

Anti-Corruption

GENERAL UND INTERNAL BEHAVIORAL REQUIREMENTS

Corruption in Private Companies

= abuse of entrusted power for private advantage

- **Accepting Gifts - § 309 (1) and (3) StGB (Criminal Law)**

- Inducing (*verursachen*) an action or omission (*Unterlassung*), which is contrary to obligations
- Demanding, accepting or promising an advantage

advantage in EUR	Imprisonment, up to
< 3.000	2 years
3.000 – 30.000	3 years
> 30.000	5 years

- **Bribery - § 309 (2) StGB**

- Inducing an action or omission which is contrary to obligations
- Offer, promise or grant an advantage

→ **no de minimis limits** (liable from the 1st EUR)

- **Breach of Trust - § 153 StGB**

- Whoever commits anyone who has granted the power to dispose (*verfügen*) of third-party assets or to oblige others, knowingly abuses them and thereby inflicts a financial disadvantage on others
- e.g.: payment of knowingly incorrect issued invoices; risk- and speculative transactions not part of the work order; kick-back payments

	Up to 10 years
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Corruption among Civil Servants

= endangering confidence in an independent and law-abiding administration

towards public officials (anyone who performs public duties for Austria, another state or an international organization)

Accepting Gifts

Bribery

Feeding (offering, promising and/or granting continuous gifts)



Avoidance and Handling of Conflicts of Interest

- Avoid situations that even give the impression that our business decisions are influenced by personal interests
- Please disclose potential conflicts of interest to your supervisor immediately and in full, without being asked
- **Zero tolerance for misconduct**
 - Misconduct and violations of anti-corruption laws can have serious consequences not only for the individual personally but for the entire company