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**ANTI-CORRUPTION**

**POLICY**

**IRD III-03-2022**

**Karaganda**

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## **1 Scope**

This Anti-Corruption Policy (hereinafter referred to as the Policy) of Abylkas Saginov Karaganda Technical University Non-profit Joint Stock Company (hereinafter referred to as the Company) determines the main activities of the Company and the general rules of conduct for officials and employees of the Company to combat corruption and fraud.

1.2 The policy is designed for:

- ensuring compliance of the Company's activities with the requirements of Kazakhstan and foreign legislation regulating relations in the field of combating corruption;

- minimizing the risks of involving the Company and its employees in corrupt activities;

- forming among the employees and officials of the Company, counterparties, representatives of state bodies, other interested parties, a single idea of the Company as denying corruption in any of its forms and manifestations;

- developing a local regulatory framework regulating the activities of the Company in combating corruption.

1.3 The Policy is binding on all the employees and officials of the Company.

## **2 Regulatory references**

This Policy uses references to the following regulatory documents:

RK ST ISO 9000-2017 (ISO 9000:2015) “Quality management system. Basic provisions and glossary”;

DP V-01-2022 "Documented information management".

## **3 Terms, definitions and abbreviations**

This Policy provides terms, definitions and abbreviations in accordance with EK ST ISO 9000-2017 (ISO 9000:2015) “Quality Management System. Basic Provisions and Glossary”. In addition to them, the following terms and their definitions are established:

Active bribery is offering, promising, allowing or paying bribes (directly or indirectly), or aiding or facilitating such conduct;

Close relatives are individuals who are closely related (parents (parent), children, adoptive parents (adopters), adopted (adopted), full and half brothers and sisters, grandfather, grandmother, grandchildren), marriage, as well as property with an official or an employee of the Company;

Bribe is accepted by a person personally or through an intermediary material values (objects or money) or any property benefit, or services for an action (or, conversely, inaction), in the interests of the bribe giver, which this person could or should have done by virtue of his official provisions;

DAR is the Department of Administrative Work of the Company;

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An official is a member of the Board of Directors or the Management Board of the Company;

DP is a documented procedure;

Commercial bribery is the illegal transfer of money, securities or other property to a person performing managerial functions in a commercial or other organization, as well as the illegal provision of property services to him for the use of his official position, as well as general patronage or connivance in the service in the interests of bribery person;

Counterparty is an individual or legal entity with whom a contract/agreement has been concluded or is planned to be concluded;

Conflict of interest is a situation in which the personal interest of an employee or officer of the Company affects or can affect the impartial performance of his/her duties/official duties;

Corruption offense is an unlawful guilty act (action or inaction) that has signs of corruption, for which administrative or criminal liability is established by law;

Corruption is offering, promising, giving and receiving illegal benefits, tangible and / or intangible, in any form, directly or through intermediaries, including in the form of a bribe or commercial bribery; and / or mediation in the implementation of a corrupt act; and / or abuse of official position, abuse of authority, as well as other illegal use by an individual of his official position contrary to the legitimate interests of the Company, including those for the purpose of obtaining illegal benefits, material and/or intangible, for himself or third parties, or illegal provision of such benefits to the specified person by other individuals;

PD is the personnel department of the Company;

Passive bribery is a request, a demand, a consent to accept or receive a bribe, directly or indirectly;

Mediation in bribery/commercial bribery is direct transfer of a bribe/object of commercial bribery (illegal reward) on behalf of the briber/person transferring the subject of commercial bribery, or the bribe taker/person receiving the subject of commercial bribery, or other assistance to the bribe giver and/or the bribe taker/participating persons in achieving or implementing an agreement between them on receiving and giving a bribe/commercial bribery;

Management Board is the Management Board of the Company;

QMR is quality management representative;

Anti-corruption is the activity of employees and officials of the Company within their powers to prevent corruption, including the formation of an anti-corruption culture in the Company, the identification and elimination of the causes and conditions conducive to the commission of corruption offenses, as well as the identification, suppression, disclosure and investigation of corruption offenses and elimination of their consequences;

Prevention of risks of corruption activities means measures aimed at introducing elements of corporate culture, organizational structure, rules and procedures regulated by internal documents that ensure the prevention of corruption offenses in the Company;

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Employee is a person who is in an employment relationship with the Company and directly performs work under an employment contract, as well as other persons involved under an agreement through agencies and a civil law contract;

RK is the Republic of Kazakhstan;

QMS is quality management system;

Board of Directors is the Board of Directors of the Company;

CQM&A is the Center of quality management and accreditation of the Company;

LD is the legal department of the Company.

The terms used but not defined in the Policy are used in the sense in which they are used in the legislation of the Republic of Kazakhstan and the internal documents of the Company.

#### **4 Responsibility and powers**

4.1 This Policy is approved by the Chairman of the Board, the Rector of the Company on the title page.

4.2 The Policy developer is responsible for the content, structure and design of the approved Policy. The decision on the final version of the Policy is made by the MB.

4.3 Compliance officer and heads of structural subdivisions are responsible for bringing the requirements of the Policy to the attention of the Company's employees. A record of familiarization must be made in the "Familiarization Sheet" (Appendix B).

4.4 Responsibility for safety, unauthorized copying of documents of the quality management system (QMS), including this Policy, located in the subdivision, and leakage of official information are the heads of subdivisions.

#### **5 General provisions**

5.1 This Policy has been developed in accordance with the Law of the Republic of Kazakhstan "On Combating Corruption" [1], the Company's Charter [2], the Corporate Governance Code [3], the Company's Code of Business Ethics [4] and best anti-corruption practices.

5.2 The objectives of the Policy are:

- determining the goals, objectives and principles of the Company in the field of combating corruption and fraud;
- preventing, detecting, suppressing and disclosing illegal acts, as well as identifying persons who prepare, commit or have committed them;
- identifying the main corruption and fraud risks and determination of measures to minimize and/or eliminate them;
- forming the Company's corporate culture in order to combat corruption and fraud;
- implementing anti-corruption procedures at the Company on the basis of the applicable anti-corruption legislation and bringing them to the attention of the Company's employees and other interested parties;
- establishing the duties of employees and officials of the Company, to comply with the principles, restrictions and requirements enshrined in the Policy;

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- providing the information channels for reporting facts of corruption;
- explaining the measures taken at the Company to prevent corruption.

5.1 The Company prohibits commitment of corruption offenses or bribery in any form, carried out directly or through the involvement of third parties (Mediation). The Company openly declares its rejection of corruption and voluntarily assumes additional obligations in the field of preventing corruption offences.

## **6 Key principles of Anti-Corruption Policy**

As part of its activities, the Company is guided by the following anti-corruption principles:

- the principle of "zero tolerance" (non-acceptance of corruption in any form and manifestation): a complete ban on employees and officials of the Company, as well as other persons acting on behalf of the Company and/or in its interests, directly or indirectly, personally or through any or mediation to participate in corrupt practices;

- the principle of "Tone from above": the Company's officials by their behavior set an example for the Company's employees in respect and promotion of high ethical standards and non-acceptance of corruption in any of its manifestations;

- the principle of due diligence - the adoption of a set of measures and actions aimed at obtaining the necessary and reliable information of the counterparty to minimize the risk of business relations with counterparties that can be involved in corrupt activities or are tolerant of corrupt manifestations;

- the principle of preventing corruption: the Company takes preventive measures in advance to prevent corruption, i.e. introduction of elements of corporate culture, organizational structure, rules and procedures aimed primarily at identifying corruption risks and minimizing them;

- the principle of inevitability of punishment: the Company declares its irreconcilable attitude to any forms and manifestations of fraud and corruption at all levels of corporate governance. Bringing guilty persons to responsibility is carried out, regardless of their position and term of work in the Company and other relationships with it in the manner prescribed by law and internal documents of the Company;

- monitoring and control: the Company monitors the implemented procedures for preventing and combating corruption, controls their compliance and regularly improves them;

- involving the employees in combating corruption: the Company sets as its task the formation of a personal position of non-acceptance by the employees of the Company of corruption in any of its forms and manifestations. For these purposes, the Company takes all necessary measures to implement the Policy at all levels of the organization and bring its content to the attention of its employees, as well as other interested parties. The Company contributes to raising the level of anti-corruption culture of employees by regularly training them in the basic requirements of the Policy and applying it in practice;

- the principle of conducting reliable reporting: the Company strictly complies with the requirements of the law and the rules for maintaining reporting documentation.

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Each fact of economic life is subject to registration by the primary accounting document. Distortion or falsification of data of accounting, management and other types of accounting or supporting documents is prohibited.

## **7 Duties of the Company employees and officials**

The employees/officials of the Company in the performance of their official duties must:

1) read the Policy and sign the Familiarization sheet. By signing the Familiarization sheet, an employee/official assumes an obligation to comply with the Policy. For newly hired employees, the obligation to comply with the Policy is formalized in the employment contract;

2) be guided by the Anti-Corruption Guidelines and the Anti-Corruption Standard of the Company;

3) take into account compliance with the Policy when assessing the business qualities of an employee, including the case of his appointment to a higher position, resolving other personnel issues;

4) strictly comply with the restrictions and requirements provided for by the Policy, including those relating to giving, receiving gifts; implementation of entertainment expenses, charitable and sponsorship activities; interaction with representatives of the state, public organizations, counterparties, intermediaries, third parties; avoidance of conflicts of interest; reporting;

5) strictly observe the categorical prohibition on the following actions:

- be engaged in corrupt practices, including not offering, promising, or giving bribes;

- ask for and/or receive bribes (commercial bribery);

- participate in commercial bribery of contractors or contractors' employees/officials of the Company;

- make payments to simplify administrative, bureaucratic and other formalities in any form, including in the form of cash or cash equivalents, valuables, services or other property and non-property benefits, to any persons and from any persons or organizations, including commercial and non-commercial organizations, authorities and local governments, in order to obtain benefits for themselves, for the Company or for third parties;

6) the officials of the Company, when performing their official duties, must strictly observe the categorical prohibition on requesting and receiving bribes from counterparties of the Company and other third parties;

7) comply with the anti-corruption requirements and restrictions established by other internal documents of the Company (to the extent that they do not contradict the Policy).

## **8 Measures to combat and to prevent corruption actions risks**

### **8.1 Information and education:**

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8.1.1 in order to form an appropriate level of corporate culture, employees/officials of the Company newly hired by the Company involved in processes subject to corruption risk are given introductory training on the provisions of this Policy and related documents;

8.1.2 employees/officials of the Company are trained in full-time in the form of trainings, as well as in absentia or remote form by familiarizing themselves with this Policy, which is publicly available on the official website of the Company.

8.2 Accounting and auditing:

8.2.1 in order to ensure the availability of information for all interested parties, the Company maintains accounting, tax and management records in full compliance with the requirements of the law and internal regulations;

8.2.2 all financial and economic transactions are reflected in accounting and other types of accounting, taking into account the principles of completeness, reliability and openness;

8.2.3 The Company does not allow the implementation of business transactions without their reflection in accounting, distortion or falsification of accounting, management and other types of accounting data or supporting documents;

8.2.4 all business transactions of the Company are duly reviewed and approved by authorized employees in accordance with the requirements of internal documents;

8.2.5 accounting and reporting are subject to regular internal and external audits in accordance with the requirements of legislation and internal documents of the Company.

8.3 Making entertainment expenses and giving gifts:

8.3.1 receiving or giving gifts, hospitality is a sign of respect and courtesy, forms a good business relationship, provided that they are symbolic, consistent with business practice, do not create a reputational risk for the Company, do not represent a hidden reward, are not intended to influence decision-making and do not give other persons a reason to perceive such influence;

8.3.2 if in the opinion of the employee, the acceptance of a gift or an invitation to a business dinner/lunch led to the expectation of receiving unreasonable benefits from the counterparty or a third party, he must inform his immediate supervisor and the Compliance officer;

8.3.3 officials are not entitled to receive gifts or accept invitations to a business lunch/dinner at the expense of the counterparty.

8.4 The Company makes every possible reasonable and legal effort to bring promptly and inevitably to justice for corrupt practices and other violations of the requirements of anti-corruption legislation and internal documents in the field of combating corruption, regardless of the size and form of such violations.

8.5 No retaliation:

8.5.1 The Company guarantees that employees/officials of the Company who refused to commit a corruption offense will not be subject to disciplinary liability;

8.5.2 The Company considers it unacceptable and strives to identify promptly and stop retaliatory measures against employees/officials of the Company who reported in

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good faith about the alleged fact of a corruption offense committed by another employee/official of the Company, even if such suspicion was not confirmed;

8.5.3 this Policy is the key link in the system of promotion of ethical norms and principles in the Company and calls to build relationships with colleagues and external stakeholders based on honesty and trust, seeking to avoid actions that could harm both the reputation of the Company and others.

8.6 Communication channels:

8.6.1 in order to maintain a high level of trust in the Company, prevent and suppress cases of fraud and corruption, the Company operates communication channels, by contacting which any person can report in a convenient form to him about the facts of theft/waste in the Company, fraud, bribery that he has become aware of, commercial bribery, conflicts of interest, other manifestations of corruption and violations of the provisions of the Policy;

8.6.2 each appeal is carefully considered, the results of consideration of the appeal are brought to the attention of the responsible persons of the Company, if there are grounds, an appropriate check is carried out in accordance with the internal documents and procedures of the Company;

8.6.3 communication channels are posted on the official website of the Company, on information stands and in other publicly accessible places.

## **9 Estimation of corruption risks**

9.1 The Company estimates corruption risks to determine specific business processes that are most susceptible to corruption offenses by the employees, officials of the Company, contractors and other third parties cooperating with the Company.

9.2 When conducting an internal analysis of corruption risks, it is necessary to be guided by:

9.2.1 the Constitution of the Republic of Kazakhstan;

9.2.2 the Law of the Republic of Kazakhstan "On Combating Corruption";

9.2.3 the Model rules for conducting an internal analysis of corruption risks;

9.2.4 other legal acts.

9.3 The stages of conducting an internal analysis of corruption risks are as follows:

9.3.1 collecting and generalizing the information of the object of analysis;

9.3.2 analyzing legal acts and internal documents regulating the activity of the object of analysis, its organizational and managerial activities for the presence of corruption risks;

9.3.3 preparing and signing the analytical report.

## **10 Responsibility for non-fulfillment (improper fulfillment) of the Policy**

10.1 Responsibility for compliance with the requirements of this Policy lies with each employee/official of the Company, regardless of their position.

10.2 Commitment by an employee/official of the Company of corruption offenses and/or fraudulent acts is recognized as a gross violation of labor duties, for which the



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Company has the right to bring the employee/official of the Company to disciplinary liability, including in the form of termination of the employment contract in the manner established by the current legislation of the Republic of Kazakhstan .

10.3 If there are sufficient grounds, the materials of the internal investigation on the above facts are transferred to law enforcement agencies with a statement on bringing the perpetrators to administrative or criminal liability.

10.4 In case of causing harm and damage to the Company, the Company reserves the right to apply to the court with a civil claim against a person who has committed corruption offenses and / or fraudulent actions.

## **11 Coordination, approval and implementation**

11.1 This Policy is coordinated with the QMR, the director of the DAW, the head of the legal department, the Chairman of the Trade Union Committee of the teachers and employees, and is drawn up in the "Coordination sheet" (Appendix A).

11.2 The Policy is translated into Kazakh and English for the purpose of further posting on the official website of the Company.

11.3 The Policy with the developer's signature and approval signatures is submitted by the developer for approval.

11.4 This Policy is approved by the Chairman of the Board, Rector of the University on the title page.

11.5 The date of introduction of the Policy is the date of approval of the Policy. The Policy comes into effect at the moment of its approval.

11.6 The approved Policy is transferred for storage to the CQM&A on paper.

## **12 Accessibility**

Subdivisions are provided with copies of the Policy by posting on the official website of the Company.

## **13 Safekeeping**

13.1 After the electronic version of this Policy is posted on the official website of the Company, the executors get acquainted with it and put their signatures on the Familiarization sheet (Appendix B). At the departments and subdivisions, heads of the departments and/or subdivisions is responsible for familiarizing employees with the Policy.

13.2 Responsibility for replication, accounting the copies, unauthorized use and safety of the document lies with the head of the department.

13.3 The full version of the document is stored in electronic form, and the title page and familiarization sheet in printed form.

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## **14 Analyzing and updating**

14.1 Checking, reviewing and updating the Policy:

- in case of reorganizing/renaming the Company;
- when changing the strategy, policy and goals of the Company in the field of quality;
- upon detecting non-conformity processes, during internal and/or external audits;
- in case of changing the legislative, regulatory and contractual requirements for the settlement of conflicts of interest.

14.2 Reviewing the Policy should be carried out once a year.

14.3 The developer is responsible for analyzing and updating the Policy.

14.4 The Policy should be updated by the developer within the period of not more than 5 working days from the date of receipt of new information.

14.5 Availability of the relevant versions of the Policy in the places of their application is provided by electronic versions.

14.6 Ensuring and responsibility for the availability of valid versions of documents at workplaces in departments rests with the heads of departments.

## **15 Amendments to the Policy**

15.1 Amendments to this Policy must be made in accordance with DP V-01-2022.

15.2 This Policy is revised in case of changes in the law or as necessary.

15.3 If as a result of changes in the legislation of the Republic of Kazakhstan or the Charter of the Company, certain norms of the Policy come into conflict with them, it is necessary to be guided by the norms of the legislation of the Republic of Kazakhstan or the Charter of the Company before making appropriate amendments and additions to the Policy.

15.4 Amendments to the original Policy are made by the developer. The CQM&A must post an updated version on the official website of the Society within a period of not more than 5 days.