

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 1 out of 8
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ANTI-CORRUPTION INSTRUCTION

MG III-01-2022

Karaganda

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 2 out of 8
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1 Scope

This Anti-Corruption Instruction (hereinafter referred to as the Instruction) of Abylkas Saginov Karaganda Technical University NPJSC (hereinafter – the Company) is mandatory for familiarization and application by all structural divisions, employees and officials of the Company.

2 Regulatory references

The Instructions use links to the following regulatory documents:

ST RK ISO 9000-2017 (ISO 9000:2015) Quality management system. Basic provisions and vocabulary.

DP V-01-2022 Control of documented information.

3 Terms, definitions and abbreviations

The Instructions contain terms, definitions and abbreviations in accordance with the ST RK ISO 9000-2017 (ISO 9000:2015) Quality management system. Basic provisions and dictionary, in addition to them, the following terms and their definitions are established:

Close relatives are individuals, who are closely related (parents (parent), children, adoptive parents, adopted children, full brothers and sisters, half-brothers and sisters, grandfather, grandmother, grandchildren), married and have a relationship with a dutyholder or employee of the Company;

A bribe is material values (objects or money) or any property benefit, or services, received by a person directly or through an intermediary for an action (or, vice versa, inaction) in the interests of a briber, which this person could or had to perform thanks to his duty position;

Bribe extortion is when a person requires to give the bribe under the threat of performing actions, which can damage legal interests of the briber or people, represented by him, or intentional creation of such conditions under which, he is forced to give the bribe in order to prevent harmful consequences for law-protected interests;

DAW – Department of Administrative Work;

A dutyholder is a member of the Board of Directors or the Management Board of the Company;

DP – documented procedure;

Commercial bribery is illegal transfer of money, securities or other property to a person, who performs managerial functions in the company, as well as illegal provision of the property-related services to him for the usage of the job position by him, as well as for general patronage or connivance in the service, in the interests of a person, who performs bribery;

Conflict of interests is a situation, where a personal interest of the dutyholder or employee of the company affects or can affect the unprejudiced execution of his duties/job duties;

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 3 out of 8
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Corruption is an offer, promise, providing and getting illegal benefit, tangible benefit and/or intangible benefit directly or through intermediaries in any form, including the benefit in the form of the bribe or commercial bribery; and/or intermediation during execution of the corruption act; and/or abuse of job position, abuse of authority, as well as other illegal usage of the job position by an individual in spite of the legal interests of the company, including for the purpose of getting the illegal benefit, the tangible benefit and/or the intangible benefit for himself or third parties, or illegal provision of such the benefit to a specified person by other individuals;

PD – Personel Department of the Company;

TS – teaching staff;

QMR – quality management representative;

Fighting against corruption is a corruption prevention activity of the employees and dutyholders of the company within their powers, including formation of the anti-corruption culture in the company, detection and elimination of the causes and conditions, which contribute to committing corruption offenses, as well as the detection, preclusion, disclosure and investigation of the corruption offenses and elimination of their consequences;

Employee – a person who is in an employment relationship with the Company and directly performs work under an employment contract;

RK is the Republic of Kazakhstan;

LD - Legal Department of the Company.

4 Responsibility and authority

4.1 This Instruction is approved by the Chairman of the Management Board – Rector of the Company on the title page.

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

4.3 The compliance officer and heads of structural divisions are responsible for informing the Company's employees of the requirements of the Instruction. The record of the familiarization should be made out in the "Familiarization Sheet" (Appendix B).

4.4 Responsibility for the safety, unauthorized copying of documents of the quality management system (QMS), including this Instruction, located in the department, and leakage of official information is borne by the heads of departments.

5 General provisions

5.1 This Instruction defines situations of corruption orientation and establishes the procedure for the actions of officials and employees of the Company in case of their occurrence.

5.2 The requirements given in the Instructions are the minimum necessary and should not be considered as exhaustive and/or limiting for a specific case.

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 4 out of 8
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6 Possible situations of the corruption and commercial bribery, as well as the procedure of actions in case of their occurrence

6.1 The actions of receiving and giving the bribe are illegal in the Republic of Kazakhstan and fall within the purview of the Criminal Code and the Code of Administrative Offenses.

6.2 The bribe can be:

- objects, money, including: currency, bank cheques and securities, precious metal wares and jewellery, cars, food, appliances, household appliances and other goods, apartments, summer cottages, country houses, garages, plots of land and other real estate;

- benefits: treatment, repair and construction works, health resort package and package tour, trips abroad, payment of entertainment and other expenses on a non-repayable basis or at reduced cost;

- a covert form of the bribe is a bank loan on credit or under the guise of paying off a non-existent debt, payment of the goods, bought at a low price, buying the goods at an overprice, concluding fictitious employment contracts with the payment of salary to a bribe taker, his relatives, friends, receipt of the soft credit, overstatement of the fees for lectures, articles and books, “accidental” winning in casino, debt forgiveness, rent reduction, increase of the interest rates on credit, etc.

6.3 It is important to comply with restrictions, prohibitions and requirements of the elimination or settlement of the conflict of interests, the obligation of informing a leader of the structural division, a compliance officer of the company about appeals in order to induce to commit the corruption offenses, other obligations, established in the company for fighting against corruption.

It should be noted that some words, expressions and gestures can be perceived by people as a request (hint) of giving the bribe.

For example, such expressions include:

- It is difficult to solve the issue, but it is possible;
- Praise is not pudding;
- Let’s come to an agreement;
- I need weightier arguments;
- We need to discuss parameters;
- Well, what will we do? etc.

Discussing certain topics with representatives of the organizations and students, especially with those of them, whose benefit depends on decisions and actions of the dutyholders and employees of the company, can be also perceived as the request of giving the bribe.

For example, such topics include:

- a low level of salary and lack of money for meeting certain needs;
- the desire of acquiring certain property, receiving a certain service, going on a tourist trip or for treatment;
- lack of work at relatives of the dutyholder;
- recommendations of supporting a charitable fund, a specific sports team, etc.

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 5 out of 8
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6.4 To avoid possible provocations from the citizens, who has approached for a service, representatives of the legal entities, dutyholders, who check an activity of the division:

- do not leave office premises unattended, where there are visitors and personal things (clothes, briefcases, bags, etc.);
- if any foreign objects have been found in the workplace or in the personal things after the visitor had left, immediately report to the management without taking any independent action.

6.5 If the bribe is extorted:

- you should behave very cautiously, politely, without captation, avoiding reckless statements, that could be interpreted either as readiness or as a flat refusal to receive the bribe and/or the commercial bribery;
- you should listen carefully and exactly remember the conditions, offered to you (amount of the sums, a name of the goods and a type of the services, timeframes and methods of passing the bribe, a form of the commercial bribery, a sequence of issues solution);
- you should try to postpone the issue of time and place of passing the bribe and/or the commercial bribery to the next conversation and suggest the place, which is well known to you for the next meeting;
- you should not take the initiative in conversation, you should “work for reception” more, let a talk partner “speak out”, tell you as much information as possible;
- you should ask about guarantees of solving your issue, if you agree to give the bribe or perform the commercial bribery;
- If you have a voice recorder, you should try to record (covertly) a proposal of the bribe and/or the commercial bribery;
- you should report this fact to the higher management and the compliance officer of the company in the form of an inter-office memo;
- you should tell the authorized body of fighting against corruption about an imminent crime in written or oral form.

6.6 If you have encountered the cases of corruption or become a happenstance witness of the illegal corruption offences, you need to:

- report this fact to the compliance officer of the company in the form of the inter-office memo;
- •tell the authorized body of fighting against corruption about it in written or oral form.

6.7 Concerning the conflict of interests:

- you should be attentive to any possibility of the conflict of interests;
- you should take measures to prevent any possibility of occurrence of the conflict of interests;
- you should inform your direct leader about the occurred conflict of interests in written form or the possibility of its occurrence as soon as you become aware of it;
- you should take measures to settle the occurred conflict of interests by agreement with the direct leader;

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 6 out of 8
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- you should change the job position of an employee, who is a party to the conflict of interests up to his suspension from performing official duties in the prescribed manner and (or) his refusal from the benefit, that is a cause of occurrence of the conflict of interests;
- you should contact the Compliance officer of the Company, if it is impossible to settle the conflict of interests.

7 Responsibility of leaders for the corruption offense of subordinates

7.1 In order to step up the measures, aimed at preventing the corruption, a norm is provided, that implies personal responsibility of the leaders, whose subordinates have committed the corruption offense, the commercial bribery and other criminal offenses during fulfilment of their functional duties and their guilt has been proved in court.

7.2 If an employee of the company is criminally prosecuted on the facts of committing the corruption offense, the commercial bribery and other criminal offenses during fulfilment of his functional duties, this employee is suspended from the fulfilment of his job duties till the end of investigative actions or till a judicial act enters into legal force in accordance with the Labor Code of RK. The direct leader of this employee is obliged to take appropriate measures of suspending the employee from the fulfilment of his job duties.

7.3 The disciplinary responsibility of leader for the corruption offense of subordinate involves:

- issuing a rebuke;
- issuing a reprimand;
- issuing a severe reprimand;

termination of the employment contract at the initiative of the employer on the grounds, provided by the Labor Code of RK.

7.4 It is necessary to take into account that the leader bears personal responsibility in case of committing the corruption offense by a direct subordinate after completion of 3 months from the date of appointment to this position.

Moreover, the above-mentioned responsibility is not applicable to the leader, who has reported the fact of the corruption offense himself, committed by the direct subordinate in accordance with the article No.24 of the Law of the Republic of Kazakhstan “On combating corruption”.

7.5 The employee, who has reported the fact of the corruption offense, the commercial bribery and other criminal offenses during fulfilment of the functional duties by the company’s employee or who assists in fighting against corruption, the commercial bribery and other criminal offenses in a different way during fulfilment of the functional duties by the company’s employees, is under the protection of the state and encouraged in the manner, prescribed by the Government of the Republic of Kazakhstan. This provision is not applicable to the people, who have provided knowingly false information about the fact of the corruption offense, who bear responsibility in accordance with the law.

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 7 out of 8
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7.6 Information about the employee, who assists in fighting against corruption, the commercial bribery and other criminal offenses during fulfilment of the functional duties by the company's employees, is a state secret and provided in the manner, prescribed by the law. Disclosure of this information entails responsibility, established by the law.

8 Agreement, approval and implementation

8.1 Agreement of this Instruction is carried out with the QMR, the director of the AWD, the head of the LD, the chairman of the trade union committee of teachers and staff, and is made out in the "Approval Sheet" (Appendix A).

8.2 The instruction is translated into Kazakh and English for further posting on the official website of the Company.

8.3 The instruction with the developer's signature and matching signatures is submitted by the developer for approval.

8.4 The date of introduction of the Instruction is the date of approval /approval of the Instruction. The instruction comes into effect at the time of its approval.

8.5 The approved Instruction is transferred to the CQM&A for storage on paper.

9 Ensuring accessibility

Provision of units with copies of the Instructions is carried out by posting on the official website of the Company.

10 Storage

10.1 After posting the electronic version of the Instruction on the Company's website, the performers get acquainted with it and put their signature on the approval sheet (Appendix B). At departments and divisions, the head of the department and/or the head of the department are responsible for familiarizing employees with the Instructions.

10.2 The head of the department is responsible for the replication, accounting of copies, unauthorized use and safety of the Instruction.

10.3 The full version of the Instructions is stored in electronic form, and the title page and the familiarization sheet are printed out.

11 Analysis and updating

11.1 Checking, analyzing and updating the Instructions:

- during the reorganization/renaming of the Company;
- - when changing the Company's strategy, policy and goals in the field of quality;
- when nonconformity processes are detected, during internal and/or external audits;

Abylkas Saginov Karaganda Technical University NPJSC	Anti-Corruption Instruction	MG III-01-2022 Version 01 Date 2022/06/06 P. 8 out of 8
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- in case of changes in legislative, regulatory and contractual requirements on the settlement of conflicts of interest.

11.2 Verification (review) Instructions should be carried out once a year.

11.3 The developer is responsible for the analysis and updating of the Instructions.

11.4 Updating of the Instructions should be carried out by the developer within no more than 5 working days from the date of receipt of new information.

11.5 The availability of appropriate versions of the Instructions in the places of their application is provided by electronic versions.

11.6 The provision and responsibility for the availability of current versions of the Instructions at the workplaces in the departments is assigned to the heads of departments.

12 Making changes to the document

12.1 Changes to this Instruction must be made in accordance with DP V-01-2022.

12.2 The instruction is reviewed in case of changes in legislation or as necessary.

12.3 In case of changes in the requirements of the legislation, this Instruction is valid until the moment of its change in the part that does not contradict the current legislation at the time of its application.

12.4 Changes to the original Instructions are made by the developer. CQM&A must post an updated version on the official website of the Company within no more than 5 days.