



ASIC
Australian Securities &
Investments Commission

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19-164MR New regime for corporate whistleblower protections commences today

From today, whistleblowers who report misconduct about companies and company officers can access stronger rights and protections in the Corporations Act 2001.

The Corporations Act now better protects corporate whistleblowers with requirements to maintain their confidentiality and prevent them from suffering or being threatened with detriment. Whistleblowers can also seek compensation if they suffer loss, damage, or injury for making their disclosure. These protections are important to ensure and encourage whistleblowers to come forward to the company or to ASIC to raise their concerns.

To provide guidance to whistleblowers on their rights and protections and how ASIC handles their reports, ASIC has updated information on our website and issued two new information sheets:

- Information Sheet 238 Whistleblower rights and protections ([INFO 238](#))
- Information Sheet 239 How ASIC handles whistleblower reports ([INFO 239](#)).

The protections now apply to a larger group of people who may observe or be affected by corporate misconduct and face reprisals for reporting it. They cover both current and former company employees, officers, and contractors, as well as their spouses and dependants, even where these people wish to remain anonymous.

The protections will apply to whistleblower reports covering misconduct or an improper state of affairs or circumstances, not just breaches of the law.

Whistleblowers can lodge a report with ASIC through our [online misconduct reporting form](#).

'We value the people from inside companies and organisations who come to ASIC with reports of potential misconduct or breaches of the law. Whistleblowers provide ASIC with important information and help us enforce the laws we administer to address and prevent harm to consumers,' said ASIC Commissioner John Price.

'ASIC considers a strong and effective arrangement for handling reports from whistleblowers is a key component of corporate governance. We encourage companies to implement a strategy for dealing with whistleblower reports they may receive in line with the legislative requirements.'

The changes to the whistleblower protections will also require public companies, large proprietary companies, and corporate trustees of registrable superannuation entities, to have a whistleblower policy from 1 January 2020. ASIC will consult on regulatory guidance on the requirement for a whistleblower policy in due course.