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MANAGEMENT SYSTEM  
**ISO 37001**  
*ANTI-BRIBERY MANAGEMENT SYSTEM*



FAMAR S.R.L.

# **ANTI-CORRUPTION *POLICY***

**Version 1**

Rev. 01 of 23/07/2021

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With a view to the introduction of *an* ISO 37001-compliant management *system* for the prevention of corruption in the company, the following corruption prevention policy has been prepared.

The *policy* contains indications of principle and of greater detail that consecrate the disvalue that the Top Management of FAMAR S.r.l. attributes to the phenomena of corruption.

All this, in the context of an overall commitment on the part of top management to disseminate within and outside the organisation an appropriate culture of legality, corruption prevention and ethics.

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FAMAR S.r.l. categorically rejects corrupt practices of any kind and nature without tolerance.

Therefore, FAMAR S.r.l. prohibits acts of corruption, direct and/or indirect, within and outside its organisation, through its representatives and/or business associates.

Irrespective of the more specific definitions in criminal legislation, for the purposes of the management system being implemented, more generally, acts of corruption are considered to be the promising, offering, accepting or requesting of an undue advantage or benefit of any value (which may be economic or non-economic), directly or indirectly (e.g. through third parties), or irrespective of location, in violation of applicable law, as an inducement or reward to a person to act or omit to act in connection with the performance of that person's duties.

The scope of the management system, therefore, involves:

- acts of corruption involving the private, public, non-profit sector, etc;
- acts of active corruption coming directly from the organisation's representatives (e.g. *directors*, administrators, representatives, proxies);
- acts of active corruption emanating from staff of the organisation acting in the name and on behalf of the organisation for its benefit;
- acts of active corruption emanating from the organisation's business associates acting on behalf of or for the benefit of the organisation (e.g. consultants, suppliers);
- acts of active corruption carried out by the organisation on behalf of its business associates;
- acts of passive corruption towards the organisation, its staff, its business associates in connection with the organisation's activities;

In order to prevent acts of corruption, as identified above, the Company identifies processes at risk of corruption, and establishes a set of procedures, safeguards, decision-making delegations, powers, roles and responsibilities suitable for the prevention of the corruptive phenomenon.

We therefore describe below the **framework of principles and general operational guidelines**

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**that are** required to be applied in the company, further specified within the reference documentation (manual, system documentation, etc.) of the management system. These general operational guidelines cover the following aspects and can be defined as follows:

1. - the undertaking of commitments towards the Public Administration, Public Institutions and Authorities is reserved exclusively to the appointed and authorised corporate functions.
2. - the assumption of commitments towards the Public Administration (also in the phase preceding the awarding of the contract) always takes place in strict compliance with the applicable legal and regulatory provisions and, in any case, in such a way as not to compromise the integrity and reputation of the Company.
3. - documentation exchanged with persons belonging to the public administration must be collected and retained;
4. - employees, representatives of FAMAR S.r.l. and those who have the power to entertain relations and commit the individual company towards the Public Administration, Public Institutions and Authorities, in Italy or abroad, shall not promise or offer to public officials or persons in charge of a public service, and to employees in general of said public bodies and to their relatives, money, goods or other utilities of various kinds in order to promote and favour their own interests or the interests of the individual Company, or of companies with which they collaborate on a stable basis, or even to compensate or repay them for an act of their office or to obtain the performance of an act contrary to the duties of their office.
5. - in the course of a business negotiation, request or commercial relationship with the Public Administration:
  - a. employment and/or business opportunities that may benefit employees of the Public Administration or the company in a personal capacity must not be examined or proposed, nor must one solicit or obtain confidential information from the Administration that may compromise the integrity and fairness of the administrative process, or the reputation of either party;
  - b. the personnel appointed by the company must not seek to influence the decisions of the counterparty, including those of officials dealing with or making decisions on behalf of the public administration;
  - c. the Company must not be represented by third parties when conflicts of interest may arise.
  - d. the Company must not offer or in any way provide free gifts, even in the form of

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company promotions, reserved solely for employees entrusted with dealing or dealing with the Public Administration;

6. - in general, acts of commercial courtesy, such as gifts or forms of hospitality, or any other form of benefit, are permitted only if they are of modest value and such that they do not compromise the integrity and reputation of the parties and cannot be interpreted, by a third and impartial observer, as acts intended to obtain advantages and favours in an improper manner. In any case, such acts must always be authorised by a competent and distinct function and adequately documented;
7. - In countries where it is customary to offer gifts to customers or others, it is possible to do so when these gifts are of an appropriate nature and of modest value, but always in compliance with the law. However, this should never be construed as seeking favours.
8. - Similarly, the representatives of FAMAR S.r.l. (employees, representatives, administrators, consultants, agents, procurers of FAMAR S.r.l.) during business negotiations with the PA or delegated to manage the participation in tender procedures are prohibited from directly or indirectly accepting proposals of benefits from public officials, employees in general of the Public Administration or other Public Institutions. In the aforementioned cases, the person involved - even if a third party to the corporate structure - must immediately report it to the Compliance Function for the prevention of corruption and/or to the Supervisory Body referred to in Legislative Decree no. 231/01 through the Whistleblowing procedure described below.
9. - In any case, when taking part in a tender with the PA, one must operate in compliance with the law and proper business practice, and the same guidelines that apply to third parties and/or consultants (and their respective staff) representing the company vis-à-vis the PA must be applied as to employees of the entity;
10. - Finally, the Company prohibits itself from employing staff (former PA employees) who have had dealings with the Company in the course of a public tender procedure, or in general in administrative procedures relating to the granting of benefits, authorisations and the like; to this end, it carries out adequate checks (*due diligence*) periodically and when hiring new collaborators/employees for positions/assignments considered at high risk of corruption or where the risk is otherwise intolerable or unacceptable;
11. - The Company shall, however, refrain from making contributions or carrying out financing activities in favour of political parties, committees, public organisations or political candidates;
12. - The Company refrains from any direct or indirect pressure on political figures (e.g. by granting Company facilities, accepting recommendations for recruitment, consultancy

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contracts, etc.);

13. - To the extent compatible, the general operating principles and guidelines referred to in the preceding paragraphs also apply in connection with business negotiations with private parties.

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In view of the above, the Top Management undertakes to make every effort to comply and enforce the general operational guidelines, while recognising the need to ensure **continuous improvement** of the anti-corruption management system.

Continuous improvement will be entrusted to the continuous monitoring of the objectives, and the verification of their achievement - through audits planned at periodic intervals -, consisting mainly of the evaluation of performance, understood as compliance with the requirements of the management system in terms of procedures and the correct allocation of functions and powers associated with them, and the ascertainment of the absence of non-conformities.

In this same perspective of continuous improvement, in addition to the specific controls aimed at verifying objectives/performances, the company periodically carries out a management review of the management system, aimed at assessing its adequacy, suitability and effectiveness, not only with regard to any non-conformities detected during the performance assessment, but also with regard to any new or changed corruption risks, which have emerged following a renewed assessment and have a significant impact on the organisation in terms of the risk of corruption episodes.

In order to assist these processes, FAMAR S.r.l. also establishes a compliance function for the prevention of corruption, to be identified in the sense of the Top Management in a person who has the skills, powers, authority and independence appropriate for the performance of the tasks entrusted by the ISO 37001 standard, also following the same resolution of the administrative body.

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Any conduct that does not comply with the provisions of the management system or episodes/attempts at bribery will be pursued, within the limits of the confidentiality of any whistleblowers and the secrecy of any investigations, through disciplinary or contractual remedies addressed to internal staff or collaborators and third parties ("business associates").

In this sense, the company also encourages its staff, its representatives and third parties to report in good faith - to the supervisory body pursuant to Legislative Decree 231/01 - any conduct that is suspicious or potentially in breach of the laws on corruption and of the internal anti-corruption measures themselves, through the Whistleblowing procedure (also available on the company



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website). The whistleblowing channel will guarantee the anonymity of whistleblowers, protecting them from the danger of retaliation.

In any case, intimidating and/or retaliatory attitudes are not allowed as a result of reports, and the company undertakes to put in place all possible organisational measures in this regard, including internal investigations following the aforementioned reports, which must be promptly activated, confidentially - and, if necessary, also through the use of external resources - if a corrupt phenomenon is detected, reported or reasonably suspected.

For the purposes of internal investigations into incidents of corruption, the company shall make the company's premises and all documentation relevant to the investigation available to the compliance function and any professionals selected to shed light on the same circumstances.

Finally, the Company undertakes to implement a specific communication plan towards the organisation's staff and business associates, to ensure that they are aware of the organisation's commitments and the principles of the management system, with particular reference to business associates, staff and functions that integrate a higher than low risk of corruption.

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