

# Kimber Resources Inc.

## Corporate Policy

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**SUBJECT: WHISTLEBLOWER POLICY**

**DATE: September 18, 2009**

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### **General Policy**

Kimber Resources (the “Company” and “Kimber”) is committed to building and maintaining a good reputation in the market through the ethical behavior of its personnel and contractors and the proper and effective functioning of its accounting and control system. The Company’s Code of Conduct requires all directors, officers and employees of Kimber and its subsidiaries to adhere to a high standard of personal and professional integrity. All responsibilities must be fulfilled with honesty and integrity and comply with all applicable laws and regulations.

In keeping with this commitment, and the Company’s commitment to open communication, this policy aims to provide an avenue for all personnel to report any fraud serious misconduct or other concerns with the knowledge and assurance that they will be protected from harassment, retaliation, victimization and adverse employment consequence for reporting such matters.

### **Reporting Illegal or Unethical Behaviour (“Whistle Blowing”)**

In support of the above commitment, the Company provides a confidential and anonymous reporting process for Kimber personnel, professionals (including independent contractors) and other third parties to report concerns and complaints regarding, accounting, internal controls and auditing matters as well as serious violations of any Company policy, fraud or serious misconduct.

Employees are encouraged to report employment or human resource related matters to their supervisors unless the complaint is related to a violation of any laws or regulations or is a breach of the Company’s Code of Ethics.

Complaints should be reported as described below to the independent Ethics Hotline or directly in writing to the Chairman of the Audit Committee. .

### **Safeguards**

Harassment, retaliation, victimization or adverse employment consequence for reporting concerns and complaints under this policy will not be tolerated. Any such treatment of a person reporting concerns or complaints shall be grounds for disciplinary action, including termination of employment for just cause.

### **Procedures for reporting concerns and complaints**

In addition to being able to write in confidence to the Chairman of the Audit Committee of the Board of Directors, the Company has retained EthicsPoint, an independent service provider, to receive both phone and web based written reports as described below:

- 1. Web reporting** – go to EthicsPoint’s web site: [www.kimberresources.ethicspoint.com](http://www.kimberresources.ethicspoint.com) to file a written complaint in Spanish or English.

**2. Phone - Ethics Hotline** – phone in details are also provided at EthicsPoint’s web site.

From Canada and the United States -- dial **1-866-437-1927** (English)

From Mexico - International Toll-Free Service (ITFS) -

**001-800-840-7907** will be answered in Spanish

**001-866-737-6850** will be answered in English

3. **Mail** – Private and Confidential  
Audit Committee Chairman  
Kimber Resources Inc.  
PO Box 18531  
Vancouver, BC V6Z 0B3  
Canada

All reporting on EthicsPoint’s website and by phone is managed by EthicsPoint, an independent, outside service provider to ensure confidentiality and / or anonymity, as the caller may desire.

**Responsibilities of Audit Committee With Respect to Whistleblower Complaints**

1. All complaints and concerns received by the Ethics Hotline shall be reported promptly to the Audit Committee Chair who is responsible to advise other members of the Audit Committee promptly of the details of all complaints and concerns received.
2. The Audit Committee shall receive, retain, investigate and act on all complaints and concerns.
3. The Audit Committee shall determine who should conduct the investigation and shall be free to engage those who they believe are best suited to assist them in their investigation and analysis, including outside auditors, legal counsel, outside experts or someone within the Company.

**Responsibility of Management**

Management is responsible to ensure all employees are aware of the Whistleblower Policy and Procedures by including the Code of Conduct and this Whistleblower Policy in the new employee package and requiring Employee Annual Certification as acknowledgement of the Policy and Procedures. This Whistleblower Policy and how to report under it will be available at all times on the Company’s website.

**Protection of Whistleblowers**

1. Kimber’s management will not tolerate any retaliation by any person or group, directly or indirectly, against anyone who, in good faith, makes a complaint, raises a concern or provides assistance to the investigation.
2. The investigation shall not reveal the identity of any person who makes a good faith complaint or concern, unless that person has authorized such disclosure in writing.

This Whistleblower Policy shall not protect a person from the consequences of their own wrongdoing; however, a person’s self disclosure of wrongdoing that is not independently discovered through investigation shall be taken into account when considering the consequences to such person.