



# ANTI-CORRUPTION & BRIBERY POLICY

Policy #	ACB-1001
Responsible Executive	CEO
Date Established	July 11, 2017

## Purpose

AJCL is committed to carry on with integrity, honesty, and fairness doing business and trade with its team members, customers, business partners, subsidiaries, suppliers, and with local and foreign government officials, bodies and agencies, in accordance with established global anti-corruption and bribery laws and regulations.

This policy establishes the global standards, guidelines and requirements with regards to prevention of corruption and bribery, and supersedes any other laws and/or regulations established by local or foreign government bodies and/or agencies. This policy explicitly prohibits any act of engaging in corrupt business practices, and/or in promising, accepting or offering bribery in any form. Any member of the AJCL team engaged in or involved directly or indirectly in any form of corruption or bribery, may face legal investigation, prosecution, fines, and up to imprisonment if found guilty under the applicable penal code/s, jurisdiction of and laws as enacted under [Prevention Of Corruption Act, 1947 Pakistan](#), [Prevention of Corruption Act - Ordinance 1958 Pakistan](#), [NAB](#), [FCPA Resource Guide U.S.](#), [The Bribery Act 2010 - UK](#), [An Act 1977 Foreign Corrupt Practices U.S.](#), [OECD Anti-Bribery Convention](#), and [Constitution of Pakistan](#).

## Scope of Policy

This policy applies to all AJCL executives, shareholders, team members, customers, business partners, subsidiaries, suppliers, and/or local and federal government personnel/officials, bodies and agencies within Pakistan, as well as those customers, business partners, suppliers, foreign government personnel/officials, bodies and agencies with whom we interact with in countries around the world.

## Definitions

- Corruption – Engaging in, facilitating improper, illegal or illicit business practices within the public or private sectors for personal or company gain.
- Active Bribery – The promise, giving or offering of undue favor, reward, anything of value or payment made for business, financial, contractual gain; to a politician, government party or official, or a private individual, and for which the company is otherwise not entitled to. Active bribery occurs when the individual offering to or making the promise to give a bribe is doing so to influence a decision in the favor of the company. They are the supplier side of the bribery.

- Passive Bribery – Requesting or agreeing to accept undue favor, reward, anything of value or payment for personal gain. Passive bribery is at the receiving end of the favor/bribe, and considered at the demand end of bribery.
- Kickbacks – Business partners, suppliers or service providers pay a percent of their fees to individuals to gain contractual or business advantage. Kickbacks are generally monetary in nature and the terms and percentage of payment are negotiated ahead of time. This occurs when an individual links or puts in touch another individual/company with the company or individual capable of providing the goods or services.
- Facilitation of Payments – A form of extortion, these are small illicit payments made to public or private sector officials to expedite government transactions or clearances which the company or individual is already entitled to e.g. utility connections, customs clearance, etc. These are payments made over and above the regular or official fees and/or charges paid for services by the company/individual, and require air tight proof in case of prosecuting or filing a law suite against a company, individual or government official or body or agency.
- Gifts and Hospitality – Any gifts of value, travel, special events, meals or entertainment costs, paid for on company credit and/or costs exceeding company policy limits. Not included in gifts are giveaway items e.g. company pens, calendars, diaries, and/or small baskets of fruit or sweets received or given on special occasions e.g. marriages or the birth of a child, etc. Also excluded is the cost of airfare, per diem allowance and hotel room charges incurred by an AJCL team member and/or customer, business partner when travelling with or on official business or assignment, all which fall within the limits of company policy.
- Whistle-blowers – Any individual who exposes or informs any member of the AJCL management team of another team member, or public/private individual or organization engaged in any illicit, illegal or unethical activity within AJCL or other private/public organization.

## Policy Statement

“Corruption and bribery plagues public trust, economic and social development, business and fair trade anywhere it exists. Countries around the world have sanctioned anti-corruption and bribery laws and regulations.” ~ Wikipedia.

The nature of our business and trade requires interaction with the private and public sectors including, local and foreign governments around the world. To ensure our business interactions and trade deals do not contradict nor hurt our core values, standards and reputation in any way, AJCL prescribes to the laws and regulations enacted under the [Prevention of Corruption Act, 1947 Pakistan](#), [Prevention of Corruption Act - Ordinance 1958 Pakistan](#), [NAB](#), [FCPA Resource Guide U.S.](#), [The Bribery Act 2010 - UK](#), [An Act 1977 Foreign Corrupt Practices U.S.](#), and [OECD Anti-Bribery Convention](#), to shape and establish its anti-corruption and bribery policy.

There are several forms of corruption e.g. bribery, kickbacks, facilitation of payments, theft and fraud, extortion and blackmail, gifts and hospitality, favoritism, political contributions, and money laundering. Companies and individuals around the world exercise extreme caution, and record and document the intent, money trails, and/or monies transferred/donated as charitable to ensure that these types of money handling activities is not perceived as nor being used for money laundering purposes or to support any other illicit activities. At AJCL we do not support nor engage in the practices identified below.

1. The top management and shareholders of AJCL are committed not to promise, give, offer, or accept bribes with payment in cash or in kind. Any kickbacks, given, accepted or offered through a third party directly or indirectly, are not permitted either. Third party here refers to suppliers, agents, consultants, distributors, business partners, brokers, etc.
  - 1.1. The company prohibits its team members from paying, offering, giving, or accepting any bribes or kickbacks from any public, government personnel and officials, or individuals claiming to be able to in any way influence the company.
  - 1.2. Any payments promised, given, or offered may not be accepted without the explicit and prior authorization of the concerned member of the management team and as stated under the strictest of guidelines, standards and regulations enacted by local and foreign government bodies and agencies under the anti-corruption and bribery acts, and company policy.
  - 1.3. Payments made, offered or accepted must never imply nor be misunderstood as payments to favorably influence any local or foreign government personnel/officials, or individuals/organizations within the private sector, in order to solicit a decision or contract for personal or company gain.
  - 1.4. All proof and records, accounts, bookkeeping and money trails, supporting documentation and authorization must be transparent, well maintained and available for audit.
2. We will not make illicit facilitation payments to public, government and/or private personnel or officials for services which our company is already entitled to or has received grant/go ahead for.
  - 2.1. Illicit facilitation of grants is not permitted.
  - 2.2. Proper and transparent documentation and records of all accounts, money trails, and authorizations for legitimate payments made for services or grants received must be maintained and available for audit.
3. Offering or accepting any bribe in the form of gifts and hospitality to influence a decision in the favor of the company or to win/award a contract, is not acceptable.
  - 3.1. Any gifts and hospitality which exceeds the limits stated in the company policy, and not used to influence a decision in the favor of the company or win/award a contract, must be supported by full-proof records and

documentation including, the explicit and prior authorization of the concerned member of the management team.

- 3.2. If any team member is unclear, unsure or has a question as to whether to offer, give or accept gifts and/or offer to pay for or accept hospitality favors then, he/she should immediately seek the advice of the HR Department and/or the CEO.
4. There are times when AJCL makes donations and contributions towards individuals, religious, political, social, or non-for-profit organizations. Such donations and contributions are most likely made in cash or valuable giveaways, and are designed to support causes such as facilitating educational, giving scholarships for higher studies, building religious and/or social centres, sponsoring sporting and/or charitable events, providing supporting services to government or political drives e.g. fostering economic growth, ecological events and seminars, or supporting local and global organizations and causes e.g. UNICEF or support a family child/family in hardship, feed the hungry, or build a local hospital, etc., and which are granted as part of customer service, and not linked to soliciting nor with the desire to gain services.
  - 4.1. It is also likely that such donations and contributions may be sizable in value of cash given or accepted; AJCL sets aside a certain budget annually for contributing towards and supporting such causes. All such activities must:
    - 4.1.1. Be supported by a well documented paper trail and maintain full transparency of all accounts, money trails and bookkeeping records.
    - 4.1.2. Include clear and required purpose, back-up and supporting documentation, justifications and authorizations which are available for audit.
    - 4.1.3. Have all such funds transferred through legal and authorized channels and entities, and must follow globally recognized standards and regulations for transfer of funds to and for legitimate causes in order to avoid any backlash or perception of bribery, and/or money laundering.
  - 4.2. Every measure must be taken to ensure complete transparency, proper record keeping and authorization for services and/or contributions made, offered, given or accepted when dealing with local or foreign government personnel/officials or organizations, its subsidiaries, and/or political parties.
    - 4.2.1. Every step and measure must be taken to avoid misperception of appearing to influence in any way a decision in favor of the company or to win a contract or deal or political status in the favor of the company.
    - 4.2.2. AJCL follows strictly its core values, code of conduct and the laws, regulations and standards enacted by local and foreign governments with respect to giving, offering and receiving services and/or

contributions to/from political parties, and local and foreign government bodies, agencies and subsidiaries.

4.2.3. Such services or contributions must never appear nor be made with the implied perception nor perceived intent, directly or indirectly of receiving, offering, accepting or playing favoritism.

4.3. Such funds, donations and/or contributions must have the explicit authorization of the CEO prior to being planned and disbursed, and must follow the explicit guidelines and regulations established by the local and foreign government bodies and agencies e.g. [Constitution of Pakistan](#), [Foreign Funding of Political Parties in Pakistan](#), and [Political Parties Rules, 2002 Pakistan](#).

### **Whistle-blowers**

AJCL is committed to maintaining a safe and secure work environment, and supports fair and equal treatment of all its team members. For any team member/individual informs the company of any wrong-doing, illegal, illicit, or unethical activity being carried out directly or indirectly by another team member or public/private individual or organization, AJCL promises it will not take any adverse or retaliatory action against the informant. AJCL will take every necessary step to conduct a fair and unbiased investigation in order to validated and verify the allegation before taking any action. The company promises to exercise absolute professionalism not to breach confidentiality, and to take necessary steps within its jurisdiction to provide protection of the informant.

### **Responsibility of All AJCL Team Members**

We value every member of our team, and it is our sincerest hope that every team member actively upholds the core values of the company, and its standards and guiding principles. Every member of the AJCL team is required to comply with this policy and immediately report to the company management any fraudulent, illicit, illegal or unethical activity he/she may be directly or indirectly aware of. Deviation or non-compliance with this policy including, attempts to circumvent the stated policy/process by bypassing or knowingly manipulating the process, system, or data may result in disciplinary actions, up to and including termination. Any member of the AJCL team engaged in or involved directly or indirectly in any form of corruption or bribery, may face legal investigation, prosecution, fines, and up to imprisonment if found guilty under the applicable penal code/s, jurisdiction of and laws as enacted under the [Prevention Of Corruption Act, 1947 Pakistan](#), [Prevention of Corruption Act - Ordinance 1958 Pakistan](#), [NAB](#), [FCPA Resource Guide U.S.](#), [The Bribery Act 2010 - UK](#), [An Act 1977 Foreign Corrupt Practices U.S.](#), [OECD Anti-Bribery Convention](#), and [Constitution of Pakistan](#).

## Right to Revise

AJCL reserves the right to revise, modify, delete, or add to any and all policies, procedures, work, guidelines, or standards herewith or in any other document.

## Acronyms

- National Accountability Bureau (NAB) was established in 1999.
- Foreign Corrupt Practices Act (FCPA) U.S. was passed 1977.
- The UK Bribery Act (Bribery Act) was passed 2010
- Organization for Economic Co-operation and Development (OECD) was founded in 1960.

## References

[Prevention of Corruption Act, 1947 Pakistan](#)

[Prevention of Corruption Act - Ordinance 1958 Pakistan](#)

[NAB Pakistan](#)

[Constitution of Pakistan](#)

[Foreign Funding of Political Parties in Pakistan](#)

[Political Parties Rules, 2002 Pakistan](#)

[Corruption in Pakistan Wikipedia](#)

[FCPA Resource Guide U.S.](#)

[The Bribery Act 2010 - UK](#)

[An Act 1977 Foreign Corrupt Practices U.S.](#)

[FCPA Wikipedia](#)

[Bribery Act 2010 Wikipedia](#)

[OCDE Wikipedia](#)

[OECD Anti-Bribery Convention](#)

[Anti-Corrupt & Bribery - US VS. UK - Norton Rose Fulbright](#)