



Delivering  
Sustainable Futures

# JOINT MODERN SLAVERY STATEMENT

## of Sime Darby Motors Group (Australia) Pty Limited and Sime Darby Transport Holdings Australia Pty Limited

This is the joint Modern Slavery Statement under section 14 of the Modern Slavery Act 2018 (Cth) for the period ending June 30th 2022 made in respect of:

1. Sime Darby Motors Group (Australia) Pty Limited (ACN 134 394 442) (SDMGA), and its wholly owned subsidiaries comprising of Sime Darby Fleet Services Pty Limited (ACN 008 730 390) (Corefleet), Sime Darby Motors Wholesale Australia Pty Limited (ACN 116 052 754) (SDMWA), Sime Darby Automobiles Pty Ltd (ACN 000 426 282) (SDA), LMM Holdings Pty Limited (ACN 089 545 853) (LMM), Sime Darby Motors Retail Australia Pty Limited (ACN 158 278 883) (SDMRA), and Brisbane BMW Bodyshop Pty Ltd (ACN 095 157 529) (BBMWB); and
2. Sime Darby Transport Holdings Australia Pty Limited (ACN 006 368 592) (SDTHA), and its wholly owned subsidiaries comprising of Transport Engineering Solutions Pty Limited (ACN 006 368 583) (TES) and Palfinger Australia Pty Limited (ACN 146 733 333)

Both SDMGA and SDTHA are reporting entities under section 5 of the Modern Slavery Act 2018 (Cth).

For the purpose of this Modern Slavery Statement, all references to “the Group” refers to both SDMGA and SDTHA as the reporting entities and, where applicable, other entities which the reporting entities wholly own or control.

This Modern Slavery Statement is a continuation of the compliance reported under the Group’s second statement filed on 23 December 2021 for the period of July 2020 to June 2021. It describes the Group’s approach to ensuring that its businesses are conducted in an ethical manner with a framework that seeks to maintain integrity, minimise modern slavery risk, and which fosters continuous improvement in the supply chain and operations. Our corporate purpose is to deliver a better future and we do this through partnerships. Importantly, this includes our suppliers. Fundamental to our culture is our primary commitment not to harm people, and to do business ethically and in support of our communities.

This Modern Slavery Statement was approved by the Boards of SDMGA and SDTHA on 13<sup>th</sup> December 2022

13/12/22

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**Matthew Wiesner,**  
**Managing Director,**  
**Sime Darby Motors Group (Australia) Pty Limited, and its wholly owned subsidiaries**

13/12/22

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**Jason McDonnell,**  
**Managing Director,**  
**Sime Darby Transport Holdings Australia Pty Limited, and its wholly owned subsidiaries**

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## About our business

### SDMGA Structure and Operations

SDMGA is an Australian registered company together with its subsidiaries, which operate solely within Australia. It is a wholly owned subsidiary ultimately owned by Sime Darby Motors Sdn Bhd, the motor division of a Malaysian public listed company, Sime Darby Berhad.

The principal activities of SDMGA and its subsidiaries are the retailing, servicing and sale of parts for BMW, Jaguar, Land Rover, Mini, Porsche, Rolls Royce, Volkswagen, Volvo and Ferrari motor vehicles; and specialised vehicle rental services to mining and civil engineering industries within Australia.

### SDTHA Structure and Operations

SDTHA is a company registered, and operating, in Australia, being a wholly owned subsidiary of Sime Darby Transport Limited being a company registered in New Zealand, which is ultimately wholly-owned by Sime Darby Motors Sdn Bhd, the motor division of a Malaysian public listed company, Sime Darby Berhad.

The principal activities of SDTHA with its Australian subsidiaries are the import and distribution of Palfinger cranes and tail lifts, as well as the sale of hydraulic, braking and concrete equipment and provision of workshop services.

### Group Structure

The Board of SDMGA and SDTHA are responsible for overseeing the governance, management, and strategic direction of each entity. For compliance and assurance related matters, the Group reports to Sime Darby Group Risk and Compliance, although Management of SDMGA and SDTHA remain primarily responsible for managing compliance and corporate governance risks and implementing any required internal controls, which include controls to prevent modern slavery risk. The boards of SDMGA and SDTHA respectively will manage compliance of this Modern Slavery Statement, regular audit and reviews of its processes, and future modern slavery statements published, pursuant to section 16(2)(b) of the *Modern Slavery Act 2018* (Cth).

# Risks

## Risks of Modern Slavery in Operations

The Group views its operations to be a very low risk of causing or contributing to modern slavery due to the internal frameworks, policies and governance practices in place that promote ethical business conduct and the protection of human rights.

In terms of internal personnel risk, the recruitment practices of the Group are stringent and transparent, with applicants being provided with sufficient information about the type of work they are undertaking and the working conditions. For example descriptive position descriptions are provided with every employment agreement and employees are given the opportunity to seek advice on the agreement being offered.

All employment agreements comply strictly with the Australian employment legislation, and human rights.

Reviews of adequate pay and entitlements in compliance with legislation or any applicable enterprise agreement or award are also regularly undertaken.

From time to time the Group employs foreign labour in its operations. The sourcing of this labour is via Australian based recruitment services that specialise in foreign labour and migration services or via direct application from the applicant with Immigration services provided by specialised Immigration Service Providers based in Australia, to assist with the immigration process.

The Immigration Service Providers (ISP) are vetted by Sime Darby to ensure that they are registered with the Office of the Migration Agents Registration Authority which is part of the Department of Home Affairs along with completing searches on the ISP to ensure that no breaches have been recorded against them and its registration is current. The ISP is also required to complete the Group's "Vendor's Letter of Declaration" which contains declarations and undertakings to adhere to the Group's Code of Business Conduct, anti-bribery and anti-slavery and human exploitation provisions.

All employment agreements relating to foreign labour comply strictly with the Australian employment legislation, and human rights and provide for the reviews of pay and entitlements pursuant to relevant Australian employment and labour laws. All foreign labour employed by the Group is employed under the same conditions, and the employment agreements have the equivalent rights as local employees. Furthermore, the employment is arranged direct with the Group's entities and not through intermediate agents.

Other relevant elements included in the Group's policy framework, which support the importance of the ethical treatment of employees in its operations, include:

- An Employer Code of Business Conduct;
- Equal Employment Opportunity Policy;
- Harassment and bullying policies, and grievance handling mechanisms;
- Parental leave policies; and
- A Flexibility Programme
- A Diversity policy

The Group has a Whistleblower policy in place with anonymous reporting available for employees to raise concerns related to slavery or breaches of internal policies or unethical business practices.

The Group conducts regular surveys on employee engagement that provides employees with a confidential feedback mechanism on management and Group employment practices.

Available to employees free of charge is an Employee Assistance Program operated externally to the Group that provides confidential counselling services.

The above programs and policies apply equally to both local and foreign staff.

## Risks of Modern Slavery in Supply Chain

The Group had a base of some 1,940 active suppliers registered for the 2021/2022 financial year. The Group does not consider that it has a high risk of directly causing or contributing to modern slavery, however, it recognises that the risks of modern slavery may vary and increase through its supply chain, depending on the sector, business location, operations and vendor workforce.

To identify and mitigate any indirect risk, for new suppliers the Group has implemented a stringent approach to vendor/supplier onboarding which requires positive compliance with the Group's documented Procurement Policies and Authorities. Part of this requirement includes a registration and a pre-qualification exercise which assesses the background, geographic locations of operation, technical expertise and financial capability of proposed suppliers. The request for proposal process also requires that the suppliers submit to the Group for review, copies of their policies and quality standards to minimise and mitigate risks of slavery. In addition, each supplier must provide an undertaking to abide by the Group's Vendor and Supplier Code of Business Conduct (COBC) via the signing of a Vendor Letter of Declaration (VLOD).

The Group's foundation is built on the Core Values, which guide our actions and the way we conduct our business. This is applied in our Business Principles and flows into the COBC:

- **Health, Safety and Environment** - Health and safety are important to our Employees and the communities where we operate. We ensure our business operations are sustainable, by proactively addressing environmental challenges and respecting fundamental human rights, without sacrificing long-term economic value creation.
- **Compliance** - Complying with all laws and regulations in the countries that we operate.
- **Working with Local Communities** - Engaging with and contributing to local communities in a socially responsible manner wherever we operate, without compromising the benefits of any particular stakeholder.
- **Fair Business Practices** - Ensuring that we promote fair business practices and compete in an ethical manner.

The COBC outlines the Group's ethical business practice expectations, including that the suppliers comply with all laws related to anti-slavery and prohibited business practices. Open dialogue between the Group's procurement and operations functions is encouraged to ensure engagement, as well as to provide opportunities for the Group to identify and mitigate any modern slavery risks that may be present in the supply chain.

The Sime Darby Vendor Code of Business Conduct can be found at <https://sdmg.com.au/other/code-of-business-conduct>

# Review

## Supply Chain review

An audit of any potential risk of modern slavery practices across the Group's highest spend suppliers in the supply chain, has been undertaken.

The risk assessment for direct suppliers was facilitated through reviewing the Modern Slavery Statements of key supplier entities (accounting for 80% of spend in FY21/22). The key areas focused on in the assessment included elements of geography, products or services provided and corporate governance practices and policies in place.

The largest spend categories in the Group's supply chain were for supply of vehicles, parts and equipment, insurance and freight.

Based on a risk assessment carried out, the Group did not identify any of those suppliers as high risk requiring further analysis. A high-risk category was applied where raw materials or part of the supplier's own supply chain manufactured goods in high-risk countries for modern slavery pursuant to the Walk Free Foundation Global Slavery Index, or where governance practices were lacking (such as not having compliance policies in place), or where potential vulnerable populations were identified in the supplier's workforce based on guidance for modern slavery risk indicators.

We have assessed suppliers located outside of Australia and New Zealand, such as our suppliers located in Europe with supply chains across the globe as a higher risk. Review of these organisations' existing governance frameworks and controls in relation to anti-slavery and human rights mitigate the risk of Modern Slavery being present in their supply chains and they are evaluated as low risk. They will continue to be monitored as part of our continuing assessment.

## COVID-19 Considerations

The Group acknowledges that reductions in demand as a result of the Covid-19 pandemic may present modern slavery risks in the supply chain, particularly for goods imported from countries at a higher risk of modern slavery. While the Covid-19 pandemic has had minimal effect on the Group's demand for products and services, it will continue to monitor the impact and focus on modern slavery risks where it is evident it exists as a result of demand and supply decisions made in response to the pandemic and its impact on the Group's operations.

## Actions taken

### Vendor Letter of Declaration (VLOD) and Contractor and Vendor Code of Conduct

The VLOD which as outlined above is broadly used across the Group and requires that suppliers declare if they are in compliance with anti-slavery laws, and if the supplier or its directors, officers or employees have been convicted of any offence involving slavery.

The VLOD also requires that suppliers undertake that they will not exploit a worker, permit human trafficking, slavery-like behaviour, servitude, forced labour, child labour, debt bondage or deceptive recruiting for labour or services contrary to the relevant slavery laws.

The Contractor and Vendor Code of Conduct, which compliments the VLOD has also been updated to expand the laws that suppliers must comply with to include the relevant anti-slavery laws.

## Procurement Terms

Group's standard procurement contracts incorporate a modern slavery clause. Pursuant to the terms, suppliers must:

1. Ensure that suppliers (and to the extent practicable, their suppliers and business partners) comply with all laws, statutes, regulations in force and the Group's policies pertaining to modern slavery.
2. Represent that they have not been convicted or the subject of any investigation into any offence in connection with modern slavery.
3. Provide assistance to the Group to enable the Group to comply with its obligations, including the ability to audit the suppliers' in relation to its for anti-slavery.

## Engagement and monitoring of high-risk suppliers

If suppliers are categorised as high risk and do not engage in discussions with the Group, a monitoring and corrective action plan will be implemented to support the suppliers with development of their compliance capabilities in the areas of concern. Where suppliers repeatedly fail to engage or enter dialogue with the Group in breach of the obligations in the VLOD and Vendor Code of Conduct, the Group will consider terminating the business transaction and supplier relationship.

## Assessing the effectiveness of actions taken

The Group has focused primarily on assessing the effectiveness of identifying and mitigating modern slavery risks at this point and has outlined foundational actions and framework which it expects to build on and measure progress against each year. Below is a summary of the outcomes from actions taken to date:

- The Group's Procurement team has been trained on new provisions of procurement contracts and updates to VLOD and Vendor Code of Conduct to enable it to effectively implement and manage Group's anti-slavery policies, and expectations.
- Introduction of the online vendor registration platform to ensure that the onboarding of new vendors is completed and recorded prior to commencing to work with them
- Updates to supply contracts to incorporate modern slavery clauses.
- Risk assessment of suppliers undertaken based on geographic location and industry
- No complaints have been received pertaining to modern slavery in the Group's Operations and Supply Chain.
- New vendors required to complete their registration with the Group including the VLOD prior to working with the Group

We continue to monitor the effectiveness of the processes and procedures we have put in place to address the modern slavery risks in our global business and supply chains. Based on the results of these processes, we will adapt and strengthen our actions to continually improve our response to modern slavery.

## Consultation with entities owned or controlled by the SDMGA Group and SDTHA Group

During the reporting period this statement covers, SDMGA and SDTHA actively engaged and consulted with all of their subsidiary companies in the development of this statement. There is a

commonality of directors across each of the Group's and the subsidiaries entities as well as regular interaction between senior leadership teams. The policy and risk management framework of the Group is widely communicated to all subsidiary entities of the Group.

The Group's procurement process outlined above pertaining to onboarding and execution of the VLOD and Vendor Code of Conduct is promoted across the Groups other entities. The Group manages labour practices (including modern slavery) responsibly throughout the supply chains of all its operations by setting stringent selection criteria for both suppliers and contractors. These include compliance with regulatory requirements such as ethical standards, product safety standards and environmental standards.

## The future

### Goals and Roadmap

The Group aims to achieve comprehensive understanding of modern slavery risks within its operations and supply chain. Over the next year, its primary areas of focus will be:

1. Increased supplier engagement and monitoring
2. Reporting of Modern Slavery - Promotion of the whistleblowing process for staff to report instances of suspected modern slavery
3. Training and Education - Implementation of focused training for Procurement and Operations to identify the signs of modern slavery in operations and supply chain and in dealings with suppliers
4. Expanding our supplier due diligence
  - Continued engagement with high-risk suppliers identified to understand governance policies and procedures in place to mitigate risks
  - Continue to implement the adherence to the Group's Vendor Code of Business Conduct (VCOBC) and complete the Vendor Letter of Declaration (VLOD)
  - With the introduction of the online vendor registration platform vendors will be required to renew their registration with the Group including compliance with the Group's VCOBC and completion of the VLOD at periodical intervals to continue working with the Group
  - Retrospective registration and due diligence of existing suppliers with the Group's vendor registration system will commence as the arrangement are renewed or varied. This process will include assessing the supplier's risk factors and the supplier will be required to adhere to the Group's VCOBC and complete the VLOD

## Contact

Any queries on this joint Modern Slavery Statement of Sime Darby Motors Group (Australia) Pty Limited (ACN 134 394 442) (SDMGA), and Sime Darby Transport Holdings Australia Pty Limited (SDTHA) (ACN 006 368 592) (SDTHA) can be directed to the SDMGA Compliance Champion on +61 2 9933 8990 or via email at [compliance.officer@sdmg.com.au](mailto:compliance.officer@sdmg.com.au)