



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

Divisions 141 and 142 of the *Criminal Code Act 1995 (Criminal Code)* make it an offence to offer, provide or cause any advantage to be provide to another which is not otherwise legitimately due, with the intention of influencing a Commonwealth public official (who may be the other person). This advantage is considered a bribe.

Division 141 also prohibits Commonwealth public officials from obtaining, seeking or agreeing to receive a bribe. You should not give, offer or promise to give a bribe to a Commonwealth public official. Various State governments have adopted similar prohibitions covering non-commonwealth public officials.

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

Division 70 of the Criminal Code deals with bribery of foreign public officials which occurs wholly or partly in Australia, or by Australian citizens, residents of Australia or a body corporate incorporated under Australian law.

You must not offer, promise, provide or be instrumental in providing a bribe to a foreign public official 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

The *Privacy Act 1988* regulates the handling of information concerning individuals. It includes the thirteen Australian Privacy Principles which regulate how most Australian government agencies, health providers and private sector organisations are able to deal with an individual's personal information. These do not apply to the Australian Capital Territory.

It is important that you are aware of what and how personal information can be collected, used and disclosed. Personal information generally cannot be collected unless the information is reasonably necessary for one or more functions of the entity. Be aware that higher standards apply to information considered sensitive, such as health records.

You must not collect personal information in a way that is unlawful or unfair. Once personal information is obtained, you cannot use it for any purpose other than for which it was obtained unless consent has been granted.

Individuals have a general right to access information about them and have it corrected if it is inaccurate, incomplete or out of date.

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

The Australian Consumer Law, as set out in Schedule 2 of the *Competition and Consumer Act 2010*, covers various aspects of consumer protection, placing a general ban on any misleading, deceptive and unconscionable conduct in trade or commerce. It also contains specific provisions on

- (a) unfair practices;
- (b) product safety and information;
- (c) conditions and warranties in consumer transactions; and
- (d) 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. Age is defined as including age group. Accordingly, an act of discrimination does not have to be linked to an exact age but can be related to the age group of a person.

Disability Discrimination Act 1992 makes it unlawful to treat a person with a disability less favorably than a person without a disability. This includes discriminating against a person on the basis that they have a relative, friend, carer, worker or associate who has a disability.

Equal Employment Opportunity (Commonwealth Authorities) Act 1987 requires certain Commonwealth authorities to promote equal opportunity in employment for women and persons in designated groups and for related purposes. *Equal Opportunity for Women in the Workplace Act 1999* requires certain employers to promote equal opportunity for women in employment. It also establishes the Equal Opportunity for Women in the Workplace Agency and the office of the Director of Equal Opportunity for Women in the Workplace.

Racial Discrimination Act 1975 makes it unlawful to treat a person less favorably than another person in a similar situation because of their race, colour, descent, national or ethnic origin or immigrant status. The Act also makes racial hatred an offence. It applies

to employment, education, accommodation, the provision and use of services and access public places. It also protects from harassment.

Sex Discrimination Act 1984 prohibits 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* provide a process for agreement-making and specific protection against unfair dismissal, workplace bullying, unlawful termination and discrimination. These Acts also provide for ten National Employment Standards (NES) that apply to every employee and employer in the national workplace system.

Safeguarding Health and Safety

The *Safety, Rehabilitation and Compensation Act 1988* relates to the rehabilitation and compensation of employees of the Commonwealth and certain corporations for work place injury.

The *Work Health and Safety Act 2011* protects the health, safety and welfare of all workers whilst at work. This includes employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers and employers who perform work.

The Act also provides protection for the general public so that their health and safety is not placed at risk by work activities.

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 administered by the Australian Securities and Investments Commission.

Competition Laws

The *Competition and Consumer Act 2010* 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 2011* outlines all goods and technology that require a defense 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.

Goods identified on the Defence and Strategic Goods List may not be exported from Australia unless a license or permission has been granted by the Minister for Defence, or an authorised person, and that license or permission is produced to a Collector of Customs before exportation.