

# ANTI-BRIBERY AND CORRUPTION POLICY

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# Anti-Bribery and Corruption Policy

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Bribery and corruption remain a major issue in world trade, despite the many dedicated efforts to prevent them. Our legal obligations are governed by the Bribery Act 2010. The law affects us, as a UK company, regardless of whether bribery occurs inside the UK or within any other country of operation.

Involvement in bribery and corruption exposes AHK and relevant individuals to a variety of criminal offences. It will also damage our reputation and the confidence of our clients, suppliers and business partners.

AHK's position is simple: we conduct our business to the highest legal and ethical standards. AHK will not be party to corruption or bribery in any form.

This policy is a crucial element of that effort. However, the policy needs the full support of you, to make it work.

This policy sets out the steps all of us must take to prevent bribery and corruption in AHK's businesses in order to comply with relevant legislation. It does not form part of any employee's contract of employment and we may amend it at any time.

## Policy Statements

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### 1. What are bribery and corruption?

- 1.1 A **'bribe'** is a financial or other advantage offered, promised, requested or given to induce a person to perform a relevant function or activity improperly, or to reward them for doing so. In this context, a 'financial or other advantage' is likely to include cash or cash equivalent, gifts, hospitality and entertainment, services, loans, preferential treatment in a tendering process, discounts etc. The timing of the bribe is irrelevant and payments made after the relevant event will still be caught, as will bribes that are given or received unknowingly. It is not necessary for the individual or organisation actually to receive any benefit as a result of the bribe.
- 1.2 **'Bribery'** includes offering, promising, giving, accepting or seeking a bribe.
- 1.3 **'Corruption'** is the misuse of office or power for private gain.
- 1.4 All forms of bribery and corruption are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, you should raise it with your manager or the Legal Department.
- 1.5 This means that no person must:
  - give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received, or to reward any business received;
  - accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else; or
  - give or offer any payment (sometimes known as a 'facilitation payment') to a government official in any country to facilitate or speed up a routine or necessary procedure.
- 1.6 No person must threaten or retaliate against another person who has refused to offer or accept a bribe or who has raised concerns about possible bribery or corruption.
- 1.7 It does not matter whether the bribery occurs in the UK or abroad. A corrupt act committed abroad may well result in a prosecution in the UK. Nor does it matter whether the act is done directly or indirectly.

### 2 Who can be involved in bribery and in what circumstances?

- 2.1 Bribery and corruption may be committed by anyone working for us or on our behalf in any capacity, such as our employees, officers or directors, anyone they authorise to do things on their behalf, our representatives and other third parties who act on our behalf, our suppliers and even our clients.

- 2.2 The provisions of this policy therefore apply to all those listed in paragraph 2.1 above.
- 2.3 Bribery can occur in both the public and private sectors. The person receiving the bribe is usually in a position to influence the award or the progress of business, often a government or other public official.

### 3 The legal position on bribery and corruption

- 3.1 Bribery and corruption are criminal offences in most countries where we do business. UK-incorporated companies, including us, are subject to the Bribery Act 2010.

### 4 Who is responsible for this policy

- 4.1 The Chief Financial Officer (CFO) has overall responsibility for this policy. AHK Country Managers have responsibility for it in their own territories. The Chief Financial Officer is responsible for ensuring that this policy is adhered to by all business units.

### 5 Gifts and hospitality

- 5.1 This policy allows reasonable and appropriate hospitality or entertainment given to or received from third parties, for the purposes of:
- establishing or maintaining good business relationships;
  - improving or maintaining our image or reputation; or
  - marketing or presenting our services effectively.
- 5.2 All employees are prohibited from offering or receiving from any person or organisation who has had, has or may have any influence over our business any gift or hospitality which is unduly lavish or extravagant or otherwise inappropriate, or which could be seen as an inducement or reward for any preferential treatment. We regard the following to be inappropriate (the list is not exhaustive):
- a personal or corporate gift to a value in excess of £250;
  - hospitality to a value in excess of £500. All hospitality must be first agreed with the CFO;
  - any gift that includes cash or a cash equivalent (such as vouchers);
  - any gift or hospitality given or received in secret;
  - any gift or hospitality given or received in your name rather than our name; and
  - any gift or hospitality given or received that does not comply with any applicable local law.
- 5.3 Promotional gifts of low value such as branded stationery to or from existing customers, suppliers and business partners will usually be acceptable.

- 5.4 Reimbursing a third party's expenses, or accepting an offer to reimburse our expenses (for example, the costs of attending a business meeting) would not usually amount to bribery. However, a payment in excess of genuine and reasonable business expenses (such as the cost of an extended hotel stay) is not acceptable.
- 5.5 We appreciate that practice varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift, hospitality or payment is reasonable and justifiable. The intention behind it should always be considered.

## 6 Records

- 6.1 It is essential that we keep full and accurate records of all our financial dealings. Transparency is vital; false or misleading records could be very damaging to us. Under money laundering regulations we are obliged to report anything which appears to be irregular.
- 6.2 You must therefore declare and properly record (in writing) all hospitality and gifts given or received. You must also submit all expenses claims relating to hospitality, gifts or payments to third parties in accordance with our expenses policy and procedure and properly record the reason for the expenditure.
- 6.3 All accounts, invoices, credit notes, purchase orders and other records relating to dealing with third parties (including suppliers and clients) must be properly prepared in accordance with our prevailing practices and requirements and with accuracy and completeness. No account may be kept 'off book'.

## 7 Monitoring

- 7.1 The CFO will monitor the policy regularly to make sure it is being adhered to.

## 8 What to do if you think something is wrong

- 8.1 Each of us has a responsibility to speak out if we discover anything corrupt or otherwise improper occurring in relation to the business. If you are offered a bribe, or are asked to make one, or if you discover or suspect that any bribery or corruption has occurred or may occur, you must notify your manager and/or report in accordance with the procedure set out in our Whistleblowing Policy as soon as possible. You can do this anonymously. You must make your report as soon as reasonably practicable and you may be required to explain any delays.

## 9 Compliance with this policy

- 9.1 AHK takes compliance with this policy very seriously. Failure to comply puts both individuals and AHK at risk.
- 9.2 Individuals may commit a criminal offence if they fail to comply with this policy. The criminal law relating to bribery and corruption carries severe penalties.
- 9.3 Because of the importance of this policy, failure to comply with any requirement of it may lead to disciplinary action, and this action may result in dismissal for gross misconduct. Any non-employee who breaches this policy is liable to have their contract terminated with immediate effect.
- 9.4 If you are in doubt about anything in this policy, do not hesitate to contact the Legal Department.

## 10 Protection

- 10.1 Individuals who refuse to accept or offer a bribe, or who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.
- 10.2 We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future.