

ANTI-CORRUPTION CODE

November 2020

EDITIONS	
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INTRODUCTION

Nooter Eriksen

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REFERENCES

Almost all countries have laws prohibiting corruption of their own Public Officials, and many other countries have laws criminalising corruption of other countries' Public Officials. Many countries, such as Italy, also have laws that prohibit corruption in the private sector.

Since Nooter Eriksen has its registered offices in Italy, its Employees are subject to Italian Law and, in particular, to Legislative Decree no. 231 of 2001.

In addition, depending on the area of the business activities carried out, Nooter Eriksen and its employees may also be subject to the laws of other countries, including those ratifying International Conventions, which prohibit the corruption of Public Officials and between private parties, such as:

- The OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions;
- The United Nations Convention Against Corruption;
- The Foreign Corrupt Practices Act (FCPA) issued in the United States;
- The UK Bribery Act issued in the United Kingdom;

and their subsequent amendments and additions.

Furthermore, working within an international context, Nooter Eriksen refers to the most important anticorruption standards/guidelines, which include:

- The World Bank's Integrity Compliance Guidelines;
- The UN Global Compact;
- The World Economic Forum's Partnering Against Corruption Initiative (PACI).

Anti-Corruption Laws in Italy

Italian Law, in line with with almost all modern international legal systems, includes a set of rules aimed at combating corrupt behaviour.

In particular, three types of corruption offences exist in Italy:

1) DOMESTIC CORRUPTION OF PUBLIC OFFICIALS

 Corruption for an official act (art. 318 of the Italian Criminal Code): punishes the public official who, acting in the performance of his/her duties or powers, illegally receives money or any other benefit, for himself/herself or a third party;

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Convention) released by the Council of Europe on 27 January 1999 (endorsed by Italy with Law no. 110/2012) and later to resolution no. 58/4 (so-called Merida Convention) adopted on 31 October 2003 by the General Assembly of the United Nations (ratified by Italy with Law no. 116/2009), with which EU Members were invited to introduce rules regulating crimes of corruption in the private sector.

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Consequences of non-compliance with anti-corruption laws

As well as the personal criminal liability of the person who materially committed the offence,

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STATEMENT OF POLICY

In accordance with its Code of Ethics, Nooter Eriksen forbids any form of corruption, without exception, towards any public or private subject. In particular, Nooter Eriksen forbids:

- The offer, promise, gift, payment or authorisation to anyone to give or pay, directly or indirectly, any financial advantage or other benefit to a Public Official or private party (Active Bribery);
- Acceptance of the request from, or solicitation by, or authorisation by anyone to accept the request from, or solicitation by, directly or indirectly, a Public Official or private party for any financial advantage or other benefit (Passive Bribery);

when the intention is:

• To induce a Public Official or private party to inappropriately exercise any function of a public nature or perform

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without prejudice to gifts and entertainment expenses for third parties of limited amounts, specifically not exceeding \in 150.00 per event, and in any case no higher than the overall amount of \in 600.00 per year.

Nooter Eriksen prohibits all forms of corruption to any person, including, but not limited to, the types of corruption described above. Moreover, in accordance with the general standard of transparency set forth in Nooter Eriksen's Code of Ethics, any person who conducts business or negotiates with external public or private counterparties may not, alone and freely:

- Sign agreements;
- Access financial resources;
- Sign consultancy agreements, professional services agreements, intermediary agreements;
- Give benefits (gifts, benefits, etc.);
- Hire personnel.

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Consultants

Nooter Eriksen expects all its Consultants to comply with applicable laws, including Anti-Corruption Laws. In order to prevent the possibility that - in certain circumstances - Nooter Eriksen (and/or any entities operating in its favour) may

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