

Code of Conduct

Introduction

The **National Intermodal Code of Conduct** (the Code) describes the standards of professional conduct and behaviour expected at National Intermodal and our commitment to fostering a workplace culture where the high standards of ethical and accountable conduct expected of a Government Business Enterprise (GBE) are valued and demonstrated through the actions of our workforce every day.

The Code sets clear expectations for the actions and behaviour of everyone who works at National Intermodal and guides our thinking, actions and conduct as individuals, and as we work together.

By acting and behaving in line with the Code, we demonstrate our understanding of, and right to hold the trust and responsibility granted to us by our shareholder, the Australian Government, and the communities we serve.

The Code is supported by our Company Values of **Commit & Deliver**, **Act with Care**; and **Make a Difference** and our Policies, Standards and Procedures; it operates in conjunction with the requirements of Federal and State laws and regulations, whole of government policy and directives, and applicable industrial instruments.

Scope

Who does the Code apply to?

The Code applies to:

- directors of the Board;
- the Chief Executive Officer;
- all National Intermodal employees, whether employed on a permanent, temporary or casual basis; and
- all Contractors and consultants engaged to perform work for or on behalf of National Intermodal;

(collectively, **National Intermodal People**).

When does the Code apply?

The Code applies whenever a person is identified as a representative of National Intermodal. This includes when a person is:

- in the workplace, including when working from home or outside their regular workplace;
- at work-related events, including work-related events outside business hours (e.g. meetings, conferences and other company events, including social events);
- in the community; and
- on social media.

National Intermodal People are expected to read, understand and comply with the Code and complete mandatory training on the Code as required.

What we expect of you

You are expected to use the Code to help you understand what is expected of you at National Intermodal:

- You must read, understand, and comply with the Code and all our policies, standards and procedures relevant to your role and the work you undertake at National Intermodal;
- Mandatory training on this code and other policies, standards and procedures must be completed;
- the Code is not all encompassing and does not deal with every situation which may arise. It outlines the minimum standards expected of you, and should help you decide what is right. If anything is unclear, talk to your People Leader;
- You should understand that failure to act in accordance with the Code, or our policies and procedures, may result in disciplinary action, up to and including termination of employment or contract of services.
- Take positive and appropriate action to report matters. You can raise concerns safely in connection with our workplace, with a positive obligation to report breaches of the Code or any laws.

The Code is a National Intermodal Policy and is additional to the obligations in your contract of employment or engagement with National Intermodal. National Intermodal policies may be reviewed, varied, added to or withdrawn by National Intermodal at any time, at its absolute discretion and do not form part of a contract of employment or engagement with National Intermodal.

What you can expect from National Intermodal

National Intermodal is committed to bringing the Code to life by:

- providing clear and consistent expectations that everyone must adhere to the Code, and consequences for those who do not.
- providing help in navigating tough situations.
- providing safe avenues and formal processes to raise issues without fear of reprisal when you speak up
- diligently upholding the Code by investigating and addressing suspected breaches, as appropriate
- not tolerating breaches of the Code, or any form of victimisation, reprisals, or adverse treatment against you, if you raise an issue or complaint in relation to the Code.

Our Company Values

National Intermodal People are expected to understand and live by our Company Values. The Company Values describe the foundation principles that guide how National Intermodal People are expected to act and behave at work every day:



We ensure our workplace is safe, inclusive and free from discrimination, harassment and bullying

National Intermodal is committed to a safe, respectful and inclusive workplace free from bullying, harassment, discrimination and other unlawful behaviours. Our goal is to ensure that National Intermodal People feel safe, respected, and can contribute. By embracing diversity, we can attract key talent, enhance employee engagement and retention, encourage innovation, and provide a foundation for our employees to succeed in delivering our objectives.

National Intermodal People must:

1. Be respectful and professional in all dealings with others.
2. Treat people fairly and equitably, ensuring our workplace is free from bullying, harassment and discrimination and other unlawful behaviours.
3. Not discriminate; including in relation to gender, religion, race, national or ethnic origin, cultural background, social group, disability, sexual orientation, marital status, age, career responsibilities or political opinion, in accordance with [National Intermodal's Diversity, Anti-Discrimination & Equal Employment Opportunity Policy](#).
4. Speak up and take action to address unacceptable behaviour experienced or witnessed in the workplace including unlawful behaviours such as bullying, discrimination and harassment. If needed, seek help to address unacceptable behaviour in the workplace following the processes outlined in the [Managing Workplace Grievances Policy](#).
5. Respect people's different backgrounds, experiences, perspectives and ways of thinking and working; and create a safe and inclusive workplace environment that enables encourages people to speak up and contribute, in accordance with National Intermodal's [Diversity & Inclusion Policy](#).
6. Comply with National Intermodal's People & Culture Policies, Standards and Procedures as introduced or amended from time to time.

We work safely and look out for the safety and wellbeing of others in our workplace

National Intermodal is committed to providing healthy and safe places of work in compliance with our legal obligations toward our workforce and visitors. Health, safety and wellbeing is a shared responsibility and through training and guidance, we consult, communicate, coordinate with National Intermodal People so that they have a safe place of work, and are aware that they also have responsibility for their own health and safety and for the health, safety, and wellbeing of others.

National Intermodal People must:

1. Take personal responsibility for their health, safety and wellbeing and the health, safety and wellbeing of others in our workplace.
2. Take all steps to identify, manage and prevent workplace injuries and incidents that may affect them and/or others.
3. Speak up and respectfully challenge unsafe behaviours and stop work where there are reasonable concerns that continuing the work would expose someone to serious risk to their health and safety.
4. Report any safety hazards or unsafe conditions or incidents for investigation and action following the processes prescribed in the [Incident and Hazard Reporting Policy](#).
5. Attend work fit and able to safely perform their duties and not while impacted by fatigue, alcohol or other drugs in accordance with the [Fitness for Work Policy](#) and [Alcohol and Other Drugs Procedure](#).
6. Wear or utilise appropriate Personal Protective Equipment (PPE) as required.
7. Comply with National Intermodal's [Health, Safety & Wellbeing Policy](#), and related Standards and Procedures.

We are ethical and accountable in all our business activities

National Intermodal is committed to fostering a workplace culture where high standards of ethical and accountable conduct are valued and demonstrated through the actions and behaviour of National Intermodal People every day.

National Intermodal People must:

1. not engage in behaviour which might bring the company into disrepute or otherwise adversely affect its brand or reputation.
2. immediately notify of any matters which may impact our ability to undertake (in part or all of) the inherent requirements of our role or engagement, such as health, family/ living status, or charged with or convicted of a criminal offence. Disclosure is required of serious criminal offences, whether or not related to work.
3. If you are an employee of National Intermodal, not be employed by another entity or have other business relationships without the written approval of CEO or Chief of Corporate Affairs
4. comply with the law, company policies and directions.

Preventing fraud and corruption

National Intermodal is committed to the highest level of integrity and ethical standards in all business practices. National Intermodal has a zero tolerance approach to fraudulent and corrupt conduct and prohibits the bribery of, and fraudulent or other corrupt conduct involving, government officials or commercial third parties (such as suppliers and consultants).

National Intermodal People must:

1. Act in a professional, honest and ethical manner at all times.
2. Be aware of their responsibilities for fraud and corruption risk management and comply with the Fraud and Corruption Prevention Policy.
3. Reject any efforts made by third parties (including public officials, suppliers, customers, or business partners) to unfairly affect any official decision-making process in order to achieve an improper business advantage.
4. Not use company funds to make political donations.
5. Not participate in, cover up or in any way assist in any form of bribery, fraud or corrupt conduct; or engage in, participate in, cover up or in any way assist in any behaviour or conduct which involves or may be perceived as victimisation, bullying, harassment or any other form of reprisal action against any person who reports an actual or suspected breach of the Fraud and Corruption Prevention Policy.
6. Act reasonably and in good faith to immediately report any concerns or suspicions relating to actual or suspected bribery, fraud or corruption following the processes prescribed in the Fraud and Corruption Prevention Policy.

Conflicts of Interest

National Intermodal is committed to ensuring that third-party dealings are conducted in a fair, transparent and honest manner and guides National Intermodal People to be sensitive to, and how to manage actual, potential, and perceived conflicts of interest.

National Intermodal People must:

- Be aware of their obligations to avoid conflicts of interest and comply with the Conflict of Interest Policy.
- Not act in a manner contrary to the interests of National Intermodal, and where there is a conflict between their personal interests or the interests of National Intermodal, the latter must prevail.

- Ensure that, in all their activities, they consider whether an actual or potential conflict of interest arises and take all reasonable step to avoid a conflict of interest arising.
- Immediately disclose a conflict of interest and any change to the situation that has created the conflict of interest by following the Conflict of Interest Declaration process as prescribed in the Conflicts of Interest Policy.
- Ensure charitable donations or community sponsorships provided by National Intermodal to a third party comply with the [Donations & Sponsorship Policy](#).

Gifts & Benefits

National Intermodal is committed to ensuring that the gifts and benefits offered by another party to National Intermodal or conferred by National Intermodal to another party from time to time are managed appropriately to avoid conflicts of interest – perceived or actual.

National Intermodal People must:

- Be aware of their obligations in relation to accepting and receiving gifts and benefits that arise from their employment or engagement at National Intermodal and comply with the [Gifts & Benefits Policy](#).
- Not request, accept, offer or make a cash or other payment, benefit or gift in connection with their employment with or engagement by National Intermodal, except where permitted by the Gifts & Benefits Policy.
- Not offer or accept a gift or benefit that is reportable under the Gifts & Benefits Policy without the prior approval of the relevant Approver and following the reporting process prescribed in the Gifts & Benefits Policy.
- Disclose any actual, potential or perceived conflict of interests arising from the provision or receipt of a gift or benefit in accordance with the Conflict of Interests Policy.

We protect confidential and sensitive information and the privacy of others

National Intermodal is committed to protecting the privacy of individuals. We protect personal information and aim to be clear and open about what we do with it. When we collect, hold, use or disclose personal information, we comply with the law including the principles set out in the Privacy Act 1988 (Cth).

In addition, we have Policies and Processes that protect company information, ensuring confidential and sensitive information is used appropriately and restricted to authorised persons only, and protected from unauthorised access and disclosure.

National Intermodal People must:

1. Access and use confidential or sensitive information only as authorised.
2. Not disclose confidential or sensitive information to others without authorisation, during their employment or engagement with National Intermodal; and after the employment or engagement has ended, in accordance with their employment or engagement agreement.
3. Not use or disclose confidential or sensitive information for personal gain or other improper purposes.
4. Not use or disclose confidential or sensitive information relating to National Intermodal, its operations, its shareholder departments or any other National Intermodal stakeholders to a third party or post such information in a public domain, application, public AI channels, social media platform or website; or discuss it in a public area.
5. Comply with National Intermodal's processes relating to the safe storage, security and protection of confidential and sensitive information and appropriate use of technology.
6. Not make comments to the media unless authorised to do so; media enquiries should be directed to the Director Communications.

7. Comply with National Intermodal's [Social Media Policy](#) when communicating on social media platforms.

We understand, comply with and uphold the Code of Conduct

Training

The Code is included in National Intermodal's mandatory Core Learning program. All new starters are automatically enrolled in the mandatory Core Learning program and they must read and acknowledge the Code within 4 weeks of their start date.

All National Intermodal People are enrolled in the mandatory Annual Core Learning Refresher program and are required to read and acknowledge the Code on an annual basis.

Voicing concerns

Breach of the Code will be taken seriously and investigated in a manner that is confidential, fair and objective.

National Intermodal People who become aware of an actual breach of the Code, have a reasonable suspicion of a breach, or have concerns about the behaviour of someone at National Intermodal, must report the matter to:

- Their leader; or
- If the matter concerns their leader or they are not satisfied that their leader is treating their concerns seriously, report the matter to their People & Culture Business Partner or the Company Secretary.
- Alternatively, a suspected or actual breach of this Code may be reported to the persons and in accordance with the procedure outlined in National Intermodal's Whistleblower Policy. This provides for anonymous disclosures to be made through Your Call Whistleblowing Solutions (Your Call), National Intermodal's external and independent whistleblowing services provider.

National Intermodal's Whistleblower Policy can be accessed on the National Intermodal's [website](#).

Your Call is accessed at <https://www.yourcall.com/report> or by calling 1300 790 228.

National Intermodal's unique identifier code is MICL0901.

Breaching the Code of Conduct

Breaches of this Code or any law will be dealt with under the relevant Policy or legislation.

A breach of the Code may result in disciplinary action which will depend on the severity of the breach and could include termination of employment or in the case of contractors and consultants, termination of their engagement with National Intermodal.

Serious breaches of the Code may also result in a breach of the law or regulations and carry criminal or civil penalties.

Getting Support

National Intermodal offers its People and immediate family confidential assistance and support through our Employee Assistance Program (EAP). You can find out more about the EAP on [The Terminal](#).

Administering the Code

The Code will be reviewed at least every 2 years to ensure that it is operating effectively and to identify whether any changes are required.

Definitions

For the purposes of the Code of Conduct and National Intermodal Policy, the below means:

National Intermodal: (we, us, our) National Intermodal and related companies.

National Intermodal People: (you, your) comprises: directors of the Board; the Chief Executive Officer; all National Intermodal employees, whether employed on a permanent, temporary or casual basis; and all Contractors and consultants engaged to perform work for or on behalf of National Intermodal;

People Leaders: (Leader, Manager): Employees who have direct line management accountability.