

**CORPORATE**  
**ENQ-COR-LE-STD-00002**

**THIS DOCUMENT IS CLASSIFIED AS CRITICAL**

**Gifts and Entertainment Standard**



**APPLICABILITY: ALL**

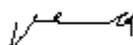
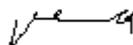
<b>Document Owner</b>	Commercial and Legal Director				
<b>Legacy Number</b>	N/A				
<b>Revision</b>	C4	<b>Issue Date</b>	26 April 2021	<b>Next Review Date</b>	26 April 2023

**Gifts and Entertainment Standard**

**Revision History**

Rev	Reason for Issue	Created By	Job Title	DD	MM	YYYY
C1	First Issue	Stefan Ricketts	General Counsel	20	APR	2015
C2	Reviewed – No content changes required.	Stefan Ricketts	General Counsel	12	APR	2018
C3	Edit made to incorporate risk assessment for paying for overseas travel (para 4.0)	Dawood Ahmed	Solicitor	14	MAY	2019
C4	Minor edits made	Dawood Ahmed	Solicitor	26	APR	2021

**Signatories:**

Rev	Print Name	Job Title	Date	Signature
C4	<b>Reviewed By</b> DAWOOD AHMED	Solicitor	26 April 2021	
C4	<b>Checked By</b> DAWOOD AHMED	Solicitor	26 April 2021	
C4	<b>Approved By</b> STEFAN RICKETTS	Commercial and Legal Director	26 April 2021	

**Revision Change Notices**

Rev	Location of Changes	Brief Description of Changes
C2	N/A	No edits
C3	Throughout	Reformatted to align with current BMS Template and insert paragraph 4.0
C4	Throughout	Minor edits

**Electronic Distribution:**

SNO	Contact / Name	Email Address
1		
2		
3		
4		
5		

6		
---	--	--

## CONTENTS

<b>1.0</b>	<b>Objective of this Policy .....</b>	<b>4</b>
<b>2.0</b>	<b>Requirement for pre-approval .....</b>	<b>4</b>
2.1	Business gifts .....	4
2.2	Business Entertainment .....	4
2.3	Approval Considerations .....	5
2.4	Consequences of failure to obtain pre-approval .....	5
<b>3.0</b>	<b>EnQuest Criteria for accepting or providing Business gifts and entertainment .....</b>	<b>5</b>
<b>4.0</b>	<b>Paying for Travel for Overseas Persons .....</b>	<b>7</b>

## 1.0 Objective of this Policy

This policy sets out the rules to be applied and considerations to be taken into account before giving or receiving gifts or entertainment. It sets out mechanisms for pre-approval and registration where the gift or entertainment exceeds set limits.

The giving and receiving business gifts and entertainment can sometimes play a legitimate role in building and enhancing business relationships. However, if not managed correctly, the giving or receiving of gifts or entertainment has the potential to seriously damage EnQuest's reputation.

The Bribery Act 2010 makes it a criminal offence to offer, give, request or receive a financial or other advantage which is intended to improperly influence the recipient. UK authorities have made it clear that gifts and entertainment may be regarded as bribes. Companies can also be liable for failing to prevent bribery. These offences are punishable with unlimited fines and prison sentences of up to 10 years.

We do not pay, accept, offer or solicit bribes in any form. Accordingly, it is critical that business gifts, business entertainment and charitable donations made or received by EnQuest or its employees are never seen as bribes or inducements to obtain or retain business or a business advantage.

Contracts awarded by EnQuest must be awarded on merits and pursuant to our supply chain strategy. In no circumstances can gifts or entertainment provided by a supplier be allowed to create a conflict of interest between an employee's personal interests and their professional duty. It is equally important that they cannot be perceived as creating such a conflict of interest.

We keep records of all approvals for business gifts and business entertainment made or received in excess of the financial limits set out in section 2.0 below.

This policy applies to all EnQuest employees and contractors. Breach of this policy may result in disciplinary or other appropriate action being taken in relation to the individual concerned.

Your line manager or department head may introduce more stringent or additional requirements in relation to gifts and expenses, reflecting your individual or department's role in the business and these should be complied with in addition to this policy.

## 2.0 Requirement for pre-approval

### 2.1 Business gifts

Before you offer or accept a business gift you must ensure it complies with the requirements set out in this policy.

You may offer or accept low value business gifts, such as a business diary, or calendar, or a commemorative gift such as a pen or plaque up to a value of £50, provided always that it complies with the considerations set out in Section 3.0.

You must not give or receive business gifts valued at more than the threshold set out in section 2.1 above without the prior written approval of a member of the Aberdeen Leadership Team or the Executive Committee.

### 2.2 Business Entertainment

Before you offer or accept any business entertainment you must ensure it complies with the requirements set out in this policy.

You may accept or provide business entertainment, such as a meal or other hospitality, up to a value of £100, provided always that it complies with the considerations set out in section 3.0. Where business entertainment is being provided to more than one business partner, this can be provided up to a value of £200 per event.

## Gifts and Entertainment Standard

Business entertainment provided by you or offered to you that is valued at more than the threshold set out in section 2.2 above must not be accepted or given without the prior written approval of a member of the Aberdeen Leadership Team or the Executive Committee.

If as part of any business entertainment offered to you, certain expenses, such as travel or accommodation are to be met by EnQuest, this should also be included in calculating the value set out above and made clearly in any approval request.

### 2.3 Approval Considerations

In making any request for approval for gifts or expenses in excess of the relevant threshold for gifts or entertainment, you must stipulate the following:

- Description of Gift or Entertainment
- Estimated value of Gift or Entertainment
- Identity of giver or receiver (both Company and Individual)
- Description of any business (existing and/or prospective) currently being done with such Company or Individual
- Details of any previous gifts or entertainment received from or offered to the relevant supplier within the last 12 months.
- Confirmation that it complies with the criteria set out in Section 3.
- Justification for business gift or entertainment.

All approval requests should be made via the Gifts and Entertainment Form (<https://eqintranet.sharepoint.com/sites/CodeOfConduct>) containing the details set out above, as relevant. All approval requests submitted via the form are automatically copied (by email) to the Company Secretary who shall keep a record of such approvals.

### 2.4 Consequences of failure to obtain pre-approval

Failure to obtain the necessary approval in advance of providing or accepting any business gifts or entertainment is considered a serious matter and may result in disciplinary action.

In the event that pre-approval is not obtained, EnQuest may direct that you:

- Return any gift received immediately
- Reimburse the full value of any entertainment received to the Supplier
- Reimburse EnQuest for the full value of any gifts or entertainment provided by you
- Take any other appropriate action to mitigate the effect (actual or perceived) of the unapproved gift or entertainment.

## 3.0 EnQuest Criteria for accepting or providing Business gifts and entertainment

The considerations set out in this Section 3.0 apply to all gifts or entertainment (provided and received) irrespective of the value of such gift or entertainment.

Before you make or accept a business gift, entertainment or charitable donation you must always ensure that it:

- a) will not place the recipient under any obligation to provide a benefit in return;
- b) is not in cash or cash equivalent;
- c) is not extravagant or excessive;

## Gifts and Entertainment Standard

- d) is made openly – if made secretly then its purpose will be questioned;
- e) is of modest value and accords with normal business practice;
- f) is appropriate to the relationship;
- g) complies with the laws and local customs of the country where it is made;
- h) complies with the rules of the receiving organisation;
- i) is not frequent or regular between the giver and receiver (repeated entertainment with any one company is discouraged);
- j) is not from a vendor or supplier during the pre-award phase of a contract or purchase order;
- k) is not perceived to constitute a personal enrichment for the recipient and/or to be a factor in influencing that persons behaviour;
- l) constitutes a normal business courtesy (i.e. paying for a meal or shared taxi).

### Prohibited business gifts and entertainment:

- illegal gifts or entertainment
- cash or cash equivalent
- personal services
- loans
- gifts or entertainment of an inappropriate nature or in inappropriate venues
- events or meals where the business partner is not present
- gifts or entertainment during periods when important business decisions are being made e.g. where the vendor or supplier is participating in a tender or the recipient is aware that the vendor or supplier is likely to be participating in a tender during the next three months.

If any of the “Red flags” set out below or if in doubt, always discuss with General Counsel:



You are offered an unusually generous gift or offered lavish entertainment by a third party;



You are not confident that you could justify the nature, value, duration or frequency of any gift or entertainment;



The gift or entertainment is offered at the time when critical business decisions are being made related to the person/company offering it;



The third party offering the gift or entertainment is making inappropriate suggestions, i.e. that something is provided in return;



You become aware that the third party offering the gift or entertainment has a reputation for paying bribes or engaging in improper activity.

## 4.0 Paying for Travel for Overseas Persons

Although paying for accommodation/travel for an overseas person to travel from their home country for meetings abroad may be considered, in some instances, a legitimate part of doing business abroad, an anti-bribery risk assessment should always be completed (setting out the rationale for what is to be done and the controls in place) prior to incurring any cost; this risk assessment should involve a member of EnQuest's legal team and should cover the following:

- The reason for funding the third party travel costs must be that this is needed as a legitimate business requirement for EnQuest
- The agreement to do this should be made with the relevant Ministry or other employing entity and not with the official him or herself
- We should ideally book the flights and accommodation rather than providing money for the officials to book themselves. Alternatively, we can reimburse flight and accommodation costs based on the provision of receipts and subject to setting clear parameters on what we will pay for (see below). Such reimbursement should be made to the employing entity rather than to the individual wherever this is possible
- The standard of flights and accommodation should accord with EnQuest's own travel policy. Business class and hotels of a standard commensurate to the purpose of the trip should be acceptable; anything more luxurious should be avoided and the hotel should be near to where the meetings will take place.
- Only the travel and accommodation of the specific Ministry/negotiation team should be paid for. We need to be clear who it is proposed attends and for what purpose (for example, if EnQuest were to attend meetings abroad, that cost is mitigated by foreign persons attending meeting in London).
- The accommodation should only be for the period of the negotiations. We should not extend the accommodation to enable the officials to have a break in the city.
- Any ancillary expenses should be approached very carefully.
- We should not generally provide or pay for any activities for the officials while they are abroad because that gets into the territory of giving a personal advantage.

Any departure from and/or questions in relation to the above should be cleared with the General Counsel prior to making any arrangements.