

# Modern Slavery Statement



## STATEMENT PURSUANT TO S.14 OF THE MODERN SLAVERY ACT 2018 (CTH) AUSTRALIA.

### INTRODUCTION AND BUSINESS STRUCTURE

Kiwa Group Ltd ('Kiwa Australia') is a public company (ASX listed up until 20 December 2021) with several subsidiary companies and is subject to the *Modern Slavery Act 2018* (Cth) ('Act') that commenced operation on 1 January 2019. Kiwa Australia recognises this opportunity as an industry sector leader to positively impact upon industry practices, to more effectively identify and ultimately eliminate modern slavery in any form, be it domestically or abroad.

Kiwa Australia recognises the meaning of Modern Slavery as defined in the Act as including:

- servitude, forced labour, and deceptive recruiting for labour or services, forced marriage by coercion, threat or deception as provided in Division 270 of the Criminal Code Act 1995 (Cth);
- trafficking of persons into, out of and within Australia including debt bondage and victim harbouring as provided in Division 271 of the Criminal Code 1995 (Cth) and as defined in Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Person, Especially Women and Children – UN Convention; and
- forced child labour as identified in Article 3 of the ILO Convention (No.182).

Kiwa Australia will continuously work with its suppliers, stakeholders, subcontractors and employees to enhance its knowledge and awareness of modern slavery risks across operations and supply chains.

For the purpose of the Act, Kiwa Australia consists of:

- Construction Sciences Pty Ltd;
- Utility Locating Pty Ltd t/as SureSearch;
- Trilab Pty Ltd; and
- PPI Australia Pty Ltd.

### OUR BUSINESS OPERATIONS AND SUPPLY CHAINS

Kiwa Australia employs 980+ staff in Australia and has engaged in over 50,000 projects. Its clientele includes Commonwealth, State and local governments and industry leading tier 1 contractors across the infrastructure sector, construction sector and mining infrastructure sector. Kiwa Australia services include construction material testing, subsurface utility engineering, owners' representative services, environmental testing, geotechnical engineering, geomechanical testing and quality assurance.

Kiwa Australia's Modern Slavery Statement sets out our mission to identify, address and ultimately eliminate modern slavery risks arising from its operations and within its industry sector. It outlines steps Kiwa Australia has already taken, such as a modern slavery compliance statement, client and supplier due diligence questionnaires and mandatory staff training and highlights those areas which will be a focus for improvement moving forward.

Kiwa Australia is committed to operating its business under an umbrella of legal compliance, staff inclusion and corporate social responsibility. Kiwa Australia is dedicated to ensuring it ethically engages with suppliers, contractors and subcontractors that are aligned with these values. At Kiwa Australia we insist that all supply chain partners operate in compliance with all applicable modern slavery laws prohibiting human slavery and slavery like practices, human trafficking and child labour. Kiwa Australia complies with all laws regarding modern slavery, corporate social responsibility, environmental and workplace health and safety, staff inclusion and diversity and training. Kiwa Australia has a Whistle Blower Policy and an external, independent hotline for staff and stakeholders to use. All staff receive mandatory training on how to utilise this service.

Despite the fact that modern slavery is a complex issue occurring in various forms, Kiwa Australia is actively engaging with its subsidiary companies as a group to continuously address any contentious issues across our supply chain. We have developed systems including

# Modern Slavery Statement



prequalification questionnaires to develop transparent models to detail how modern slavery may exist within our industry and operational framework. It has implemented practices, policies and mandatory training which establishes the expectation Kiwa Australia has across its group and all employees. Our developing strategies for remediation processes include policy assessment, evaluation, training and collaboration with our stakeholders across the group.

Being engaged in the construction materials testing, utilities locating, geotechnical and environmental engineering space within the Infrastructure industry, Kiwa Australia has a comparatively simple procurement supply chain that includes the purchase of products and services needed for the businesses day-to-day operations. These include the procurement of office and stationary supplies, IT infrastructure and support services, employment and training of staff, external consultants and other advisory services when required, leasing and/or purchase of plant and laboratory equipment, motor vehicle leasing, leasing of office space, and travel booking services.

## **KIWA AUSTRALIA'S APPROACH TO PREVENTING MODERN SLAVERY RISK, REMEDIATION AND ASSESSMENT OF EFFECTIVENESS OF PROTOCOLS.**

In preparation for its first annual modern slavery statement, Kiwa Australia's executive management team in collaboration with its legal, finance, procurement, human resource and operations teams are working collectively to ensure a company group-wide responsibility for ongoing compliance with the Act.

The four entities outlined above as comprising Kiwa Australia for reporting purposes, are overseen by the same Board, executive management team, legal, finance, procurement and human resource teams. Accordingly, consultation for each of those entities is largely one and the same, with some minor variations in operations.

A descriptive of the Kiwa Australia's supply chain and operational categories is summarised in the table below:

## **Supply / Operational Category Risk Overview**

**Procurement of office and stationary supplies:** Sourced exclusively from locally based suppliers subject to Federal and State laws. Items manufactured overseas may have complex supply chains.

**IT infrastructure and support services:** Sourced domestically from a supplier. Products are manufactured by multinational companies that are subject to modern slavery compliance.

**Employment and training of staff:** All training services are locally based training providers and all employment is subject to Federal and State laws.

**Advisory services:** All advisory and consultancy services are locally engaged and are subject to Modern Slavery compliance.

**Leasing/purchase of automotive, plant and laboratory equipment:** All plant and laboratory equipment are sourced from a domestic supplier. Whilst materials and machinery within plant and other equipment may have complex layers of supply chains, the equipment is ultimately assembled and manufactured by multinational companies that are subject to modern slavery compliance.

**Subcontracting entities:** Locally based entities subject to Federal and State laws. Compliance is not limited to modern slavery but to other closely related illegal and fraudulent activities.

**Clients:** Federal, state and local governments and tier 1 contractors, all of which are subject to modern slavery compliance and federal and state laws. Smaller clients are local entities.

Whilst Kiwa Australia's procurement supply chain is relatively simple, it is committed to expecting compliant standards of corporate responsibility, legislative and regulatory compliance as well as demonstrated due diligence processes from its supply chain partners, subcontractors, employees and clients. Kiwa Australia recognises that this is a continuous and evolving process and it has identified subcontractors as a

# Modern Slavery Statement



potential risk within the infrastructure and construction sector in which it operates. Kiwa Australia has developed (and continuously review and improve) our subcontractor prequalification process requiring our subcontractors' confirmation of compliance with modern slavery requirements. Irrespective if subcontractors qualify as a reporting entity as defined by section 5 of the Act or not, Kiwa Australia insists (at a minimum) the following compliance:

- If in Queensland, Victoria or South Australia that entities comply with the *Labour Hire Licencing Act 2017 (QLD)*; *Labour Hire Licencing Act 2017 (SA)* and *Labour Hire Licencing Act 2018 (VIC)*;
- Confirmation from subcontractors that employees are paid in accordance with legislative, regulatory and/or bargained awards for wages and hours worked; and
- Confirmation that foreign workers have the correct visa documentation which allows them to legally work in Australia.

These steps are an integral step in Kiwa Australia's onboarding process to eliminate sham contracting as well as the exploitation of workers in labour hire arrangements.

Although the underpayment or delayed payment of workers; inadequate or inferior working conditions; undue hours without receiving the obligatory penalty pay rates are not strictly considered modern slavery, Kiwa Australia recognises that these practices are illegal and can lead to exploitation, coercion and threats which develops into modern slavery. Kiwa Australia's remediation measures begin with identification and reporting of potential breaches of any Kiwa Australia policies including modern slavery. Kiwa Australia's Whistle Blower Policy ensures its employees can confidently report any discrepancies they may identify with the assurance of anonymity. Its employees have received induction and ongoing training and awareness not only of the Whistle Blower policy, the Hotline and also the direct access to report indiscretions to our in-house legal team in strict confidence. If an indiscretion or breach is identified Kiwa Australia's remediation process begins with its legal and management teams.

In order to assess the effectiveness of these actions, the steps Kiwa Australia undertakes and continuously strives to improve upon include:

1. Assessing (and reporting) the risks in its operations and supply chains with emphasis on high risk geographical locations, supply chains and business transactions to ensure compliance with the Act. As noted above, Kiwa Australia has identified underpayment, excessive working hours and sham contracting as a particular risk within our industry which can lead to modern slavery;
2. Continuous development and the review of our Modern Slavery Statement and protocols including our Code of Conduct, Diversity and Inclusion Policy, Whistle Blower Policy, Anti-Corruption and Bribery Policy as they apply throughout our operational and supply chains;
3. Annual compulsory staff training in modern slavery compliance requirements and how to report any discrepancies. This also includes annual Code of Conduct training and awareness of direct and confidential access to Kiwa Australia's in-house legal team;
4. Continuous development of onboarding and due diligence processes for supply chain partners and stakeholders, contractors and subcontractors to ensure compliance with the Act. Kiwa Australia ensures that the values of its stakeholders do not only comply with modern slavery or other legislative requirement but also that they acknowledge and operate within the parameters of its Code of Conduct and other policies;
5. Legal review of all supply partner, contractor and subcontractor contracts and agreements to ensure they contain terms that align with both Kiwa Australia's core values and are compliant with the requirements of the Act and its governance policies;
6. Creating processes to monitor, identify, educate, discuss and address any potential modern slavery

# Modern Slavery Statement



risks that may be identified in either Kiwa Australia's upstream or downstream contracts and supplier partner agreements; and

7. Creating a modern slavery monitoring process to measure and report the effectiveness of Kiwa Australia's and its supplier partners compliance through performance monitoring ensuring compliant annual reporting under the Act. This process will continue to evolve annually with Kiwa Australia's Modern Slavery Statement.

Kiwa Australia's primary focus during this first reporting period was to consult with the reporting entities it owns and controls to identify risks within its supply chain network. Kiwa Australia's view is that only once those risks have been fully identified, can it focus on implementing systems into its operations to address those risks.

Kiwa Australia is also committed to continuous review to assess the effectiveness of its risk identification and risk mitigation/elimination methods. Central to this process is regular consultation, yearly training and interaction with the companies under its control. In this reporting period each company has contributed to and implemented Kiwa Australia's modern slavery policy and participated in the review of its systems. Included in this process was the insertion of modern slavery clauses in all external-facing contracts.

For future reporting periods Kiwa Australia will build upon these systems in consultation with the companies under its control and their supply partners. Kiwa Australia is committed to evaluating and recording the outcomes of these actions and to adapt as required for continuous improvement.

This Modern Slavery Statement was approved by the Board of Directors of Kiwa Group Ltd on 1 June 2021, updated 15 July 2022.

A handwritten signature in blue ink, appearing to read "M. Courtney", written over a faint blue rectangular box.

Matthew Courtney  
Chief Executive Officer  
Kiwa Group Ltd