



FOREIGN CORRUPT PRACTICES ACT (SAMPLE) POLICY

1.0 Introduction

This policy applies to all employees of YOUR COMPANY and sets the standards of ethical business conduct and compliance required of all business operations.

YOUR COMPANY officer, employee or agent has authority to offer payments to a foreign official to induce that official to affect any government act or decision in a manner that will assist YOUR COMPANY or any of its subsidiaries or divisions to obtain or retain business. Furthermore, every officer, employee and agent is obligated by company policy and federal law to keep books, records, and accounts that accurately and fairly reflect all transactions and disposition of YOUR COMPANY assets.

2.0 Scope

The Foreign Corrupt Practices Act of 1977 (FCPA or “the Act”) prohibits any payment or offer of payment to a foreign official for the purpose of influencing that official to assist in obtaining or retaining business for a company. The Act applies to any act or event that is in furtherance of a payment to a foreign official. Further, the “payment” clause of the FCPA is broadly phrased. It covers not only the actual payment of money, but also an offer, promise or authorization of the payment of money and an offer, gift, promise or authorization of the giving of anything of value. The Act also applies to payments to foreign officials, foreign political parties, officials of foreign political parties and candidates for foreign political office.

The penalties for FCPA violations are severe. Any employee who violates company policies relating to the FCPA, or the FCPA itself, will be disciplined and may be terminated. The FCPA imposes criminal and civil liability on both individuals and corporations. In addition to civil and criminal penalties, a person or company found in violation of the FCPA may be disqualified from U.S. government contracts, export licenses, and other government financing and insurance programs.

3.0 Responsibilities

YOUR COMPANY employees, agents or representatives whose duties are likely to lead to involvement in or exposure to any of the areas covered by the FCPA are expected to become familiar with and comply with the YOUR COMPANY FCPA



- 4.0** Procedure to avoid inadvertent violations, to recognize potential issues in a timely manner, and to appropriately address them.

Related Documents & Forms

YOUR COMPANY, Inc. Foreign Corrupt Practices Act Procedure
YOUR COMPANY, Inc. Ethical Business Conduct Policy
Ethics and Business Conduct Program
Proper Marketing Practices
Proper Marketing Practices – Marketing to the U.S. Government
Offering Business Courtesies
Conflict of Interest
Acceptance of Business Courtesies
Proper Relationships with Suppliers
Proper Use of Company, Customer, and Supplier Resources

5.0 Definitions

- **Foreign Official:** An officer, employee, or person acting on behalf of a foreign government. A foreign official may also include foreign political parties and their officials, or any candidate for foreign political office or a representative of such a candidate.
- **Bribe:** Illegal payment or offer to pay, directly or indirectly, money or anything of value to a foreign official to obtain or retain business.
- **Government:** Any agency, instrumentality, subdivision or other body of any national, state or local government, including hospitals or other health facilities which are owned or operated by a government, including regulatory agencies or government-controlled businesses, corporations, companies or societies.
- **Payments:** Money, transfer of stock, bonds or any other property, the payment of expenses, the providing of services of any type, the assumption of forgiveness of any indebtedness, or any other transfer of goods, services, tangibles or intangibles that accrues to the benefit of the ultimate recipient or promotes his or her interest.
- **Third-Party:** Any person not a party to the transaction, usually a sales intermediary between YOUR COMPANY or a program registrant and the final customer or end-user of YOUR COMPANY or program registrant's products.

6.0 Application to YOUR COMPANY, Inc. Businesses

All YOUR COMPANY businesses will follow this policy and the associated compliance procedures. U.S.-based (Government and Commercial) subsidiaries or U.S. corporations and companies that are not fully integrated into the YOUR COMPANY Business Units shall ensure that there are processes in place.