

# COLEGIO DE TRADUCTORES DEL PERÚ

Creado por Ley N° 26684

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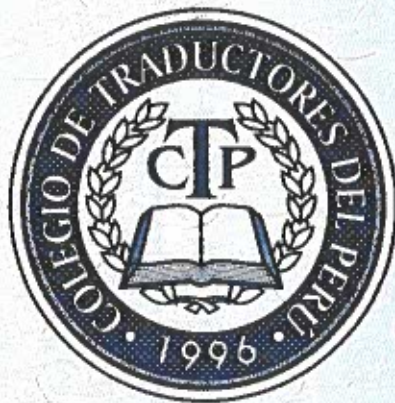
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**CERTIFIED TRANSLATION**

**TC N° 0766-2019**

**ANTI-BRIBERY POLICY**



  
Liz Arteaga Ulfe  
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N° 0360789

Valor 3.50 Soles

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## 1. BACKGROUND

**DIAGNÓSTICO UAL S.A.C.** identified with the Single Taxpayer Identification N° 20470358484, whose premises are located at the following addresses:

- Av. Tizón y Bueno 836, Jesús María - Lima
- Parque Francisco Graña 200 Urb. Pershing, Magdalena del Mar - Lima

## 2. DEFINITIONS

- **Transnational Active Bribery:** Whoever, under any modality, offers, grants or promises, directly or indirectly, to an official or public servant of another State or an official of an international public body, donation, promise, advantage or undue benefit that results in his/her own benefit or benefit of another person, so that said servant or public official performs or omits acts of his/her position or employment, in violation of his/her obligations or without declining his/her obligation to obtain or retain a business or other undue advantage in carrying out international economic or commercial activities.
- **Generic Active Bribery:** Whoever, under any modality, offers, gives or promises to an official or public servant donation, promise, advantage or benefit to perform or omit acts in violation of his/her obligations.
- **Specific Active Bribery:** Whoever, under any modality, offers, gives or promises a donation, advantage or benefit to a Judge, Prosecutor, Expert, Arbitrator, Member of the Administrative Court or similar in order to influence the decision of a matter subject to his/her knowledge or competence.
- **Collusion:** The official or public servant who, intervening by reason of his/her position or special commission in any of the hiring or public business by means of illegal agreement with the interested parties, financially defrauds the State or entity or body of the State.
- **Corruption:** Defined by international transparency as the "misuse of power". It includes any dishonest activity in which an Employee, Administrator, Shareholder and Director or Supplier acts in a manner contrary to the interests of the entity and abuses his/her position of trust to achieve some personal gain or advantage for himself/herself or for a third party. He/she also involves corrupt behaviors of the entity, or of a person who intends to act on his/her behalf, in order to ensure an inappropriate direct or indirect advantage for the entity.
- **Corruption Inside Private Entities:** The partner, shareholder, manager, director, administrator, legal representative, proxy, employee or advisor of a private legal entity, non-governmental organization, association, foundation, committee, including unregistered entities or irregular companies that directly or indirectly accepts, receives or requests donation, promise or any other undue advantage or benefit of any nature, for himself/herself or for a third party to perform or omit an act that allows another to be favored in the acquisition or marketing of goods or merchandise, in the contracting of commercial services or in commercial relations.



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- **Corruption in the Private Sector:** The partner, shareholder, manager, director, administrator, legal representative, proxy, employee or advisor of a private legal entity, non-governmental organization, association, foundation, committee, including unregistered entities or irregular companies, which directly or indirectly accepts, receives or request a donation, promise or any other undue advantage or benefit of any nature for himself/herself or for a third party to perform or omit an act to the detriment of the legal entity.
- **Financing of Terrorism:** Whoever, by any means, directly or indirectly, inside or outside the national territory, voluntarily provides, contributes or collects means, funds, financial or economic resources or financial services or related services or of any nature, whether of licit or illicit origin, in order to commit any of the terrorist acts defined in treaties to which Peru is a party, the realization of the goals or to secure the existence of a terrorist group or individual terrorists.
- **Money-Laundering:** Whoever exchanges or transfers money, goods, effects or earnings whose illicit origin he/she is aware of, or ought to have presumed, in order to avoid the identification of their origin, their seizure or confiscation.
- **Compliance Officer:** This is the person responsible for overseeing the adequate implementation and functioning of the Anti-Bribery Management System within the organization.
- **Bribery:** Understood as the act of paying another individual a secret commission and includes:
  - (i) the act of offering, promising or granting an economic advantage or any other advantage by Employees, Administrators, Shareholders, Directors or Associated Persons to an organization with the intention of inducing the improper execution of a business or of the public service, particularly when said offer, promise or payment is considered dishonest, illegal or an abuse of trust, for the benefit of an organization or a third party (active bribery); and, (ii) the act of requesting, agreeing, receiving or accepting an economic benefit or any other benefit, by an Employee, Administrator, Shareholder, Director or Associated Person to an organization, with the intention of performing an inappropriate function or activity implying a dishonest and illegal act or an abuse of trust (passive bribery).
- **Influence Peddling:** Whoever, invoking or having real or simulated influences, receives, gives or promises for himself/herself or for a third party, donation or promise or any other advantage or benefit with the offer to intercede before an official or public servant who has to know, is knowing or has known a judicial or administrative case.
- **Interested Third Party:** A person who provides services to the company or acts on its behalf, regardless of the contractual relationship that binds them. Some examples of associated persons could be: agents, suppliers, subsidiaries, outsourcing and strategic allies, among others.

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### 3. GROUNDS

**DIAGNOSIS UAL S.A.C.** is firmly committed to combating bribery and corruption through the application of corporate principles and values that guide the behavior of members of the organization (hereinafter "members"), regardless of its contractual link, as well as public officials of other entities, suppliers, contractors, third parties that provide services under any type of contracting and/or similar (hereinafter "interested third parties").

### 4. REACH

The Policy is mandatory for all members of the organization and interested third parties acting in an authorized manner for and on behalf of **DIAGNÓSTICO UAL S.A.C.**

### 5. SCOPE OF APPLICATION

It covers all activities carried out by **DIAGNÓSTICO UAL S.A.C.** framed within its corporate purpose.

### 6. RESPONSIBILITY

**Governing Body:** It is responsible for the approval of this policy.

**General Management:** They are responsible for establishing and communicating the guidelines of this policy internally and externally to the members of the organization and interested third parties.

**Compliance Officer:** He/she is responsible for overseeing the application of this policy by the members of the organization and interested third parties.

### 7. POLICY

**DIAGNÓSTICO UAL S.A.C.** strictly **PROHIBITS** bribery<sup>1</sup> and corruption<sup>2</sup> in any of their modalities, either directly or indirectly through an agent or another third party, regardless of the condition of the subjects involved as a public official, individual or on behalf of a legal person.

<sup>1</sup> **Bribery:** Understood as the act of paying another individual a secret commission and includes: (i) the act of offering, promising or granting an economic advantage or any other advantage by Employees, Administrators, Shareholders, Directors or Associated Persons to an organization with the intention of inducing the improper execution of a business or of the public service, particularly when said offer, promise or payment is considered dishonest, illegal or an abuse of trust, for the benefit of an organization or a third party (active bribery); and, (ii) the act of requesting, agreeing, receiving or accepting an economic benefit or any other benefit, by an Employee, Administrator, Shareholder, Director or Associated Person to an organization, with the intention of performing an inappropriate function or activity implying a dishonest and illegal act or an abuse of trust (passive bribery).

<sup>2</sup> **Corruption.** Defined by international transparency as the "misuse of power". It includes any dishonest activity in which an Employee, Administrator, Shareholder and Director or Supplier acts in a manner contrary to the interests of the entity and abuses his/her position of trust to achieve some personal gain or advantage for himself/herself or for a third party.

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**DIAGNÓSTICO UAL S.A.C. PROHIBITS** the request for and acceptance of bribes by the personnel of the organization and any person working on behalf of the organization.

**DIAGNÓSTICO UAL S.A.C. strictly PROHIBITS** the establishment of commercial relationships with counterparties (individuals or legal persons) investigated and/or convicted of activities related to bribery and corruption.

In accordance with the above:

**DIAGNÓSTICO UAL S.A.C.** assumes a position of **Zero Tolerance** against acts of Bribery and Corruption, committing to:

- Allocation of the necessary resources to effectively implement, maintain and improve the Anti-Bribery Management System of the organization.
- Compliance with the requirements of ISO 37001 and the current legal regulations applicable to the organization.
- Appointment of the compliance officer who will be responsible for monitoring the effective implementation of the Anti-Bribery Management System. The appointed Compliance Officer will have independence, that is, he/she will not be involved in the organization's activities exposed to the risk of bribery. The governing body and senior management of Diagnóstico UAL S.A.C. will grant the compliance officer sufficient authority to effectively develop the assigned responsibilities.
- The promotion of the report in good faith or on the basis of a reasonable belief in trust of bribery behaviors (alleged and actual bribery attempts) and acts of corruption by members of the organization through our ETHICS LINE channel website, under strict conditions of confidentiality that favor the protection of the complainant and without fear of reprisals.
- The communication of the Anti-bribery policy and the consequences of its noncompliance to the members of the organization. Noncompliance with the Anti-Bribery Policy of **DIAGNÓSTICO UAL S.A.C.** will constitute a serious breach of the employment contract and internal labor regulations, which will entail the application of sanctions that may imply the termination of the employment relationship. Additionally, it may involve fines, administrative or criminal sanctions. Lack of awareness or inadequate understanding of this policy does not entitle its recipients to breach it.
- That the Anti-Bribery policy provides the reference framework for establishing, reviewing and achieving the Anti-Bribery objectives.

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- The promotion of the culture of prevention of bribery and corruption within the organization from the implementation and integration of good compliance practices in our organizational processes.

## 8. OTHER PROVISIONS

### Facilitation payments

**DIAGNÓSTICO UAL S.A.C. PROHIBITS** making facilitation payments to public officials or persons with any certification function to ensure or expedite the course of a necessary procedure or action for the benefit of the organization (issuance of work permit or customs clearance, among others).

### Extortion payments

**DIAGNÓSTICO UAL S.A.C.** states that the member(s) who are subject to extortion timely inform the proper authorities of the imminent risk situation and express their willingness to make said payment to the extortionists or not.

With the approval of this policy, **DIAGNÓSTICO UAL S.A.C.** expressly **PROHIBITS** any type of behavior or action that could be a violation of the current legality and puts at risk the sustainability, image and reputation of the organization.

(Firma) Lily Gladys Otiniano Erroch - General Manager - Diagnóstico UAL S.A.C.


(Signature and seal) GENERAL MANAGEMENT - Approved - DIAGNÓSTICO UAL S.A.C.

I, the undersigned Certified Translator, Member of the Peruvian Association of Professional Licensed Translators (CTP), do hereby certify that this Certified Translation, consisting of 05 pages, is a true and correct translation into English of the original document in Spanish enclosed herewith, which has been produced before me.

This certification shall be considered an acknowledgment of the accuracy of the translation but not of the authenticity or contents of the document in source language attached hereto.

Signed in Lima, this 23<sup>rd</sup> day of August, 2019.



  
Liz Arteaga Ulfe  
CTP N° 0353