

POLICY



**Petra**Diamonds

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# **PETRA GROUP WORLDWIDE ANTI-BRIBERY POLICY**

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## **A. BRIBERY PROHIBITED**

1. Bribery is a criminal offence under the UK Bribery Act 2010 and in various other jurisdictions around the world and is strictly prohibited by Petra. Bribery includes offering, giving, requesting or receiving a payment/something of value (even nominal value) to improperly influence a decision or get a party to perform their job improperly (see Section A of the Petra Group Anti-Bribery Guidance for a detailed explanation of what constitutes bribery and warning signs to look out for).
2. Petra personnel must never pay, offer, accept, agree to accept, or ask for bribes.
3. Petra personnel must also never authorise nor allow any third parties that work with or for Petra, such as contractors or joint venture partners, to pay bribes on Petra's behalf.
4. Petra personnel must never pay or permit third parties to pay "facilitation payments". The only exception is if they have a genuine concern for their immediate safety. Facilitation payments are unofficial payments, usually of small sums e.g. \$50 or the equivalent in the local currency applicable, to low level government officials which may be asked for to speed up/perform something they are supposed to do anyway, e.g. issue a visa. Please refer to Section A of the Petra Group Anti-Bribery Guidance for a fuller explanation of what constitutes a facilitation payment.

## **B. REPORTING OF BRIBES**

1. Petra personnel must report any bribes, suspicions of bribes or requests for bribes to the Anti-Bribery Officer as soon as they become aware of them. This includes bribes or suspicions in connection with payments by third parties, e.g. contractors working on Petra's behalf.
2. Please refer to the details in Section H of this Policy for how to contact the Anti-Bribery Officer. Please also refer to Section B of the Petra Group Anti-Bribery Guidance for information about the process of reporting bribes.

## **C. HOSPITALITY AND GIFTS**

1. The underlying principle of this Policy is that the recipient of a gift or hospitality should not, as a consequence, feel beholden to the giver.
2. Petra totally prohibits any hospitality or gifts given with the intention of improperly influencing a third party to give Petra business or to do Petra a favour. Likewise, hospitality or gifts given after the event, as a reward for business or a favour, are prohibited.
3. Petra recognises, however, that, subject to the above, the provision or receipt of hospitality is a normal part of doing business and that gifts are also customary in certain countries/situations. For that reason, Petra permits hospitality and gifts given to/ received from third parties provided the hospitality/gift is:
  - (i) given to establish or improve good business relations, promote Petra's business or image, or for some other bona fide reason; and

- (ii) reasonable and proportionate in amount and scale to the status and seniority of both the persons giving and receiving them, i.e. not lavish; and
- (iii) not to a public official (as defined in section C.2 of the Petra Group Anti-Bribery Guidance), in which case the prior consent of the Anti-Bribery Officer is required; and
- (iv) within the financial limits set out at C.4 below; and
- (v) in compliance with the local laws of the country in question; and
- (vi) not involving insalubrious premises or illegal substances or excessive consumption of alcohol.

<b>4. Hospitality or Gift</b>	<b>Maximum monetary value (UK £) (or the equivalent in the local currency applicable)</b>
Gift (excluding cash or cash equivalent, or loans which are never permitted)	50 (per person per occasion)
Meal (value of meal given or received)	100 (per person per occasion)
Other entertainment	100 (per person per occasion)

- 5. The above financial limits apply to all gifts and hospitality provided by any individual within Petra to any third party individual, or received by any individual within Petra from any third party individual on any occasion.
- 6. If any Petra personnel wish to offer or receive gifts or hospitality outside the parameters set out in C.3 or C.4 above, prior approval must be sought from the Anti-Bribery Officer before giving/accepting the hospitality or gift. Full details of what constitute hospitality and gifts are set out in Section C.1 of the Petra Group Anti-Bribery Guidance.
- 7. Petra personnel must notify the Anti-Bribery Officer of any corporate hospitality or gifts given or received by them to/from a third party within 3 working days of giving or receiving them. Notifications should be in writing and by email. Notification at Petra Mines shall include completion of the individual mines'gift /hospitality register. Please refer to Section C.4 of the Petra Group Anti-Bribery Guidance for details of the information required in each notification.

#### **D. PETRA CONTRACTS**

- 1. The UK Bribery Act 2010 introduces a new offence for companies that fail to prevent a bribe being paid by a third party associated with them on their behalf, regardless of whether the company knew about the bribe or not. Details of the sort of persons who are third parties can be found at D.1 of the Petra Group Anti-Bribery Guidance. Great care therefore needs to be taken when we select third parties to work with and to represent Petra.
- 2. Only persons at Management level may enter into contracts with third parties on Petra's behalf.

3. All contracts that Petra enters into with third parties must be in writing.
4. Petra personnel must ensure all new potential contracts with third parties (i.e. contracts to carry out work for/provide services to Petra) are referred to the Anti-Bribery Officer for approval as soon as practicable and in any event before signature.
5. Copies of signed contracts should be sent to the Anti-Bribery Officer within 7 days of signature.

#### **E. FINANCIAL RECORDS**

1. Bribes can go undetected due to poor financial record keeping, deliberate issue of misleading documentation or the hiding of secret accounts.
2. For that reason, all Petra personnel are responsible for ensuring that:
  - (i) Petra's accounting records accurately reflect the transactions to which they relate.
  - (ii) All books and records fully and fairly reflect all receipts and expenditures.
  - (iii) Documents are not issued which do not accurately record the transactions to which they relate.
  - (iv) There are no undisclosed or unrecorded funds of Petra for any purpose - i.e. no secret accounts.
  - (v) No expenses are paid without appropriate receipts and approval by the relevant line manager.
  - (vi) No third party is reimbursed for expenses or other expenditure incurred by them on behalf of Petra unless full receipts are provided.

#### **F. CHARITABLE/POLITICAL ACTIVITIES**

1. Political and charitable donations must never be used as a "front" for the payment of bribes.
2. Petra's policy is to ensure that decisions regarding such matters are taken at the highest level. Please refer to Section F of the Petra Group Anti-Bribery Guidance for information on this topic.

#### **G. FURTHER GUIDANCE**

Further guidance on many of the issues in this Policy can be found in the Petra Group Anti-Bribery Guidance which also includes Practical Examples of particular situations to watch out for.

## H. CONTACT DETAILS FOR THE ANTI-BRIBERY OFFICER

*Your Anti-Bribery Officer*

**Name:** Craig Kraus (Group Legal)

**Postal address:** Block 3, Silver Point Office Park  
22 Ealing Crescent  
Bryanston, 2052  
South Africa]

**Telephone number:** +27 (11) 702 6910

**Email address:** [craigk@petradiamonds.com](mailto:craigk@petradiamonds.com)

Please email or telephone the Anti-Bribery Officer if you have any concerns or wish to report a bribe/suspicion of a bribe.