



CODE OF CONDUCT

The Code of Conduct provides a framework for the identification and resolution of issues concerning the conduct of employees at the Company. It is intended to guide employees in their dealings with colleagues, clients, the Company and the local communities. It does not address all possible situations that may arise in employment with the Company but is a set of principles that provide guidance to employees on acceptable and unacceptable behaviour.

The Code applies to all employees and to all individuals who enter into particular relationships with the Company for a specified time period or time periods, for example contractors.

The Code stands beside but does not exclude or replace the rights and obligations of staff under common and statute law

Protection from Liability

The Company will indemnify its employees against liabilities incurred by them while carrying out their duties in good faith for the Company. It will stand behind its employees and meet the costs of actions that might be taken against them personally as though the action had been taken against the Company, provided that the employee concerned was acting in good faith.

Company Responsibilities

The Company strives to protect the health and welfare of its people by providing an environment free from discrimination and harassment and which enables employees to balance their work life with their family responsibilities and outside activities.

Responsibilities of Employees

Responsibilities under the Code fall into four categories:

- Respect for the Law
- Fair Treatment of People
- Personal and Professional Behaviour
- Exercising Care and Diligence in Employment

Respect for the Law

All employees have an obligation to observe and comply with relevant State, Territory and Commonwealth law. They are also required to act in accordance with Company goals, policies and procedures and to respond positively to any lawful and reasonable directions given by persons who are authorised to give such a direction. They should also uphold the good name of the Company and exercise judgement in the best interests of the Company.

In meeting this obligation, employees should be aware of:

- The Company's goals, policies and procedures;
- Laws such as Mines Safety legislation, Privacy Act, Freedom of Information Act, equal opportunity legislation, workplace legislation relevant to employment; and

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- Administrative and legal measures that are designed to enhance the accountability of the Company and its staff members (see Companies Act 1997).

Fair Treatment of People

This obligation covers the conduct of employees in their dealings with others including other employees of the Company, clients and members of the community.

For example, all employees should:

- Treat other employees with courtesy, fairness and equity;
- Engage in conduct that is non-discriminatory on the basis of sex, race, sexuality, disability, cultural background, religion, marital status, age, union affiliation, political conviction or family responsibilities;
- Avoid behaviour that may be reasonably perceived as harassing, intimidating, overbearing, bullying or physically or emotionally threatening;
- Refrain from acting in a way that would unfairly harm the reputation and career prospects of other employees;
- Be responsive, courteous and prompt in dealing with other employees, clients, and members of the community; and
- Refrain from insulting the personal beliefs of other employees and accept their legitimate right to practice their beliefs.

For further information, please refer to Swick’s *Workplace Behaviour Policy*.

Personal and Professional Behaviour

Employees are placed in a position of trust and are expected to be honest in carrying out their duties. This trust is placed at risk when the employee fails to recognise and avoid (i) conflicts between their private interests and Company responsibilities and (ii) situations where there is a reasonable basis for the perception of such a conflict.

Situations that may give rise to conflict of interest are typically:

- Personal relationships with other employees
- Personal relationships with people the Company is dealing with e.g. contractors or clients;
- Secondary employment that compromises the integrity of the Company. (i.e. outside work must not be accepted where it may cause a conflict between the employee’s private interests and duties to the Company).

Employees are expected to carry out their duties honestly, responsibly and impartially to the best of their ability.

For example, all employees should:

- Carry out their duties in a professional, responsible and conscientious manner;
- Carry out official directions and policies in a faithful, impartial and transparent manner;
- Ensure decisions can be seen to be reasonable, fair and appropriate to the circumstances based on consideration of all the relevant facts and supported by adequate documentation;
- Report genuinely suspected or known fraud or corrupt conduct to appropriate Company employee/authorities through the appropriate channels;

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- Refrain from any conduct including alcohol or substance abuse or misuse, which could adversely affect personal work performance or the safety and well-being of others;
- Take reasonable steps to ensure adequate protection of all confidential information;
- Maintain as appropriate the confidentiality of Company dealings when interacting with outside organisations and others within the Company;
- Ensure that any official Company information is not used, without Management/Board authorisation, in order to gain a financial or other benefit for themselves or any other person or group;
- Give due credit to the contributions of other staff members;
- Maintain adequate security over Company property, facilities and resources and information;
- Ensure that Company resources are managed effectively, efficiently and for their specified purpose; and
- Ensure that resources are used in a manner which does not harm the environment.

For further information, please refer to Swick's *Workplace Behaviour Policy*.

Process for Determining Whether a Breach of the Code has occurred

An essential part of (developing and) maintaining a safe and fair work environment is to ensure that individuals with concerns are encouraged to come forward in the knowledge that the Company will:

- Consider and investigate, if appropriate, allegations of behaviour that may breach the Code or other Company policies;
- Take all reasonable steps to provide protection for employees who make disclosures in good faith regarding conduct that is inconsistent with this Code. and
- Follow the appropriate procedures depending on the issues/concerns raised.

For further information regarding the complaint procedure, please refer to Swick's *Workplace Behaviour Policy*.

Exercising Care and Diligence in Employment

In the course of their duties, an employee is entrusted with personal information. The employee concerned has a duty to maintain the confidentiality of personal and official information. All employees have the right to expect confidentiality and privacy with respect to personal information. For more information, please refer to Swick's *Privacy Policy*.

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