

# AFRICERT LIMITED

## Anti-Bribery & Anti-Corruption Policy

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Version 1.0 February 2025

**1. Purpose of this policy**

- i. Establish AfriCert's responsibilities and those of its representatives in maintaining a Zero-tolerance stance against bribery and corruption.
- ii. Offer guidance to employees and affiliates on identifying and addressing bribery and corruption cases.
- iii. Ensure strict compliance with national and international anti-bribery laws and related standards by AfriCert, its employees, and third parties.

The Policy is complementary to the AfriCert Quality Manual and other relevant Company Policies.

**2. Scope**

- 2.1** This policy exists to set out the responsibilities of AfriCert Limited staff (fixed term and freelance auditors, inspectors, verifiers, etc.), consultants, and suppliers who work for the company in a bid to uphold the company's zero-tolerance position on bribery and corruption.
- 2.2** This anti-bribery policy applies to all employees including interns and freelancers of AfriCert Limited, or any other person or persons associated with us (including third parties), no matter where they are located (within or outside the territory of KENYA). The policy also applies to the Trustees, Board, and/or Committee of Related Members (CORM) of AfriCert Limited.

**3. Policy statement**

- 3.1** **AFRICERT LIMITED** is committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever in the countries we operate.
- 3.2** **AFRICERT LIMITED** is committed to conducting business ethically and honestly and is committed to implementing and enforcing systems that ensure bribery is prevented. AfriCert Limited has zero -tolerance for bribery and corrupt activities.
- 3.3** **AFRICERT LIMITED** will constantly uphold all laws relating to anti-bribery and corruption in the countries in which it operates.
- 3.4** **AFRICERT LIMITED** recognizes that bribery and corruption are punishable by law. It is with this in mind that we commit to preventing bribery and corruption in our business operations, and take our legal responsibilities seriously.

**4. Definition of bribery**

- 4.1 The act of offering, giving, requesting, or accepting something of value to influence a decision or action. A bribe is any item or reward offered to gain commercial, regulatory, contractual, or personal advantage.
- 4.2 Examples of bribes include but are not limited to: money, gifts, loans, fees, hospitality, services, discounts, or any other advantage or benefit in the expectation that a certification advantage will be received in return or to reward any audit service received.

**5. Definition of fraud**

- 5.1 Fraud is any activity that relies on deception to achieve a gain. It can also be defined as a knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment.
- 5.2 Acts of fraud include but are not limited to:
  - a. bribery and corruption.
  - b. manipulation, falsification, or alteration of audit records or documents.
  - c. deliberate omission of audit evidence witnessed through documentation, interviews, or observation.
  - d. assigning conformity or closing nonconformities by misrepresenting the evidence.
  - e. usurpation of stand owners e.g. (the Rainforest Alliance) or the CB's interests for personal gain.
  - f. payment or receipts of bribes or other inappropriate payments and/or gifts/favors.

**6. What is and what is NOT acceptable**

6.1 This section of the policy refers to three areas:

- Gifts and hospitality.
- Facilitation payments.
- Charitable contributions.

**6.1.1 Gifts and Hospitality**

**AFRICERT LIMITED** accepts normal and appropriate gestures of hospitality and goodwill (whether given to/received from third parties) as prescribed in **Quality Manual Section 5.2 and 5.3 & AC-SOP 1 section 3.3** so long as the giving or receiving of gifts meets the following requirements:

- a. It is not made to influence the party to whom it is being given, to obtain or

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reward the retention of a business or a business advantage, or as an explicit or implicit exchange for favors or benefits.

- b. It is not made with the suggestion that a return favor is expected.
- c. It complies with local law.
- d. It is given in the name of the company, not in an individual’s name.
- e. It does not include cash or a cash equivalent (e.g. a voucher or gift certificate).
- f. It is appropriate for the circumstances (e.g. giving small gifts around Christmas or as a small thank you to a company for helping with a large project upon completion).
- g. It is of an appropriate type and value and given at an appropriate time, considering the reason for the gift.
- h. It is given or received openly, not secretly; maybe consider issues related to documenting what is given so that it’s not secretive (**See part 5.9**)
- i. It is not selectively given to a key, influential person, clearly to directly influence them.
- j. It is not above a certain excessive value, as pre-determined within the Company’s Standard Operating Procedures- **AC SOP 1, Section 3.3**

**6.1.2** Where it is inappropriate to decline the offer of a gift (i.e. when meeting with an individual of a certain religion/culture who may take offense), the gift may be accepted so long as it is declared to the Company.

**6.1.3 AFRICERT LIMITED** recognizes that the practice of giving and receiving business gifts varies between countries, regions, cultures, and religions, so definitions of what is acceptable and not acceptable will inevitably differ for each.

**6.1.4** As good practice, gifts given and received should always be disclosed to the compliance manager. Gifts from suppliers should always be disclosed.

**6.1.5** The intention behind a gift being given or received should always be considered. If there is any uncertainty, the advice of the Quality Manager should be sought.

**6.2 Facilitation Payments and Kickbacks**

**6.2.1 AFRICERT LIMITED** does not accept and will not make any form of facilitation payments of any nature. We recognize that facilitation payments are a form of bribery that involves expediting or facilitating the performance.

**6.2.2 AFRICERT LIMITED** does not allow kickbacks to be made or accepted. We recognize that kickbacks are typically made in exchange for a business favor or advantage.

**6.2.3 AFRICERT LIMITED** recognizes that, despite our strict policy on facilitation payments and kickbacks, employees may face a situation where avoiding a facilitation payment or kickback may put their/their family’s security at risk. Under these circumstances, the following steps must be taken:

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- a. Keep any amount to the minimum.
- b. Ask for a receipt, detailing the amount and reason for the payment.
- c. Create a record concerning the payment.
- d. Report this incident to the respective Scheme Manager (Rainforest Alliance Sustainable Agriculture Standard, CAFÉ Practices, 4C, Global GAP, CmiA & BCI).

**6.3 Charitable Contributions**

- 6.3.1 AFRICERT LIMITED** accepts (and indeed encourages) the act of donating to charities – whether through services, knowledge, time, or direct financial contributions (cash or otherwise) – and agrees to disclose all charitable contributions it makes.
- 6.3.2** Employees must be careful to ensure that charitable contributions are not used to facilitate and conceal acts of bribery.
- 6.3.3** We will ensure that all charitable donations made are legal and ethical under local laws and practices, and those donations are not made without the approval of the company MD.

**7. Employee Responsibilities**

- 7.1** As an employee of AFRICERT LIMITED, one must ensure that they read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information they are provided with.
- 7.2** All employees and those under our control are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.
- 7.3** If you have reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this policy, you must notify the compliance manager.
- 7.4** If any employee breaches this policy, they will face disciplinary action and could face dismissal for gross misconduct. AFRICERT LIMITED has the right to terminate a contractual relationship with an employee if they breach this anti-bribery policy.

**8. What happens if I need to raise a concern?**

- 8.1** This section of the policy covers three areas:
  - How to raise a concern.
  - What to do if you are a victim/witness of bribery or corruption
  - Protection.

**8.1.1 How to raise a concern**

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**AFRICERT LIMITED** has a whistle-blowing procedure in place which is available on the AfriCert Website and internally in the Google Drive for reference as needed.

AfriCert also encourages the raising of fraud or corruption cases anonymously as long as the whistle-blower can articulate the information details and give leads for further investigations. In such a scenario, objective evidence such as photos, documents or recorded conversations can be availed without revealing the identity of the reporter.

Corruption cases can be reported anonymously as outlined in the whistleblowing policy available on the AfriCert website, alternatively, they can be reported through the email ([integrity@africertlimited.co.ke](mailto:integrity@africertlimited.co.ke)), and telephone calls using the official phone numbers of the company in its various offices available [here](#), whichever will help to communicate better while hiding the whistleblower's identity as much as possible.

Therefore, if you suspect that there is an instance of bribery or corruption during any engagement with AFRICERT LIMITED, one is encouraged to raise concerns as early as possible. If you're uncertain about whether a certain action or behavior can be considered bribery or corruption, you should report through the whistleblowing mechanism that assures you of anonymity as prescribed in the Whistleblowing Policy.

### **8.1.2 What to do if you are a victim/witness of bribery or corruption**

In the instance where you are a victim or have witnessed any bribery or corrupt practices, you are required to:

1. Make a disclosure through the prescribed form to be sent to the designated person.
2. The designated person upon receiving the disclosure shall within seven (7) working days, analyze and consider all disclosed cases.
3. Upon reviewing the disclosure, the designated person shall report the incident to the Managing Director who shall convene the ad hoc committee within seven (7) working days to investigate the reported cases of bribery or corruption or fraud.
4. Upon appointment of the ad hoc committee; the members shall investigate and hold hearings based on the disclosure made in a bid to conduct fair hearing;
5. The whistleblower will be informed of the course of action taken not later than thirty (30) working days from the date of acknowledgment of receipt of the disclosure.
6. Cases involving the Board of Directors, Managing Director or the designated person of the company shall be made directly to the Commission of Human Rights and Administrative Justice in Ghana and National Office of the protection of Witnesses, Victims, Whistleblowers, Experts and Other Persons concerned in Cote D'Ivoire and Office of the Ombudsman in Rwanda.
7. Upon conclusion of investigations the ad hoc committee shall:
  - i. Report its findings to the Managing Director for necessary action; and
  - ii. If it deems it necessary, through the Managing Director, refer the matter to

the relevant public entity for appropriate action as the circumstances of the case may demand.

**9. Training and communication**

- 9.1** **AFRICERT LIMITED** will provide training on this policy as part of the induction process for all new employees. Employees will also receive regular, relevant training on how to adhere to this policy, and will be asked annually to formally accept that they will comply with this policy.
- 9.2** **AFRICERT LIMITED's** anti-bribery and corruption policy and zero-tolerance attitude will be clearly communicated to all suppliers, contractors, business partners, and any third parties at the outset of business relations, and as appropriate thereafter.
- 9.3** **AFRICERT LIMITED** will provide relevant anti-bribery and corruption training to its employees etc. where we feel their knowledge of how to comply with the applicable laws needs to be enhanced.

**10. Record keeping**

- 10.1** **AFRICERT LIMITED** will keep detailed and accurate financial records and will have appropriate internal controls in place to act as evidence for all payments made. We will declare and keep a written record of the amount and reason for hospitality or gifts accepted and given, and understand that gifts and acts of hospitality are subject to managerial review.
- 10.2** **AFRICERT LIMITED's** Rainforest Alliance Sustainable Agriculture Standard certificate holders must account for all sales of certified products and register each transaction of certified products in the Rainforest Alliance's systems to allow for the issuance of transaction certificates.

**11. Monitoring and reviewing**

- 11.1** **AFRICERT LIMITED** The Human Resources and Administration manager is responsible for monitoring the effectiveness of this policy and will review the implementation of it regularly. They will assess its suitability, adequacy, and effectiveness.
- 11.2** Internal control systems and procedures designed to prevent bribery and corruption are subject to regular audits to ensure that they are effective in practice.
- 11.3** Areas that need improvements will be applied as soon as possible. Employees are encouraged to offer their feedback on this policy if they have any suggestions for how it may be improved. Feedback of this nature should be addressed to the Quality Management Representative.
- 11.4** This policy does not form part of an employee's contract of employment and **AFRICERT**

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**LIMITED** may amend it at any time so to improve its effectiveness at combatting bribery and corruption.

## **12. Reporting and remedial actions.**

- 12.1** If cases of fraud are detected and confirmed the CB shall report immediately to concerned standard owners e.g., the Rainforest Alliance, SCS Global, GLOBALG.A.P., and others involved) indicating clearly the involved parties and the case scenario.
- 12.2** Where fraud has been detected, investigated, and confirmed, the CB shall;
- a. Cancel certificate where the certificate holder is involved.
  - b. If against the CB personnel. The CB can repeat the audit at its own cost, return any gift given beyond the allowed limit, and take necessary disciplinary action against the personnel involved.
  - c. Reimburse the certificate holder's money.
  - d. Ensure regular sensitization of personnel on anti-bribery and anti-corruption policy.
  - e. Communicate clearly with CH on CB's stand on bribery and corruption.



**Anti-bribery and Anti-corruption Policy Declaration,**

I, the undersigned, declare that I have read and familiarized myself with the Anti-bribery and Anti-Corruption Policy. I understand my rights and obligations as an AFRICERT LIMITED employee and will comply with the set guidelines at all times in the course of my duties.

**Signed: .....****Signed: .....****Name: .....****On behalf of AFRICERT LIMITED****Designation: .....****MD, AFRICERT LIMITED****Place: .....****NAIROBI, KENYA****Date: .....**