



# Procedure 2.01 - Compliance

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## 1. Application

This Procedure applies to NQBP Personnel.

## 2. Policy

Under Policy 2 - Compliance all NQBP Personnel have a duty to comply with the law and binding government and NQBP policies.

NQBP's approach is strict compliance i.e. NQBP does not endorse NQBP Employees making decisions based on weighing the "cost" of non-compliance (fines, negative publicity etc) against the cost of compliance.

NQBP's compliance management approach is to devolve compliance to the sectional areas, which have accountabilities within the scope of the particular statutory obligation. That section is best equipped to identify and address compliance issues.

### Process

The process to achieve this is:

- On an annual basis, the management team re-affirms existing and identifies new legal and statutory obligations relevant to NQBP.
- Each of these obligations is assigned to a sectional area and manager by the management team.
- Each of these obligations is included in NQBP's risk management processes, which are reviewed at regular weekly and quarterly meetings of the management team. Furthermore, risk management reports are also generated and provided to each meeting of the Board and its sub-committees, including the provision of a more detailed quarterly report.
- The responsible manager for each obligation is responsible for addressing compliance and maintaining currency of information in the risk management processes (i.e. risk treatments, reporting and managing compliance).
- Monthly and quarterly risk management reports will also be prepared and distributed to the management team to allow the opportunity for the regular review and update of the risk register. Procedures are in place which ensures that this process is undertaken in a consistent and reliable manner.
- NQBP's risk management processes will ensure review of approach by the whole management team, relevant Board committee and the Board.

### Maintaining Currency of Understanding

Each of NQBP's managers is required to maintain sufficient currency of understanding in their respective areas so as to effectively deal with compliance issues.

This currency of understanding is maintained via a number of methods, including attendance at seminars and professional development, industry publications and contact with peers. Where

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necessary, assistance is sought and provided via engagement of consultants to leverage and enhance existing understandings.

### Compliance Obligation Identification by a Third Party

To minimise the potential for “gaps” to arise in NQBP’s compliance framework, a suitably qualified consultant will be engaged on an annual basis to conduct a “sweep” of key legislation and related compliance issues, to identify any issues that they consider are not being identified and/or addressed appropriately. The resulting report will be considered by the management team, with the outcomes fed back into the risk management system as described above, as considered appropriate.

In addition, monthly legal updates containing details of any new key legislation or any changes in existing key legislation impacting on NQBP, are provided to NQBP Employees. These updates are also prepared by a suitably qualified consultant.

### Training

A regular schedule of compliance training will be prepared and implemented each year. All NQBP Personnel will receive an annual presentation on a focussed set of compliance areas considered to be the greatest risk, as deemed relevant to their position/s.

### Internal audits

Dependent on the risks associated with each identified obligation, internal audits will include a review of each sectional area’s level of compliance in appropriate timeframes.

## 3. Compliance Policy, Procedure, Standard and Legislative Framework

NQBP is a Government Owned Corporation and port authority and is required to comply with its own policies, prescribed applicable legislation and State Government policies and procedures. This procedure should be read in conjunction with:

- a. Guideline 2.01 - Directors and Officers Liability;
- b. Guideline 2.02 - Intellectual Property Management;
- c. Guideline 2.03 - Privacy Guideline;
- d. Guideline 2.04 - Trading (Securities);
- e. Procedure 2.01 – Compliance;
- f. Procedure 2.02 - Disclosure and Conflicts of Interest;
- g. Procedure 2.03 - Competition and Consumer Law;
- h. Procedure 2.04 - Right to Information;
- i. Procedure 2.05 - Whistle-blower Protection;
- j. Procedure 2.06 - Whistle-blower and PID Protection Management;
- k. Standard 2.01 - Code of Conduct;
- l. Standard 2.02 - Integrity Framework – Corrupt Conduct and Public Interest Disclosures;
- m. Corporate Governance Guidelines for Government Owned Corporations February 2009.
- n. *Corporations Act 2001* (Cth)
- o. *Crime and Corruption Act 2001* (Qld)
- p. *Criminal Code Act 1899* (Qld)
- q. *Government Owned Corporations Act 1993* (Qld)
- r. *Information Privacy Act 2009* (Qld)
- s. *Police Powers and Responsibilities Act 2000* (Qld)
- t. *Privacy Act 1988* (Cth)
- u. *Public Interest Disclosure Act 2010* (Qld)
- v. *Right to Information Act 2009* (Qld)

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**4. Procedure Review Date**

This procedure should be reviewed by 31 October 2019.

**5. Definitions**

**Contractors:** means contractors or consultants engaged by NQBP under a personal services consultancy agreement or other similar arrangements.

**NQBP:** means North Queensland Bulk Ports Corporation Limited ACN 136 880 128.

**NQBP Employee:** means employees and Contractors of NQBP but does not include NQBP directors.

**NQBP Personnel:** means NQBP officers (for example NQBP directors) and NQBP Employees.

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