



Kockums Intellectual Property Supplier Fact Sheet

DISCLAIMER: *This is a fact sheet designed to provide suppliers of ASC with an overview of the key obligations contained within the Confidentiality Deed Poll (“Deed Poll”). The content of this fact sheet does not constitute legal advice, is not intended to be a substitute for legal advice and should not be relied upon as such. You should ensure that you have read and understood your obligations in connection with Kockums IP under the Deed Poll and seek legal or other professional advice in relation to any particular matters or concern that you or your organisation may have.*

| QUESTION | ANSWER |
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| WHAT IS KOCKUMS COLLINS CLASS TECHNOLOGY (KOCKUMS IP)? | <p>Kockums IP is divided into two categories: Category 1 Data – the majority of data and subject to restrictions on disclosure and use; and Category 2 Data – more sensitive and subject to additional restrictions on disclosure and use.</p> <p>ASC will provide you with a Confidentiality Deed Poll (“Deed Poll”) that applies to the data you require access to. The Deed Poll will be accompanied by emailed instructions on how to complete it.</p> |
| WHAT DOES THE DEED POLL DO? | <p>It sets out your rights and obligations in respect of the use and handling of Kockums IP. A key component of the Deed Poll is Appendix 1 to the Deed Poll (“Appendix 1”), which is to be completed by you.</p> |
| WHAT DO I DO IF I HAVE CONTRACTOR OR AGENCY STAFF NEEDING ACCESS TO KOCKUMS IP? | <p>They will be required to sign a separate document. Please contact ASC and it will confirm the requirements and provide you with the appropriate documents.</p> |
| WHY DO I NEED TO SIGN IT? | <p>ASC cannot disclose Kockums IP to you until the Deed Poll is properly executed (including the completed Appendix 1) and the original returned to ASC.</p> |

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| QUESTION | ANSWER |
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| WHAT IS THE PURPOSE OF APPENDIX 1 AND WHAT DO WE NEED TO DO? | <p>Appendix 1 must list the name of every employee that requires access to Kockums IP (your “Nominated Personnel”).</p> <p>Fill it out, sign and date it and return it with the Deed Poll to ASC in accordance with the emailed instructions.</p> <p>You must ensure that those employees listed in Appendix 1 are aware of their obligations in respect to the use and handling of Kockums IP.</p> |
| WHOSE NAMES GO IN APPENDIX 1? | <p>Those employees who will need access to documents or other information containing Kockums IP.</p> <p>NOTE: Category 2 Data can only be accessed by Australian citizens. Please seek clarification from ASC if you have any questions regarding this restriction.</p> |
| WHAT IF SOMEONE NAMED IN APPENDIX 1 NO LONGER REQUIRES ACCESS OR SOMEONE NEW JOINS? | <p>When a person named in Appendix 1 no longer requires access to Kockums IP (ie. they leave your organisation), your Appendix 1 must be updated accordingly.</p> <p>If a new employee requires access to Kockums IP, your Appendix 1 must be updated by adding that person’s name before they are given access to any Kockums IP.</p> <p>As a matter of good practice, Appendix 1 should be reviewed regularly and updated if required.</p> |
| HOW DO I UPDATE THE APPENDIX 1? | <p>The entire Appendix must be replaced when it is updated, even if only one name changes.</p> <p>Complete a new Appendix, sign and date it and send it to ASC.</p> |
| HOW WILL KOCKUMS IP BE DISCLOSED BY ASC? | <p>ASC’s Configuration Management (“CM”) department is the only authorised ASC body able to provide you with documents or data containing Kockums IP. This will be by a File Transfer Protocol site. Data including Kockums IP will be provided as a controlled documents marked with the following notice:</p> <p><i>“© Kockums AB. This document contains information which is owned by and confidential to Kockums AB. No part of this document may be used or disclosed without the prior written permission of Kockums AB or its authorized licensee.”</i></p> <p>If you receive Kockums IP from anyone in ASC other than CM, please contact ASC immediately.</p> |

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| <p>WHAT DO I HAVE TO DO WHEN I RECEIVE KOCKUMS IP FROM ASC?</p> | <p>You will receive two copies of a Document/Drawing Delivery Note which will list the Kockums IP being supplied at that time. You must sign this and promptly return one copy to ASC.</p> |
| <p>WHAT CAN I USE KOCKUMS IP FOR?</p> | <p>Kockums IP can <u>only</u> be used for work for ASC in relation to the operation, repair, maintenance and support of the six Collins Class Submarines AND for the purpose of maintaining or improving the capability of the Australian Defence Force. You are prohibited from using it for any other purpose.</p> <p>Kockums IP must be kept within the territory specified in the Deed Poll. You are prohibited from transferring the data or any part of it overseas, including to an overseas company or entity or an overseas branch of an Australian company or entity.</p> <p>Kockums IP must never be disclosed to a company or entity that is either a submarine designer or builder or a shipyard owner/operator. If the nature of your business changes to include designing or building submarines or owning or operating a shipyard, you must notify ASC and return all Kockums IP to ASC prior to that change occurring.</p> |
| <p>HOW SHOULD I MANAGE KOCKUMS IP PROVIDED BY ASC?</p> | <ol style="list-style-type: none"> 1. Ensure disclosure within your organisation that Kockums IP is only made to your Nominated Personnel on a need-to-know basis. 2. Ensure that Kockums IP is kept in a secure area or form and access is restricted to Nominated Personnel. 3. Ensure Kockums IP remains in the territory specified in the Deed Poll. 4. Keep a register of all Kockums IP received, the date received and the date it is returned to ASC. 5. Keep a log of your Nominated Personnel's access to the Kockums IP in your possession. 6. Return all Kockums IP (including all copies) to ASC on completion of the relevant tasks. |
| <p>CAN I GIVE DOCUMENTS WITH KOCKUMS IP TO MY SUBCONTRACTORS OR SUPPLIERS?</p> | <p>No. Only ASC is authorised to disclose Kockums IP. If any of your subcontractors or suppliers requires access to Kockums IP, they must also execute the appropriate Deed Poll. Contact ASC to arrange for this to be done.</p> |
| <p>WHAT SHOULD I DO WITH KOCKUMS IP WHEN I HAVE FINISHED USING IT?</p> | <p>All Kockums IP (including any copies) should be returned to ASC on completion of the relevant tasks via cminbox@asc.com.au</p> |
| <p>WHAT HAPPENS IF I BREACH MY CONFIDENTIALITY OBLIGATIONS?</p> | <p>You may be exposed to significant financial penalties.</p> |