

Reception's Guide to managing an ACCC 'Raid' with Search Warrant

The ACCC has the right to conduct unannounced searches of premises where an ACCC inspector obtains a search warrant. The ACCC inspector may be accompanied by ACCC staff, members of the Australian Federal Police, lawyers and IT experts. The ACCC can seize documents, computer records, mobile phones and other information storage devices.

If this occurs – here's what you need to do:

1

If someone arrives at Cement Australia's premises and says that they represent the ACCC and are there to conduct a search of the premises...

The first thing to say is: "I don't have the authority to help you. Please wait here while I locate the person in authority. You should show your search warrant to them."

Provide the investigators with a seat in the reception/visitors waiting area which does not contain confidential company information. Ask for their business cards or ID cards and take a copy.

2

- Urgently contact the first person on the **Contact List** below - ask that they come and deal with the investigators **immediately** (provide contact with a copy of the ID cards)
- If the first person on the Contact List is unavailable, try the next person straight away.
 1. Sophie Evans, Group General Counsel, 07 3335 3152 or 0409 266 388
 2. Bronwyn Rymer, Corporate Counsel 07 3335 3061 or 0417 341 7032
 3. Most senior person on-site (see step 3)

3

- Contact the most senior person on-site, explain the situation and the steps you have taken, and provide them with a copy of these guidelines. **If internal lawyers are not available, senior manager takes control of situation and carries out steps 4 onwards.**

4

- Senior manager should contact our external lawyers, this should be done out of earshot of reception. If the first person is unavailable, try the next immediately.
 1. Liza Carver, Ashurst Lawyers, 02 9258 5897 or 0414 926 310
 2. Jane Ellis, Ashurst Lawyers, 07 3259 7320 or 02 9258 6307 or 0401 586 561
 3. Alyssa Phillips, Ashurst Lawyers, 0488 362 225

If the nominated external lawyers are also unavailable (listed above), call their firm's main Brisbane reception number **07 3259 7000**.

Give your name; say you work for Cement Australia and that you usually work with [name of external lawyer] and can't get hold of them; explain that there are investigators on the premises who are about to conduct a search of the premises and that you require urgent assistance in dealing with the search.

5

If the investigators express concern about the time taken for legal advisers to arrive:

- advise staff by an immediate email notice not to delete or destroy any documents;
- offer to advise staff to shut down their computers and cease work;
- arrange for staff to congregate in an area away from filing cabinets and archives and wait for the conclusion of the search of the premises.

6

- If the investigators insist on proceeding before assistance arrives, follow the procedures outlined in the "General Staff" section for the ACCC 'Raid' procedure, located on CAZ/Legal/Legal & Company Secretary/ACCC Dawn Raid Procedure