ANTI-BRIBERY POLICY

MORAVIA CANS a.s.

Corporate Social Responsibility (CSR) – Enclosure 2 – Anti-Bribery Policy

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We Can Shape It

The Company applies the zero-tolerance anti-bribery and anti-corruption policy.

These anti-corruption rules have to be observed by all employees with company computer and e-mail who are usually in touch with business partners. These rules have to observed to its business partners – third parties – acting in the Company name, including but not limited to intermediaries, consultants and distributors. This policy applies to all of the above named, regardless the country where they are active.

1. What is a „Bribe“?

A bribe is a financial or other benefit, whether personal or commercial, provided or received for the purpose of causing inappropriate action or remuneration for such action, in an official capacity or as part of work activity.

The following are prohibited in the Company:
Direct or indirect offers, provisions, procurement, promises, authorisations of acceptance or receipt, demand for or solicitation of any bribe from a natural person or legal entity, wherever located and regardless of whether it is a public authority or a natural person or a legal entity, from any of its employees or its business partners, including but not limited to its agents, consultants, distributors and joint ventures acting on behalf of the Company, for the purpose of obtaining an improper advantage (financial or otherwise), whether personal or commercial, or for the purpose of influencing an independent decision.

2. Company Employee Liability

All employees (including regular employees, management, temporary agency workers and consultants) shall try to prevent and reveal bribes and shall report any bribes they become aware of in compliance with the Company procedures. Employees not acting in compliance with these directives are in danger of a disciplinary action against them, up to employment or contract termination.

3. Facilitation Payments

Facilitation payments are prohibited not only by this directive but also by certain legislative regulations and shall be considered bribes.

Progress facilitation or “palming” typically mean small payments to public officials with the aim to accelerate an administrative procedure or make it happen. For example, where a contract is suspended as a consequence of bureaucracy or because an official refuses to fulfil their liabilities, an offer of money or other benefits may move such a contract to the forefront of the official´s priorities. That is a progress facilitation payment.

It is not unusual that certain service providers or governmental agencies offer all customers “quick settlement” or better service for a higher price (accelerated issue of travel documents etc.). If this is a transparent official approach and the higher price is in favour of the service provider, the social or governmental entity, and not in favour of an individual, it is not considered a facilitation payment. In case of doubt whether a payment is a facilitation payment, it is necessary to ask the supervisor for permit or assessment whether the payment will be in compliance with the accepted procedures.

4. Associated Entities – Including Intermediaries and Other Third Parties

All intermediaries, consultants and other third parties – business partners – authorised by the Company to provide services or act on its behalf, shall observe these directives in their acting in the name of the Company.

- Employees responsible for cooperation with the intermediaries, consultants and business partners shall take up appropriate risk and perform careful due diligence before appointment of – or contract execution with – these intermediaries, consultants or business partners.
- All contracts with intermediaries, consultants and business partners shall be in writing and shall include a clause about the liability to observe all relevant anti-corruption legislation and these directives and the related procedures (including the liability to keep and archive the corresponding accurate and auditable transaction details for inspection by the competent regulatory or judicial authorities).
- Compensation (including fees and cost coverage) for third-party services, including services of intermediaries and consultants acting on our behalf, shall be adequate, justified and demonstrably commensurate to the legitimate service size. Costs shall only be compensated proportionally to legitimate business expenditure and on the basis of processed receipt documents and complete description of the claimed cost.

5. Gifts and Hospitality

Gifts, hospitality and small promotional objects of no value, travel and accommodation cost coverage may be provided, paid or received as long as they are legitimate and adequate and bona fide for common commercial purpose. The basic requirement is that the gifts and hospitality provided or received shall not be to an extent or in a frequency to represent a business incentive, opportunity or other benefit not otherwise attainable. Gifts shall never include cash or cash equivalents (such as gift vouchers, loans or shares).

If in doubt whether you are entitled to provide or receive a gift or hospitality, consult your supervisor.

6. Other Information about Acceptable Practices

This directive is not to prohibit the following practices, provided that they are common on the given market, provided bona fide for business purposes, justified, adequate and duly recorded.

- Legitimate and adequate hospitality;
- Provision of a ceremonial gift at a celebration or another significant event on condition of compliance with the gift-related rules and procedures described above;
- Use of any recognised, transparent and official quick process available to everybody through remuneration payment to an entity/organisation and not an individual;

The decision about appropriateness is not always easy in these cases. If in doubt whether such action might represent a bribe or not, submit the mater to your supervisor for assessment.