

TOTE Tasmania Group

CODE OF CONDUCT

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1. INTRODUCTION

Success of the TOTE Tasmania Group (TOTE Tasmania) is heavily dependent upon the integrity of the people who work in the organisation and the confidence and trust of our customers and industry participants.

Maintaining the highest standards of integrity and efficiency is vital if TOTE Tasmania is to operate as a successful and reputable enterprise. This Code of Conduct (the Code) contributes to the confidence and trust in the way the business operates and to the cultural development of the organisation.

This Code of Conduct establishes standards of behaviour expected of you when you perform duties on behalf of TOTE Tasmania and is a guide to solving ethical issues for those who may be confronted with a dilemma. The philosophy of sharing information across the Company is important in supporting and building confidence and trust amongst our employees and in our business activities.

The Code does not repeat the operational procedures nor is it intended to be seen as a set of rules where each word is scrutinised for its legal meaning.

To succeed in our business endeavours, each employee has the responsibility to become familiar with the Code and its intent. In particular, Managers at all levels have a responsibility to ensure team members understand and apply the Code in their daily work environment.

I ask all staff to become familiar with its content and requirements and to seek further guidance from their managers if there is any doubt or ambiguity regarding their obligations as staff of TOTE Tasmania. All employees, the company and our customers will benefit in a positive way by individual employees committing to and behaving in accordance with the Code.

(Craig Coleman)
CHIEF EXECUTIVE OFFICER

2. EXPLANATORY NOTE

As the Code of Conduct (the Code) is a practical guide the emphasis has been placed on making the contents brief and easy to understand, rather than detailed and all-inclusive. There are more extensive details on many of these principles and behavioural requirements within Company Policy and Procedures.

In the Code the term “**employee**” is used in its broadest sense and refers to every employee whether they are employed on a full-time, part-time, contract, casual or fixed term basis. The term “representative” refers to those representing TOTE Tasmania who are not employees (for example, independent consultants).

There may be some points on which you require further clarification. Please approach your line Manager in the first instance on these matters. If further information is required it may be appropriate to contact either the Chief Financial Officer or the CEO.

3. COMMON QUESTIONS AND ANSWERS

Where do I go to get assistance?

In the majority of situations, you can contact your immediate line manager for assistance or clarification in relation to any matter regarding your work environment and activities.

In some instances where there may be sensitivities, you can seek assistance directly from your manager or respective Executive and failing that you may wish to approach the Chief Financial Officer.

Is this Code binding on all employees?

The Code is binding on all employees in the workplace or when undertaking TOTE Tasmania business.

How will the Company respond to a breach or suspected breach of the Code?

TOTE Tasmania considers the principles and behaviours in the Code to be fundamental standards for working with the company. As such, any suggestion or allegation of impropriety or breach of the Code will be acknowledged and dealt with in a respectful manner for all parties involved. It will be escalated to the appropriate level in the organisation for resolution.

In most cases it will involve discussions with your Manager and in some instances the Executive of the area.

In situations where the suggestion or allegation is verified, it may require the Employee Discipline procedure to be enacted. In some

cases it may warrant immediate dismissal or in more serious cases, criminal proceedings may need to be initiated.

What should I do if I suspect someone of having breached the Code? In accordance with Natural Justice principles, where you observe or experience what you believe to be inappropriate behaviour, you should make an assessment as to whether to approach the person concerned in the first instance. There may be a genuine misunderstanding that can be resolved without any further intervention. If however, your concerns are not alleviated, you should notify your Manager immediately. Where the inappropriate behaviour involves your Manager, you are encouraged to approach your Senior Manager of your area or the Chief Financial Officer if that is not appropriate.

The initial discussion or subsequent agreed actions between the offending person and their Manager (or appropriately notified person) do not resolve the concerns; the notified person should escalate the issue to the CEO immediately.

When you disclose improper or inappropriate conduct, this should not result in harassment or other reprisal action by other employees. The disclosure will be treated with the utmost confidentiality and sensitivity for all persons involved. Any reprisal or subsequent harassment is not acceptable and will be dealt with immediately.

What happens if I inadvertently breach the Code of Conduct?

TOTE Tasmania encourages a culture of learning, so if you become aware you have or may have inadvertently breached an aspect of Company policy, you are encouraged to discuss this with your line Manager.

4. PROFESSIONAL BEHAVIOUR

Workplace Behaviour

A significant part of the culture of TOTE Tasmania is based upon how employees behave and interact with each other. Employees are responsible for contributing to and interacting positively in support of a workplace culture which invites employees to work each day. You should carry out your duties with efficiency, honesty and fairness, working always to the best of your ability.

Consistency in decision-making is essential and this may require formal but not necessarily inflexible rules. TOTE Tasmania is aware of the need to be flexible enough to respond to circumstances that require prompt action.

Being Courteous and Responsive to Colleagues and Customers

Cultural, religious and social customs which employees observe are valued and respected. As such, employees have a responsibility to

ensure their language and behaviour does not cause offence or embarrassment to others.

All employees have a responsibility to adopt a timely and responsive manner, including being punctual to work and to work meetings. This includes demonstrating a positive and helpful approach to industry participants, customers, employees and other organisations and managing their time effectively to ensure that priority activities are identified and addressed efficiently.

Obligations of Staff Managing and supporting Other Staff

Those employees who manage other staff have to model expected behaviour and to coach and develop their teams to maximise the potential of each member. It is acknowledged it takes time and commitment in order to enhance people management skills and to seek new and improved ways of motivating and supporting employees in the pursuit of their goals and activities.

Obligations as an Employee

The concept of professionalism underpins the behaviour standards required of employees within TOTE Tasmania. While this is difficult to define exactly, the principle of respect for others can be used to assess whether behaviour or actions are professional.

Employees may also ask themselves if they would be comfortable with the behaviour or action becoming public knowledge. If the answer is no, the proposed action should probably not be taken without higher authority or guidance.

Employees are encouraged to seek assistance from their Managers on issues that are impacting on their work and/or work environment. This can be achieved by approaching the Manager directly.

In general:

- Treat colleagues, industry participants and customers with respect and sensitivity, providing high levels of customer service.
- Use your authority impartially, dealing with like situations in a consistent manner.
- Take all reasonable steps to obtain relevant and reliable information prior to making a decision.
- Know the procedural and legislative requirements of your position and comply with them. In particular Staff must not bet on duty, nor indulge in credit betting activities.
- Never use your position to exert inappropriate influence over employees of a less senior position.
- You are responsible for your own acts or omissions.

Use of Property and Resources for Company Purposes

TOTE Tasmania provides employees with access to a wide range of assets and resources to facilitate the operation of the business. It is incumbent upon employees to use these assets and resources in a manner that supports TOTE Tasmania in its endeavours and upholds the intent of the Code and other related policies and governing legislation.

As a preventative measure, TOTE Tasmania prohibits the use of unlicensed or pirated software by any employee in the course of their duties or the unauthorized copying of any software which may be either licensed to or owned by TOTE Tasmania.

Employees also have a responsibility to ensure appropriate usage of Email and Internet services. TOTE Tasmania monitors accounts for all computer system operations, which includes system usage, disaster recovery, virus screening, PC networks, security and compliance with control requirements of fixed assets. All employees are required to read and sign an acknowledgement of the Email and Internet Policies prior to commencement of employment. Further details are available in that document.

Avoidance of Waste and Security of Company Property and Facilities

An important part of providing employees with access to a wide range of assets and resources to assist them in undertaking their roles, is to minimise waste, damage and loss. All employees have a responsibility to ensure resources dedicated to business activities are used efficiently and with consideration for reducing waste and duplication.

As a component of the responsible use of resources and equipment, employees are also required to ensure appropriate security measures are exercised to minimise loss and damage.

Making Fair Decisions

TOTE Tasmania will use a merit-based approach to decision making, allowing facts and differing opinions to be heard and presented. Decisions will be made following a reasonable attempt to gather all of the facts and to take into account the possible consequences and impact of each decision. Appeal and / or dispute resolution will be available should employees have concerns with any decisions made. These principles should also be used by employees generally, when they are involved in a decision making process.

Harassment in the Workplace

TOTE Tasmania promotes and will provide as far as practicable a work environment free from harassment and intimidation. Harassment is behaviour toward others that can be defined as unwelcome, or which humiliates, offends or intimidates others. Sexual harassment is of special concern.

Harassment of any kind by or against employees is not acceptable and will be dealt with through the Performance Management process. In extreme cases this may lead to termination of employment.

Responding to Suspected Harassment

In any situation where an employee believes harassment has taken place, the principles of Natural Justice are to be applied. If the employee is comfortable to do so, they are encouraged to discuss the matter with the 'offending' employee. Sometimes the offence may have been unintended and the offending employee may have been unaware of the impact on fellow employee/s. If the 'offended' employee is not comfortable making such an approach, they are encouraged to notify their immediate Manager who can then apply the above principles prior to escalating the matter (if required).

If the employee's immediate manager is the source of the alleged harassment, then the employee should approach the next in line manager or the Manager Human Resources.

5. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

TOTE Tasmania is an Equal Opportunity Employer and has adopted practices to ensure equal opportunities are extended to all employees in accordance with current legislation and Company beliefs.

TOTE Tasmania is committed to upholding the right for every employee to be treated fairly and without bias within any work-related situation. Managers are responsible for promoting the principles of EEO in all employment decisions and for continually reviewing processes to ensure the Company is not directly or indirectly discriminating against any individual or group of people.

Each employee is responsible for acting in a manner that supports a fair and equitable work environment.

Diversity and Respect for the Opinion of Colleagues and Customers in the Workplace

TOTE Tasmania values diversity in its workforce, as it often brings innovation and change. It is important that employees acknowledge and consider the opinions of others and encourage the sharing of ideas. Consultation is highly valued by the Company and should be used where appropriate to ensure seamless service delivery and an informed workforce.

An integral aspect of the development and operation of the business has been the acknowledgment of the enrichment that diversity has provided to improving TOTE Tasmania, in particular customer service and the ability to attract employees.

Discrimination in the Workplace

TOTE Tasmania is committed to the elimination of discrimination in the workplace and to ensuring that no individual is subject to bias, harassment or discrimination on the grounds of issues such as gender, age, marital status, nationality or ethnic origin, sexual orientation, religious or political belief, disability or impairment. Discrimination means denying an individual fair and equal treatment in employment on grounds other than those based on the requirements of the job.

Managers at all levels within TOTE Tasmania have a responsibility to ensure their team members are able to work in an environment that is free from discrimination.

It is incumbent upon all employees to comply with relevant federal and state legislation that establishes grounds on which discrimination is illegal.

6. OCCUPATIONAL HEALTH AND SAFETY

TOTE Tasmania is committed to providing a safe work environment for all employees, Company representatives and contractors and for ensuring the health and safety of members of the public is not adversely affected by business activities. The Occupational Health and Safety Act 1995 (TAS) has been referenced in providing the following information.

The Company's Duty of Care

TOTE Tasmania is required and will provide and maintain, so far as is practicable, a working environment that is safe for employees and representatives and without risks to health.

Employee's Duty of Care

Whilst TOTE Tasmania is committed to providing a safe environment in which to conduct its business and to meeting its legal and regulatory obligations, employees also have responsibilities.

At work, employees are required to take reasonable care of their own health and safety and where their actions impact on others, that of their colleagues. Employees are also required to cooperate with the Company on any action taken by TOTE Tasmania to comply with any requirements imposed by the Occupational Health and Safety Act 1985 or regulations. In addition, employees must not wilfully or recklessly interfere with, or misuse safety equipment provided. They must not wilfully put at risk the health and safety of others.

Drugs and alcohol in the Workplace

The health and safety of employees is important to TOTE Tasmania. Any possession or illegal use of drugs (including a drug intended for use by prescription) or being intoxicated in the workplace is not acceptable.

On occasions TOTE Tasmania will have activities where alcohol may be consumed in a responsible way ensuring the health and safety and enjoyment of all employees is considered. TOTE Tasmania and the employee each have a responsibility to ensure that alcohol is provided and consumed in a responsible way.

7. COMMITMENT TO INTEGRITY

TOTE Tasmania is committed to operating its business honestly, efficiently and fairly, and in accordance with ethical standards and legal requirements.

A conflict of interest arises when you are influenced, *or can be seen to have been influenced*, by your personal interests.

Your primary business loyalty is owed to TOTE Tasmania. Avoid making any decisions or participating in activities which may conflict with your duty to TOTE Tasmania.

Often you will be the only person who knows that there is a possible conflict of interest. Therefore it is up to you to advise your supervisor about this matter or another senior manager should be approached on the subject.

Employees wishing to serve as directors of any other organisation or wishing to participate in their management, must first refer the matter to the Manager Human Resources for further advice.

Employees are free to engage in any political activity, provided it does not compromise the authority of their position with TOTE Tasmania.

If you are in doubt about whether a disclosure should be made, you should seek the advice of senior management. Disclosure will be kept strictly confidential.

Outside work

TOTE Tasmania expects that employees will devote their time and attention while at work to the diligent and professional performance of their duties. Employees should avoid having other concerns or interests, directly or indirectly in any other trade or business which may be in any material form of competition with the business of TOTE Tasmania. Employees can discuss any concerns or interpretations with respective Managers and seek approval for additional work.

Financial Relationships in the Work Environment

TOTE Tasmania considers the management of financial interactions within and outside TOTE Tasmania important. Any commercial bribery by or on behalf of TOTE Tasmania in any form will not be tolerated. Commercial bribery refers to the payment of money or anything else of value to an employee, customer (or customer's agent) or supplier for the purpose of influencing the recipient's actions.

Any request from any source for inducement to influence the outcome of any dealings with persons or organisations with whom we as employees conduct (or intend to conduct) business, is to be refused and reported immediately to the Chief Financial Officer.

Personal Relationships in the Work Environment

Personal relationships between employees are a private matter. However, great care should be exercised while at work to ensure that other employees and team members are not adversely impacted by the relationship. All employees should always follow unbiased judgement, decision making, equality and privacy principles. All employees have the right to attend work and expect to undertake their duties without private and personal information being discussed within the workplace.

Demonstrating affection in the form of intimate behaviour in the workplace has the potential to make others uncomfortable and embarrassed, and would not be considered professional behaviour.

Relations with Agents and Representatives of the Company

To maintain the integrity and efficacy of business interactions, the agents and representatives of TOTE Tasmania are to be selected carefully.

When selecting and appointing agents or representatives of TOTE Tasmania, consideration is to be given to Integrity in addition to the ability to provide efficient service. TOTE Tasmania's responsibility and potential legal liability arise from the fact that an agent or representative may act or appear to act on behalf of the Company. A written agreement must be in place specifying the relationship with the Agent.

An agent or representative may be called by many other names, such as consultant, contractor, etc.

Keeping Business Records

Government agencies, customers and suppliers rely upon the integrity of TOTE Tasmania's records. All business records must accurately reflect the transaction they are recording and comply with all applicable policy and stated requirements.

All records and documentation are to be retained in accordance with established retention schedules and legislative requirements.

8. CONFIDENTIALITY

Each of us, as an employee of TOTE Tasmania, has a duty to maintain the confidentiality, integrity and security of Company information for which we are responsible. TOTE Tasmania information may occur in the form of documents, registers, files, data or information stored in hardcopy or electronic form, or in verbal communications. Unless formal authority is granted, you must not disclose or use Company information which would not normally be available to the public, other than as part of your duties as an employee of TOTE Tasmania.

You must take care to ensure that sensitive or confidential information is kept secure. Never discuss information related to TOTE Tasmania operations, except if it is published in official documents such as the Annual Report or Press Releases. You should not misuse any information gained in your capacity as an employee of TOTE Tasmania.

9. PUBLIC COMMENT

There are designated people within TOTE Tasmania who are responsible for making official statements on a range of issues. You should not make public comment on matters relating to TOTE Tasmania unless you are so authorised.

You are strongly advised not to air personal views, anonymous or otherwise, which may be inaccurate or which may reflect adversely on TOTE Tasmania. You should make sure that your personal views are not interpreted as official comment. All media enquiries should be referred to the Chief Executive Officer.

10. GIFTS, BENEFITS AND HOSPITALITY

Except as provided below, you must not give or receive any monetary payment, gift, benefit, personal favour or gratuity in, or in connection with, any business of TOTE Tasmania.

You can only accept a gift **or** benefit if it is of a nominal value of up to \$200 and is justifiable and not intended as a bribe. Gifts, etc. of a more substantial value must always be reported to your supervisor who will advise you on the most suitable course of action. In general, if the gift is meant to make you change how you would do your work, *or could be seen by others to have that intention*, then it should not be accepted.

YOU MUST NEVER SOLICIT any gift, benefit, hospitality or money. To do so would seriously damage the reputation of TOTE Tasmania.

11. USE OF OFFICIAL EQUIPMENT

You must use all official property, facilities and equipment carefully, efficiently and economically. Waste and extravagance is to be avoided.

You must ensure that you have the necessary delegation before incurring or authorising any expenditure on behalf of TOTE Tasmania.

TOTE Tasmania resources should not be used for private benefit.

12. DRESS REQUIREMENTS

To maintain the professional image of TOTE Tasmania and to ensure that all employees meet the reasonable expectations of our industry participants and our customers, you should ensure that you are of neat appearance and that you conform to a standard of dress generally accepted in the business community.

Appropriate grooming and dress is particularly important when representing TOTE Tasmania in an official capacity. For example, when presenting a seminar or attending a conference or official function. All staff involved in activities that require personal protective equipment to ensure a safe workplace must wear the designated clothing and equipment.

13. WHISTLEBLOWER PROGRAM

TOTE Tasmania is committed to ensuring that all aspects of our work are ethical and professional, and that the board and management team will not tolerate corrupt, illegal or undesirable conduct, or the taking of reprisals against those who come forward to disclose such conduct.

TOTE Tasmania supports the making of protected disclosures that reveal 'reportable conduct'. Therefore employees, suppliers, clients or anyone who believes they have knowledge of improper conduct within TOTE Tasmania or its subsidiaries should be provided with the opportunity or access to may make such disclosures. Management will take all reasonable steps to protect anyone who makes protected disclosures from reprisals for making a disclosure.

Employees are encouraged to continue to raise complaints or grievances that fall outside the protected disclosure parameters through TOTE Tasmania's established complaints process.

The policy will be discussed at induction, however employees should consult the Whistleblowers Protection Policy for further details on what is reportable conduct and how to make a report.

14. BREACHES OF THE CODE

This Code of Conduct is designed to promote and enhance the ethical behaviour of all employees of TOTE Tasmania. You are required to familiarise yourself with the provisions of the Code and the responsibilities it places upon you. If you are found to have breached the Code, TOTE Tasmania may decide to take action against you. Such action may include disciplinary action for misconduct or serious misconduct. Any such action may result in sanctions imposed, including and up to, termination of employment.

Anyone who is aware of a breach of the Code should report to the breach to:

- Their immediate supervisor or manager; or
- The Manager Human Resources; or
- The Chief Financial Officer in the first instance.