



CONDUCT OBLIGATION STATEMENT



The Fund will perform its obligations honestly and with a reasonable degree of care and diligence

The Fund maintains a strong governance framework and acts in accordance with its Trust Deeds and Constitution. The Fund ensures honesty, integrity and a strong degree of care and diligence through strong governance practices, clear delegations and documented policies and procedures. All staff are required to act in good faith at all times, supported by regular and ongoing training to support and ensure the consistent performance of the Funds obligations.

As a trustee, the Fund is subject to the long established general trust law duties requiring honesty, good faith and the exercise of care, skill and diligence in managing trust property. The *Trusts Act 1973 (Qld)* imposes duties on the Fund, including the duty to act prudently (s22); to act in the best interests of beneficiaries (s31); and to act impartially (s32). These duties apply automatically and support the Fund's obligations to act with care, diligence and honesty. In addition, the Fund and its Directors are bound by the duties under the *Corporations Act 2001 (Cth)*, including the duties of care, diligence and good faith.

These obligations are further supported in practice through the Fund's risk governance framework, including Board and Committee Charters that set clear expectations for decision making and oversight, and a range of Board and Operational policies such as the Code of Conduct, Conflict of Interest Policy, Risk Management Framework and Limits of Authority and Delegations Policy. All Policies are version-controlled, subject to regular review and approved either by the designated Policy Owner, or where required, by the Board of Directors.

Together these external legal obligations and internal governance arrangement ensure that the Fund performs its functions honestly and with a reasonable degree of care and diligence.

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The Fund ensures that all scheme property is clearly identified as scheme property, held on trust for members, and maintained separately from all other property. In accordance with the Trust Deeds (s2 *BERT Fund No. 2 Trust Deed*; s2 *BERT Fund Trust Deed*), all scheme assets are held on trust for members and managed through audited accounts (s12 *BERT Fund No. 2 Trust Deed*; s13 *BERT Fund Trust Deed*).

The Fund maintains clear and accurate financial records that distinguish scheme property from any other assets (s10 *BERT Fund No. 2 Trust Deed*; s11 *BERT Fund Trust Deed*) and applies strict internal controls and reconciliation processes (s10.6, s11 *BERT Fund No. 2 Trust Deed*; s11.4, s12 *BERT Fund Trust Deed*) to ensure that scheme property is safeguarded, properly accounted for, and used solely for the benefit of members.

These obligations are further supported in practice through the Fund's financial controls, including segregation of bank accounts, documented operational accounting policies and procedures, thorough and regular reconciliations and oversight by the Audit & Risk Committee.

Together, these Trust Deed provisions and internal control measures ensure that scheme property is properly separated, safeguarded and administered solely for the benefit of members.

The Fund treat members of the same class equally and members of different classes fairly.

The Fund applies the Trust Deeds, Constitution, and all governing policies and procedures consistently to ensure that members within the same class are afforded identical rights, entitlements and treatment, while members of different classes are treated fairly in accordance with the specific provisions that apply to their class. Fairness is supported through transparent decision-making, documented procedures, and regular oversight to ensure that all actions, benefit and claim determinations and communications align with the principles of equity and impartiality.

To evidence this obligation, the Fund relies on the following Trust Deed provisions that define member classes and their rights:

- Membership of Fund (s4 BERT Fund No.2 Trust Deed; s5 BERT Fund Trust Deed)
- Contributions (s6 BERT Fund No.2 Trust Deed; s7 BERT Fund Trust Deed)
- Transfer from another redundancy fund (s8 BERT Fund No.2 Trust Deed; s9 BERT Fund Trust Deed)
- Transfer of Benefit to New Fund (s9 BERT Fund No.2 Trust Deed; s10 BERT Fund Trust Deed)
- Amount of Benefit for Members (s28 BERT Fund No.2 Trust Deed; s30 BERT Fund Trust Deed)
- Payment of Benefits to Members (s29 BERT Fund No.2 Trust Deed; s31 BERT Fund Trust Deed)
- Preconditions to entitlement (s30 BERT Fund No.2 Trust Deed; s32 BERT Fund Trust Deed)
- Death Benefit (s31 BERT Fund No.2 Trust Deed; s33 BERT Fund Trust Deed)
- Procedure for payment of benefits (s32 BERT Fund No.2 Trust Deed; s34 BERT Fund Trust Deed)
- Liability and interest in the Fund (s36 BERT Fund No.2 Trust Deed; s38 BERT Fund Trust Deed)

These obligations are further supported in practice through the Fund's internal governance arrangements, including the use of standardised eligibility and claim requirements, documented claim assessment procedures, consistent application of the Complaints Policy and quality assurance processes that ensure all member interactions and decisions are applied equally and in accordance with the Trust Deeds.

The Fund has in place adequate arrangements for the management of conflicts, and if there is a conflict between the members' interest and the Funds, the Fund will prioritise the members' interest

The Fund maintains a comprehensive and publicly available Conflict of Interest Policy that outlines clear processes for identifying, disclosing, assessing, and managing actual, potential, and perceived conflicts in accordance with the Fund's Trust Deeds and Constitution. A formal Conflicts of Interest Register and Gifts Register are maintained to ensure transparency and accountability, and all staff and Directors are required to make regular declarations and comply with the policy.

Where a conflict arises between the interests of the Fund and the interests of members, the Fund will prioritise members' interests in all decisions and actions. The Fund demonstrates that members' interests are prioritised over the Fund's interests through documented conflict-management processes, a maintained Conflicts of Interest Register, independent audit and compliance reviews, and adherence to trust law duties requiring trustees to act in the best interests of beneficiaries (s31 *The Trusts Act 1973 (Qld)*).