

# Modern Slavery Supplier Code of Conduct

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## **Modern Slavery Supplier Code of Conduct**

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In this Supplier Code of Conduct (**Code**), “We”, “Our” and “Us” refers to Shine Justice Ltd (**Shine**) and any of its related entities. References to “You” and “Your” refer to any supplier engaged by Shine. References to “Representatives” refer to a supplier’s subsidiary/ies, subcontractor/s, employee/s and authorised representative/s, and any third parties that act for You, as applicable.

### **1 Purpose of this Code**

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The purpose of this Code is to clearly articulate the standards of practice expected by Shine of You and Your Representatives with respect to Your business standards and operations.

We are committed to taking a proactive approach in ensuring Our business standards effectively address the risks of modern slavery occurring in Our operations and supply chains in the Australian and global markets.

We want to partner with suppliers who:

- are willing to join Us in strengthening Our response to modern slavery;
- are committed to high standards of transparency and ethical conduct;
- want to support other suppliers in promoting corporate social and environmental responsibility.

We expect that You and Your subcontractors will adopt the commitments outlined in this Code.

### **2 Application**

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This Code applies whenever We contract with a third-party supplier or contractor for the supply to Us of any goods or services, and must be strictly complied with. Particular supplier contracts may contain more specific provisions addressing some of these same issues. To the extent that there is any inconsistency between this Code and any particular supplier contract, this Code shall prevail unless the particular supplier contract otherwise expressly states to the contrary.

### **3 Compliance with laws and standards**

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You must comply, at all times, with all applicable laws (international, national, federal, state, or local) in which You operate. This includes, but is not limited to:

- (a) *Modern Slavery Act 2018 (Cth)*
- (b) *Australian Criminal Code Act 1995 (Cth)*, specifically, Division 270 or 271 of the Criminal Code, extending to conduct in and outside of Australia;
- (c) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;
- (d) ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

We also ask that You comply with the following Guideline:

Guiding Principles on Business and Human Rights: Implementing the United Nations ‘Protect, Respect and Remedy’ Framework.

## 4 Modern Slavery and Human Rights

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### 4.1 Modern slavery

The *Modern Slavery Act 2018 (Cth) (MSA)* draws on principles adopted in the 2011 United Nations Guiding Principles on Business and Human Rights (**UNGPs**). The UNGPs set a global standard of expected conduct for all business enterprises and should be supported by suppliers.

We believe that all business enterprises should respect human rights and address any adverse impact their business practice has or may have on human rights. All people have the right to protection from exploitation, violence and abuse.

You must comply with Modern Slavery Laws and not do or omit to do anything that will cause Us to breach Modern Slavery Laws.

**Modern Slavery** includes:

- (a) Any conduct involving the use of any form of slavery, human trafficking, exploitation, forced labour practices or servitude to exploit children or other persons taking place in a supply chain;
- (b) Any other slavery-like practices; and
- (c) Any conduct constituting an offence and/or as otherwise defined as Modern Slavery, under Modern Slavery Laws.

**Modern Slavery Laws** means any primary or delegated/subordinate legislation (and any binding or non-binding guidelines issued by any entity or person so authorised under Modern Slavery Law), applicable in Australia, any State or Territory and/or otherwise applicable to Us or You from time to time with respect to reporting on and/or addressing the risks of Modern Slavery, including in business operations and supply chains and with respect to related purposes including but not limited to the *Modern Slavery Act 2018 (Cth)* and the *Modern Slavery Act 2018 (NSW)*.

### 4.2 Human rights

The UNGPs state that all business enterprises have a responsibility to respect human rights. We support and respect internationally recognised human rights.

You must comply with all applicable Human Rights Related Laws and Policies in respect of Your business activities. You must ensure that the Human Rights of any of Your Representatives are protected, and that You avoid causing or contributing or adversely impacting upon them.

**Human Rights Related Laws and Policies** include but are not limited to the following instruments:

- (a) International Covenant on Civil and Political Rights (**ICCPR**);
- (b) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (**UNCAT**),
- (c) International Covenant on Economic Social and Cultural Rights (**ICESCR**),
- (d) Convention on the Rights of the Child (**CRC**);
- (e) Convention on the Rights of Persons with Disabilities (**CRPD**);
- (f) International Bill of Human Rights; and
- (g) 1998 International Labour Organisation's Declaration on Fundamental principles and Rights at Work.

**Human Rights** include but are not limited to:

- (a) the absolute right to freedom from slavery and forced labour (Article 8 ICCPR);
- (b) the absolute right to freedom from torture and other cruel, inhuman or degrading treatment or punishment (Article 7 ICCPR, Articles 1, 2, 3, 13, 14, 15, 16 UNCAT);
- (c) the right to work and rights at work (Article 6 and 7 IECSCR);
- (d) the right to protection from exploitation, violence and abuse (Article 20 ICCPR, Article 19 CRC, Article 16 CRPD);
- (e) the right to freedom of movement (Article 12 and 13 ICCPR); and
- (f) the right to privacy and reputation (Article 17 ICCPR).

You must comply with all minimum standards provided by environmental legislation and regulation, including holding any required environmental licences where relevant.

## **5 Risk Assessment and due diligence processes**

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You must take adequate measures to prevent, mitigate and remediate the risk of modern slavery and human rights abuses occurring where they might exist in Your operations and supply chains.

It is expected that You have in place:

- (a) policies that show Your commitment in meeting Your responsibilities with respect to modern slavery and human rights;
- (b) a due diligence process, which identifies risks of modern slavery, human rights abuses, and unlawful activity, seeks to prevent and/or mitigate those risks, and accounts for how these risks impact on human rights;
- (c) a process which seeks to remediate any adverse human rights impacts that any identified risks have caused or to which they contribute;
- (d) a process that will allow any violation or perceived violation of this Code to be reported by Your Representatives without fear that such reporting will adversely affect their employment with You.

Ideally, these policies and processes will:

- (e) be approved at a senior level;
- (f) clearly outline Your expectations of Your Representatives in relation to modern slavery, any forms of human trafficking, human rights abuses and child labour; and
- (g) be workshopped via training for Your Representatives to allow them to familiarise themselves with any policies and relevant legislation.

## **6 Reporting and auditing**

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In undertaking any review of Your compliance with the Code, You must cooperate with any reasonable requests We may make for assistance and/or information which may include but is not limited to information pertaining to:

- (a) Your business structure, operations and supply chain;
- (b) the risks of modern slavery and human rights abuses in Your and Your Representatives operations and supply chains;
- (c) actions taken by You and Your Representatives to assess and address those risks, including due diligence and remediation processes;
- (d) how You and Your Representatives assess the effectiveness of such actions;
- (e) the training that You provide to Your Representatives about modern slavery and human rights abuses; and

- (f) the process of consultation about modern slavery and human rights abuses between You and any of Your Representatives.

## **7 Disclosure protections**

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You must not take any Adverse Action against Your staff or any other third party due to, or as a result of, their disclosure of information in good faith for the purpose of this Code. The disclosing person is to be dealt with in accordance with Whistleblower laws.

**Adverse Action** includes:

- (a) any action or threatened action to:
  - (i) dismiss the disclosing person and/or any other person from employment or otherwise end their engagement with You or Your Representatives;
  - (ii) cause injury to the disclosing person and/or any other person;
  - (iii) alter the disclosing person's and/or any other person's position with You or Your Representatives to that person's prejudice;
  - (iv) discriminate between the disclosing person and/or any other person, and other persons employed, or otherwise engaged by You or Your Representatives;
  - (v) refuse to employ or otherwise engage the disclosing person and/or any other person; and
  - (vi) discriminate against the disclosing person and/or any other person in the terms or conditions on which You or Your Representatives offer to employ or otherwise engage that person,
- (b) any action taken against a person on the basis of any contractual, civil, or criminal liability that may be incurred by that person due to their disclosure of information under this Code;
- (c) repeated unreasonable behaviour towards a person or group of persons (beyond the scope of reasonable management action carried out in a reasonable manner) and that behaviour creates a risk to the health and safety of that person or group of persons.

## **8 Breaches**

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You are expected to observe this Code and take reasonable steps to avoid and prevent any breach.

You must monitor Your compliance with this Code, and notify us within 14 days of You becoming aware of any breach or potential breach of the Code by You or Your Representatives.

If You suspect that You, one of Your Representatives, or one of Our employees or anyone acting on behalf of Us are in breach of this Code, please contact Our Company Secretary.

Referral action to proper authorities will be taken in cases involving breaches of criminal law.

Queries relating to this Code may be directed to Our Company Secretary.