5
 sharing information with. Sch 1 Policy 1 c 23-31, Sch 1 Policy 1 c 23-31
"our", definition of
 Privacy Policy, 8, Sch 1 Policy 1 c 9.2
 Whistleblower Policy, 23
outcome of investigation, 35–36, Sch 1 Policy 2 c 44-47

P

Part 1, 1–2
Part 2, 3–4

personal information, 6–20, 8–9, Sch 1 Policy 1, Sch 1 Policy 1, Sch 1 Policy 1 c 10.4, Sch 1 Policy 1 c 10.4
 accessing, 18–19, Sch 1 Policy 1 c 35-39
 anonymity in relation to, 13–14, Sch 1 Policy 1 c 20, 21
 collection of, 11–14, Sch 1 Policy 1 c 13
 complaints in relation to handing of, 18–19, Sch 1 Policy 1 c 40-44
 consequences of not providing, 14, Sch 1 Policy 1 c 21
 correcting, 18–19, Sch 1 Policy 1 c 35-39
 destruction and de-identification of, 17, Sch 1 Policy 1 c 34
 disclosure of, 14–16, Sch 1 Policy 1 c 23-31
 indirect collection of, 13, Sch 1 Policy 1 c 19
 notice of collection of, 12, Sch 1 Policy 1 c 17
 purposes for collection of, 10–11, Sch 1 Policy 1 c 11, 12
 quality of, 16–17, Sch 1 Policy 1 c 32
 rights in relation to, 18–19, Sch 1 Policy 1 c 35-39
 sensitive, 9–10, 13, Sch 1 Policy 1 c 10.6, Sch 1 Policy 1 c 10.6, Sch 1 Policy 1 c 18
 storage and security of, 17, Sch 1 Policy 1 c 33
 website collection, 14, Sch 1 Policy 1 c 22
personal work-related grievances, 26–27, Sch 1 Policy 2 c 10-13
personnel, inclusion in scope of Whistleblowing Policy, 46, Sch 1 Policy 2 c 8.5
philosophical beliefs, inclusion as sensitive information, 9, Sch 1 Policy 1 c 10.6.5
Police (Federal), disclosure of identity to, 32, Sch 1 Policy 2 c 32.2
policies, 5–39, Sch 1
 adoption of, 3, s 5
 definition of, 2, s 4
 numbers of, 3, s 7(1)
policy and contact information, 3, s 6
 definition of, 2, s 4
 Privacy Policy, 19–20

policy information. s 6
political associations, membership of,
 inclusion as sensitive information, 9,
 Sch 1 Policy 1 c 10.6.3
political opinions, inclusion as sensitive
information, 9, Sch 1 Policy 1 c 10.6.2
practices, sexual, inclusion as sensitive
information, 9, Sch 1 Policy 1 c 10.6.8
principle behind collection of personal
information, 11, Sch 1 Policy 1 c 13
principles
 Whistleblower Policy, 25–26, Sch 1
 Policy 2 c 9
Privacy Act 1988
 references to, 8, Sch 1 Policy 1 c 10.1
privacy policies of websites, 14, Sch 1
Policy 1 c 22
Privacy Policy, 6–20, Sch 1 Policy 1
 handling of personal information
 collected under Whistleblowing
 Policy under, 29, Sch 1 Policy 2 c 21
procedure of investigation, 34–35, Sch 1
Policy 2 c 40–43
proceedings
 collection of personal information in,
 10–11, 13, 15, Sch 1 Policy 1 c 12,
 Sch 1 Policy 1 c 19.1, Sch 1 Policy 1
 c 26–28
professional associations, membership of,
inclusion as sensitive information, 9,
Sch 1 Policy 1 c 10.6.6
property damage, inclusion as relevant
matter in Whistleblowing Policy of,
24, Sch 1 Policy 2 c 8.4.4
protections for people making and
investigating disclosures under the
Whistleblower Policy, 29–33, Sch 1
Policy 2 c 22–34
pseudonym, right to use, 13–14, 29, Sch 1
Policy 1 c 20, 21, Sch 1 Policy 2 c 20
purpose
 Privacy Policy, 7, Sch 1 Policy 1 c 5
 Whistleblower Policy, 21, Sch 1
 Policy 2
purposes for collection of personal
information, 10–11, Sch 1 Policy 1
c 11, 12

Q

quality of personal information, 16–17,
Sch 1 Policy 1 c 32

R

racial origin, inclusion as sensitive
information, 9
rangers, collection of information by, 12,
Sch 1 Policy 1 c 16.8
recipients of disclosures under the
Whistleblower Policy, 23, Sch 1
Policy 2 c 8.2
 making disclosures to, 28–29, Sch 1
 Policy 2 c 16–18
records, criminal, inclusion as sensitive
information, 9, Sch 1 Policy 1 c 10.6.9
records, historical
 collecting information in relation to the
 preparation of, 11
references
 index, 47–55
constituent micronations
 collecting information in relation to, 11
relevant matter, 24–25, Sch 1 Policy 2
c 8.4
relevant matters, concealing, inclusion as
relevant matter in Whistleblowing
Policy of, 25, Sch 1 Policy 2 c 8.4.13
relevant non-state jurisdictions, 9, Sch 1
Policy 1 c 10.5, Sch 1 Policy 1 c 10.5
 sharing information with. Sch 1 Policy 1
 c 23–31, Sch 1 Policy 1 c 23–31
religious beliefs or affiliations, inclusion
as sensitive information, 9, Sch 1
Policy 1 c 10.6.4
reputation or financial position,
detriment to, inclusion as relevant
matter in Whistleblowing Policy of,
25, Sch 1 Policy 2 c 8.4.11
resources, mismanagement of, inclusion
as relevant matter in Whistleblowing
Policy of, 25, Sch 1 Policy 2 c 8.4.10
responsibility (value), 6, Sch 1 Policy 1
c 1
responsibility of the Enactorate to
whistleblowers, 26, Sch 1 Policy 2 c 9.4
result of investigation, 35–36, Sch 1
Policy 2 c 44–47

S Index

rights in relation to personal
information, 18–19, Sch 1 Policy 1
c 35–39
rule-makers, 3

S

safety, endangerment of, inclusion as
relevant matter in Whistleblowing
Policy of, 25, Sch 1 Policy 2 c 8.4.8
Schedule 1, 5–39
scope
Privacy Policy, 7, Sch 1 Policy 1 c 6,
Sch 1 Policy 1 c 6
Whistleblower Policy, 22, Sch 1
Policy 2 c 2–4
sensitive information, 9–10, Sch 1
Policy 1 c 10.6, Sch 1 Policy 1 c 10.6
collection of, 13, Sch 1 Policy 1 c 18
sexual orientation or practices, inclusion
as sensitive information, 9, Sch 1
Policy 1 c 10.6.8
speaking up principle, 26, Sch 1 Policy 2
c 9.2
standard principle, 25, Sch 1 Policy 2
c 9.1
*Statute Law Revision (Bodyguard) Act
2024*, amendments made by, 43
storage and security of personal
information, 17, Sch 1 Policy 1 c 33
subsidiaries
application of Privacy Policy to, 7, Sch 1
Policy 1 c 6
suppliers, inclusion in scope of
Whistleblowing Policy, 25, Sch 1
Policy 2 c 8.5.5
suspension
meaning of, 10, Sch 1 Policy 1 c 10.7,
Sch 1 Policy 1 c 10.7

T

table of contents, ii–iii
tax file numbers, use of, 16, Sch 1
Policy 1 c 31
team members, 46, Sch 1 Policy 2 c 8.5
expectations of, 26, Sch 1 Policy 2 c 9.3
templates, biometric, inclusion as
sensitive information, 10, Sch 1
Policy 1 c 10.6.12

theft, inclusion as relevant matter in
Whistleblowing Policy of, 24, Sch 1
Policy 2 c 8.4.4
third parties, collection of personal
information from, 13, Sch 1 Policy 1
c 19
timing of collection of personal
information, 11–12, Sch 1 Policy 1
c 16
trade associations, membership of,
inclusion as sensitive information, 9,
Sch 1 Policy 1 c 10.6.6
trade unions, membership of, inclusion
as sensitive information, 9, Sch 1
Policy 1 c 10.6.7
trafficking, inclusion as relevant matter
in Whistleblowing Policy of, 24, Sch 1
Policy 2 c 8.4.4

U

UCB, 28, Sch 1 Policy 2 c 17.2
UCO, 28
unions, membership of, inclusion as
sensitive information, 9, Sch 1 Policy 1
c 10.6.7
United Kingdom, disclosure of personal
information to entities located in, 16,
Sch 1 Policy 1 c 30
United States, disclosure of personal
information to entities located in, 16,
Sch 1 Policy 1 c 30
update of policy and contact information
in corporate policies by Minister, 3, s 6
definition of ‘Minister’, 2, s 4
definition of ‘update’, 2, s 4
Urabbaparcensian Bill of Rights, 6, 26,
Sch 1 Policy 1 c 1, Sch 1 Policy 2 c 9.2
Urabbaparcensian Comptroller’s Office,
28
Urabbaparcensian Corporate
Bodyguard, 28, Sch 1 Policy 2 c 17.2
Urabbaparcensian Corporate
Whistleblowing Authority
availability of Whistleblowing Policy
from, 22–23, Sch 1 Policy 2 c 5, 6
Urabbaparcensian Inspectorate, 28
Urabbaparcensian Ombudsman, 29
Urabbaparcensian Privacy Authority

availability of Privacy Policy from, 7,
Sch 1 Policy 1 c 7, 8

"us", definition of

Privacy Policy, 8, Sch 1 Policy 1 c 9.2
Whistleblower Policy, 23, Sch 1
Policy 2 c 7.2

V

**violence, inclusion as relevant matter in
Whistleblowing Policy of, 24, Sch 1
Policy 2 c 8.4.4**

**volunteers, inclusion in scope of
Whistleblowing Policy, 25, Sch 1
Policy 2 c 8.5.4**

W

"we", definition of

Privacy Policy, 8, Sch 1 Policy 1 c 9.2
Whistleblower Policy, 23, Sch 1
Policy 2 c 7.2

**website collection of personal
information, 14, Sch 1 Policy 1 c 22**

**when personal information is collected,
11–12, Sch 1 Policy 1 c 16**

**Whistleblower Policy, 21–37, Sch 1
Policy 2**

whistleblowers

eligibility for protection of, 23–24, Sch 1
Policy 2 c 8.3

protection of, 29–33, Sch 1 Policy 2
c 22-34

responsibility of the Enactorate to, 26,
Sch 1 Policy 2 c 9.4

**work-related grievances, personal, 26–
27, Sch 1 Policy 2 c 10-13**

Y

"you", definition of

Privacy Policy, 8, Sch 1 Policy 1 c 9.1
Whistleblower Policy, 23, Sch 1
Policy 2 c 7.1

**your rights in relation to personal
information, 18–19, Sch 1 Policy 1
c 35-39**

Constitution (Corporate Policies) Instrument 2022

Compilation No. 1

Compilation date: 3 May 2024

Includes amendments up to: Act 4, 2024

Registered: 8 May 2024



U2024C00009P

Racomedia