



BORGER CRANE HIRE & RIGGING SERVICES PTY LTD
ABN: 98 001 947 413

HEAD OFFICE / DEPOT
40 KILTO CRESCENT, GLENDENNING NSW 2761
PHONE: 02 9832 1044 FAX: 02 9832 1033

WWW.BORGERCRANES.COM
ACCOUNTS@BORGERCRANES.COM

OFFICE / DEPOT
13B SCHOOL DRIVE, TOMAGO NSW 2322
PHONE: 02 4961 3002 FAX: 02 4961 4561

SYDNEY · SINGLETON · NEWCASTLE · CENTRAL COAST

ANTI – FRAUD, BRIBERY, CORRUPTION and CONFLICTS OF INTEREST POLICY

Purpose

Borger Cranes is committed to high standards of ethical conduct and recognises that it is our social responsibility to adopt ethical business practices.

We have zero tolerance towards fraud, bribery, corruption and conflicts of interest and we are committed to applying this principle throughout our business operations.

Our Anti-Fraud, Bribery and Corruption Policy is part of our risk management framework. It is a tool which assists in identifying key principles that must be adhered to in relation to fraud, bribery, corruption, facilitation payments, gifts and entertainment and political donations.

Application

This is a company policy of Borger Cranes and its related entities.

It applies to all Directors, officers, employees, contractors and consultants of Borger Cranes.

Policy

1. What is fraud, bribery, corruption or a conflict of interest =?

Fraud is any dishonest conduct which may cause (whether actual or potential) loss to Borger Cranes and includes but is not limited to:

- Financial theft including false expense claims, invoicing, purchaser orders or the like, or
- Improper or unauthorised expenditure, or
- Theft of property including intellectual property, or
- Falsification of records or data, or
- Improper use of Borger Cranes inside information.

Bribery is an offer or a promise or a payment of some type, the intention of which is to influence the recipient to misuse their authority for a particular purpose. Bribery includes but is not limited to:

- A cash payment, or
- An excessive gift or hospitality, or
- An excessive donation to a charitable cause or a political party (which may be construed as a bribe in disguise), or
- An “under the table” kickback or commission, or

- A “benefit” to another whether it be money or something else, or
- “Favours” to employees of our clients and customers which may be seen as “excessive”.

Corruption is an abuse of power or trust with the intention of deriving a benefit.

Bribery is a criminal offence in Australia. Each State and Territory of Australia has legislation criminalising bribery of public officials and private individuals.

A breach of these laws can lead to severe penalties for individuals and Borger Cranes.

Directors, officers, employees, contractors and consultants of Borger Cranes must not commit, authorise, be party to or involved (directly or indirectly) in bribery or corruption. This prohibition applies whether dealing with public officials or private individuals.

Conflict of Interest is where an employee’s personal interest may contradict the interest of Borger Cranes or potentially one of our client’s. This is an unwanted circumstance as it may have heavy implications on the employee’s judgment and may lead an employee to actions, activities or relationships that undermine Borger Cranes and/or a client of Borger Cranes.

A conflict of interest situation may include, but is not limited to:

- Employees’ ability to use their position with Borger Cranes to their personal advantage
- Employees engaging in activities that will bring direct or indirect profit to a competitor
- Employees owning shares of a competitor’s stock
- Employees using connections obtained through Borger Cranes for their own private purposes
- Employees using Borger Cranes equipment or means to support an external business
- Employees acting in ways that may compromise Borger Cranes legality (e.g. taking bribes or bribing representatives of legal authorities)

If any employee understands or suspects that a conflict of interest exists whether they have been engaging in it themselves or are aware of another employee engaging in a conflict of interest, they should bring this matter to the attention of Shawn Borger or Nathan Borger or another Senior Manager immediately so corrective actions may be taken.

Supervisors must also keep an eye on potential conflict of interests of their subordinates.

The responsibility of resolving a conflict of interest starts from the immediate supervisor and may reach Senior Management.

All conflicts of interest will be resolved as fairly as possible.

Senior management has the responsibility of the final decision when a solution can not be found.

In general, employees are strongly advised to refrain from letting personal and/or financial interests and external activities come into opposition with Borger Cranes fundamental interests.

2. Gifts and entertainment

Gifts, entertainment and hospitality must **not** be provided or received with the intention or effect of improperly obtaining or directing business or obtaining any improper advantage in the conduct of business.

In principle, they should only be provided or accepted if they are occasional and of modest value. For example, a Friday night dinner at the local bistro is fine however,

You must not accept a benefit from any client or customer or the like of Borger Cranes unless:

- the value of the benefit is a maximum of \$100 or less (in total); or
- the benefit is generally available to customers of the provider of the benefit and is obtained by the employee or Director on normal commercial terms;
- in the case of Directors, the benefit is obtained through a relationship that does not involve Borger Cranes; or
- the benefit is otherwise approved by Jon Borger, Shawn Borger or Nathan Borger.

3. Gifts and entertainment register

Within 14 days of receipt of a benefit with a value of \$100 or more employees must record the benefit in the gifts and entertainment register.

Directors must on a semi-annual basis inform the Company Secretary of the receipt of the benefit so that it can be recorded in the Directors' gifts and entertainment register.

4. Public officials

No gifts should be made or offered to any public official.

Approval is required prior to offering any entertainment / hospitality to a public official (except for common courtesies such as modest refreshment in connection with a legitimate business meeting). In general terms, a public official includes anyone, whether elected or appointed, holding a legislative, administrative or judicial office in Australia, any person exercising a public function in Australia, including for a public agency or public enterprise.

Review

This policy will be reviewed annually.

Version	Revision Date	Summary of Changes	Approved
1.		Original Policy Drafting	Shawn Borger