



## **ADDENDUM AUSTRALIA**

Our Code, as well as this addendum is provided as guidance in conducting your L-3 responsibilities. These documents are not intended to be all inclusive. You should seek guidance from the Legal Department as conflicts arise.

The L-3 Code of Ethics and Business Conduct (“Code”) applies to everyone who does business on behalf of L-3 - employees, officers and members of our Board of Directors. It also may apply to agents, consultants, contract labor and others who act on L-3’s behalf. Above all, every L-3 employee must conduct himself or herself in an ethical manner.

Specifically, everyone who represents L-3 will ensure that:

- ✓ Ethical behavior is the foundation by which we conduct our business
- ✓ We do not take advantage, or abuse our position for personal gain or otherwise knowingly violate the law
- ✓ Our actions do not create, directly or indirectly, a conflict of interest
- ✓ We seek guidance when necessary

### **Requirements**

If you are a U.S. citizen working outside of the United States, you are required to abide by United States laws, as well as the laws and regulations of the country in which you are employed. All other individuals may or may not be subject to both U.S. and foreign laws, depending on the circumstances. In situations where you are uncertain about whether a particular law applies, consult with your Manager or the Legal Department immediately.

### **Mandatory Obligation to Disclose Certain Misconduct**

The US Federal Acquisition Regulation (FAR) requires the mandatory disclosure of credible evidence of federal criminal law violations involving fraud, conflict of interest, bribery, or gratuity violations, as well as claims under the Civil False Claims Act, and significant overpayments. This mandatory disclosure obligation continues up through three (3) years after contract close-out. In order to comply with these obligations, all L-3 employees must immediately report any issues that could potentially constitute a violation of criminal or civil law, or significant overpayment on a Government contract or subcontract, to your responsible Ethics Officer or the Corporate Ethics Officer. You may also report these matters through the Ethics Helpline. Reporting of these matters is mandatory, although you may use the Ethics Helpline if you prefer to remain anonymous.

There are some laws particularly applicable to doing business in Australia. This addendum describes specific areas of Australian law that complement the existing requirements of the Code and is meant to be read in conjunction with the Code.

NOTE: Enacted by the Parliament of Australia, these federal laws apply to the whole of Australia. However, since all Australian States are self-governing and have their own state laws and court systems, L-3 employees, officers, members of our Board of Directors, agents, consultants, contract labor and others who act on L-3's behalf in different states are required to consult the location's Legal department on the applicable state laws.

### **Gifts and Entertainment with Australian Government Representatives**

The *Criminal Code Act 1995* prohibits public officers from obtaining, seeking or agreeing to receive a bribe. You should not give, offer or promise to give a bribe to a public officer. In New South Wales, similar prohibitions are provided for in the *Crimes Act 1900* (NSW) to cover non-commonwealth public officers.

Most government departments have developed codes of conduct, which regulate the giving and receiving of gifts. Some government departments may have a "no gift" policy. The Australian Public Service Code of Conduct requires that all valuable gifts or benefits should be registered.

### **Gifts and Entertainment with Foreign Government Employees and Officials**

The *Criminal Code Amendment (Bribery of Foreign Public Officials) Act 1999* deals with bribery in the exercise of an official's duties as a foreign public official in order to obtain or retain business, or business advantage, that is not legitimately due to the recipient or intended recipient. You should not give anything of value to a foreign official for the purpose of improperly influencing an official decision, or otherwise provide unlawful political contributions to obtain or retain business overseas.

### **Security and Confidential Information**

We all must comply with the *Privacy Act 1988*, which contains eleven Information Privacy Principles that apply to Commonwealth and Australian Capital Territory (ACT) government agencies, as well as the ten National Privacy Principles that apply to parts of the private sector and all health service providers. The Privacy Commissioner also has some regulatory functions under other enactments that you need to be familiar with, including the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006*, *Telecommunications Act 1997*, *National Health Act 1953*, *Data Matching Program (Assistance and Tax) Act 1990* and the *Crimes Act 1914*.

### **Procurement Integrity**

All Australian Government agencies operating under the Financial Management and Accountability Act 1997 are governed by the Commonwealth Procurement Guidelines, which provide what is required and expected in Commonwealth purchasing.

### **False Statements and False Claims**

Part V, Part VA and Part VC of *Trade Practice Act* cover various aspects of consumer protection: unfair practices (including unconscionable conduct and misleading and deceptive conduct), product safety and information, conditions and warranties in consumer transactions, actions against manufacturers/importers of goods and product liability.

### **Fair Treatment and Non-Discrimination**

*Age Discrimination Act* 2004 makes it unlawful to treat people less favorably because of their age, protecting both younger and older Australians.

*Disability Discrimination Act* 1992 aims to eliminate discrimination against persons on the ground of disability in certain areas, including employment.

*Equal Employment Opportunity (Commonwealth Authorities) Act* 1987 promotes equal employment opportunity for a range of identified groups.

*Equal Opportunity for Women in the Workplace Act* 1999 claims to achieve the elimination of discrimination against, and the provision of equal opportunity for, women in relation to employment matters.

*Racial Discrimination Act* 1975 makes it is unlawful to discriminate in the area of employment in: advertising jobs, recruitment, the selection process, access to training, promotion opportunities, the terms and conditions of employment, termination of employment.

*Sex Discrimination Act* 1984 claims to eliminate discrimination against persons on the ground of sex, marital status, pregnancy or potential pregnancy.

The *Fair Work Act* 2009 and *Fair Work (Registered Organisations) Act* 2009 provides a process for agreement-making and specific protection against unfair dismissal, unlawful termination and discrimination. The introduction of these Acts also provides for ten new National Employment Standards (NES) that apply to every employee without exception. The NES will apply to all employers and employees in the national workplace system on and after 1 January 2010.

### **Safeguarding Health and Safety**

- The Safety, Rehabilitation and Compensation Act 1988 relates to the rehabilitation of employees of the Commonwealth and certain corporations as well as to workers' compensation for those employees and certain other persons.

### **Avoiding Insider Trading**

The *Corporations Act* 2001 prohibits insider trading, which is dealing in securities whilst in possession of price sensitive information that is not generally available. The Act is administrated by the Australian Securities and Investments Commission.

**Competition Laws**

The *Trade Practices Act* 1974 is the key antitrust law in Australia. It regulates competition and fair trading, provides for protection of consumers, and prevents some restrictive trade practices of companies. It is administered by the Australian Competition and Consumer Commission and also gives some rights for private action.

**Environmental Laws**

The *Environment Protection and Biodiversity Conservation Act* 1999 provides the principles of ecologically sustainable development and the adoption of environmental assessments and approval processes on activities that are likely to have significant effects on the environment.

**National Security**

The *Defence and Strategic Goods List Amendment* 2007 gives the list of all goods and technology that require a defence permit or license before exportation. The List is in two parts - Part 1: Military Goods and Non Military Lethal Goods, and Part 2: Dual-Use Goods. The List includes equipment, assemblies and components, associated test, inspection and production equipment, materials, software and technology.