

THE MACPHERSON MARINE SURVEYORS MUTUAL BRIBERY PREVENTION POLICY

The terms in this policy are collateral to the general arrangements under which we conduct business. In the event of any inconsistency between those arrangements and these terms, these terms shall prevail.

The Offences of Bribery

What follows is a brief summary of the provisions of the Spanish criminal law and its application. As with any summary, not all possible issues that might arise are covered. If you have any questions as to the applicability in any given circumstances, it may help you to examine the provisions of Organic Law 10/1995 of November 23rd, Criminal Code and specific provisions of the Crimes of Bribery in Business (Section 4, Chapter XI, Heading XIII) and Crimes against Public Administration (Heading XIX)

We can broadly distinguish two types of offences contained in the Spanish Criminal Code; corruption involving public authorities and corruption offences between individuals.

Bribery may include the offering, promising, giving, accepting or soliciting of a financial or other advantage (often on an undisclosed or secret basis) as an inducement or reward for an action which is illegal, improper or a breach of trust. Corruption is the type of relationship brought about by bribery.

The offences contained in the Criminal Code carry criminal penalties for individuals and organizations. For individuals, a maximum prison sentence of four years, a special disqualification from the exercise of their job within one to six years and a fine of three times the value of the benefit or advantage can be imposed; for companies, an unlimited fine can be imposed.

MacPherson Marine Surveyors' Bribery Prevention Policy

MacPherson Marine Surveyors has zero tolerance to bribery and corruption. It is committed to acting professionally, fairly and with integrity in its business dealings and relationships, implementing and enforcing effective systems to counter bribery. This letter sets out the basis of our policy to prevent bribery and corruption, and sets the standards to be applied to business relations in general. It contains more extensive provisions concerning the application of the Spanish bribery regulations and forms the basis of training and compliance for all members of staff. The company has also appointed Mr. Jaime MacPherson, as the Company's dedicated anti-bribery and corruption officer.

The bribery threat and your obligations

1. MacPherson Marine Surveyors' zero tolerance to bribery extends to all the business dealings and transactions in all countries in which they and their associates operate. The Company and its Managers expect that their business counterparts similarly adopt effective policies to counter bribery and corruption in their own dealings.
2. Our staff and any service providers engaged by us in relation to any matter should be aware of and understand our Bribery Prevention Policy and the effect of the Criminal Law and its requirements, and comply with our Policy and the Law.
3. Our Policy applies to any service providers that assist in representing our interests. Such service providers obviously include lawyers, experts, surveyors and any other form of agent, engaged by the service providers.
4. MacPherson Marine Surveyors or its agents will probably be affected by other anti-bribery laws, whether in our own country or another, which may, in some respects, be stricter than the requirements of the Spanish Law. We must therefore consider carefully the need to take our own additional measures to ensure that our actions (and those of individuals and companies that we engage) comply not only with our Bribery Prevention Policy, but also those other laws.
5. Anyone linked to MacPherson Marine Surveyors who witnesses suspicious actions of bribery is obliged to immediately report such activity to the anti-bribery and anti-corruption officer.
6. MacPherson Marine Surveyors has to ensure that all invoices contain a clear summary of the services performed.

Conclusion

We need to ensure our procedures and processes follow the guidelines of this policy, either when we act on our own, on behalf of others or when they act on our behalf. No act of bribery or corruption can be or will be tolerated and may be cause for the ending of any business relationship, without prejudice to the filing of appropriate legal action.

Since the law applies not only to us but also to the parties or agents acting on our behalf, they shall accept this code of conduct and our anti-corruption policy and ensure that they have policies in place to the same or similar effect in their own companies.



Hull & Machinery



P & I Correspondents



Cargo Surveys