

Netflix Australia Whistleblower Policy

Purpose

In Australia, whistleblowers who make protected disclosures are entitled to certain legal protections. The purpose of this Annexure is to inform relevant individuals of these protections and their legal rights under Australian law. This policy can be accessed via our Employee Landing Page and externally on our corporate governance site.

Legal Protections for Whistleblowers

A whistleblower making a protected disclosure will not face legal action/prosecution (i.e., civil, criminal or administrative liability) or victimisation for their disclosure. This means they are protected from conduct that causes or threatens detriment (e.g., unlawful dismissal, disciplinary measures, harassment, discrimination, and damage to property or reputation) based on the suspicion or belief that a disclosure has been made or may be made. A disclosure may not prohibit Netflix, in the ordinary course of business, from managing any performance issues separately that may impact the work of a whistleblower. If a whistleblower believes they have suffered detriment, they can lodge a complaint with an eligible recipient (see below) so that an investigation may be carried out. Netflix may take reasonable administrative action to protect a whistleblower (including paid leave of absence or change of reporting lines).

Protected Disclosures

For whistleblowers to receive legal protection, when making a disclosure, they must:

- be an *eligible whistleblower*, i.e., a current or former employee or officer of Netflix, a supplier of services or goods to Netflix, an associate of Netflix, or a relative/dependent/spouse of any of the foregoing;
- disclose, in good faith, information about any of the following *disclosable matters*:
 - information that a whistleblower reasonably suspects involves dishonest, fraudulent or corrupt activities, illegal acts, public or financial system dangers, or unethical conduct;
 - for tax-related matters, where a whistleblower reasonably suspects the information disclosed indicates misconduct or improper circumstances related to a Netflix entity and believes the information may assist the recipient in performing relevant functions/duties under tax law; or
 - information regarding breaches to Netflix policies or activities which are detrimental to Netflix or its employees, such as unsafe practices, financial loss, harassment, or any other form of misconduct; and
- disclose this information to an *eligible recipient*, being a company officer, senior leader, or a member of Internal Audit, the Human Resources, Legal or Ethics & Compliance team, or via our third-party confidential reporting system, [EthicsPoint](#). To file a report using EthicsPoint, go to www.netflix.ethicspoint.com or call 1-855-818-6930 (the website contains direct dial numbers

for each location). More information on EthicsPoint and how to file a report is available at: <https://secure.ethicspoint.com/domain/media/en/gui/2020/faq.pdf>.¹

Personal work-related grievances (e.g. interpersonal conflicts) generally do not qualify for whistleblower protection but may be protected if they relate to a disclosable matter or are disclosed for the purpose of obtaining legal advice about whistleblower protections. Disclosures are protected even if the disclosure turns out to be incorrect.

Anonymity & Confidentiality

Whistleblowers can remain anonymous - during and after the conclusion of the investigation - and still benefit from legal whistleblower protections. If a whistleblower prefers to provide the information to EthicsPoint on an anonymous basis, their anonymity will be maintained (e.g. by not identifying them by a screen name and not recording their IP address).

Netflix will keep the identity of a whistleblower confidential, even when the disclosure of other information is necessary during an investigation, and will take all reasonable steps (such as access controls, anonymising names, redactions, etc.) to ensure that their identity (or information likely to lead to their identification) is not disclosed without consent, except as required or permitted by law, when reporting to authorities² or if disclosed for the purpose of obtaining legal advice. However, Netflix may not be able to undertake an investigation or provide information to the whistleblower if they withhold consent from disclosure of their identity or information necessary to facilitate an investigation, or if Netflix is unable to contact the whistleblower, including if no contact details have been provided.

Investigations of Protected Disclosures

All disclosed matters are treated seriously and sensitively at Netflix. While not all disclosures guarantee a formal investigation, each will be reviewed. Generally, if an investigation is required, Netflix will determine the scope and extent of the investigation, the anticipated timeframe, and the internal teams responsible for the investigation. Investigations will be conducted fairly and objectively. Investigation timeframes vary, but Netflix aims to complete them promptly, keeping named whistleblowers regularly updated. Those involved will be informed and allowed to respond.

Legal Remedies

A whistleblower may pursue compensation and other legal remedies in court if they experience loss, damage, or injury from a protected disclosure and no reasonable precautions or due diligence were taken to prevent detriment to the whistleblower.

For further information (e.g., about disclosures or whistleblower protections) on this Annexure, please reach out to your local Netflix Legal team.

¹ While Netflix encourages internal disclosures, a whistleblower may alternatively make a protected disclosure to a relevant external party. These are Australian Securities and Investments Commission (ASIC); Australian Prudential Regulation Authority (APRA); a prescribed Commonwealth authority; the Commissioner of Taxation; a legal practitioner (even if the legal practitioner concludes that the disclosure does not relate to a protected disclosure); and journalists and parliamentarians (including a protected disclosure - known as a public interest disclosure or emergency disclosure - please check the criteria for protection under the relevant laws before making this type of disclosure).

² For example, ASIC, APRA or the Australian Federal Police.