



# Foreign Corrupt Practices Act Policy

**Current as of January 2, 2020**







- Payments can be made to foreign officials representing the relevant government office or organization for facilitating payments that need to be made for routine governmental actions. Routine government actions include:
  - Processing Visas
  - Providing police protection
  - Mail service
  - Supplying utilities (phone, power, water)

## Travel Expenses

- IPM may pay for or reimburse reasonable bona fide expenses associated with visits from external personnel visiting IPM work sites, research centers, or other IPM related facilities. However, expenses for travel of a government official cannot be paid for or reimbursed unless this is directly associated with and in support of approved and recognized advice to IPM or its Directors.
- Reasonable expenses include: meals, hotel accommodations, orlude:itti3.8 ( or)-6 ( i)2.6 (t52e [(R)2.6 (

- ❗ Questionable business associates or business relationships with foreign officials appear to be maintained by the third-party.
- ❗ Pricing for work or commissions that seems abnormally above going rates for similar services.
- ❗ A request from the third-party for up-front payment or an all cash payment.
- ❗ A request from the third-party for payment to be sent to a bank in another country, a vendor name that is different from the third-party, or to a government official.
- ❗ A request from the third-party for additional payment that has a vague explanation for the payment's necessity. Contract terms should specifically describe services being performed.

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- Provides in good faith information regarding a complaint to law enforcement officers, governmental agencies or bodies, or persons with supervisory authority over the complainant, or otherwise assists in any investigation conducted by IPM.
- Otherwise participates or assists in a proceeding filed or about to be filed. An individual who deliberately or maliciously provides false information may be subject to disciplinary action, up to and including termination of employment.

The following actions may be taken **after** investigation of the concern:

- Disciplinary action (up to and including termination) against the wrongdoer dependent on the results of the investigation; or
- Disciplinary action (up to and including termination) against the whistleblower if the claim is found to be malicious or otherwise in bad faith; or
- No action if the allegation proves unfounded

The whistleblower will be kept informed of progress and the outcome of the investigation, within the constraints of maintaining confidentiality or observing legal restrictions generally. A confidential record of the steps will be retained.

## Violations and Penalties

- Any individual who deliberately fails to follow either IPM's Anti-Corruption Policy or federal or local anti-bribery legislation may be subject to disciplinary action, up to and including termination of employment.
- Violations of the United States Foreign Corrupt Practices act (FCPA) can carry a fine of \$2 million for corporations and fines of up to \$250,000 and imprisonment of up to 5 years for individuals such as officers, directors, stockholders and agents of the company.
- Violations of the FCPA accounting provisions can result in fines up to \$25 million, and individuals are subject to fines up to \$5 million and imprisonment for up to 20 years.
- Violations under the United Kingdom Bribery Act can carry unlimited fines for the company and all contracts associated with the bribe will be made void. Additionally, the company may become debarred from competing for public contracts. Any individuals associated with the act may be subject to unlimited fines and/or imprisonment for up to 10 years.

## FCPA Accounting Provisions

The FCPA's accounting provisions apply only to issuers, whether based in the United States or elsewhere, who are required to keep records and accounts which accurately reflect the transactions and dispositions of the assets of the issuer. Any inaccurate or misleading entries not in conformance with GAAP procedures are prohibited.

A company may be in violation of FCPA accounting provisions if its records:

- Omit a transaction, such as a bribe, illegal commission, or other improper payment.





