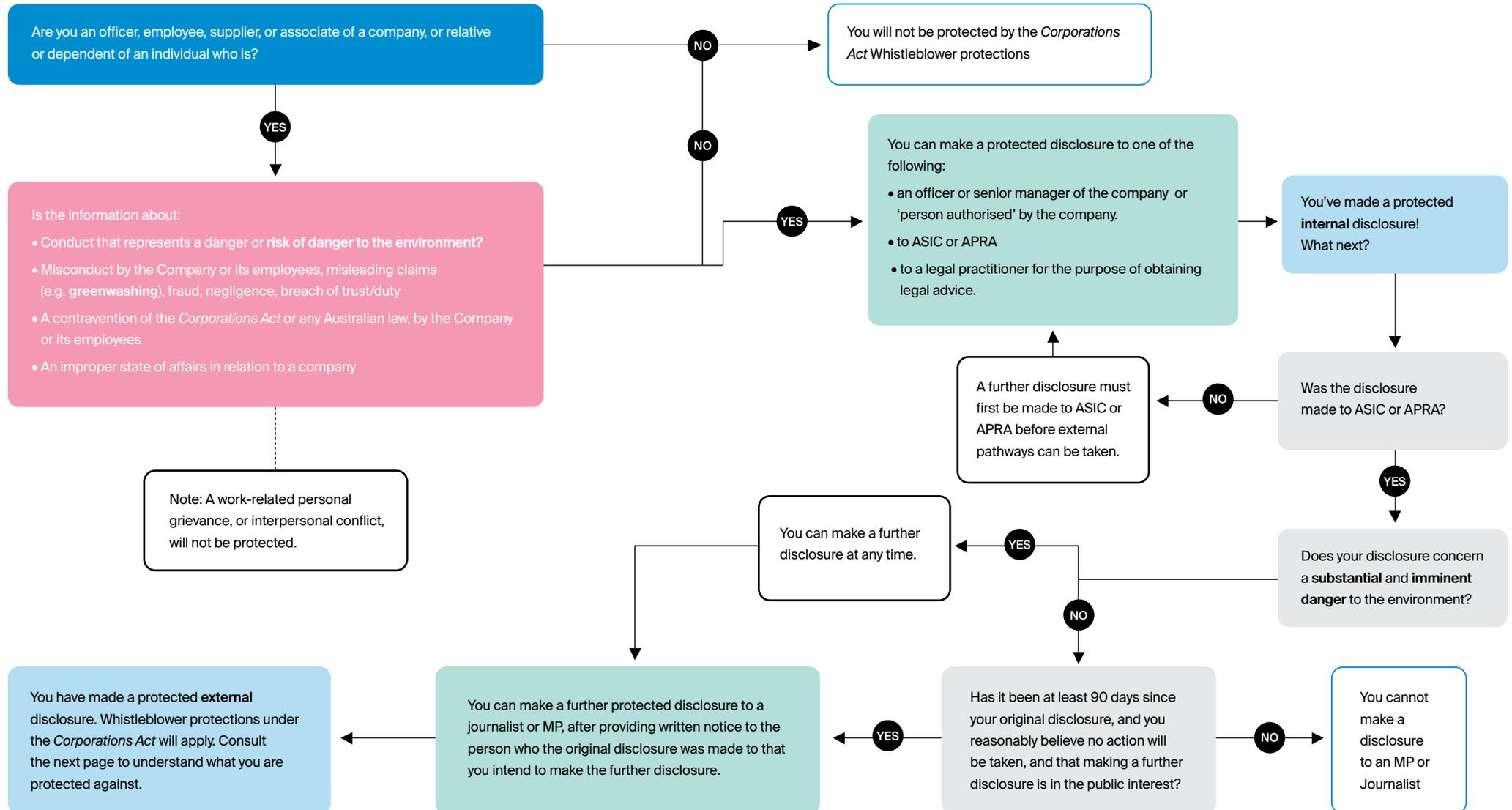


Corporations Act 2001 (Cth) – private sector workers



Corporations Act 2001 (Cth) – private sector workers

What are your rights?

Protection from Legal Action

You will not be subject to any civil, criminal or administrative liability for making the disclosure, no contractual remedy may be enforced against you and the information is not admissible in criminal proceedings brought against you.

For example, you cannot be sued by your company for breach of contract by making a whistleblower disclosure.

Note this immunity does not extend to liability for criminal conduct that you were involved in.



Confidentiality

It is an offence for the person to whom you made your protected disclosure to disclose your identity or information that will lead to your identification without your consent, unless it is to ASIC, APRA, the AFP or a lawyer for the purpose of obtaining legal advice.

Note: It will not be an offence if disclosure was necessary to investigate the matter and the eligible recipient took all reasonable steps to reduce risk that you would be identified



Non-Victimisation

You are protected from a person engaging in conduct that causes any detriment to you, if the reason for that action is based on that person's belief or suspicion that you have made, propose to make or could make a protected disclosure. It is also an offence for a person to threaten (whether express or implied, conditional or unconditional) to cause any detriment to you if they intend you to, or are reckless as to whether you, fear the threat will be carried out.

A court may order compensation for loss, damage or injury suffered as a result of detrimental conduct.



'Detriment' includes dismissal, injury, alteration of duties/ position, discrimination, harassment or intimidation, harm or injury, damage to property or reputation.