

NOTICE OF LODGMENT
AUSTRALIAN COMPETITION TRIBUNAL

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL and has been accepted for lodgment pursuant to the Practice Direction dated 13 July 2026. Filing details follow and important additional information about these are set out below.

Lodgment and Details

Document Lodged:	Affidavit
File Number:	ACT 1 of 2026
File Title:	APPLICATION BY COLES SUPERMARKETS AUSTRALIA PTY LTD
Registry:	VICTORIA – AUSTRALIAN COMPETITION TRIBUNAL



REGISTRAR

Dated: 3/08/2026 6:57 PM

Important information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

Commonwealth of Australia
Competition and Consumer Act 2010

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 1 of 2026

RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the Competition and Consumer Act 2010

Affidavit of: **Benjamin James Welk**

Address: 1 Woolworths Way Bella Vista NSW 2153

Occupation: Commercial Director for Supplier Excellence

Date: 3 August 2026

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I, Benjamin James Welk, of 1 Woolworths Way Bella Vista NSW 2153, Commercial Director for Supplier Excellence at Woolworths Group Limited (**Woolworths**), say on oath:

- I am authorised to make this affidavit on behalf of Woolworths in support of its application dated 3 August 2026 seeking further directions in relation to the treatment of L\365619350.1

Filed on behalf of (name & role of party)	Woolworths Group Limited
Prepared by (name of person/lawyer)	Mihkel Wilding
Law firm (if applicable)	Clayton Utz
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certain confidential information belonging to Woolworths, being confidential information which I believe should not be disclosed to internal lawyers of Coles Supermarkets Pty Ltd (**Coles**), O'Connor Fresh Pty Ltd (**O'Connor IGA**) or any other intervener (**Participants**) (**Highly Confidential Information**) as such disclosure creates a real risk of commercial harm to Woolworths.

2. Unless otherwise stated, this affidavit is based on my own knowledge and experience and from my examination of certain records of, or otherwise in the possession of, Woolworths. Where I depose to matters based on information and belief, I do so after having made relevant inquiries and I believe those matters to be true and correct.

Context to confidentiality claims

3. On 17 April 2026 Woolworths received a section 155 notice from the Australian Competition and Consumer Commission (**ACCC**) seeking the production of information and documents. An amended form of that notice was issued on 1 May 2026. I have been told by Kirsty van den Bergh, a senior lawyer in the Competition and Consumer Legal Team at Woolworths and believe that in response to that notice Woolworths produced to the ACCC:
 - (a) a written response on 8 May 2026; and
 - (b) a written response and 51 documents on 14 May 2026.
4. I have also been told by Ms van den Bergh that at the time of the above productions, Clayton Utz on behalf of Woolworths requested that the ACCC treat all of the material produced as confidential.
5. On 24 July 2026, Woolworths received a letter from the Australian Government Solicitor (**AGS**), which acts for the ACCC. A copy of that letter is annexed to this affidavit and marked "**Annexure A**" (without the attached directions). That letter, amongst other things, lists:
 - (a) 17 external solicitors retained by Coles (including a paralegal and overseas qualified lawyer);
 - (b) 5 internal solicitors employed by Coles; and
 - (c) 7 external solicitors retained by O'Connor IGA,to whom Woolworths' confidential information will be provided.
6. On 28 July 2026, Clayton Utz, who act for Woolworths, sent a letter to the AGS. A copy of that letter is annexed to this affidavit and marked "**Annexure B**".

7. On 29 July 2026, the AGS responded to Clayton Utz's letter. A copy of that email is annexed to this affidavit and marked "**Annexure C**".
8. I have reviewed the written responses and documents that were produced to the ACCC by Woolworths on 8 and 14 May 2026 and I consider:
 - (a) part of one written response contains Highly Confidential Information, being Woolworths' written response to the ACCC dated 14 May 2026; and
 - (b) 32 documents contain Highly Confidential Information.

A list of those documents are annexed to this affidavit and marked "**Annexure D**". I have caused to be applied a redaction to the title of one of the documents as I consider the title itself to be Highly Confidential Information, for reasons that I explain below.

9. Exhibited to me at the time of preparing this affidavit is an electronic bundle of documents marked **Confidential Exhibit BJW-1** which contains copies of the documents which I consider to contain Highly Confidential Information. When I refer to a particular document or documents in Confidential Exhibit BJW-1 I refer to the page or pages at which that document sits.

Background and experience

10. In 2008, I graduated from Flinders University with a Bachelor of Laws (Honours) and Bachelor of Commerce. After graduating and prior to commencing employment at Woolworths I worked at Clayton Utz before working as a Commercial Lawyer at Carlton & United Breweries, between April 2013 and March 2017.
11. On 13 March 2017, I commenced employment at Woolworths as a Commercial Lawyer in the Woolworths supermarkets retail business (**Woolworths Supermarkets**) and subsequently held the position of Senior Lawyer - Australian Food Group. In these positions, my role included providing legal support to the trading teams and buying teams in Woolworths Supermarkets, as well as other businesses within Woolworths, being Woolworths Food Group (now part of Woolworths Supermarkets), Greenstock (Woolworths' red meat supply chain business), Woolworths Mobile, Woolworths International and Australian Grocery Wholesalers. From 15 August 2022 to 27 April 2025, I held the role of General Counsel - Primary Connect. In this role I was responsible for all legal support requirements for the Primary Connect business, which is the supply chain and logistics network operated by Woolworths, reporting to the Chief Legal Officer of Woolworths.
12. On 28 April 2025 I moved into a non-legal role, being Commercial Director of Supplier Excellence in the commercial team within Woolworths Supermarkets. The commercial

team is responsible for the buying and merchandising function for Woolworths Supermarkets in Australia, including Woolworths Online. In this role I am responsible for managing Woolworths' relationships with stakeholders and suppliers, in addition to promoting a strong compliance culture within the Woolworths Supermarkets trading teams.

The Woolworths Supermarkets commercial team

13. In my current role, I am also a member of Woolworths' commercial team's leadership group, reporting to Peter McNamara, who is the Director - Grocery within Woolworths Supermarkets. The leadership group includes 14 others who represent each sub-team in the commercial team. This includes three Directors who are responsible for the trading teams, the Director for Commercial Operations and Innovation, who is responsible for the commercial operations team, and the General Manager for Pricing and Customer Value (**PCV**) who is responsible for the PCV team. The commercial leadership group has frequent standing meetings which include reporting on all functions of the commercial team. As a result, I have an overview of all activities of the trading teams, the PCV team and the commercial operations team.
14. I am also a member of the Woolworths Retail Extended Leadership team and I attend frequent meetings with this team. Through those meetings, I have an overview of all activities of Woolworths Retail more broadly.

Reliance on information

15. Where I relied upon information provided to me by Mr Jon Savell, Director of Property Portfolio - Leasehold for Woolworths Group or Ms van den Bergh in preparing this affidavit, I state that below.
16. In his role, Mr Savell is responsible for Woolworths' retail leasehold property portfolio. This includes assessing new store opportunities, continuously reviewing the existing store network including renewal and refurbishment opportunities, store expansions, amenity improvements, relocations and closures. His role also includes day-to-day property management functions.

Access to the Woolworths' confidential information

17. Woolworths invests in digital systems to protect confidentiality and restrict access to sensitive information, including the Highly Confidential Information.
18. All Woolworths employees are subject to access restrictions and confidentiality requirements with respect to information that belongs to Woolworths and its customers, team members and partners (including suppliers). Those confidentiality requirements are

set out at pages 23 to 24 of the Woolworths Group Code of Conduct dated September 2025, a copy of which is annexed and marked "**Annexure E**". The confidentiality requirements in Annexure B apply both during and after the employee's period of employment.

Woolworths Supermarkets' competitors

19. Woolworths operates a national network of supermarket stores, which includes a store in Kalgoorlie.
20. I consider the key competitors of Woolworths Supermarkets to include Australian supermarket retailers who operate across Australia or in particular regions of Australia, such as Coles, Aldi, Costco, IGA, Drakes, Foodworks, Spudshed, Friendly Grocer and Harris Farm. Woolworths Supermarkets also compete with non-supermarket retailers who supply the same or similar products as Woolworths Supermarkets to consumers in Australia, such as Chemist Warehouse, Bunnings, Priceline, convenience retailers, and online retailers such as Amazon.

Highly Confidential Information

21. In this affidavit I have grouped information I consider to be Highly Confidential Information into the following five categories:
 - (a) information which discloses the pricing indices used by Woolworths Supermarkets;
 - (b) information pertaining to low performing stores within Woolworths' national network, and the potential closure or disposal of those stores;
 - (c) information which reveals the financial impact on Woolworths as a result of competitor store opening or expansions;
 - (d) information which reveals the performance of Woolworths' eCommerce sales and certain stores (excluding the Kalgoorlie store); and
 - (e) information which discloses internal Woolworths' consideration of eCommerce market share and plans in specific areas.
22. Woolworths' pricing strategies and information about its store performance, capabilities and strategy are very sensitive. Fundamentally, if Woolworths' competitors are aware of how Woolworths sets its prices and how its stores are performing (either individually or on a State-wide basis), I would expect those competitors to use that information to their commercial advantage in determining their prices or pricing strategies or to amend or adapt their commercial activities in a way that would be harmful to Woolworths, and more broadly, competition and consumers.

23. In Confidential Exhibit BJW-1, the Highly Confidential Information has been marked as follows:
- (a) any part of a document which contains Highly Confidential Information is highlighted in orange;
 - (b) any documents which contain wholly Highly Confidential Information are marked as such in the header.
24. None of the marked information in any of the five categories outlined in paragraph 21, which I have identified as Highly Confidential Information pertains specifically to Woolworths Kalgoorlie. Instead, the information in question either relates to other stores within the Woolworths network or constitutes Highly Confidential Information applicable to the operation of Woolworths' stores more broadly.

Disclosure and use risk

25. In my experience, internal lawyers have close working relationships with commercial employees within their businesses, through their day-to-day roles. While I have not worked at Coles or O'Connor IGA, in my experience as an internal lawyer I am aware that internal lawyers routinely give legal advice on a variety of commercial matters and that this advice is often informed by sensitive commercial information.
26. As I state in paragraph 5 above, Coles requested to allow access to Woolworths' Confidential Information for 17 external solicitors and 5 internal solicitors. The 5 internal solicitors have the roles of Chief Legal Officer, General Manager - Legal, Head of Legal - Regulatory and Disputes, Senior Legal Counsel - Regulatory and Disputes and Legal Counsel - Regulatory and Disputes. I have been told by Ms van den Bergh and believe that on 31 July 2026 she looked up the profiles of Coles' inhouse lawyers and identified that at least three of them have experience or practice in competition law matters (Mr David Brewster, Mr Kai Fu and Ms Gemma Grant). I was also told by Ms van den Bergh that Mr Fu's LinkedIn page refers to him as being a "*[c]lose partner of the Coles Property team...*". I have also been told by Ms van den Bergh that, according to her LinkedIn profile, another of Coles' internal lawyers, Ms Georgie Korman, has experience working and advising in Coles' Corporate Advisory and Strategic Projects teams - with a LinkedIn post identifying her as having "*significant experience across many areas of our [Coles'] business including Legal, Strategy and Treasury*". I have also observed from **Annexure A** to this affidavit that Ms Nerine Konesharan's title identifies her as a Senior Legal Counsel in Coles' "Regulatory and Disputes" team.
27. In my experience, internal lawyers, and particularly internal lawyers practising regulatory and/or competition law and/or advising on strategic projects within a retail business, are

likely to advise on a range of matters for which the categories of Highly Confidential Information described in paragraph 21 above are likely to be relevant. This may include, for example, advice to their instructing business teams on current and proposed pricing strategies and policies, mergers and acquisitions (including site and store acquisitions, disposals, expansions and openings), regulator engagement strategies and related matters where the sensitive information is relevant to the advice sought.

28. Even with the giving of the confidentiality undertakings under the Confidentiality Regime in these proceedings, I am concerned about the risk of inadvertent use or disclosure in circumstances where:

- (a) the information is particularly sensitive as I outline above;
- (b) the information is relevant to day-to-day and ongoing legal advice provided by internal lawyers on a range of commercial matters relevant to the operation of the relevant business in competition with Woolworths; and
- (c) once disclosed, the receiving internal lawyer cannot easily unsee or unlearn information disclosed to them when providing legal advice to the Participants.

29. Further, I am concerned about the large number of individuals identified to receive Woolworths' Confidential Information. In this regard, as stated in the letter at **Annexure A** to this affidavit, the Participants have nominated 29 external and 5 internal lawyers to have access to Woolworths' Confidential Information. In addition to that, the Confidentiality Regime would permit access to Tribunal Staff, ACCC staff, barristers, experts and support staff of each category of recipient. The number of individuals who would have access to this information would therefore be very large. This already creates concern for me about the possibility of inadvertent use and disclosure, which would in turn create commercial harm for Woolworths. Preventing the disclosure of a limited category of Highly Confidential Information to internal lawyers of the Participants would mitigate, to some extent, this overriding concern that I hold particularly given their day-to-day role advising the Participants on a range of commercial and legal issues.

Pricing Indices

30. Paragraph 4.2 of Woolworths' information response (which appears at **pages 1 to 12** of Confidential Exhibit BJW-1) sent to the ACCC on 14 May 2026 refers to the pricing indices applied by Woolworths during the period 1 July 2025 to 31 March 2026 for particular competitors. The indices reflect the price differential between its prices and those competitors' prices that it aims to benchmark against when Woolworths Supermarkets is setting and monitoring its prices.

Harm to Woolworths from disclosure to internal lawyers of the Participants

31. This is highly commercially sensitive information. Pricing guardrails reveal how and when Woolworths considers and reacts to competitor pricing when setting its prices.
32. I observe through my day-to-day role that Woolworths' pricing indices are treated with a large amount of sensitivity within Woolworths. To the best of my knowledge, only a limited number of teams have knowledge of what the indices are, generally being teams who are directly involved in day-to-day pricing, promotional and strategic decision making for Woolworths Supermarkets.
33. Should any of Woolworths' competitors gain knowledge of what Woolworths' pricing indices are, they would gain insight about when Woolworths might adjust its pricing for existing products or how it will set its pricing for new products (and when it wouldn't) and by how much. This would effectively provide a roadmap into Woolworths' pricing strategy. Woolworths' competitors would be able to strategically adjust their pricing and promotional strategies with the benefit of those insights, to Woolworths' detriment. This would result in significant detriment to Woolworths, but also competition generally and consumers.
34. In relation to the proposed disclosure to internal lawyers particularly, I repeat paragraphs 25 to 28 above. Given my experience as a lawyer, I expect that this particular information will be relevant, either legally or commercially, to advice about their employers' pricing strategies.

Low performing stores within the Woolworths national network, and the potential disposal of those stores

35. On 14 May 2026 Woolworths produced 5 documents which analyse low performing stores in Woolworths' network and/or include recommendations to consider closing stores or selling stores. Those documents appear at the **pages 13 to 135** of Confidential Exhibit BJW-1.
36. I have been told by Mr Savell and believe that:
- (a) Woolworths in its ordinary course of evaluating the store network considers stores that are not performing and whether it would be appropriate to close them.
 - (b) regarding [WOW.002.001.0007] (**pages 13 to 52** of Confidential Exhibit BJW-1) and [WOW.002.002.0005] (**pages 53 to 93** of Confidential Exhibit BJW-1) dated December 2025
 - i. Woolworths Kalgoorlie is not one of the stores analysed in these documents. Rather, the documents assess the performance of other stores within Woolworths' network;

- ii. these are presentations prepared for the Property Committee (**PCM**) that set out recommendations to close certain stores and the methodology upon which those recommendations were based. The documents provide insight into Woolworths' internal commercial decision making processes, business plans, and metrics to consider whether a store is not performing. These are not known within the market and would give Woolworths' competitors insight into Woolworths' strategy for store retention, growth and closure;
- iii. the PCM is a committee attended by very senior employees of Woolworths, including the Chief Executive Officer, Chief Financial Officer, Managing Director of Woolworths Retail, Managing Director of Woolworths 360, and Managing Director of Property. Mr Savell attended these meetings. The PCM is responsible for making decisions relating to property related transactions of Woolworths Group's businesses, including authorising any proposal to, for example, close or divest stores. The matters discussed, papers presented, presentations made and outcomes of Property Committee meetings are confidential even within Woolworths and only shared amongst a small group of people;
- iv. those stores recommended for closure have not been closed at this time, and a final decision to their closure has not been made. To the best of his knowledge and belief, it is not widely known within Woolworths which stores are underperforming and are being considered for closure as the practice within Woolworths is to keep this information known to a small group;
- v. some stores in the presentation have been identified for potential divestment. Commercial negotiations for the potential divestment of the identified stores remain ongoing. Any knowledge of which stores are potentially being divested, and to who, may impact negotiations with current or future potential purchasers;
- vi. disclosure of the names of the stores that have been recommended for closure would create great concern and an adverse reaction among employees who rely on the operation of the stores for their livelihood. Further, it would likely disrupt internal operational planning, impact staff retention and morale and possibly impact future processes for the management of staff (such as possible redeployments); and
- vii. competitors can use this information to refine their market positioning, form strategies to target catchments where Woolworths stores are not performing well and expand into specific locations.

(c) regarding [WOW.002.001.0015] (pages **94 to 112** of Confidential Exhibit BJW-1) and [WOW.002.002.0002] (pages **113 to 131** of Confidential Exhibit BJW-1) dated 13 March 2026:

- i. Woolworths Kalgoorlie is not one of the stores analysed in these documents;
- ii. these are PCM papers seeking approval for the proposed sale of certain Woolworths stores within its national network;
- iii. to the best of his knowledge and belief, it is not widely known within Woolworths that the particular stores referred to in the paper are proposed to be sold as the practice at Woolworths is to keep this information confidentially known by a few people;
- iv. amongst other things, these documents disclose information such as the sales, and EBIT of the stores in FY25, expected sale price and the financial impact of the sales;
- v. sales discussions have not completed and are ongoing. Knowledge of which stores are potentially being sold, to who, and for how much may impact negotiations with current or future potential purchasers;
- vi. if the content of the paper were to be disclosed it could impact the sales process and disclose material information in relation to the performance of those stores;
- vii. disclosure of the names of the stores that have been recommended for sale would create great concern and an adverse reaction among employees who rely on the operation of the stores for their livelihood, as there would be uncertainty about whether their roles would continue post sale; and
- viii. competitors can use this information to refine their market positioning, form strategies to target high-yield or catchments where Woolworths stores are not performing well and expand into specific locations.

(d) [WOW.002.002.0004] dated 6 March 2026 (pages **132 to 135** of Confidential Exhibit BJW-1):

- i. was prepared for the PCM and is linked to the above papers. It sets out the reasons why approval was being sought for the potential sale of a particular store, including by reference to the store's performance and other commercial drivers. The document also refers to sales negotiations, which have not yet completed. The document also notes other stores within Woolworths' network which may be disposed of;

- ii. to the best of his knowledge, the potential sale of the store is not widely known within Woolworths as the practice is to keep this information confidentially known by a few people. If the content of the paper were to be disclosed it could impact the sales process and disclose material information in relation to the performance of the store;
- iii. in addition, the name of the store that is contemplated for closure is contained in the file name of this document. Revealing the document's title would cause harm to Woolworths for the same reasons as those outlined at sub-paragraph 36(c) above, by revealing that it has been marked for sale.

Harm to Woolworths from disclosure to internal lawyers of the Participants

- 37. I refer to paragraph 36 above and believe that disclosure of these documents could create unrest amongst employees, disrupt future processes for the management of staff, disrupt store operations and impact sales negotiations.
- 38. In relation to the proposed disclosure to internal lawyers particularly, I repeat paragraphs 25 to 28 above. Given my experience as an internal lawyer, I would expect that internal lawyers at Woolworths' competitors, particularly at Coles, would be consulted and provide advice on proposed store openings or acquisitions, including openings or acquisitions nationally. This information could therefore become relevant to advice that they give in the future and, once known, would be difficult to unsee or unlearn.
- 39. I also repeat paragraph 29 above concerning the number of individuals that would have access to the information and the risk of inadvertent disclosure.

Financial impact from competitor store opening or expansions

- 40. On 14 May 2026 Woolworths produced the following documents, which appear at the following pages of Confidential Exhibit BJW-1:
 - (a) **pages 136 to 154**, 4 Market Activity Newsletters to the ACCC;
 - (b) **pages 155 to 200**, 16 SANTWA Sales Impact Competitor and New Store documents;
 - (c) **page 201 to 202**, 1 email which reflected WA year on year growth; and
 - (d) **pages 203 to 207**, 2 Customer Retention Tracker & Reports
- 41. I did not receive these documents within my role, but I can see that they report on actual or forecasted impacts to sales of:
 - (a) individual Woolworths' stores (including Kalgoorlie) across the national network;
 - (b) to Woolworths regionally; or

(c) to Woolworths nationally,

as a result of competitor activity through the opening, replacement, expansion, renewal or closure of stores. The impacts referred to in these documents are sometimes presented on a weekly basis and sometimes presented on an annual basis. The actual and forecasted figures in these documents are sometimes presented in isolation, sometimes presented against budget and sometimes presented against control groups. They are also sometimes presented in dollar terms and sometimes described in words.

Harm to Woolworths from disclosure to internal lawyers of the Participants

42. I have been told by Mr Savell, and believe, that knowledge of the actual or forecasted financial impact that competitor stores have or will have on Woolworths' stores would be useful to Woolworths' competitors and therefore detrimental to Woolworths. Mr Savell told me that competitors can combine this store performance data with local demographic knowledge to identify specific geographical vulnerabilities or layout weaknesses in Woolworths' network. Mr Savell also told me that, with this information, competitors could identify catchments where Woolworths' stores are not performing well, or catchments that would be particularly responsive to new stores and target those markets, or otherwise change their strategy and approach to their own store network.
43. Mr Savell has also told me, and I believe, that if competitors were to see Woolworths' assessment of the aggregated actual or forecasted impact of their new, replaced, expanded, renewed or closed stores had on Woolworths in particular periods, they would be able to analyse how effective their store openings, replacements and refurbishments have been. With this information, Woolworths' competitors could adjust their strategies to Woolworths' detriment.
44. In relation to the proposed disclosure to internal lawyers particularly, I repeat paragraphs 25 to 28 above. Given my experience as an internal lawyer, I would expect that internal lawyers at Woolworths' competitors, particularly Coles, would advise on expansion strategies, including expansion into new areas. This information could be relevant to future advice they give.

Information which reveals the performance of Woolworths' eCommerce sales and stores not situated in Kalgoorlie

45. On 14 May 2026 Woolworths produced the following documents, which appear at the following pages of Confidential Exhibit BJW-1:
- (a) **pages 208 to 213**, 2 emails which amongst other things, set out facts about eCommerce performance; and

- (b) **page 155 to 200**, as referred to above, 16 SANTWA Sales Impact Competitor and New Store documents; and
- (c) **page 201 to 202**, as referred to above, 1 email which reflected WA year on year growth.
46. I did not receive these documents within my role, but I can see that they generally report on or refer to, amongst other things, weekly revenue amounts for specific stores (not including Woolworths Kalgoorlie). They also comment on the specific performance of Woolworths' e-commerce sales in particular areas.

Harm to Woolworths from disclosure to internal lawyers of the Participants

47. Woolworths does not publish the revenue results of particular stores. I have been told by Mr Savell and believe that if the revenue from its stores was to become known by competitors of Woolworths, those competitors could adjust their sales strategies to target sales to Woolworths' detriment. This is also the case if weekly revenue figures were disclosed, as the yearly revenue could be extrapolated, with assumptions being made for peak trading periods like Christmas. Mr Savell further told me, and I believe, that those competitors could become aware of levels of revenue available in catchment areas that they did not know existed, and increase their investments to obtain that revenue and affect Woolworths' customer base. He said that those competitors could target catchments where Woolworths' stores are not performing well to outperform Woolworths' stores.
48. In relation to the e-commerce stores, Mr Savell told me, and I believe, that if a competitor was to have knowledge of particular areas or channels that are performing, they could increase their investment in those areas or channels and in turn attract Woolworths' customer base.
49. In relation to the proposed disclosure to internal lawyers particularly, I repeat paragraphs 25 to 28 above. Given my experience, I would expect that internal lawyers at Woolworths' competitors, particularly at Coles, would advise on issues relating to store expansion and e-commerce expansion nationally.

Information which discloses internal Woolworths' consideration of eCommerce market share and plans in specific areas

50. On 14 May 2026 Woolworths produced the following documents, which appear at the following pages of Confidential Exhibit BJW-1:
- (a) **pages 215 to 223**, being 2 emails with the subject line 'WA E-Com market Share';
and

(b) **pages 208 to 213**, as referred to above, being 2 emails which amongst other things, set out facts about eCommerce performance.

51. Within those emails is analysis of Woolworths' eCommerce market share in specific areas, plans relating to particular catchments, catchments with opportunities and the assessed market shares of those catchments. They also comment on the success, including with regard to sales benefits, of particular eCommerce processes and technologies.

Harm to Woolworths from disclosure to internal lawyers of the Participants

52. I have been told by Mr Savell, and believe, that if a competitor of Woolworths was to know about Woolworths' perceived market share, Woolworths' plans in respect of its operations in particular catchments, or the measured success of Woolworths' eCommerce processes, it could seek to undermine Woolworths' plans and sales by adjusting its strategy in relation to those particular catchments. For example, a competitor could use that information to strategically decide which catchments to invest (or not invest) in.
53. In relation to the proposed disclosure to internal lawyers particularly, I repeat paragraphs 25 to 28 above. Given my experience as a lawyer, I would expect that internal lawyers at Woolworths' competitors, particularly at Coles, would advise on issues relating to e-commerce expansion nationally.

Sworn by the deponent
at Sydney
in NSW
on 3 August 2026
Before me:

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)
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)
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Signature of deponent


Signature of witness

Joshua Saul Kangisser, Australian Legal Practitioner

Annexure Certificate Annexure A

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 1 of 2026
RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the Competition and Consumer Act 2010

This is the Annexure marked "**Annexure A**" referred to in the affidavit of Benjamin James Welk sworn at Sydney on 3 August 2026

Before me: Joshua Saul Kangisser, Australian Legal Practitioner

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Witness

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Our ref: 26001070

24 July 2026

Alice Yang
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Woolworths Group Limited

Canberra
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via email: ayang1@woolworths.com.au

Dear Ms Yang

Australian Competition Tribunal's review of ACCC's determination of Coles' proposed acquisition in Kalgoorlie, WA – confidential information

1. We act for the Australian Competition and Consumer Commission (**ACCC**).
2. We refer to your submission to, or information provided to, the ACCC with respect to the proposed acquisition of a leasehold interest for a supermarket and liquor site in Kalgoorlie, WA (**Proposed Acquisition**) by Coles Supermarkets Australia Pty Ltd (**Coles**), and the ACCC's letter to you of 16 July 2026.
3. As outlined in the ACCC's letter, on 30 June 2026 the ACCC determined that the Proposed Acquisition must not be put into effect (**Phase 2 Determination**). On 15 July 2026, Coles filed an application for review of the ACCC's Phase 2 Determination in the Australian Competition Tribunal (**Tribunal**) (**Tribunal Proceedings**).
4. The Tribunal held a first directions hearing on 21 July 2026 and made the **attached** directions.
5. As you made submissions or provided information on a confidential basis to the ACCC in the course of its assessment of the Proposed Acquisition, we are writing to you about the confidentiality regime in place for the Tribunal proceedings for disclosure of your confidential information to Coles and other participants.

Your confidential information and the Tribunal Proceedings

6. The participants in the hearing are currently Coles and the intervenor, O'Connor Fresh Pty Ltd ATF O'Connor Fresh Trust (**O'Connor Fresh IGA**). Any other person wishing to make an application to intervene in the Tribunal Proceedings must do so by 31 July 2026. Please see the ACCC's letter of 16 July 2026 for more information regarding applications to intervene.
7. We refer to Coles, O'Connor Fresh IGA and any other intervenors collectively as the **Participants**.

8. The ACCC is required by the Tribunal's directions to provide your confidential information to the Participants, subject to a confidentiality regime. The Tribunal will also be given access to your confidential information to make its decision.

9. The confidential information provided by you that will be disclosed is listed at **Annexure A** to this letter.

Confidentiality regime

10. The treatment of confidential information is an important issue in the Tribunal Proceedings. The Tribunal has made directions for a confidentiality regime in the proceedings to apply to information claimed as confidential. A copy of the Tribunal's directions which contain that regime is **attached** to this letter (**Confidentiality Regime**).

11. In accordance with the Confidentiality Regime, your confidential information will be provided to the following people without restrictions on access, provided that they keep the material confidential in accordance with the Confidentiality Regime:

- a. the Tribunal, Tribunal staff and any other persons assisting the Tribunal (including support staff); and
- b. the ACCC, ACCC staff and any other person assisting the ACCC in relation to the Tribunal Proceeding, including the ACCC's barristers and external solicitors (including support staff).

12. Your confidential information will also be provided to the following people, provided that they have signed the confidentiality undertaking in the form attached to the Tribunal's directions before receiving your confidential information, and your confidential information is only used for the purposes of the Tribunal Proceedings:

- a. external solicitors retained by a Participant, and internal solicitors employed by a Participant who have been notified to the ACCC and Participants listed at **Annexure B** to this letter (including their support staff);
- b. barristers retained by a Participant who are directly involved in the Tribunal Proceedings, including their support staff;
- c. independent experts retained for the purposes of the Tribunal Proceedings on behalf of a Participant;
- d. independent experts and external consultants engaged for the purposes of the Tribunal Proceedings by the ACCC; and
- e. other external solicitors or other persons who will be notified to you if necessary.

Objections to disclosure

13. If you object to your confidential information being disclosed to the people outlined at paragraphs 11 and 12 in accordance with the Confidentiality Regime, you may apply to the Tribunal for further directions to be made with respect to

your confidential information. Any application to the Tribunal must identify the confidential information to which the application relates and the further directions sought. **The deadline to make any application to the Tribunal is 3 August 2026.**

14. If you have no objections and are satisfied with the Confidentiality Regime, please let us know as soon as possible and by no later than **9am AEST on 31 July 2026.**
15. If you wish to apply to the Tribunal for confidentiality arrangements that differ from the Confidentiality Regime, please note that while the ACCC will support the protection of your confidential information, it is not able to make a claim for confidentiality on your behalf. You or your legal representatives will be expected to make the application to the Tribunal in writing by 3 August 2026 and correspond with the Tribunal to explain why the information is confidential, why disclosure of it would be damaging (for example, it contains confidential information that if disclosed to competitors would be damaging to you or your business), and why you consider something different from the Confidentiality Regime is needed. This needs to be done urgently in accordance with the Tribunal's deadline of 3 August.
16. You or your legal representatives will also be required to make written submissions in support of your application, and attend the Tribunal for a hearing of the application (including to make oral submissions). For more information please see directions 9 and 10 of the **attached** Tribunal directions.
17. Please contact Eloise Gluer (03 9242 1411) or Emma Jagot (03 6210 2114) if you have any questions about the information in this letter.

Yours sincerely



Katrina Close
Deputy Chief Solicitor Reg
T 03 9242 1230
M 0408705906
Katrina.Close@ags.gov.au

Annexure A

No.	Date	Document	Document ID
1.	08/05/2026	2026.05.08 - Cover letter to ACCC (Sch 1).pdf	01068.001.024.0002
2.	08/05/2026	2026.05.08 - (Tranche 1) Woolworths Response to s 155 Notice dated 17 April 2026.pdf	01068.001.024.0003
3.	08/05/2026	Woolworths Group responses to Sch 1 Q4 and Q5 of ACCC S155 Notice.xlsx	01068.001.024.0008
4.	12/05/2026	Coles_Kalgoorlie - s 155 (1)(a) and (b) VARIATION - Variation to Notice - 1 May 2026 (2).docx	01068.001.026.0014
5.	14/05/2026	2026.05.14 - (Tranche 2) Woolworths Response to s 155 Notice dated 17 April 2026.pdf	01068.001.028.0001
6.	14/05/2026	2026.05.14 - Cover letter to ACCC (Sch 2 and 3).pdf	01068.001.028.0013
7.	17/04/2026	EO - s155 (1)(a)&(b) Notice - Woolworths Group Limited - Signed by Deputy Chair Mick Keogh 17 April 2026.pdf	01068.022.037.0097
8.	13/11/2025	Market Activity Newsletter - November 2025	WOW.001.001.0030
9.	13/11/2025	Customer Retention Tracker & Report - November 2025	WOW.001.001.0031
10.	20/10/2025	Customer Retention Tracker & Report - October 2025	WOW.001.001.0034
11.	30/03/2026	SANTWA - W39 net B&M Sales Impact (Competitor and New Store)	WOW.001.001.0066
12.	23/03/2026	SANTWA - W38 net B&M Sales Impact (Competitor and New Store)	WOW.001.001.0067
13.	09/03/2026	SANTWA - W36 net B&M Sales impact (Competitor and New store)	WOW.001.001.0068
14.	16/03/2026	SANTWA - W37 net B&M Sales impact (Competitor and New store)	WOW.001.001.0069
15.	13/03/2026	Market Activity Newsletter - March 2026	WOW.001.001.0075
16.	05/03/2026	Kalgoorlie Miner - spudshed survey	WOW.001.001.0076
17.	09/01/2026	Spudshed.pdf	WOW.001.001.0077
18.	16/02/2026	SANTWA - W33 net B&M Sales impact (Competitor and New store)	WOW.001.001.0086
19.	09/02/2026	SANTWA - W32 net B&M Sales impact (Competitor and New store)	WOW.001.001.0087
20.	13/02/2026	Dave Rowe Myplan and Reflections	WOW.001.001.0091
21.	13/02/2026	MyPlan - Dave Rowe.pdf	WOW.001.001.0092
22.	09/02/2026	WA recent year on year growth	WOW.001.001.0093
23.	16/02/2026	Market Activity Newsletter - February 2026	WOW.001.001.0094

No.	Date	Document	Document ID
24.	19/01/2026	SANTWA - W29 net B&M Sales impact (Competitor and New store)	WOW.001.001.0100
25.	27/01/2026	SANTWA - W30 net B&M Sales impact (Competitor and New store)	WOW.001.001.0101
26.	12/01/2026	SANTWA - W28 net B&M Sales impact (Competitor and New store)	WOW.001.001.0102
27.	05/01/2026	SANTWA - W27 net B&M Sales impact (Competitor and New store)	WOW.001.001.0105
28.	22/12/2025	SANTWA - W25 net B&M Sales impact (Competitor and New store)	WOW.001.001.0108
29.	15/12/2025	SANTWA - W24 net B&M Sales impact (Competitor and New store)	WOW.001.001.0109
30.	12/12/2025	Market Activity Newsletter - December 2025	WOW.001.001.0112
31.	09/12/2025	Fwd: New Site - Spud Shed Kalgoorlie -	WOW.001.001.0113
32.	08/12/2025	Re: New Site - Spud Shed Kalgoorlie -	WOW.001.001.0118
33.	08/12/2025	Re: New Site - Spud Shed Kalgoorlie -	WOW.001.001.0119
34.	08/12/2025	Fwd: New Site - Spud Shed Kalgoorlie -	WOW.001.001.0120
35.	08/12/2025	SANTWA - W23 net B&M Sales impact (Competitor and New store)	WOW.001.001.0121
36.	01/12/2025	SANTWA - W22 net B&M Sales impact (Competitor and New store)	WOW.001.001.0122
37.	24/11/2025	SANTWA - W21 net B&M Sales impact (Competitor and New store)	WOW.001.001.0124
38.	03/03/2026	SANTWA - W35 net B&M Sales impact (Competitor and New store)	WOW.001.001.0125
39.	09/12/2025	Re: New Site - Spud Shed Kalgoorlie -	WOW.001.001.0126
40.	11/12/2025	WA E-Com Market Share	WOW.001.002.0001
41.	10/12/2025	Kalgoorlie Spud shed - Customer Retention Actions	WOW.001.002.0002
42.	21/11/2025	Re: New Site - Spud Shed Kalgoorlie -	WOW.001.002.0003
43.	20/11/2025	Fwd: New Site - Spud Shed Kalgoorlie -	WOW.001.002.0004
44.	20/11/2025	Re: New Site - Spud Shed Kalgoorlie -	WOW.001.002.0005
45.	20/11/2025	Fwd: New Site - Spud Shed Kalgoorlie -	WOW.001.002.0006
46.	20/11/2025	New Site - Spud Shed Kalgoorlie -	WOW.001.002.0007
47.	05/09/2025	Kalgoorlie: customer retention marketing plan	WOW.001.002.0008

No.	Date	Document	Document ID
48.	19/08/2025	Kalgoorlie Spud Shed - Customer Retention Update - Expected opening 30/9	WOW.001.002.0009
49.	16/07/2025	Group Learning Monthly Update - July	WOW.001.002.0010
50.	26/02/2026	Fwd: eCom Facts	WOW.001.002.0011
51.	26/02/2026	eCom Facts	WOW.001.002.0012
52.	15/12/2025	Re: WA E-Com Market Share	WOW.001.002.0013
53.	11/12/2025	Re: WA E-Com Market Share	WOW.001.002.0014
54.	28/11/2025	CONFIDENTIAL - AU Supers Low Performing Stores - FY25 (Superseded).pdf	WOW.002.001.0007
55.	06/03/2026	Confidential - FY27 Store Closures Sale.pdf	WOW.002.001.0015
56.	22/04/2026	PCM (Closure Overview Summary) - 4 December 2025.pdf	WOW.002.002.0002
57.	22/04/2026	PCM ([REDACTED] [REDACTED]) - 13 March 2026.pdf	WOW.002.002.0004
58.	22/04/2026	PCM (Low Performing Stores Update) - 4 December 2025.pdf	WOW.002.002.0005

Annexure B

External solicitors retained by Coles Supermarkets Australia Pty Ltd	
Linda Evans	
Merryn Quayle	
Liza Carver	
Andrew Pattinson	
John Yiannakou	
Danielle Briers	
Josie Beverwijk	
Aidan Lomas	
Alexander Shepherd	
Azaara Perakath	
Luke Brooker	
Maayan Landau	
Elise Miller	
Hugh Morrison (admitted in New Zealand, not admitted in Australia)	
Talia Shulkin	
Brian Wu	
Erin Page (Graduate)	
Internal solicitors employed by Coles Supermarkets Australia Pty Ltd or related entities	
David Brewster	Chief Legal Officer
Georgina Korman	General Manager – Legal
Kai Fu	Head of Legal – Regulatory and Disputes
Nerine Konesharan	Senior Legal Counsel – Regulatory and Disputes
Gemma Grant	Legal Counsel – Regulatory and Disputes
External solicitors retained by O'Connor Fresh Pty Ltd as Trustee for the O'Connor Fresh Trust	
Claire Forster	
Andrew Riordan	
Zoe Lonard	
Damien Vickovich	
Joanna Pappa	
Nishta Gupta	
Caroline Reji	

Annexure Certificate Annexure B

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 1 of 2026
RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the Competition and Consumer Act 2010

This is the Annexure marked "**Annexure B**" referred to in the affidavit of Benjamin James Welk sworn at Sydney on 3 August 2026

Before me: Joshua Saul Kangisser, Australian Legal Practitioner

Before me:

.....
Witness 

Prepared by: Mihkel Wilding
Law firm: Clayton Utz

Address for service:
Clayton Utz
Level 15
1 Bligh Street
Sydney NSW 2000
DX 370 Sydney

Contact details:

Tel: (02) 9353 5814
Fax:
Contact: Mihkel Wilding
Email: mwilding@claytonutz.com
Ref: 14594/81054915

CLAYTON UTZ

Email

28 July 2026

Mr Katrina Close
Deputy Chief Solicitor Reg
Australian Government Solicitor
Level 24, 600 Bourke Street
MELBOURNE VIC 3000

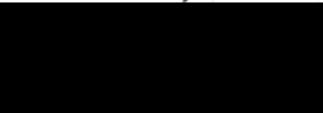
katrina.close@ags.gov.au

Dear Ms Close

Australian Competition Tribunal's review of ACCC's determination of Coles' proposed acquisition in Kalgoorlie, WA – confidential information

1. We act for Woolworths Group Limited (**Woolworths**).
2. We refer to your letter dated 24 July 2026 (**your Letter**) relating to information responses and document productions provided by Woolworths in response to a notice issued by the Australian Competition and Consumer Commission (**ACCC**) provided on 17 April 2026 (**the Notice**).
3. Woolworths' responses to the Notice were provided on 8 and 14 May 2026 (**Responses**). Each of those Responses were provided under a cover letter from Clayton Utz which advised that the Responses contained information and documents that are confidential. The ACCC was requested to receive the Responses on a confidential basis.
4. By reference to paragraphs [9] and [11] - [13] of your Letter it is our understanding that all documents and information provided by Woolworths in the Responses will be 'Confidential Information' for the purposes of the Confidentiality Regime, and it is not necessary for Woolworths to make any application to seek to have those documents and information categorised as 'Confidential Information' for the purposes of the Confidentiality Regime. As Woolworths is required to file any application concerning its confidential information by 3 August 2026, please advise if this is correct by **29 July 2026**. Obviously, Woolworths does not wish to prepare evidence which is not necessary because the status of the information and regime is already in place.
5. Woolworths is currently intending to make an application to seek to have limited information dealt with in a stricter manner than provided for in the Confidentiality Regime, and will make an application for relevant directions in accordance with the orders of 21 July 2026.

Yours sincerely


Mihkel Wilding, Partner
+61 2 9353 5814
mwilding@claytonutz.com

Doug Thompson, Special Counsel
+61 2 9353 5684
dthompson@claytonutz.com

Annexure Certificate Annexure C

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 1 of 2026
RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the Competition and Consumer Act 2010

This is the Annexure marked "**Annexure C**" referred to in the Benjamin James Welk sworn at Sydney on 3 August 2026

Before me: Joshua Saul Kangisser, Australian Legal Practitioner

Before me:

.....
Witness

Prepared by: Mihkel Wilding
Law firm: Clayton Utz
Address for service:
Clayton Utz
Level 15
1 Bligh Street
Sydney NSW 2000
DX 370 Sydney

Contact details:
Tel: (02) 9353 5814
Fax:
Contact: Mihkel Wilding
Email: mwilding@claytonutz.com
Ref: 14594/81054915

From: [Jagot, Emma](#)
To: [Joshua Kangisser](#); [Hutton, Ashleigh](#); [Close, Katrina](#); [Gluer, Eloise](#)
Cc: [Mihkel Wilding](#); [Doug Thompson](#); [Alice Yang](#); [Kirsty van den Bergh](#); [Sarah Hatton](#)
Subject: RE: Coles Kalgoorlie - Tribunal review process and confidentiality regime [CU-L.FID4689448] [AGSDMS-DMS.FID8104406] [SEC=OFFICIAL]
Date: Wednesday, 29 July 2026 1:20:29 PM

External Email

OFFICIAL

Dear colleagues

Thank you for your letter.

We confirm that:

- Woolworths does not need to make an application for the Confidentiality Regime to apply to the documents already identified as being confidential to Woolworths; and
- an application for directions is only required if Woolworths is seeking further directions for information and documents to be dealt with in a different manner than provided for in the Confidentiality Regime.

Please let us know if you would like to discuss further.

Kind regards
Emma

Emma Jagot
Senior Lawyer
Australian Government Solicitor
T 03 621 02114
emma.jagot@ags.gov.au

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From: Joshua Kangisser <jkangisser@claytonutz.com>
Sent: Tuesday, 28 July 2026 3:19 PM
To: Hutton, Ashleigh <Ashleigh.Hutton@ags.gov.au>; Close, Katrina <Katrina.Close@ags.gov.au>; Gluer, Eloise <Eloise.Gluer@ags.gov.au>; Jagot, Emma <Emma.Jagot@ags.gov.au>
Cc: Mihkel Wilding <mwilding@claytonutz.com>; Doug Thompson <dthompson@claytonutz.com>; Alice Yang <ayang1@woolworths.com.au>; Kirsty van den Bergh <kvandenbergh@woolworths.com.au>; Sarah Hatton <shatton@woolworths.com.au>
Subject: RE: Coles Kalgoorlie - Tribunal review process and confidentiality regime [CU-L.FID4689448] [SEC=OFFICIAL]

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Dear Ms Close

Please see the **attached** letter.

With regards

Joshua Kangisser
Special Counsel
Clayton Utz

Level 15, 1 Bligh Street, Sydney NSW 2000 Australia | +612 9353 4894 | +61 434 651 082 | jkangisser@claytonutz.com | claytonutz.com

OFFICIAL

From: **Hutton, Ashleigh** <Ashleigh.Hutton@ags.gov.au>

Date: Fri, 24 July 2026, 7:08 pm

Subject: Coles Kalgoorlie - Tribunal review process and confidentiality regime
[SEC=OFFICIAL]

To: ayang1@woolworths.com.au <ayang1@woolworths.com.au>, kvandenbergh@woolworths.com.au <kvandenbergh@woolworths.com.au>, shatton@woolworths.com.au <shatton@woolworths.com.au>

Cc: Close, Katrina <Katrina.Close@ags.gov.au>, Gluer, Eloise <Eloise.Gluer@ags.gov.au>, Jagot, Emma <Emma.Jagot@ags.gov.au>

OFFICIAL

Dear Ms Yang,

Please see **attached** correspondence.

You will shortly receive a link to an iManage Share folder where you can download the documents referred to in Annexure A.

Please let us know if you have any difficulties accessing the documents.

Kind regards,

Ashleigh Hutton
Lawyer
Australian Government Solicitor
T 07 3360 5618
ashleigh.hutton@ags.gov.au

Find out more about AGS at <http://www.ags.gov.au>

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Annexure Certificate Annexure D

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 1 of 2026
RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the Competition and Consumer Act 2010

This is the Annexure marked "**Annexure D**" referred to in the Benjamin James Welk sworn at Sydney on 3 August 2026.

Before me: Joshua Saul Kangisser, Australian Legal Practitioner

Before me:

.....
Witness

Prepared by: Mihkel Wilding
Law firm: Clayton Utz
Address for service:
Clayton Utz
Level 15
1 Bligh Street
Sydney NSW 2000
DX 370 Sydney

Contact details:
Tel: (02) 9353 5814
Fax:
Contact: Mihkel Wilding
Email: mwilding@claytonutz.com
Ref: 14594/81054915

Annexure D

List of documents which are claimed by Woolworths Group Limited to contain Highly Confidential Information wholly or in part

No.	Date	Document	Document ID
1.	14/05/2026	2026.05.14 - (Tranche 2) Woolworths Response to s 155 Notice dated 17 April 2026.pdf	01068.001.028.0001
2.	13/11/2025	Market Activity Newsletter - November 2025	WOW.001.001.0030
3.	13/11/2025	Customer Retention Tracker & Report - November 2025	WOW.001.001.0031
4.	20/10/2025	Customer Retention Tracker & Report - October 2025	WOW.001.001.0034
5.	30/03/2026	SANTWA - W39 net B&M Sales Impact (Competitor and New Store)	WOW.001.001.0066
6.	23/03/2026	SANTWA - W38 net B&M Sales Impact (Competitor and New Store)	WOW.001.001.0067
7.	9/03/2026	SANTWA - W36 net B&M Sales impact (Competitor and Newstore)	WOW.001.001.0068
8.	16/03/2026	SANTWA - W37 net B&M Sales impact (Competitor and New store)	WOW.001.001.0069
9.	13/03/2026	Market Activity Newsletter - March 2026	WOW.001.001.0075
10.	16/02/2026	SANTWA - W33 net B&M Sales impact (Competitor and New store)	WOW.001.001.0086
11.	09/02/2026	SANTWA - W32 net B&M Sales Impact (Competitor and New store)	WOW.001.001.0087
12.	09/02/2026	WA recent year on year growth	WOW.001.001.0093
13.	16/02/2026	Market Activity Newsletter - February 2026	WOW.001.001.0094
14.	19/01/2026	SANTWA - W29 net B&M Sales impact (Competitor and New store)	WOW.001.001.0100
15.	27/01/2026	SANTWA - W30 net B&M Sales impact (Competitor and New store)	WOW.001.001.0101
16.	12/01/2026	SANTWA - W28 net B&M Sales impact (Competitor and New store)	WOW.001.001.0102
17.	05/01/2026	SANTWA - W27 net B&M Sales impact (Competitor and New store)	WOW.001.001.0105
18.	22/12/2025	SANTWA - W25 net B&M Sales impact (Competitor and New store)	WOW.001.001.0108
19.	5/12/2025	SANTWA - W24 net B&M Sales impact (Competitor and New store)	WOW.001.001.0109
20.	12/12/2025	Market Activity Newsletter - December 2025	WOW.001.001.0112
21.	08/12/2025	SANTWA - W23 net B&M Sales impact (Competitor and New store)	WOW.001.001.0121
22.	01/12/2025	SANTWA - W22 net B&M Sales impact (Competitor and New store)	WOW.001.001.0122

23.	24/11/2025	SANTWA - W21 net B&M Sales impact (Competitor and New store)	WOW.001.001.0124
24.	03/03/2026	SANTWA - W35 net B&M Sales impact (Competitor and New store)	WOW.001.001.0125
25.	26/02/2026	Fwd: eCom Facts	WOW.001.002.0011
26.	26/02/2026	eCom Facts	WOW.001.002.0012
27.	15/12/2025	Re: WA E-Com Market Share	WOW.001.002.0013
28.	11/12/2025	Re: WA E-Com Market Share	WOW.001.002.0014
29.	28/11/2025	CONFIDENTIAL - AU Supers Low Performing Stores - FY25 (Superseded).pdf	WOW.002.001.0007
30.	06/03/2026	Confidential - FY27 Store Closures_Sale.pdf	WOW.002.001.0015
31.	22/04/2026	PCM (Closure Overview Summary) - 4 December 2025.pdf	WOW.002.002.0002
32.	22/04/2026	PCM ([Redacted] - Store Closure) - 13 March 2026.pdf	WOW.002.002.0004
33.	22/04/2026	PCM (Low Performing Stores Update) - 4 December 2025.pdf	WOW.002.002.0005

Annexure Certificate Annexure E

IN THE AUSTRALIAN COMPETITION TRIBUNAL

File No: ACT 1 of 2026
RE: Coles Supermarkets Australia Pty Limited Application for Review of Australian Competition and Consumer Commission Determination under subsection 51ABZE(1) of the Competition and Consumer Act 2010

This is the Annexure marked "**Annexure E**" referred to in the Benjamin James Welk sworn at Sydney on 3 August 2026.

Before me: Joshua Saul Kangisser, Australian Legal Practitioner.

Before me:

.....
Witness

Prepared by: Mihkel Wilding
Law firm: Clayton Utz
Address for service:
Clayton Utz
Level 15
1 Bligh Street
Sydney NSW 2000
DX 370 Sydney

Contact details:
Tel: (02) 9353 5814
Fax:
Contact: Mihkel Wilding
Email: mwilding@claytonutz.com
Ref: 14594/81054915



Woolworths
Group



Our Code of Conduct

Our promise to each other,
creating better outcomes for all.



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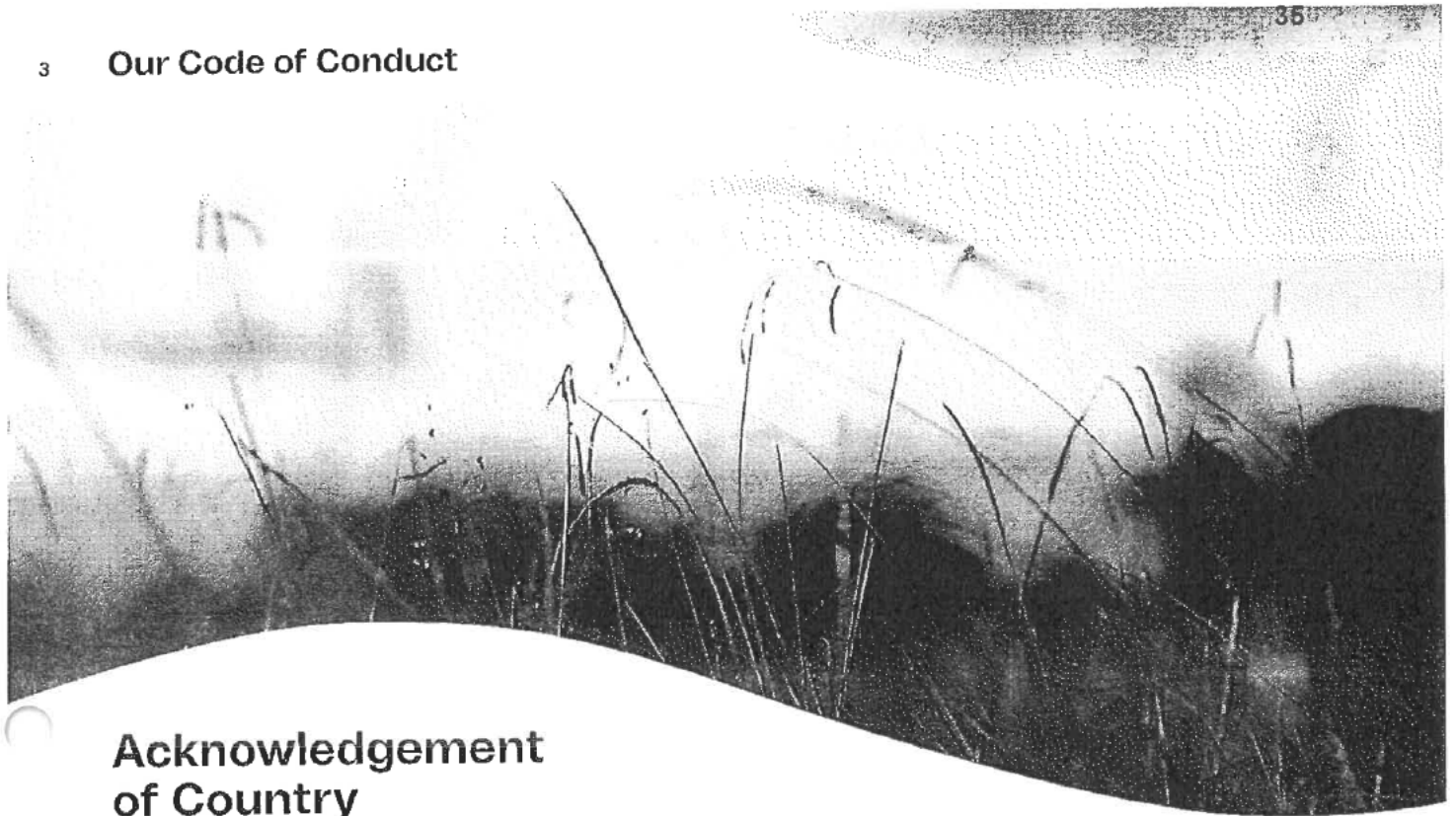
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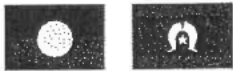
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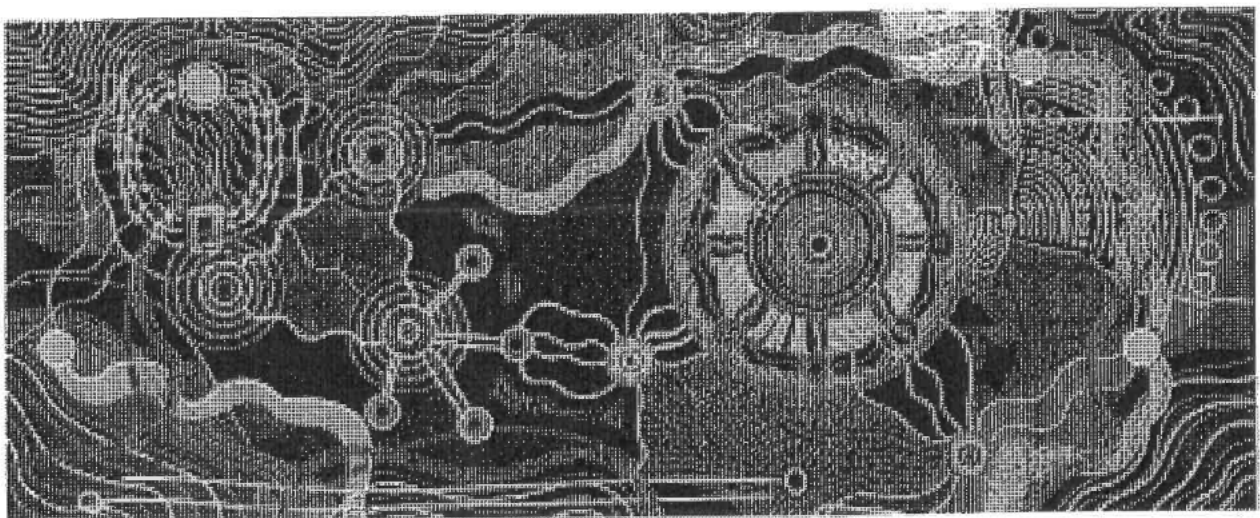
Acknowledgement of Country



Woolworths Group acknowledges the many Traditional Owners of the lands on which we operate, and pay our respects to their Elders past and present. We recognise their strengths and enduring connection to lands, waters and skies as the Custodians of the oldest continuing cultures on the planet.

Woolworths Group supports the invitation set out in the Uluru Statement from the Heart to

walk together with Aboriginal and Torres Strait Islander peoples. We are committed to actively contributing to Australia's reconciliation journey through listening and learning, empowering more diverse voices, caring deeply for our communities and working together for a better tomorrow.



"A Brave Heart for a Better Tomorrow"
Artwork by David Williams of Gilimbbaa.

Our Code of Conduct



Welcome to Woolworths Group

It's great to have you on board!

What makes Woolworths truly special is our incredible team of more than 200,000 people right across Australia, New Zealand and Internationally. Every single day, our team creates better experiences for our customers and each other. Whether it's helping a customer find exactly what they need, supporting a colleague, or making a positive difference in our local communities - it's our people who make all the difference.

Our Code of Conduct is really important because it guides how we work together and sets clear expectations for everyone who works with us. Please read it carefully and think about how you can bring it to life in everything you do.

When we all commit to doing the right thing, we create a place where everyone's perspectives are valued, where we can all be our authentic selves, and where we consistently get it right for our team and customers every single day.

This is what I love about retail - that opportunity to make a positive difference in the lives of our customers and each other right across Australia, New Zealand and Internationally.

Thank you for joining us.

Amanda Bardwell

Our Code of Conduct

Our purpose

No matter who we are, what our role is, or what business we work for, we're all connected by our Group purpose:

We create better experiences together for a better tomorrow.

What we mean by We

It all starts with 'We' - all of us working together

What we mean by Better

Consistently innovating to lead and exceed expectations.

What we mean by Experiences

Meaningful moments, both big and small to make positive impacts on the lives of teams, customers, communities and partners.

What we mean by Together

Valuing that we are better together, with each other and in partnership

What we mean by Tomorrow

Understanding the plans we make and the actions we take today, are an opportunity to leave a positive impact for generations to come.

Our core values

We care deeply.
We listen and learn.
We do the right thing.

Our values are what we stand for as individuals and as a Group. They guide the way we interact with each other, our partners our customers and our communities.

Our ways of working

We are Customer 1st, Team 1st.
We are always improving.
We deliver end to end.
We encourage freedom in a framework.
We keep things simple.

Our ways of working guide everything we do. It's how we work together as a team every day, to make a positive difference to our customers.



When does the Code of Conduct apply?

The Code of Conduct applies to all of our Team Members¹, board members, contractors and everyone working within or on behalf of the Woolworths Group and our wholly owned entities across Australia, New Zealand, or anywhere in the world, as part of the Woolworths Group.

If you are working with Woolworths Group as a contractor, or you are employed by another company working alongside Woolworths Group Team Members, the Code of Conduct applies to you and we expect that you will follow these guiding principles.

The Code of Conduct reflects our Purpose, Values and Ways of Working and we take it very seriously. Read it carefully and ask questions if you don't understand it.

We may take disciplinary action if you don't comply with the Code of Conduct, up to and including termination of employment or engagement.

The Code of Conduct and our Policies apply when:

- in the workplace (including when working remotely)
- performing work duties offsite
- interacting with Team Members or Third Parties (including on social media for example Facebook, Instagram, Snapchat or TikTok, even when not at work)
- at work functions (even if out of hours)
- on business trips
- whenever you are representing or identifiable as a representative of the Woolworths Group.

¹ all employees whether permanent, temporary or casual, contractors, board members, interns and executive and non-executive directors

7 Our Code of Conduct

Our Team Members and Contractors

Read and understand the Code of Conduct and complete assigned training

Follow the Code of Conduct as well as any other Policies, processes, standards or obligations that apply to your role

Be respectful and treat everyone with dignity, courtesy, and respect, including customers, Team Members and Partners¹

Ask questions if you do not understand something or speak with your Leader

Speak up and report any suspected breaches of the Code of Conduct, Policies, or the law through the appropriate channels

Our Leaders (Team Leaders, Managers and Supervisors)

Role model appropriate workplace behaviour, actively encourage others to comply with the Code of Conduct, complete any assigned training as required and foster a workplace where people are treated with dignity, courtesy and respect

Create awareness by discussing and clarifying expectations with Team Members and the reporting avenues available for suspected breaches of the Code of Conduct

Take action by intervening quickly and appropriately when behaviour that is not in line with the Code of Conduct is observed or reported and treating all complaints seriously, with care and in a timely and reasonable manner

Foster safe and trusting relationships with Team Members to encourage them to be comfortable speaking up and addressing behaviour that is not in line with the Code of Conduct

Make fair, transparent and consistent decisions regarding any allegations of behaviour that is inconsistent with the Code of Conduct



Being truly inclusive

At Woolworths Group, we celebrate the diversity of our team and are committed to creating an inclusive workplace where everyone feels safe, valued, and empowered to be themselves - irrespective of gender, age, ethnicity, religion, race, colour, marital status, family or carer's responsibility, disability attribute or sexual orientation.

This commitment benefits our team, strengthens our culture, and allows us to better serve our diverse customer base.

We expect our team to do the right thing by behaving in a manner that is in line with our Policies, these principles, and the law.

Notes

Please also refer to the following Policies for more information about our expectations:

[Diversity and Inclusion Policy](#)

[Gender Diverse and Gender Affirmation Policy](#)

[Respectful Workplace Policy.](#)

Creating a respectful workplace

We are committed to creating a fair, inclusive and safe workplace where everyone is treated equally and with respect.

Identifying inappropriate behaviour

Fostering a team environment where everyone belongs is important to us. It's not acceptable for any of us to engage in or be subjected to any of these types of behaviours at work:

1. Bullying

Bullying of or by Team Members, customers, Partners or others is not acceptable. Bullying is repeated, unreasonable behaviour towards another person (or group of people) that creates a risk to their physical or emotional health and safety. This includes:

- abusive, insulting or offensive language, or comments (including on social media)
- deliberately and unreasonably excluding someone

9 Our Code of Conduct

- spreading misinformation or rumours
- aggressive and intimidating conduct
- withholding information that is vital for effective work performance
- setting unreasonable timeframes and/or making unreasonable changes to deadlines
- setting tasks that are unreasonably below or beyond a Team Member's ability
- unreasonable changes to work arrangements such as rosters and leave to deliberately inconvenience a particular Team Member
- practical jokes or initiations/hazing
- denying access to supervision, promotion, training, development or other work opportunities.

Case study**Consider this scenario**

Brent repeatedly makes demeaning jokes about his colleague, Sarah, focusing on her age and perceived lack of tech-savviness. Brent also excludes Sarah from important team meetings and withholds crucial project information, causing her to miss deadlines. Is this okay?

No. Brent's repeated actions, impacting Sarah's work and well-being, constitute bullying. Sarah feels humiliated, intimidated, and excluded, which negatively affects her job performance.

Case study**Consider this scenario**

Ahmed has concerns with Steve's performance and has been meeting with him regularly to coach and develop him in the areas of concern. Steve is still not performing at the level required. Ahmed continues to manage his performance, including formal performance management. Is this okay?

Yes. Ahmed's actions are reasonable for the purpose of addressing unsatisfactory performance.

2. Harassment

Harassment of or by Team Members, customers, Partners or others is not acceptable. Harassment is any unwanted behaviour that might humiliate, offend, embarrass or intimidate another person. This could be a single incident, or happen repeatedly over time, and may be intentional or unintentional.

Harassment includes:

- offensive or demeaning comments or jokes (including based on someone's actual or perceived race, age, religion, gender identity, sexual orientation or other personal characteristic)
- abusive or insulting comments (including comments of a racist, homophobic, bi-phobic or transphobic nature)
- sending or showing offensive pictures or messages (including by phone or on social media)
- mimicking someone's accent or habits
- unwelcome comments or questions about a person's private life.

Our Code of Conduct

Case study

Consider this scenario

Ben repeatedly makes offensive jokes about another Team Member, Maria. He mimics her accent and asks where she "really" comes from in front of others causing them to laugh. Even though Maria also tries to laugh it off, she is clearly uncomfortable. Is this okay?

No. Ben's comments and actions, which target Maria's accent and perceived ethnicity, are offensive and humiliating. This constitutes harassment, regardless of Maria's attempts to laugh it off.

- offensive or demeaning comments or jokes of a sexual nature (even if the intention is not to offend or humiliate)
- staring or leering at another person
- unwanted sexual propositions whether made in person or via text message or on social media, whether it occurs at work or outside of work hours.

In some cases, sexual harassment may be an offence under criminal law and may be reported to the Police if suspected.

Case study

Consider this scenario

Adam and Samara work together and have recently become connected on Facebook. Adam has repeatedly asked Samara out via Facebook messenger and in person, even after she has politely declined multiple times. Is this okay?

No. Despite being outside work hours, their connection is work-based. Adam's persistent invitations after Samara's clear rejections constitute sexual harassment.

3. Sexual Harassment

Sexual harassment of or by Team Members, customers, Partners or others is not acceptable.

We will take positive steps to eliminate this conduct from our workplace. Sexual harassment is any uninvited, unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct, or unreciprocated behaviour of a sexual nature that a reasonable person would anticipate may humiliate, offend, embarrass or intimidate another person.

This includes the following conduct, which may occur during or outside of work hours:

- requesting, sending or showing sexual or offensive pictures or messages (including by phone or on social media)
- unwelcome comments or questions about a person's appearance, sexual activities or private life (whether in person or via social media or technology)
- unwelcome physical contact, such as shoulder massages or invading someone's personal space, hugging, touching, pinching or kissing
- asking someone on a date or to socialise outside of work, after previous refusals

Case study

Consider this scenario

Jenny works in customer service. Jim, a regular customer, frequently comments on Jenny's appearance and stares at her while she's working in customer service, making her feel uncomfortable. What should Jenny do?

Jenny should tell the customer they are making her feel unsafe and then report it to her Leader and/or her Store Manager so they can take appropriate action. This may include speaking to Jim, banning Jim from the Store and supporting Jenny including by reporting to the police if Jenny chooses to.

Our Code of Conduct

Case study

Consider this scenario

Mitchell and Mary work together and are friends on Snapchat. They have been sharing funny content with each other for a while. Recently, Mitchell started sending Mary frequent sexually explicit memes and jokes via Snapchat. This makes her uncomfortable and she does not respond. He continues even when she doesn't respond. Is this okay?

No. Even if Mitchell doesn't intend to offend Mary, sending explicit content is unacceptable and could be considered sexual harassment.

4. Sex Based Harassment

Sex based harassment of or by Team Members, customers, suppliers or others is not acceptable. Harassment on the grounds of sex is unwelcome conduct of a demeaning nature because of the sex of the person or characteristics associated with the sex of that person, that a reasonable person would anticipate may offend, humiliate or intimidate. The behaviour may not necessarily be sexual in nature but is behaviour that is linked in some way to gender and causes offence to an individual. Sex based harassment may be intentional or unintentional.

This includes:

- making inappropriate comments and jokes to a person based on their sex or a characteristic generally perceived as relating to persons of a particular sex
- displaying images or materials that are sexist, misogynistic (prejudice to women) or misandrist (prejudice to men)
- making inappropriate comments and jokes to a person based on their sex or a characteristic generally perceived as relating to persons of a particular sex
- referring to a transgender person by their previous name (commonly referred to as "dead name") or gender
- asking intrusive personal questions based on a person's sex
- allocating roles and tasks based on gendered attitudes or stereotypes
- requesting a person to engage in degrading conduct based on their sex.

Case study

Consider this scenario

Gary and Sherryl work together and Gary consistently refers to Sherryl as "sweetheart," "honey," or "darling," despite her repeated requests to stop. He also makes comments about her appearance, saying things like, "Why don't you smile more? You'd be prettier if you did." Is this okay?

No. Gary's behaviour is demeaning, unwelcome and is based on Sherryl's sex. Such conduct undermines a welcoming, diverse, and inclusive workplace. It is reasonable to anticipate that Sherryl would be offended by Gary's behaviour.

Case study

Consider this scenario

Susan asks a transgender Team Member, Jaimie, intrusive and inappropriate questions about Jaimie's transition, such as, "What was your birth name?" and "Have you had 'the surgery' yet?" Is this okay?

No. This is unacceptable conduct and is an example of asking intrusive personal questions based on a person's sex or gender identity. This behaviour is inconsistent with fostering a safe workplace where we all belong.

Our Code of Conduct

5. Hostile Workplace

It is unlawful to subject another person to a workplace environment that is hostile on the ground of sex. Workplace environments may be hostile and intimidating to people of a particular sex, even if behaviour is not specifically directed at them or any person. This is because general actions can contribute to a workplace culture that makes people feel degraded, humiliated or offended in ways that are associated with their sex.

A hostile workplace may include an environment where sexual conversations, crude or inappropriate comments and jokes or sexual innuendo is part of the accepted culture. Such conduct can contribute to a workplace culture that makes people feel degraded, humiliated or offended in ways that are associated with their sex.

Case study

Consider this scenario

Morgan, a young Team Member, regularly shares pictures on the store's WhatsApp chat of men they find attractive. Some other Team Members have privately told them they find these posts uncomfortable and unprofessional, but Morgan thinks it's harmless fun and continues to post them. Is this okay?

No. Even though Morgan is posting on Whatsapp and is doing it out of hours they are communicating with other Team Members and sharing content that is unprofessional and disrespectful creating a hostile environment. This is inconsistent with fostering a positive and respectful workplace.

Case study

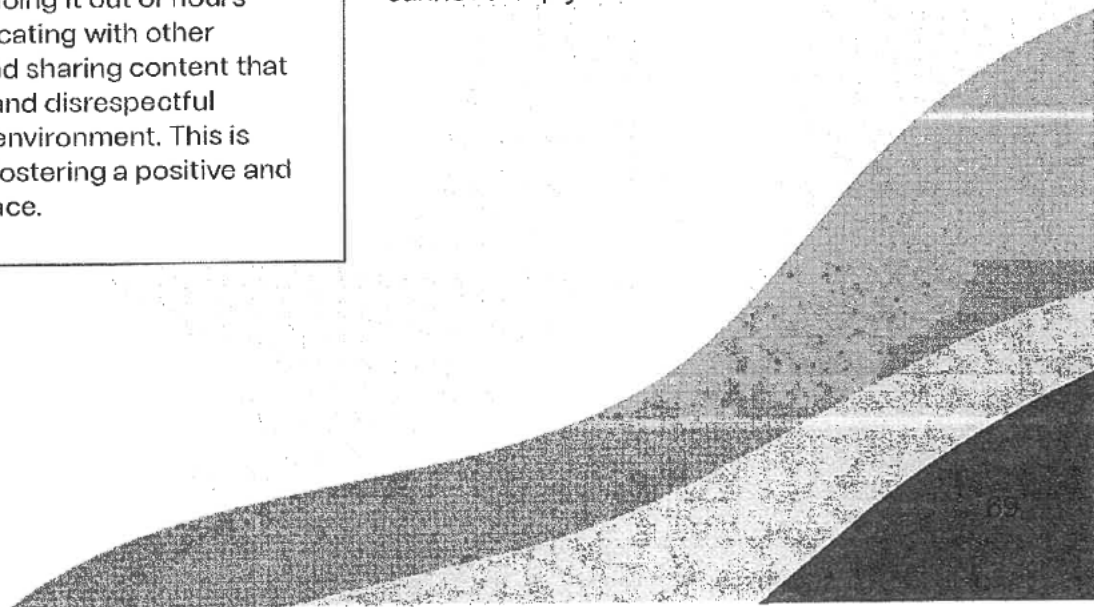
Consider this scenario

Alex, who is a Leader, makes gendered comments about Chris' appearance, sexually suggestive jokes, and treats female-identifying Team Members differently by sexualising interactions. Is this okay?

No. Alex's actions create a hostile workplace, particularly for Chris and other female-identifying Team Members. The gendered comments, sexual jokes, and innuendos, combined with biased treatment, foster an environment where Chris feels uncomfortable, offended, intimidated, and devalued. Such behaviour is particularly serious from Alex, who as a Leader is expected to role model appropriate conduct and actively encourage others to comply with Policies.

6. Unlawful Discrimination

Discrimination of or by Team Members, customers, Partners or others is not acceptable. Direct discrimination means treating someone less favourably because of a protected attribute while indirect discrimination is when an unreasonable requirement, condition or practice is imposed which a person with a protected attribute cannot comply with.



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Examples of protected attributes, which cannot be a reason for treating someone less favourably, include:

- marital or relationship status, pregnancy, breastfeeding, parental status or carer or family responsibilities
- experience of family and domestic violence
- sexual orientation, gender, gender identity, inter-sex status or gender expression
- race, colour, descent, nationality, national origin, ethnicity or religious belief
- political opinion
- disability
- age

Case study**Consider this scenario**

Sumit supervises Nada and Tom. Sumit offers additional shifts to Tom instead of Nada because Nada has a child and Sumit thinks she might not be able to work outside school hours. Is this okay?

No. Sumit cannot treat Nada less favourably because she has a child. Sumit should not assume that Nada cannot work the additional shifts. He should provide her with the same opportunities and let her decide whether or not she can work a particular shift.

7. Racism

Racism is not acceptable in any form, by or towards Team Members, customers, Partners or others. Racism takes many forms and can happen anywhere. It includes prejudice, discrimination, hatred or antagonism directed towards someone due to the colour of their skin, their ethnicity or national origin, as well as the belief that one's own race is superior.

While racism can be associated with acts of abuse and aggression, racism doesn't always involve violent or intimidating behaviour. Often it can be making jokes, racially profiling, stereotyping others, negative comments about different ethnic groups, calling others racist names or verbally abusing them. It can also include bullying, harassing or excluding people from groups or activities because of where they come from.

We are committed to eliminating racism in all of its forms and challenging the attitudes that lead to it. This is also an important step in creating an inclusive workplace that embraces and promotes diversity, as we are a diverse team that reflects the communities we serve globally.

Case study**Consider this scenario**

Glenn is a Store Manager and while working he notices a family enter the store. The family is dark skinned and carrying backpacks. He says to Mark, a Team Member with dark skin, "can you follow that family around and make sure they don't steal?". Is this okay?

No. Glenn is showing prejudice towards, and discrimination against, customers based on his perception of their race. As a Leader, Glenn is expected to role model appropriate behaviour and this conduct is inconsistent with fostering an environment of belonging.

Case study**Consider this scenario**

Ben hears Kate say "I always check the bags of people of different cultures, you can't trust them". Is this okay?

No. Kate is expressing a discriminatory and prejudicial view based on race or ethnic group. This behaviour undermines the expectation of all Team Members to create a connected, safe, and respectful environment.

Case study**Consider this scenario**

Sarah is working in service when a customer wearing a hijab (scarf) comes to her checkout. After the customer leaves Sarah says to another Team Member "it is so hot today why would you wear a scarf on your head?". Is this okay?

No. Sarah's comment, even if intended as a joke, is culturally insensitive and disrespectful. It does not show respect and courtesy for others and is inappropriate.

8. Victimisation

Victimisation means treating someone negatively because they have made, or have been involved in, a complaint or because they have raised a query about or accessed an entitlement. Victimisation is never acceptable and we encourage our Team Members to speak up when a situation isn't right.

Case study**Consider this scenario**

Sudesh raised a complaint regarding food handling in the Deli. After raising the complaint, Sudesh finds that he is no longer contacted to pick up extra hours and his Leader gives him short answers rather than engaging in conversation with him. Is this okay?

No. Sudesh should not be treated negatively or penalised for raising a concern or complaint. We encourage Team Members to raise concerns through appropriate channels, such as their Leader, People Matters, or Speak Up. Experiencing negative treatment like this after speaking up is victimisation.

9. Violence and Aggression

Violence by or towards Team Members, customers, Partners or others is not acceptable. Violence and aggression is any incident where a person is physically or verbally threatened, attacked or assaulted in circumstances within or outside the workplace. Work-related violence and aggression covers many actions and behaviours that create a risk to safety and health or could physically or psychologically harm another person.

Our Code of Conduct

This can include (but is not limited to):

- punching, pushing, fighting, spitting, hitting, shoving, tripping or other physical violence
- threats of violence to Team Members, customers and suppliers as well as any of their family or friends
- abusive behaviour, including insults and name-calling
- intimidating behaviour that creates a fear of violence, such as stalking or threatening to cause physical harm

Case study

Consider this scenario

Tim is a Team Member who has just finished his shift for the day. While Tim is walking to his car, he bumps into a customer he knows outside of work who frequently shops at the store. Tim and the customer get into a verbal altercation, which starts to get very heated and Tim proceeds to threaten the customer. Is this okay?

No. Although Tim knows the customer outside of work and has just finished his shift for the day, Tim is in a public location while still wearing his work clothing. This behaviour towards Team Members, customers, suppliers, or others is not acceptable.

Case study

Consider this scenario

Liam is working during a busy Saturday afternoon. He's assisting a customer at the self checkout, who has a transaction that is not going through. The customer becomes increasingly agitated and starts yelling obscenities at Liam. The customer then threatens to wait for Liam in the car park after his shift. What should Liam do?

Liam is experiencing work-related violence and aggression, which is unacceptable.

He should:

- Stay calm and take a breath
- Stay a safe distance from the customer and try to move to a safer location if possible
- Use his 2-way radio to contact the team for help
- Stay clear of exits and allow the offender to leave the area
- Liam should stay inside and call 000 for emergency assistance
- As soon as it is safe to do so, Liam must report the incident to his Leader. Liam's Leader should then report the incident to the Woolworths Incident Management Centre (1800 008 584 in Australia or 0800 501 801 in New Zealand).

Not all unwelcome behaviour or interpersonal issues will constitute one of the forms of unacceptable behaviour discussed in this section. Sometimes, two or more Team Members might not get along, or have difficulty working together. For more information on difficult working relationships, dealing with unwelcome behaviour and where to get support, please also refer to the Respectful Workplace Policy, or the Questions & Support section in the Code of Conduct. Remember, we all have a responsibility to do the right thing and report unwanted behaviour observed or experienced.

Our safety, health and wellbeing



1 Welcome

2 Applying the Code

3 Being inclusive

4 Safety

5 Business

6 Ethical Practices

7 Questions

We care deeply about the safety, health, and wellbeing of our teams, customers, and contractors.

We all share the responsibility of making sure that everyone who works or shops with us returns home safely. You play a vital role in fostering a safe environment where everyone feels valued and supported. Look out for your teammates. Speak up or stop work if something doesn't feel safe. Seek help when you are unsure or need support. Reporting unsafe practices, adhering to safety requirements, and engaging in safety, health and wellbeing initiatives are essential for building a safer working environment for everyone.

To achieve this, you must:

- **Stop unsafe work immediately** If something doesn't feel right, you're always safe to stop work and ask your Leader or supervisor for support
- **Speak up and ask the question** If you're unsure about something. You're always safe to ask questions whenever you're unsure about anything related to safety or wellbeing.
- **Always report hazards** as you become aware of them
- **Only use equipment** that you are trained and authorised to use
- **Wear Personal Protective Equipment (PPE)** required for the task
- **If dealing with violent or aggressive customers** always remember the Staying Safe principles:
 - Stay calm, and take a deep breath
 - Stay a safe distance and move to a safe location
 - Stay clear of exits and let the offender leave
 - Stay inside the store and call 000 in an emergency
- **Follow any safety and health processes** including rules, Policies or procedures
- **Report incidents** and injuries immediately
- **Not smoke or vape** (smoke e-cigarette) inside any of our premises at any time and meet all state health regulations and laws when smoking or vaping near any of our premises
- **Not undertake duties** when you have consumed or are under the influence of illicit drugs or alcohol in the workplace (as defined in the Drug and Alcohol Policy).

Please also refer to the Safety and Health Policy.

Our Code of Conduct

Psychological safety is as important to us as physical safety. We want our team to know that it's okay not to feel okay, and it's absolutely okay to ask for help.

Things at work that may cause psychological harm:

- the way we interact with each other e.g. bullying, harassment, discrimination, violence and aggression, disrespect
- the work environment e.g., working conditions, tools to do the job, remote or isolated work
- the way work is designed or managed e.g. excessive job demands, lack of role clarity, poor support.

What you can do to prevent psychological harm:

- understand what you do and say and how that can impact others; treat each other with respect and empathy
- asking questions if you are ever unsure of your role
- prioritise your work and let your Leader know if workload becomes unmanageable
- continue to learn and build connections across your team
- speak up early when you are concerned, need support or observe unsafe behaviours.

Remember that no task is so urgent, and no service is so important, that you cannot take the time to do it safely.

Report early and seek support if you have concerns about any physical or psychological health and safety issues. Please refer to the Questions & Support section at the end of this document to find support available to you, including how to report a concern.

Case study

Consider this scenario

Kimberley is working the online room sorting through orders and while she is working is using her E-Cigarette/Vape. There are no customers around and she is not smoking so believes that it is okay to do that. Is Kimberley doing the right thing?

No, Kimberley should not be using an e-cigarette/vape in the workplace or near the workplace premises. Even though there are no customers, that does not mean her conduct is acceptable.

Case study

Consider this scenario

Aleysha notices a fellow Team Member Mark is not acting like his usual self lately. He is making mistakes, not keeping up with his work and is upset. Aleysha asks Mark if he is okay and he confides in her that after some recent changes he is unclear on his role and his workload has increased to the point that it is unmanageable. What should Aleysha do?

Aleysha did the right thing by asking Mark if he was okay. As work is impacting Mark's mental health, she should encourage him to speak with his Leader as soon as possible. She might also tell Mark about some of the support options available to him.

Case study

Consider this scenario

Samina is a new Team Member in a store and she is asked by another Team Member to move some products using a pallet jack. Samina has not been trained on this, but she wants to help out and make a good impression. What should she do?

Samina should let the other Team Member know that she has not been trained on, or authorised to use the pallet jack. She can offer to help in a different way.

Our Code of Conduct

Case study

Consider this scenario

Jaspreet is a Team Member who works in one of our Distribution Centres. Whilst operating a forklift, Jaspreet has an accident and collides into his colleague, Brenda, who is operating another forklift. Neither Jaspreet nor Brenda are hurt from the accident and only have 5 minutes of their shift remaining. They want to finish their shift on time so they agree not to report the accident. Have they done the right thing?

No. Jaspreet and Brenda have not done the right thing. Although no one was hurt, they must follow the required safety process at the Distribution Centre, which requires them to immediately stop work, isolate the area and report the incident to their Leader.

Case study

Consider this scenario

Angelo has a big load to get through. He moves a pallet of stock to the front of the store. To make sure he gets through his work faster, he rides the pallet jack back through the store. Has he done the right thing?

No. Riding a pallet jack, no matter how urgent the task feels, is never ok. Angelo should take the time to work safely. It's how we look out for each other and create a safe, positive environment for all of our team and customers.

Case study

Consider this scenario

Kam goes to the pub next door for her lunch break. While having lunch, Kam has two beers and then returns to finish her day. Has Kam done the right thing?

No. It is not appropriate for Kam to undertake duties when she has consumed alcohol as this could pose a safety risk to her, her team mates or customers.

Case study

Consider this scenario

Tom works in Customer Service. He loves his job and always does the right thing. Tom sees a customer who he is familiar with and suspects that this customer has been stealing stock. Tom follows the customer around the store. When the customer attempts to leave Tom asks to perform a bag check and when the customer refuses he prevents him from leaving by holding on to him. Has Tom done the right thing?

No. Tom should not follow a customer around the store instead he can ask the customer if they need help. A customer has the right to refuse a bag check. If they do, Tom must allow them to leave as his safety comes first and no amount of stock is worth compromising safety. Always follow the staying safe principles and remember Team Members must not leave the store to pursue a customer, never touch a customer, be the best witness and once the customer leaves Tom should immediately report the incident to his Leader.

Case study

Consider this scenario

A project team is conducting a review of a recent project that was completed outside of planned schedule and budget. During the meeting it becomes known that some important information was withheld from one of the Team Members and that they were isolated from some conversations. The Leader then criticises and speaks aggressively to that Team Member in front of the wider team. Is this acceptable behaviour?

No. This behaviour is not acceptable in the workplace. Team members should have access to information available to do their job. Although the project was not delivered as planned, it is important the Leader delivers this feedback in an appropriate manner and does not pose a psychosocial risk to the Team Member. The conduct should be reported to a more senior Leader, People Matters or through the reporting channels outlined below.



Doing the right thing is one of our values

That means everyone should:

- carry out their duties in good faith, always following relevant laws, Policies and procedures
- respect the rights of your team, customers, and all those you interact with in the course of performing your role
- complete the training applicable to your role, and raise anything that you don't understand with your Leader
- avoid engaging in behaviour—or ignoring behaviour by others—which breaches the Code of Conduct, any of our Policies, or the law including any industry-specific mandatory (or voluntary, where Woolworths Group is a signatory) Codes of Conduct relevant to your role
- promptly raise issues (or suspected breaches) with your Leader

You must treat customers fairly and with respect, including:

- Listen to and value customer feedback
- Address customer concerns regarding products that are faulty, unfit or mislabelled
- Make sure our marketing, promotional information, product packaging and labelling meets all legal and regulatory requirements, is clear, truthful and always carefully checked

Taking care of Woolworths Group property

We are all responsible for the property that belongs to Woolworths Group. We need to make sure we use items appropriately and take care of any property we come into contact with.

20 Our Code of Conduct

In your role, you may be given access to things that belong to the Group, such as:

- cash
- equipment
- products and merchandise
- computers, mobile phones, tablets and passwords
- motor vehicles
- buildings and sites
- confidential information
- intellectual property

You should always handle stock, equipment and other Woolworths Group property with care, and remember to:

- ensure every sale is processed through the point of sale in the correct way
- assume that damaged or expired stock is wanted and valuable to Woolworths Group and should be accounted for and disposed of in the appropriate way
- never take any stock, money or property, no matter how small or inexpensive without paying for it or without Leader permission
- where appropriate, seek permission from a Leader to take property from the workplace and ensure its removal is documented
- use property and business tools responsibly for their intended use and not for personal use unless authorised
- return property, including hard and soft copies of documents, when you stop working with Woolworths Group

If you believe that theft or damage to Woolworths Group property is happening in your workplace, you should report it immediately to your Leader. Theft or damage

to property is a serious breach of the Code of Conduct and may result in disciplinary action, including termination of employment. It may also be a criminal offence.

To protect our customers, Team Members and sites, Closed Circuit Television (CCTV) video surveillance equipment operates at our sites. CCTV cameras are clearly visible. For further information about how we collect and store information about our Team Members please refer to the [Team Member Privacy Notice](#).

Case study

Consider this scenario

When Tracy finishes her shift, she marks down a roast chicken that has just been cooked so that she can buy it at a cheaper price. The store will be closing in an hour, so the chicken possibly won't be sold anyway. Is this okay?

No. It's not right for Tracy to mark down a product so that she or another Team Member can buy it at a lower price.

Case study

Consider this scenario

Prakash is moving a tray of perishables from a freezer. Another Team Member asks him to help out in Deli for fifteen minutes as it's busy. To save time, the Team Member asks Prakash to leave the perishables in the corridor while he helps out. Prakash tells the Team Member that he needs to put the perishables back in the freezer before helping in Deli. Is this right?

Yes. If Prakash had not put the perishables back into the freezer before helping in Deli, the perishables would have spoiled and been a stock loss. This may have created a food safety risk, which Prakash was able to avoid.

Our Code of Conduct

Understanding your Team Benefits

When you join us, you become an important part of our team. We provide exclusive offers under our Team Benefits program, which includes a team discount card, referred to as the Everyday Rewards Plus Card in Australia and New Zealand, for eligible Team Members. It can be used across a number of Woolworths Group businesses in Australia and New Zealand.

This benefit is not to be misused or shared. To find out more about the discount card, including correct and acceptable ways to use it, see the [Everyday Rewards Plus Card Policy and Terms and Conditions](#).

Choosing your preferred dress

Dress and personal presentation are important expectations of our Team Members.

We are all expected to dress appropriately while at work locations and when representing Woolworths Group. This means wearing a professional and appropriate style of clothing, consistent with your role and location. Attire must never present a safety issue and must be in line with the Code of Conduct. This includes:

- Wearing preferred clothing (in line with applicable Policies/guidelines for your location and role) or professional business attire. It's always okay to wear cultural and religious garments, and clothing that best aligns to your gender identity.
- Wearing clothing that is safe in the relevant environment, including wearing appropriate protective or safety clothing and safety body worn devices when required
- Being clean, tidy and maintaining personal hygiene and grooming
- Wearing a name badge or identity card when on work premises
- Wearing only Woolworths Group authorised business logos, promotional garments or accessories, (e.g. caps, if you are in a customer-facing role)

- Keeping jewellery to an acceptable business-level standard. Additional department-specific requirements may also apply (e.g. when working in a fresh food department)
- Wearing appropriate attire that reflects our values and ways of working, including upholding diversity, creating a respectful and safe workplace and caring deeply for customers. This means not wearing attire which could be considered divisive, insensitive or offensive.

Case study

Consider this scenario

Amar wears a turban to represent his faith. Can he wear it to work in a store?

Yes. Amar is absolutely allowed to wear a turban at work. We are committed to diversity and inclusion and want to create a supportive team environment fostering belonging for all our team and customers.

Case study

Consider this scenario

Mark works a hybrid schedule, splitting his time between home and the office. On his days working from home, he often joins video calls in his pyjamas. Is this okay?

No, whether working from home, store, site or a support office, Mark is representing Woolworths Group and is expected to dress appropriately. Pyjamas are not considered professional or appropriate for client-facing or team-facing interactions.

Case study

Consider this scenario

Ben wears thongs, shorts and a singlet to work in one of our support offices. Is this okay?

No. Team members are expected to wear professional business attire at our support offices.

Using information technology

All Team Members have a role to play in protecting Woolworths Group's information. This includes customer, team, and Partner² information. We must also act to protect all technology and information systems within the Group.

To keep our systems safe:

- Team members are provided with unique accounts with passwords, which should not be shared with others
- Information sent, received or stored on Woolworths Group systems (including email, chat, internet and intranet) may be monitored
- If you receive a suspicious email, do not respond or click on any links, instead forward the email to hoax@woolworths.com.au or hoax@woolworths.co.nz
- Always use systems (including, email, chat and team communication platforms) in a manner consistent with the Code of Conduct. This means always use and communication is safe, secure and respectful on these systems are monitored and recorded and any breaches may be investigated
- Be aware of Information Technology use in your physical environment. Don't access or discuss confidential information on public networks or spaces. Ensure devices like laptops and mobile phones are not left on public transport and be extra careful with printed materials
- Always ask for permission if recording any person, including obtaining a Talent Agreement form where appropriate. Unauthorised recording (this includes but is not limited to the use of mobile devices and wearable recording devices as well as meeting recording and AI supported recordings) of conversations or meetings while on Group premises, or while conducting Group business is prohibited
- Only use Woolworths Group approved Artificial Intelligence (AI) tools and solutions such as Google Gemini. It is strictly prohibited to upload any Woolworths Group information, including correspondence and payslips, into external AI tools you might use personally like ChatGPT
- Responsible and ethical use of AI involves appropriate consideration of Woolworths Group Data Ethics Principles. Always consider best practices such as accountability, transparency of decisions making, fairness, reliability, privacy and security
- Always stay informed by familiarising yourself with Woolworths' Responsible AI Do's and Don'ts, our Data Classification Standard and other relevant Policies
- Never use Restricted or Confidential data, including data containing personal information, without the support of the Privacy & Customer Trust team
- Report suspected security incidents, including cyber security, to the Incident Management Centre immediately on **1800 008 584 (Australia)** or **0800 501 801 (New Zealand)**. A security incident is any event that may indicate that Woolworths' systems or data have been compromised
- Familiarise yourself with, and always act in accordance with the Acceptable Use of Information Systems Policy.

Case study**Consider this scenario**

Jing receives an email from a well-known organisation saying that she has won a free holiday. The email states she must claim it within 24 hours by clicking on a link. What should Jing do?

Emails such as the one Jing received are often used by scammers to trick the recipient into submitting their personal or financial information. These are commonly referred to as Phishing emails. Jing should not click on the link and should forward the email to hoax@woolworths.com.au or hoax@woolworths.co.nz for investigation.

Case study**Consider this scenario**

Sabina is really frustrated with a change to business operations, which means her roster has to change. She posts about how frustrated she is, and makes bad comments about her Store Manager and Group Manager in a Workjam chat which is visible to the whole store. Others start to comment raising similar complaints. Is this okay?

No. Workjam should always be used in a way that treats everyone with dignity, courtesy and respect. Sabina's conduct is a breach of the Code of Conduct. There are more appropriate ways for Sabina to raise her concerns, such as speaking directly to her Store Manager and Group Manager.

How to treat personal and confidential information

Everyone in the Group has a responsibility to protect personal and confidential information. As part of your role you may be trusted with documents and information that belong to Woolworths Group, our customers, Team Members or Partners. This information should not be shared with anyone who is not authorised to see that information and should always be handled with care, following our legal and policy requirements, including under the Internal Privacy Policy.

Personal information

Personal information includes any information or an opinion about a person, including our Team Members, customers or Partners, who can be identified or reasonably identified. Personal information also includes 'sensitive information,' such as health information or information about an individual's racial or ethnic origin, religious beliefs, sexual orientation, or criminal record.

Under privacy laws, there are strict obligations about:

- Collecting personal information from our customers, Team Members and others, including our Partners
- Using or sharing that information, including restrictions on sharing it with others
- How we protect and securely dispose of the information when we no longer need it.

Remember, someone's personal information can't be shared without that person's permission.

Our Code of Conduct

Information about our Partners

Usually, when Woolworths Group receives information from a third party, such as a Partner, we have agreed to keep that information confidential. This means you must:

- Only use the information for the reason it was given to Woolworths Group and as agreed with our Partner
- Not share it with people outside of Woolworths Group without the owner's permission
- Keep the information in a secure and safe location if the information is in hard copy format
- Restrict access to the information on a need-to-know basis with other Team Members if the information is in digital format
- Make sure any personal information received from a Partner is securely deleted or permanently de-identified when no longer needed for the purpose it was collected.

Woolworths Group information

Woolworths Group information includes any information about our operations, strategies, finances, customers, team and any other information about Woolworths Group that is not publicly known.

As Team Members, you must keep Woolworths Group information confidential, and ensure it is not shared with anyone outside Woolworths Group. This includes friends, family, on social media, with Partner entities, organisations, or if speaking at events, unless you are authorised to do so.

Submit a Report a Privacy Incident form on ServiceWOW or call the Incident Management Centre (IMC) on **1800 008 584 (Australia)** or **0800 501 801 (New Zealand)** if you suspect that any personal information Woolworths Group holds is lost, or has been accessed or shared without authorisation.

Case study

Consider this scenario

Andrew, a Store Manager, has received a medical report from a Team Member. Andrew then shares some of the medical information in this report with another Team Member (who doesn't need to know this information for business reasons). Is it okay that Andrew has shared this information?

No. Health information must be kept confidential (unless the Team Member consents to the information being shared) and can only be used for the purpose it is provided for.

Case study

Consider this scenario

Rohan has made a list of customer names and addresses for a competition. When he goes to send this to his Leader Sarah, he accidentally sends it to another Sarah who works at his former company. What should he do?

Rohan should tell his Leader. He should also submit a Privacy Incident Report form on ServiceWOW to report an unintentional disclosure, loss or theft of customers' or Team Members' personal information (including but not limited to email address, phone number, physical address and date of birth). It may be possible to recover the email or steps can be taken to ask the recipient to delete the email. It may also be necessary to undertake a review to determine whether any customers need to be notified.

Case study

Consider this scenario

Rachna's sister works in marketing for a competitor. Rachna and her sister sometimes talk about Woolworths Group ideas for upcoming promotions. Is this okay?

No. Rachna is giving away confidential information. This is not okay, even if Rachna's sister promises not to tell anyone or use the information at work. Rachna and her sister may also be breaching competition laws by discussing price and promotions.

Our Code of Conduct

How to use and behave across social media

Social media is a powerful tool. We all play a part in using it safely, effectively and with impact. Remember, what's shared online can live there forever and reach a far wider audience than you might expect. Let's do the right thing together and make sure our online presence reflects our Values and commitment to each other, our customers and communities. Our expectations for using social media are:

We always treat others with respect

Whenever interacting with, or talking about, Team Members, customers or others connected with work, or when discussing Woolworths Group on social media – whether at work or not – you must:

- Always treat everyone with dignity, courtesy and respect. Even if they have made negative, inflammatory or untrue comments about you or Woolworths Group
- Never make insulting, demeaning, threatening, sexual or discriminatory comments to or about someone (even if the other person is not mentioned by name)
- Never send sexual or offensive pictures or videos
- Never share personal information (including images) about other Team Members or customers without authorisation
- Never post or share anything about Team Members, customers or other people connected with the Group that is inconsistent with our [Respectful Workplace Policy](#)

We protect personal and confidential information

Information you come across at work can sometimes be personal, confidential or otherwise sensitive. Don't share it on social media without authorisation. Similarly you must never 'like', comment or re-share other people's posts containing Woolworths Group's confidential information unless you have authorisation to do so.

This rule does not apply to the appropriate sharing of information for work purposes on internal-only forums such as Me@Woolies.

We are honest and transparent

If you are talking about Woolworths Group or related topics, or even retail in general, you should make it clear that you work for the Group, but the views you are expressing are your own and not those of the Group. Team members can only comment on behalf of Woolworths Group, or use logos and branding, with approval from one of our Social Media teams.

We are advocates for Woolworths Group and our businesses

If you list your workplace on social media or are identifiable as a Woolworths Group Team Member, people may see you as a face of our business—even when you are not working or talking about work. This means, any views you share, or comments you make associated with Woolworths Group should be consistent with the views of the Group.

Using social media to promote our Group and businesses is encouraged. However, you shouldn't talk negatively about Woolworths Group, or share, comment on or 'like' anything that might damage the Group's reputation, brand or commercial interests, including posts that are incorrect or misleading.

If you want to raise a concern about Woolworths Group, you should speak to your Leader, People Partner, contact Team Matters [Australia], Team Services [New Zealand] or Speak Up.

We check before posting

Re-read your post before sharing anything related to work. This includes sharing photos or videos taken at work, in one of our workplace locations, or of people wearing our uniform, logos or a name badge. Ask yourself:

- Am I revealing confidential information?
- How might my post impact Woolworths Group if it becomes widely viewed?

Our Code of Conduct

- Would I want my Leader or Team Members to see it?
- How would a customer feel if they read the post?

Ask someone to review your draft post if you are unsure whether the content is appropriate and consistent with the principles we've outlined. You can also speak with your Leader or for additional guidance, Group External Communications (Media) Team on media@woolworths.com.au. We're here to help.

We limit our use during work hours

Use of social media during work hours should not impact your ability to do your job. Generally, social media should only be used during breaks—unless it is being used for work purposes (for example, finding a recipe or product for a customer or an authorised social media promotion). Please also refer to the [Social Media Policy](#).

Case study

Consider this scenario

Kate is on TikTok while working in the fresh produce department and decides to post a funny video of her juggling some apples. The video gets a lot of likes so Kate starts regularly posting videos of her juggling different fruits and vegetables. The videos are really popular and Kate says she is promoting the fresh produce at Woolworths. Is this okay?

No. Kate has made the videos in the store and while in her uniform. Even if Kate believes she is promoting Woolworths, she has not obtained the appropriate permissions and could be breaching food safety and handling processes in the way she is handling the food. Kate should talk to her Leader or the Group External Communications (Media) team for guidance.

Case study

Consider this scenario

Rasha, a Team Member, recently completed a successful project at work. She was particularly proud of the collaborative effort and the innovative solutions developed. She decided to share her positive experience on LinkedIn. Is this okay?

Yes. Rasha's post is acceptable as it positively promotes the Group, highlights a good work experience, and aligns with professional networking etiquette. It contributes to a positive brand image without disclosing confidential information or making inappropriate claims.

Case study

Consider this scenario

Sarah hears from another Team Member that Woolworths Group will be stocking an innovative new product in the lead up to Christmas. The product has not been officially announced externally. She posts on LinkedIn that she is excited to work for a Company that supports product innovation, but does not mention the specifics of the product. Is this okay?

Yes, Sarah has not revealed any confidential information, so this is okay.

Case study

Consider this scenario

Tom hears that Woolworths Group will be dropping prices on a range of products on Saturday. He posts on Facebook that people should hold off on buying until then. Is this okay?

No. Tom has revealed confidential information. Even if he was trying to help customers, this was not the right way to do that. In addition to being seen by Tom's Facebook friends, this information could also potentially be picked up by the media and/or competitors and this may have a negative impact on sales and our competitive advantage.

Our Code of Conduct

Case study

Consider this scenario

Pietro serves a difficult customer who is challenging Pietro about the price of an item. When Pietro goes on his lunch break, he posts about the incident on Instagram. Is this okay?

No. Before posting anything on social media that relates to work, Pietro should reflect on how the post might impact Woolworths Group, how the customer would feel if they saw the post, and whether Pietro would want his Leader to see the post. If Pietro has any concerns about the incident, he should raise them with his Leader.

Opportunities with media

Woolworths Group is a well-known business in Australia and New Zealand. The media, industry associations, community groups, regulators and politicians understandably pay close attention to what we do.

Every action we take and every decision we make directly shapes our Group's reputation.

Let's create a positive impact together for our customers, team and Partners. It is important that you:

- Do not provide information to the media or talk to the media if they approach you, unless your role authorises you to do so. If the media does approach you, refer them to the contact details of the Woolworths Group External Communications (Media) team listed on this page.
- Do not provide information to politicians or government officials, unless approved by the Government Relations Team.
- Do not reference Woolworths Group negatively in any online social medium or public forum.

We strive to have a positive relationship with everyone we interact and work with, so it's important that all enquiries from customers, Partners, the media and all other external groups and organisations are dealt with quickly and appropriately.

If the media approach you, please refer them to the Woolworths Group External Communications (Media) team at media@woolworths.com.au.



Maintaining transparency and ethical business practices



1 Welcome

2 Applying the Code

3 Being Inclusive

4 Safety

5 Business

6 Ethical Practices

7 Questions

Avoiding bribery and corruption

We are committed to conducting business in an honest and ethical manner, maintaining a high standard of integrity, and acting fairly and honestly in all dealings with our customers, teams, Partners and communities. Our principles reflect our commitment:

- Relationships with our Partners should be a reflection of our core values.
- We are committed to complying with laws and regulations addressing fraud, bribery and corruption in each country in which we conduct business.

Fraud, bribery and corruption are serious criminal offences that can have a significant impact on the individuals involved, our brand, reputation and financial performance.

- Individuals must not knowingly commit, be a party to, or be otherwise involved in fraud, bribery and/or corruption.

This includes not accepting or offering payments, bribes, gifts or benefits which may influence, or which could be perceived as

influencing, your ability to perform your duties of employment objectively and impartially.

- We will not knowingly do business with any organisation that engages in fraudulent or corrupt activity.
- Managing bribery and corruption risk is a shared responsibility and we expect you to immediately report any concerns.

Please also refer to the [Fraud, Bribery & Corruption Policy](#) for more information.

Case study

Consider this scenario

Tara, a Store Manager, is approached by a sales rep, who offers to give her a bottle of wine if she puts his products in an over-and-above display in a prominent location. Should Tara accept this offer?

No. Tara should not accept or be influenced by the inducement of a bottle of wine which she is also unable to accept because our Policy is not to accept any gifts.

Case study**Consider this scenario**

One of Rob's Partners calls to tell him that some products have been seized by a foreign government, and that the government is demanding \$10,000 to release the shipment. What should Rob do? Should he make the payment?

No. Bribes or facilitation payments should never be paid by a Team Member or by a third party. Rob should immediately raise this with his Leader, his People Partner, or through Speak Up.

Navigating conflicts of interest

We are all expected to act in the best interests of Woolworths Group. This means that we must avoid actual or perceived conflicts of interest.

Conflicts of interest can include any personal interests, relationships or activities that may influence you (or be seen to influence you) to act in a way that is not in the Group's best interests.

If you have or think you might have a potential conflict of interest (or that someone else might perceive one), you must disclose that interest to your Leader. You will also need to make a conflict of interest declaration.

Some examples of conflicts of interest include:

- your sibling holds a sales role with a supply Partner with whom you may end up negotiating a contract
- you have a material financial interest in a business which is seeking to do business with Woolworths Group
- your spouse holds a senior position with a competitor
- you work for Woolworths Group in a role where you have access to confidential or market sensitive information and have a second job with a competitor

- you are in a close personal relationship with another Team Member whose job or career you have influence over (for example, someone who reports directly to you, someone you train, roster or assess performance of).

You must:

- not use your position with Woolworths Group to obtain any personal benefit (other than remuneration and other Woolworths Group benefits to which you are entitled), or to benefit any other business or person
- disclose any conflict of interest promptly by immediately notifying your Leader and completing the Conflict of Interest declaration in your Successfactors profile
- avoid putting yourself in a position where you are choosing between what is in the Group's best interests and what is in your interest (or the interest of someone you are connected with).

We may also make changes or take additional steps that we consider necessary to protect Team Members, those they are connected with and the Group from any actual or potential conflict.

Please also refer to the [Conflict of Interest Policy](#) for more information.

Case study**Consider this scenario**

Arjun works in Procurement, and his sibling, Sonali, just got a job with a major supply Partner. Arjun doesn't currently work with this Partner but might in the future. Arjun thinks this won't be a conflict. Should Arjun disclose this?

Yes. Even if it's not a current conflict, it's a potential conflict of interest. Arjun must disclose this to his Leader and complete a conflict of interest declaration. This proactive disclosure builds trust and ensures transparency, preventing any perception of undue influence or unfair advantage, even if he never directly liaises with the Partner.

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Case study**Consider this scenario**

Jenny, a Customer Service Manager, hires her daughter, Kelly, as a part-time Team Member in her department. Jenny doesn't tell her manager, but everyone in the store knows they are related. Is this okay?

No. Jenny has a responsibility to maintain transparency and fairness. She must inform her Leader and complete a Conflict of Interest declaration. To uphold trust and avoid any perceived favouritism or bias in performance management and team dynamics, it would be more appropriate for Kelly to work in a different department where Jenny is not her direct manager.

Case study**Consider this scenario**

Sally wants to hire her boyfriend, Nick, to work on a project. Nick is an expert in this particular work, and Sally has received advice from the Performance and Reward team on the market rate for the role. Is it okay for Sally to hire Nick?

No, not directly. While Nick's skills and the market rate are relevant, a direct hire by Sally creates a perceived conflict of interest. Sally should declare her relationship and put Nick's name forward through the Talent Acquisition team. The hiring process should be objective to find the best candidate for the Group, ensuring fairness and transparency. If Nick is hired, he should not report to Sally, and she should not be involved in decisions regarding his pay, promotions, or performance.

Navigating gifts and entertainment

We prioritise transparency, respect and integrity in all our working relationships and commercial dealings. To maintain a level playing field for all of our Partners, our policy

is to not accept gifts and to only accept entertainment in accordance with the Gifts and Entertainment Policy.

If you are offered a gift, you are expected to:

- decline the gift; or
- if declining the gift is not possible, or is inappropriate, the gift can be accepted, but should be logged in the Gift and Entertainment Register and used for charity or raffle prizes.

If you are offered entertainment you are expected to follow these principles:

- Entertainment valued at AUD\$150 (or Local Currency Threshold) or less per person can be accepted from Partners for legitimate business purposes.
- Entertainment provided by Partners at their premises in the course of doing business (for example, coffee or lunch during meetings or site/factory visits) can be accepted
- Entertainment valued at more than AUD\$150 (or Local Currency Threshold) per person, can be accepted from Partners for legitimate business purposes, provided that Leader approval has been obtained and it is recorded in the Gifts & Entertainment register.
- Entertainment related to professional development, conferences, trade events or awards events (regardless of value) can be accepted, provided that Leader approval has been obtained and it is recorded in the Gifts & Entertainment register.
- Entertainment offered during an open tender, category review or procurement process is never acceptable regardless of value and must always be declined.
- Entertainment that is not for legitimate business purposes must be declined. Examples include tickets to concerts or sporting events where there is no networking and there is no one attending from the Partner business.

Please also refer to the Gifts and Entertainment Policy and the Fraud, Anti-Bribery and Corruption Policy for more information.

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Case study**Consider this scenario**

A sales rep gives Sam a \$25 gift card to celebrate a successful promotion. What should Sam do?

Sam should politely decline the gift card, explaining that Group Policy does not permit accepting gifts.

Case study**Consider this scenario**

James is meeting with potential suppliers for new office chairs. The supplier offers to take James to a restaurant for a \$100, three-course lunch to discuss the deal. Can James accept the offer for lunch?

No. Although the value of the lunch is under \$150, accepting lunch during an active procurement process, regardless of value, could create a conflict of interest and undermine the fairness of the selection process.

Case study**Consider this scenario**

James selected a supplier based on product, pricing, and procurement obligations. After the contract is signed, the supplier sends James two tickets to the Australian Open with a thank-you note, suggesting he take his wife. Can James accept the tickets?

No. These tickets are a personal gift, not business entertainment, and must be declined. James should record the offer and non-acceptance in the Gifts & Entertainment Register. Accepting would compromise the perception of impartiality, even after the contract is signed.

Record keeping

We're committed to operating responsibly and in accordance with legislation and accounting principles. This means that:

- We need to make sure our financial records, people records and systems are accurate and complete
- All of our financial transactions and funds need to be recorded correctly and supported by proper documentation (electronic or paper) so they can be audited reliably and reported honestly
- It's unacceptable to falsify Woolworths Group documents, or any information given to external parties including the government or regulators
- No Team Member should deliberately keep, or help another Team Member to keep, records that intentionally mislead or hide the true nature of a transaction
- All Woolworths Group funds, transactions and bank accounts must be reflected in Woolworths Group's books/accounts. No 'off book' transactions can be made

Case study**Consider this scenario**

Wendy is responsible for receiving large deliveries. After each delivery, she gets a paper packing slip and is required to scan and save the slips into the electronic inventory system, she just places them into a drawer. When her manager asks her to find a specific packing slip she is unable to locate it. Is this okay?

No. Wendy is not ensuring that the information is easily accessible and retrievable so that our records are accurate and complete.

Adhering to food safety

We are all accountable for food and product safety. Where relevant to your role, make sure that the products we supply are safe and meet regulatory requirements, including safety warnings and labelling. Take immediate action to investigate product issues and prevent sale of recalled products. This might be raised as a result of a customer complaint or a recall issue.

For more information refer to the Food and Grocery Code of Conduct.

Respecting human rights and adhering to responsible sourcing requirements

Our purpose is to create better experiences together for a better tomorrow which aligns to a deep commitment to uphold respect for human rights. It is our ambition to integrate human rights into the way we go about our business everyday, so that every decision has our purpose at its core.

Team Members should be aware of the Policies and legislation that applies and must comply with the Responsible Sourcing Policy and Standards. This means, respecting human rights in all interactions with Team Members and suppliers, selecting suppliers that meet our minimum responsible sourcing expectations, and always acting ethically and responsibly. Please also refer to the Responsible Sourcing Policy and Standards for more information.

Participation in political activities

Woolworths Group respects the rights of Team Members to participate in the political process. We also need to avoid any potential conflicts of interest or situations that could damage our reputation.

That means:

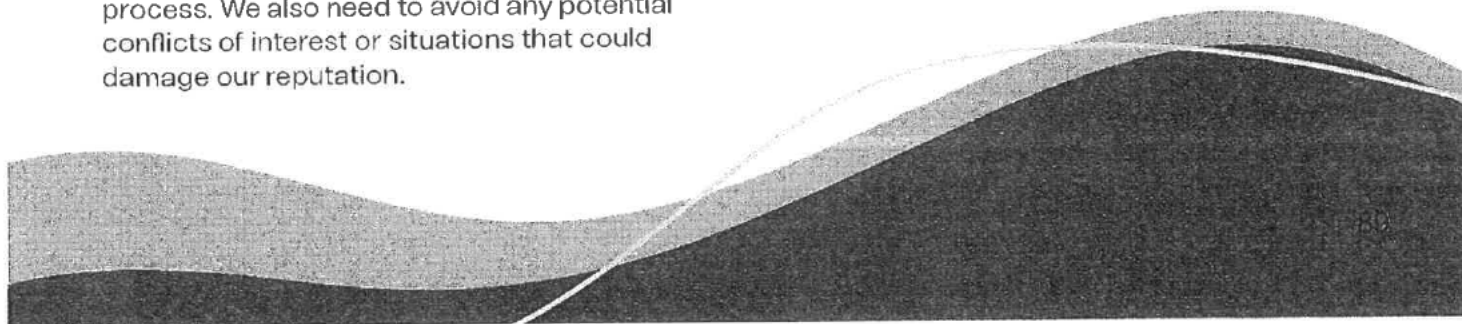
- You must comply with all relevant laws regarding lobbying, gifts or benefits to government officials or government employees
- Any donation to a political party made by or on behalf of Woolworths Group must be consistent with the Group's Political Donations Policy, which includes obtaining approval from our Government Relations team.

It's important that any person who considers running for elected office does not inadvertently create a conflict of interest or impact Woolworths Group's reputation, and that the process occurs purely in an individual capacity. If you are thinking of running for elected office, you should notify your Leader and the Woolworths Group Government Relations Team.

Public submissions

As a large business which interacts with all levels of Government, Woolworths Group is often invited to contribute to government inquiries, consultations, planning processes and reviews. Our Government Submissions Guidelines, which apply to all Woolworths Group business units and controlled subsidiaries, are in place to ensure all submissions on behalf of Woolworths Group are managed in a consistent and coherent way, with the appropriate executive governance.

If you have any questions or concerns, contact the Government Relations Team at governmentrelations@woolworths.com.au. Please also refer to the Political Donations Policy and where relevant, the Woolworths Group Government Submission Guidelines.



Our Code of Conduct

Case study

Consider this scenario

Phan, a Category Manager, receives a response to a tender from a potential supplier. The potential supplier is quoting a price for the work that is significantly lower than other suppliers and lower than what Phan understands to be the market rate for the work the supplier will complete. Should Phan automatically award the work to the supplier, given they have the lowest price?

No, Phan should not automatically accept the lowest price. While it is important that Phan obtains the best value for money, he cannot act unethically and needs to be aware of the important role Woolworths Group plays in its supply chain. If Phan suspects that the price is too low, this may indicate potential human rights impacts on workers in the supply chain. Phan should work with the potential supplier to understand how they arrived at the quote while still enabling workers to be paid lawfully. If in doubt, Phan should escalate the matter to his Leader, who may also contact the Group Human Rights team at responsiblesourcing@woolworths.com.au.

else to trade) in Woolworths Group shares or the shares of another company. In addition to being a breach of our Policies, this is against the law.

From time to time, Team Members may be advised not to trade in shares in other companies due to confidential, price-sensitive information being known through business dealings. As a general rule, Team Members should not buy or sell shares in a Partner they are dealing with on Woolworths' behalf.

We operate blackout periods where Specified Persons (and if applicable, their Closely Related Parties) must not buy, sell or transfer Woolworths Group shares. Team members who are Specified Persons must also seek pre-trade clearance before trading in Woolworths Group shares.

These processes protect Team Members who are Specified Persons from inadvertently trading Woolworths Group shares when confidential, price-sensitive information is known within the Group. You will be notified by email if you are a Specified Person. A list of Specified Person roles and a definition of Closely Related Parties is available on the [Securities Trading](#) page on Me@Woolies. Please also refer to the [Securities Trading Policy](#) for further information.

Trading in Woolworths Group and other companies' shares

As a Team Member, you may become aware of confidential information that could affect the Woolworths Group share price, or the share price of another company.

This confidential price-sensitive information is known as Inside Information. Team members should never trade in Woolworths Group shares or the shares of another company while in possession of Inside Information about that company. This prohibition applies to any form of trade including buying, selling or transferring shares.

Team members must also not share the Inside Information directly or indirectly with another person who may use the Inside Information to trade (or encourage someone

Case study

Consider this scenario

Tim owns shares in Big Biscuits, which has a major contract with Woolworths Group. Tim hears from a Team Member that Big Biscuits is about to lose its contract. Tim sells his shares because he is worried that Big Biscuits' share price will fall and that he will lose money. Is this okay?

No. Tim's decision to sell his Big Biscuits shares is based on information that is not publicly known and might affect Big Biscuits' share price. He should not sell his shares. He can seek further advice from the Company Secretary at Companysecretariat@woolworths.com.au.



1 Welcome

2 Applying the Code

3 Being inclusive

4 Safety

5 Business

6 Ethical Practices

7 Questions

Questions and support

At Woolworths Group, we encourage our Team Members to speak up when something isn't right.

Unwelcome behaviours and breaches of our Policies and the Code of Conduct are unacceptable in our workplace, and in some cases, may also be a breach of the law. If you believe this is happening to you, or another Team Member—whether by another Team Member, a Leader, a customer, or anybody at work—there are informal and formal ways to address this.

If a Team Member or contractor breaches the Code of Conduct, it may result in disciplinary action, including termination of employment or engagement

Options include speaking to the person in question, if you feel comfortable and safe doing so, or raising in any of the following ways:

Your Leader

Your first point of call for any queries, advice or support. They can also help you to report any concerns through the relevant reporting system.

People Partner

For more sensitive or complex people queries or support, or in Asia for payroll and benefits issues.

Me@Woolies

For People Policies, processes and guidance material, go to:

- Australia - [Me@Woolies](#)
- New Zealand - [Me@Woolies](#)
- International - woolworthsasiasia.me/asiapeopleportal

Your Enterprise Agreement or Collective Agreement

Go to the Me@Woolies For more information about your entitlements and responsibilities.

People Advisory/Team Matters (Aus)/Team Services (NZ)

For people matters, including understanding your pay and benefits:

- Australia - use webchat or a service request through [Me@Woolies](#).
- New Zealand - raise a request through [Me@Woolies](#) or email team.services@woolworths.co.nz
- International - email asiapeopleservices@woolworths.com.au

Team Matters (Australia/ International)/Team Services (NZ)

For support resolving workplace issues.

- Australia: Contact Team Matters by raising a [Webform](#) through WorkJam or Me@Woolies.
- New Zealand: Contact Team Services by raising a service request through Me@Woolies [here](#).
- International: Speak to your Team Experience (People Partner).

Reporting a Safety Concern

Speak to your Leader to help raise a physical or psychological hazard or incident in the Safety System. Alternatively you can also speak to another Leader or Safety Partner.

Speak Up

Woolworths Group Team Member Speak Up is an independent complaints handling service hosted by an external company. To understand what type of concerns should be raised with Speak Up, consult our [Team Member Speak Up Policy](#).

Where you identify a serious matter that doesn't seem right, for example a potential breach of the law or our Policies, including suspected fraud or corruption, or need to raise an issue anonymously. Go to <https://woolworthsgroup.relyplatform.com/home>

Sonder (Australia, NZ and International)

Sonder provides free, **24/7 confidential support**, via app, phone or live chat for all Team Member's personal safety, medical, mental health and wellbeing needs. If Team Members are looking for information, want to chat with a real person or are in an emergency situation, Sonder's network of nurses, wellbeing experts, psychologists and emergency responders, provides you with private and confidential advice, resources and information.

The Sonder app can be downloaded by scanning the QR code below and following the prompts. You can also call the Sonder Support Centre on 1800 234 561 (Australia) 0800 447 444 (New Zealand) or via the 'call' function within the app. You can provide access to any member of your immediate family, by sharing the code "IAMHEREFAMILY" (Australia) or via the 'Share Sonder' function within the app.



For more information, visit the Wellbeing@Woolies page on the Me@Woolies to access the Sonder FAQs.

Financial Wellbeing Program

For information and support with finances for Team Members in Australia and New Zealand, including interest-free loans.

In Australia

Call 1300 975 418 or [Digital contact form \(AU\)](#)

In New Zealand

Call 0800 969 379 or [Digital contact form \(NZ\)](#)

The Code of Conduct may be changed from time to time and does not form part of any contract of employment, Enterprise Agreement or Collective Agreement. September 2025.

