



## Foreign Corrupt Practices Policy Statement

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### Emergent Cold is committed to:

Minimising the risks posed by foreign bribery and corruption and complying with the US Foreign Corrupt Practices Act 1977. See also the Emergent Cold Guide to The Foreign Corrupt Practices Act 1977

**Who is covered:** The FCPA and this Policy Statement applies to two broad categories of persons: those with formal ties to the United States and those who act in furtherance of a violation while in the United States.

All employees of Emergent Cold are covered by the Act and this Policy Statement

**Where does it apply:** All employees can be held liable for bribes paid to foreign officials even if no actions occur or take place within the US. Coverage of the Act and this Policy Statement is global where Emergent Cold cooperates.

### What is prohibited

A payment, offer, authorization, or promise to pay money or anything of value to a foreign government official (including a party official or manager of a state-owned concern), or to any other person, knowing that the payment or promise will be passed on to a foreign official with a corrupt motive for the purpose of:

- (a) influencing any act or decision of that person,
- (b) inducing such person to do or omit any action in violation of his lawful duty,
- (c) securing an improper advantage, or
- (d) inducing such person to use his influence to affect an official act or decision in order to assist in obtaining or retaining business for or with, or directing any business to, any person.

### Penalties

There are severe penalties for breaching the Act including fines for individuals (to US\$100,000) and the company (up to USD\$2M) and imprisonment (up to 20 years).

### Facilitating Payments for Routine Government Actions may be exempt

The FCPA does not prohibit facilitating or expediting payments made to foreign officials for the purpose of causing them to perform "routine governmental actions."

Emergent Cold's compliance programme includes this Policy Statement, the Emergent Cold Guide to the FCPA, training in the FCPA and Guide, a Code of Conduct - prohibiting corrupt payments to government officials amongst others and process for investigating or addressing specific issues.

Emergent Cold commits that unlawful conduct with regard to FCPA will not be tolerated.

**Jeff Hogarth**  
President Asia Pacific  
May 2019

**ZeroHarm**

