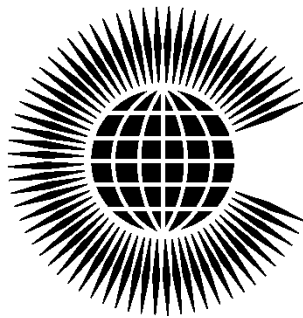


COMMONWEALTH SECRETARIAT



ANTI-BRIBERY POLICY

Effective Date **March 2013**

Version **1.0**

Introduction

The reputation of the Commonwealth Secretariat for operating ethically and in accordance with national laws and international administrative law is of paramount importance in maintaining support from Member Governments of the Commonwealth.

Accordingly the Commonwealth Secretariat has a zero tolerance policy towards bribery and corruption and is committed to acting fairly and with integrity in all of its activities and relationships and implementing and enforcing effective systems to counter bribery.

Purpose and scope of Policy

This Policy sets out the position of the Commonwealth Secretariat on any form of bribery and corruption and provides guidelines aimed at:

- ensuring compliance with anti-bribery laws, rules and regulations, not just within the UK but in any other country within which the Commonwealth Secretariat may operate or in relation to which its activities may be connected;
- enabling employees and persons associated with the Commonwealth Secretariat to understand the risks associated with bribery and to encourage them to be vigilant and effectively recognise, prevent and report any wrongdoing, whether by themselves or others;
- providing suitable and secure reporting and communication channels and ensuring that any information that is reported is properly and effectively dealt with; and
- creating and maintaining a rigorous and effective framework for dealing with any suspected instances of bribery or corruption.

The policy applies to the Commonwealth Secretariat's conduct both in the UK and abroad and to all employees of the Commonwealth Secretariat, including temporary employees, consultants and any seconded staff. Any violations of the policy will be considered in line with the Commonwealth Secretariat's disciplinary processes (see below).

Legal obligations

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

It is a criminal offence to:

- offer, promise or give a financial or other advantage to another person (i.e. bribe a person), whether within the UK or abroad, with the intention of inducing or rewarding improper conduct;
- request, agree to receive or accept a financial or other advantage (i.e. receive a bribe) for or in relation to improper conduct; or
- bribe a foreign public official.

You can be held personally liable for any such offence.

An Organisation can also be held accountable for failing to prevent an employee or an associated person from bribing another person in the course of its activities with the intent either to obtain or retain business, or to obtain or retain an advantage in the conduct of its operations, for the Organisation. This may result in adverse financial consequences for the organisation and cause it to suffer substantial reputational damage.

Policy statement

All employees and associated persons are required to:

- comply with any anti-bribery and anti-corruption legislation that applies in any jurisdiction in any part of the world in which they might be expected to conduct Secretariat activities;
- act honestly, responsibly and with integrity; and
- safeguard and uphold the core values of the Commonwealth Secretariat by operating in an ethical, professional and lawful manner at all times.

Bribery of any kind is strictly prohibited. Under no circumstances should any provision be made, money set aside or accounts created for the purposes of facilitating the payment or receipt of a bribe.

Industry practices may vary from country to country or from culture to culture and what is considered unacceptable in one place may be normal or usual practice in another. Nevertheless, a strict adherence to the guidelines set out in this Policy is expected of all employees and associated persons at all times, irrespective of where activities are being carried out. If you are in doubt as to what might amount to bribery or what might constitute a breach of this Policy, you should refer the matter to the Assistant Secretary-General (corporate affairs).

For the rules and procedures of the Commonwealth Secretariat in relation to the receipt of gifts from third parties and corporate hospitality offered to or received from third parties, please refer to the Staff Handbook. These provisions form part of the Commonwealth Secretariat's position of zero tolerance towards bribery and they should be read in conjunction with this Policy.

The provision of gifts and hospitality to clients, customers, contractors and suppliers is not prohibited as an absolute rule. The aim of any hospitality should be to better present products and services or to establish good working relationships. The key point is that you should be aware of the ultimate purpose of these activities and whether they are proportionate and reasonable in the circumstances. In this context the person responsible should ensure that the following requirements are met when providing such a gift or hospitality:

- it is not made with the intention of influencing a third party to obtain or retain business or an operational advantage, or to reward the provision or retention of business or an operational advantage;
- it complies with local laws;
- it is given in the name of the Commonwealth Secretariat, not in the giver's personal name;
- it does not include cash or a cash equivalent (such as gift vouchers);
- it is of an appropriate and reasonable type and value and given at an appropriate time;
- it is given openly, not secretly; and
- where it amounts to a significant gift or significant hospitality (as set out in the Staff Handbook), it is approved in advance by the Secretary-General.

In summary, it is not acceptable:

- to give, promise to give, or offer a payment, a gift or hospitality with the expectation or hope that an operational advantage will be received;
- to reward an operational advantage already given; or

- to accept a payment, gift or hospitality from a third party that you know or suspect is offered or provided with the expectation that it will obtain an operational advantage for them.

Any payment or gift to a public official or other person to secure or accelerate the prompt or proper performance of a routine government procedure or process, otherwise known as a “facilitation payment”, is also strictly prohibited. Although facilitation payments are not often paid in the UK, they are common in some other jurisdictions and certain industries (often where the transport of goods and/or equipment is necessary, such as aviation and infrastructure).

Responsibilities and reporting procedure

It is the contractual duty and responsibility of all employees and associated persons to take whatever reasonable steps are necessary to ensure compliance with this Policy and to prevent, detect and report any suspected bribery or corruption. Please note that this should include appropriate levels of consultation with such persons regarding compliance, reporting procedures and potentially infringing activities. You must immediately disclose to your director or to any member of the Management Committee any knowledge or suspicion you may have that you, or any other employee or associated person, has plans to offer, promise or give a bribe or to request, agree to receive or accept a bribe in connection with the activities of the Commonwealth Secretariat. For the avoidance of doubt, this includes reporting your own wrongdoing. The duty to prevent, detect and report any incident of bribery and any potential risks rests not only with the directors but equally with all employees and associated persons.

The Commonwealth Secretariat encourages all employees and associated persons to be vigilant and to report any unlawful conduct, suspicions or concerns promptly so that an investigation may proceed and any necessary action can be taken quickly. Any such report should be made to your director or a member of the Management Committee. Confidentiality will be maintained during the investigation to the extent that this is practical and appropriate in the circumstances. The Commonwealth Secretariat is committed to taking appropriate action against bribery and corruption. This could include either reporting the matter to an appropriate external government department, regulatory agency or the police and/or taking internal disciplinary action against relevant employees and/or terminating contracts with associated persons.

The Commonwealth Secretariat will support anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken. It is also committed to ensuring nobody 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 corruption offence has taken place or may take place in the future.

Record keeping

All accounts, receipts, invoices and other documents and records relating to dealings with third parties must be prepared and maintained with strict accuracy and completeness. No accounts must be kept “off the record” to facilitate or conceal improper payments.

Sanctions for breach

A breach of any of the provisions of this Policy will constitute a disciplinary offence and will be dealt with in accordance with the disciplinary procedure of the Commonwealth Secretariat and international administrative law. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to dismissal. Violations of the local criminal law (including for acts committed on the premises of the Commonwealth Secretariat) may also be referred to the local authorities for criminal prosecutions in local courts.

As far as associated persons are concerned, a breach of this Policy could lead to the suspension or termination of any relevant contract, sub-contract or other agreement.

References:

A. Employee Handbook

Appendices and supporting information

None

Authorisation and approval:

Reviewed by: Title: Date

Approved by: Title: Date

Revision History:

Timing of revision and outline of frequency of revision required

Version	Date	Description of changes	Reason	Prepared by	Approval from
1.0		Initial Draft		Collyer Bristow	
1.0	14/12/2012	Review by Legal Counsel and Corporate Services			
1.0	4/1/2013	Review by Collyer Bristow		Collyer Bristow	
1.0	11/1/2013	Review by Legal Counsel and Corporate Services			
1.0	11/2/1013	Review by CCS			

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