



ANTI-BRIBERY POLICY

INTRODUCTION

The IP Federation (“the Federation”) fully recognises that bribery is a scourge that must be eliminated in all business and political dealings. Not only is bribery wrong, but the slightest hint or accusation of bribery could put at risk the integrity and reputation of the Federation on which its existence and influence depends. The Federation is fully committed to the implementation of the Bribery Act 2010 (“the Act”) which introduced an offence which can be committed by commercial organisations which fail to prevent persons associated with them from carrying out acts of bribery on their behalf. The Federation has taken note of the Ministry of Justice Guidance Note under Section 9 of the Act and believes that, by implementing this policy, it will have in place “adequate procedures” as specified in section 7(2) of the Act. We believe that these procedures also meet Principles 1 to 6 of the Guidance Note.

The Federation has carried out a risk assessment which has demonstrated that the risk of bribery occurring within or on behalf of the Federation is low. Within this overall low risk, the highest risks arise from: interactions with public officials (for example, officials of WIPO, the European Commission, the EPO, UK Government, the UKIPO and other IP Offices); and inappropriate attempts to influence purchasing or policy decisions made by the IP Federation.

Any terms which are defined in the Articles of Association of the Federation shall have the same meanings in the policy set out below.

APPLICABILITY

This policy applies to:

- All representatives of member companies;
- All employees, consultants and agents;
- All vice presidents, honorary fellows and associates ;
- All representatives of associate solicitor firms; and
- Any person specifically requested by the Federation to act on its behalf

at all times when the relevant person is acting on behalf of or representing the Federation, or when he/she might reasonably be understood to be acting on behalf of or representing the Federation, or when the circumstances are such that his/her activity takes advantage of, or might be seen as taking advantage of, a relationship with the Federation.

POLICY

1. No person to whom this policy applies (or any party connected to him/her) may request or receive in his/her personal capacity a financial or other advantage from a third party in connection with the business of the Federation, save for entertaining and non-monetary gifts, to which paragraph 3 below applies.

2. No person to whom this policy applies (or any party connected to him/her) may offer or give a financial or other advantage for or on behalf of the Federation with the intention of inducing or rewarding improper performance of a function or activity, or in the knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.
3. All entertaining and non-monetary gifts worth more than £100 given or offered to or received by a person to whom this policy applies (or any party connected to him/her) in connection with the business of the Federation must be recorded in a register maintained by the Secretary. Details of the entertaining or gift must be notified to the Secretary within five weeks. The third party to or from whom the entertaining or gift is given, offered or received must be identified in the register and, if he/she is a public official, this must also be stated. All entertaining and gifts worth more than £250 must be approved by the president and by the chairman of the governance committee. Approval should be sought in advance but may be given retrospectively if necessary.
4. The register of entertaining and gifts maintained by the Secretary will be reviewed by the governance committee at least once in each calendar year.
5. For the avoidance of doubt, the reimbursement of pre-approved travel and subsistence expenses does not constitute a financial or other advantage within the meaning of this policy.
6. The president is responsible for ensuring that all employees, consultants and agents are aware of and understand this policy. The president is also responsible for ensuring that any contract entered into with a consultant or agent provides for the application of this policy, or the consultant's or agent's own policy where this is of equivalent or stricter effect, so as to provide adequate protection for the Federation. The governance committee is responsible for ensuring that all other persons to whom this policy applies are aware of and understand this policy.
7. If any person to whom this policy applies has doubts about any proposed course of action in terms of this policy or the Act, they should consult the president or the chairman of the governance committee who will provide appropriate guidance.
8. If any person has a reasonable suspicion that any person to whom this policy applies has acted in breach of this policy, he/she should report this to the president or to the chairman of the governance committee. The Federation will then undertake an appropriate investigation and make recommendations to council as to the action to be taken including, if necessary, notifying the police.
9. At least once in each calendar year, the governance committee will review this policy for its appropriateness and also the effectiveness of its communication and implementation. It will recommend and implement changes to the policy, its communication and implementation where it notes deficiencies.

CONSEQUENCES OF BREACH

- In the event of a breach of this policy by a representative of a member company, an associate or an associate solicitor firm, the member company, associate or associate solicitor firm may be required, by a decision of council taken in accordance with the articles, to replace its representative with an individual acceptable to the governance committee of the Federation or to terminate its membership, associate status or associate solicitor status.

- Any breach of this policy by an employee may lead to disciplinary action, which in turn may lead to a finding of gross misconduct and summary dismissal.
- Any breach of this policy by a consultant or agent may lead to termination of their contract.
- Any breach of this policy by a vice president, honorary fellow or anyone specifically requested by the Federation to act on its behalf may lead to action to terminate his/her such status.

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