PainChek
Intelligent Pain Assessment

PainChek Limited (Company)
ACN 146 035 127

Whistleblower Policy

March 2025

Commitment

The Company is committed to the highest standards of ethical conduct in all of our business activities.

Purpose of this policy

The purpose of this policy is to support the Company's commitment to the highest standards of ethical conduct and to provide everyone working at the Company with the means to raise concerns, without the fear of retaliation, regarding Reportable Conduct.

The Board and senior management of the Company encourage speaking up and reporting potential misconduct. A failure to speak up exposes the Company to risks and undermines our culture and values. The Board will not tolerate anyone being discouraged from speaking up or being disadvantaged or victimized because they want to speak up or they have done so.

Who is covered by this policy?

This policy applies to all group companies. It is applicable to all current and former directors, officers, employees, associates and contractors (or any relative or dependent of these persons), as well as the Company's suppliers and service providers and other persons who may be aware of Reportable Conduct concerning the Company or any of its directors, officers, associates, employees or contractors.

What is "Reportable Conduct"?

Reportable Conduct can be actual or suspected and is anything that concerns misconduct or an improper state of affairs or circumstances in relation to the Company. It does not generally include personal work-related grievances such as conflict between employees, decisions around promotions or employment terminations. Examples of Reportable Conduct may include but are not limited to:

- Dishonest;
- Illegal or Fraudulent;
- Corrupt;
- A questionable practice relating to accounting or similar financial controls;
- A conflict of interest;
- An inappropriate offering or receiving of gifts or entertainment;
- Theft or embezzlement;
- A disclosure or misappropriation of confidential information;
- A danger to the environment or workplace health or safety;
- Harassment, discrimination or bullying;
- Violent or threatening;
- Indicative of a violation of local laws (including local taxation laws);
- Unethical or otherwise has the potential to damage Company's reputation;
- A violation of Company policy, such as Company's Code of Conduct; or
- Attempts to conceal any of the above

Reportable Conduct also includes any conduct which comprises retaliation against any person who raises concerns of Reportable Conduct under this policy or against anyone who helps address a concern raised.

How do I raise a concern about possible Reportable Conduct?

If you are an employee of Company business division or function. In many cases, this should satisfactorily address your concern.

If you believe that you have been subject to harassment, discrimination or bullying, then you should first raise the issue in accordance with your local HR grievance procedures.

The Company also recognizes that there may be issues of such sensitivity that you do not feel comfortable raising with your senior manager or through your local HR processes or you may feel that a concern you have raised has not been adequately addressed. If that is the case, then you can submit a formal report of Reportable Conduct in accordance with the processes below.

How do I submit a report?

To submit a formal report of Reportable Conduct, you can:

- Report the matter through our external Company Secretary. This service has been established to facilitate anonymous and confidential reporting and is accessible 24 hours a day, 7 days a week. Reports can be made by email or over the phone.
- Natalie Climo (natalie.climo@boardroomlimited.com.au)
- Natalie Climo +61 (02) 8016 2875

Disclosures to regulators

Disclosures of Reportable Conduct may also be made to certain regulators in the Australian jurisdiction (such as ASIC, APRA or the Tax Commissioner in relation to certain tax affairs), in accordance with local Australian laws and regulations, including by the Company where required.

Whilst you are strongly encouraged to use internal reporting channels first before making disclosures to external bodies, nothing in this policy limits your right to use these external channels if you consider them to be more appropriate in the circumstances. This policy continues to provide protections to persons who choose to make disclosures in this way.

Emergency and public interest disclosures

In specified circumstances 'emergency disclosures' may also be made to a member of parliament or a journalist. Importantly, such disclosures will be protected only if they have already been made to ASIC, APRA (or another prescribed body) and where the discloser believes there is a substantial or imminent risk to public health and safety (or the environment). A public interest disclosure may be made in circumstances where 90 days have passed since the whistleblower's original disclosure to one of the prescribed regulators and they believe, on reasonable grounds, that further disclosure would be in the public interest. The discloser must give the original recipient written notice of their intention to make an emergency or public interest disclosure. Disclosures will not be protected as public interest disclosures or emergency disclosures if they relate to tax affairs.

Disclosures to legal practitioners

Nothing in this policy limits your right to make a disclosure to a legal practitioner for the purposes of obtaining legal advice as to whether and what protections may apply to you under this policy.

Can I make a report anonymously?

If you make a report, you may choose to remain anonymous and there is no requirement that you provide your name in order to qualify for protection under this policy.

What happens after I make a report?

If you raise a report under this policy, then it will be assessed to determine if it relates to Reportable Conduct and, if so, will be investigated as appropriate. The investigation process includes:

- **Assigning an investigation team:** Experts with the right knowledge and objectivity are

assigned to investigate.

- **Conducting an investigation:** The team determines the facts through interviews and/or review of documents as necessary. Unless there are confidentiality or other reasons not to do so, persons to whom the disclosure relates will be informed of the allegation at an appropriate time, and will be given a chance to respond to the allegations made against them.

- **Corrective action:** If necessary, the team recommends corrective actions to the appropriate managers for implementation.

- **Feedback:** The person raising the concern receives feedback on the outcome, to the extent he or she has made available a means to contact him/her.

If you are an external party and your report is assessed as relating to a concern or complaint about a product or service provided by the Company rather than to Reportable Conduct, then the report will be referred to your local service concern department for further investigation and resolution.

Will my report be treated confidentially?

If you raise a report under this policy then the information you provide will be shared only on a strict "need-to-know" basis as necessary for investigating the concern raised. In any case, all reasonable steps will be taken to protect your identity where your report is made on reasonable grounds, or otherwise in good faith. We will not disclose your identity without your consent, except as permitted or compelled by legal and regulatory requirements in your local jurisdiction.

All files and records created from an investigation will be retained under strict security.

Will I be protected if I submit a report?

The Company will not tolerate any retaliation against any person who raises (or attempts to raise) a report of Reportable Conduct on reasonable grounds, or otherwise in good faith, or a person who helps to address or investigate a concern raised. Retaliation occurs where a person causes or threatens detriment to another person, which may include (but is not limited to):

- disadvantage or discrimination in employment (e.g. demoting, dismissing or suspending a person);
- harassment or intimidation;
- harm or injury (physical or psychological harm);
- any damage to a person, including their property, reputation or financial position; or
- any of the above actions when carried out against any person associated with the whistleblower.

Any such retaliatory action is grounds for disciplinary action up to and including dismissal. In some cases, retaliatory action may attract civil or criminal liability.

Whistleblowers may be afforded legal protections under the Corporations Act 2001 (Cth) and other relevant legislation

Reporting

The Company Secretary will report on whistleblower incidents quarterly to the Chairman. These reports will be made on a 'no names' basis, maintaining the confidentiality of matters raised under this policy.

In addition, serious and/or material Reportable Conduct will be considered by the Company Secretary for immediate referral to the Board.

Implementation of this policy

This policy must be implemented in accordance with the local laws of the relevant jurisdiction in relation to which a disclosure is made. To the extent of any inconsistency between local jurisdictional requirements and the requirements of this policy, the local jurisdictional requirements will prevail.

False or misleading disclosures

When reporting, you will be expected to have reasonable grounds to suspect the information you are disclosing is true, but you will not be penalized if the information turns out to be incorrect.
However, you must not make a report that you know is not true or is misleading. Where it is found that a person has knowingly made a false report, this may be a breach of the Company's Code of Conduct and will be considered a serious matter that may result in disciplinary action. There may also be legal consequences if you make a knowingly false report.

Availability of this policy

This policy is available on the Company's website.

Review of this policy

The Risk and Audit Committee/Board of Directors will monitor and annually review the effectiveness of this policy.

Amendment of this policy

This Policy can only be amended with the approval of the Board of Directors.

Relationship to other polices

This policy should be read in conjunction with the Company's corporate governance policies.

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