FINAL ASSESSMENT
SAMSUNG TECHWIN (CO., LTD.)

The following pages contain the detailed scoring for your company based on public information.

The following table represents a summary of your scores:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Number of questions</th>
<th>% score based on public information</th>
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<tbody>
<tr>
<td>Leadership, Governance and Organisation</td>
<td>10</td>
<td>40%</td>
</tr>
<tr>
<td>Risk Management</td>
<td>7</td>
<td>14.3%</td>
</tr>
<tr>
<td>Company Policy and Codes</td>
<td>12</td>
<td>62.5%</td>
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<tr>
<td>Training</td>
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<td>Personnel and Helplines</td>
<td>7</td>
<td>57.1%</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>41</strong></td>
<td><strong>45.1%</strong></td>
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</tbody>
</table>
A1:
Does the company publish a statement from the Chief Executive Officer or the Chair of the Board supporting the ethics and anti-corruption agenda of the company?

Score:
0

Comments:
Based on public information, there is no readily available evidence that the company has published a statement from the CEO or Chair of the Board supporting the ethics and anti-corruption agenda of the company. TI notes that the CEO has made a statement regarding adherence to the company’s compliance management programme.

References:
Public:
TI notes:
Company website, Our Company – CEO Message
‘Since its inception, Samsung Techwin has been committed to abiding by the laws of our country in the implementation of compliance management, which is one of the most fundamental values of a company. In addition, we have been committed to our role as a leader in our society by closely fulfilling our social responsibilities. We will always stay committed to do these things
The company’s efforts will bear fruit when they are reflected in the awareness and actions of all executives and employees of Samsung Techwin. Let us take the initiative to execute compliance management in a proactive manner and build a company that is respected by both customers and our society’.
http://www.samsungtechwin.com/about/about_ceo_message.asp
A2: Does the company’s Chief Executive Officer or the Chair of the Board demonstrate a strong personal, external facing commitment to the ethics and anti-corruption agenda of the company?

Score: 0

Comments: Based on public information, there is no readily available evidence that the company’s CEO or Chair of the Board demonstrate a strong personal, external facing commitment to the ethics and anti-corruption agenda of the company.

References:
Public: NA
A3:
Does the company’s Chief Executive Officer demonstrate a strong personal, internal-facing commitment to the ethics and anti-corruption agenda of the company, actively promoting the ethics and anti-corruption agenda at all levels of the company structure?

Score:

1

Comments:

Based on public information, there is evidence that in the minutes of the February 2014 Compliance Committee Meeting the CEO stated that “I expect that all of us to conduct our business in a transparent way”. The CEO also mentions compliance, ethics, and transparency in the 2013 Address for the Anniversary of the company’s establishment. In the 2013 New Year’s Address, the CEO refers to the need to systemize ethical management. However, these statements primarily relate to compliance with global standards, rather than actively promoting the ethics and anti-corruption agenda of the company. TI also notes the Demonstration of CEO’s Resolve: ‘33 Lessons’ for Right Way Righteous Management’. The company therefore scores 1.

References:

Public:
Compliance Committee Minutes (February 2014):
I expect that all of us to conduct our business in a transparent way so that the basic - however trivial- standards of business behavior can be maintained.
http://www.samsungtechwin.com/about/pop_msg_01.asp

2013 Address for the Anniversary of the company’s establishment:
The second is compliance management.
With reinforced global standards for corporate activities, the social responsibilities of companies have increased and laws and ethics have been applied more strictly. So, we have to conduct our business in compliance with laws and regulations.
In particular, cooperation with customer companies, business partners, and distributors requires more reasonable and transparent relationships.
http://www.samsungtechwin.com/about/pop_msg_02.asp
Demonstration of CEO’s Resolve: New Year’s Address for 2013:

› First of all, we have to stick to ethical quality-oriented, and on-site management, all of which were proclaimed at the time of my appointment in 2011.

We have to commit ourselves to more strict ethical management and improve the image of the company through relentless changes and their implementation.

We have to reflect on our practices and re-organize our system so as not to incur ethical, moral or legal problems with respect to our relationships with business partners and customers. In short, we have to systemize ethical management.

http://www.samsungtechwin.com/about/pop_msg_03.asp

Demonstration of CEO’s Resolve: ’33 Lessons’ for Right Way Righteous Management’ (April 2012):

http://www.samsungtechwin.com/about/pop_msg_04.asp
A4:
Does the company publish a statement of values or principles representing high standards of business conduct, including honesty, trust, transparency, openness, integrity and accountability?

Score:

1

Comments:

Based on public information, the company’s values are outlined in the Code of Conduct as People, Excellence, Change, Integrity, Co-prosperity. The company’s business principles refer to ethical standards, clean organizational culture, respect, environment/health and safety, and social responsibility. These are broken down into specific policies and statements in the Global Code of Conduct. The company therefore scores 1. To score higher the company would need to provide evidence that at least one other value sought by this question is explained.

References:

Public:
Code of Conduct:
‘Values: people, excellence, change, integrity, prosperity’.
‘STW aims to secure customer trust by supplying the best technology and quality of products and to create a trust-oriented corporate environment within the organization’.

‘1. We comply with laws and corporate regulations.
1.1 We comply with corporate management laws and corporate regulations and we establish a sound organizational culture through continuous education on corporate ethics. Employees & executives carefully consider potential legal issues before embarking upon tasks. If a potential legal issue is found, employees & executives should seek consultation of the legal team and establish legality.

When employees & executives learn of violation of laws and regulations, employees & executives should immediately report it to the Compliance team without concealment. Absolute confidentiality is guaranteed to the reporter and any disadvantages related to the concerned report are strictly prohibited.

Violation of laws and regulations is prohibited, and no exception is allowed even in the case of ‘for the company’, ‘for the customer’, or ‘from the order of a boss.’
Employees & executives should not commit an act that may be morally reprehensible or dishonor the company.
1.2 We should fulfill our duty as a faithful manager in order to protect corporate property in performing business tasks.
Employees & executives should not embezzle corporate property or use it as a personal purpose.
Employees & executives do not use corporate supplies or facilities for purposes other than performing corporate tasks.
1.3 The franchise and political ideas of individual employees & executives is respected, but overt political activities are prohibited within the company
2. We are fair, transparent and compete freely while conducting legal and reasonable businesses in domestic and overseas markets
2.1 We comply with domestic and overseas fair trade acts based on the principle of free competition.
Employees & executives should comply with all laws and regulations related to antimonopoly and fair trade applied in the country and region where our business tasks are performed.
Employees & executives should not commit unfair trade acts, including exclusion of competitors, unfair discriminative treatment, unfair transaction and interference of business activities.
Employees & executives should not practice unfair collusion with competitors or industry officials related to price-fixing, cost, production, facility performances, business terms and conditions, and/or sales policy.
Information should not be exchanged internally or externally that may be in violation of the policy.
2.2 We pursue co-prosperity by means of sincere and fair trade with subcontractors.
Employees & executives should select subcontractors based on impartial and fair judgment of business terms and conditions, including cost, quality and delivery.
Employees & executives should not commit unfair trade acts, such as stipulation of unfair trade terms, or abusing their superior position.
Employees & executives should deal in good faith and in accordance with the applicable laws and regulations when negotiating agreements or contracts.
5. We manage the corporate decision-making body in accordance with laws and corporate regulations and we comply with legal standards of accounting and disclosure.
8. We do not pursue personal benefits through corporate endeavors and we do not make wrongful relationships with stakeholders in a task involving possible conflict of interests.’

STW Global Code of Conduct website – Code of Conduct:
‘Principle 1. We comply with laws and ethical standards
1-2. We compete in accordance with laws and business ethics
The Company will compete freely and fairly at all its business sites around the world, abiding by relevant international standards and national, state and local laws, with the laws of the host jurisdiction prevailing.

The Company will not abuse a dominant market position nor use coercion to cause inclusion of unwanted items in any sales transactions (tying).

The Company will not enter into price fixing, bid collusion, market collusion or reduced production agreements with competitors, and will not discuss with competitors prices, bids, customers, sales territories and conditions including price confirmation.

The Company will not permit the acceptance of money, goods, entertainment and/or share offers of stock from customers or external interested parties, nor allow any improper activities that violate laws and fair trade principles.

The Company shall not illegally obtain or use competitor's trade secrets or confidential information.

The Company shall not demand, or use coercion to obtain any advantage detrimental to the interest of customer or partner companies.

1-3. We maintain transparency of accounts with accurate recording of transactions

The Company will accurately record and manage all transactions in compliance with international standards and national accounting regulations, and will be subject to accounting audits by outside parties at regular intervals.

The Company will make every effort to refrain from entering into a business relationship with customers of uncertain identity, and will not participate nor cooperate with illegal, false, or irregular transactions.

1-4. We do not get involved in politics and maintain neutrality

Employees shall not attribute their personal political opinions and conduct to the Company, or cause such opinions or conduct to be attributed to the Company.

The Company's resources, including financial resources, manpower, and facilities shall not be used to further political goals.

The Company will refrain from illegal donations and improper dealings with governments, and will respect related national, state and local laws of the host jurisdiction.

Principle 2. We maintain a clean organizational culture

2-1. We make a strict distinction between public and private affairs in our duties

The Company will not permit any illicit activity for the pursuit of personal gain, such as irregular treatment of expenses, using one’s position for private gain, or the embezzlement of corporate assets.

The Company will not permit any activity that utilizes proprietary information of the Company for private gain, for example insider trading, irrespective of whether or not this activity was conducted by an employee directly or indirectly via third parties.

All business decisions must be made and all business activities must be conducted, in the best interests of the Company. Employees should avoid any action which may involve, or may appear to involve, a conflict of interest with the Company. No employees may have any financial or other business relationships with suppliers, customers or competitors that might impair, or even appear to impair, the independence of any judgment they may need to
make in the best of interest of the Company.

Principle 3. We respect customers, shareholders and employees
Principle 4. We care for the environment, health, and safety
Principle 5. We are a socially responsible corporate citizen
5-1. We sincerely execute our basic responsibilities as a corporate citizen”.

http://www.stw-audit.co.kr/english/default.asp
A5:
Does the company belong to one or more national or international initiatives that promote anti-corruption or business ethics with a significant focus on anti-corruption?

Score:

0

Comments:
Based on public information, there is no readily available evidence that the company belongs to a national or international initiative that promotes anti-corruption or business ethics with a significant focus on anti-corruption.

References:
Public:
NA
A6: 
Has the company appointed a Board committee or individual Board member with overall corporate responsibility for its ethics and anti-corruption agenda?

Score:

2

Comments:
Based on public information, the company has appointed the Compliance Committee with overall corporate responsibility for its ethics and anti-corruption agenda. The Committee is chaired by the CEO and another internal Board Director is a Commissioner of the Committee. The Committee has delegated responsibility for enacting the Regulation for Compliance with Anti-Corruption Acts to the Compliance Officer, who is not a Board member.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014), p.10:
‘Article 17 (Compliance Committee’s Rights and Responsibilities)
1 The Company’s policy for compliance with Anti-Corruption Acts shall be determined by the compliance committee (hereinafter referred to as the "CP Committee"), and the CP Committee shall be in full charge of managing the Regulation.
2 The Compliance Team shall perform the following detailed activities and report its results to the CP Committee.
1. Establishing detailed criteria and guidelines for Anti-Corruption Acts and this Regulation.
2. Providing notices, guidelines and answers to questions regarding the Anti-Corruption Acts and this Regulation to the Company (including subsidiaries and overseas corporations) and a Third Party.
3. Reviewing and suggesting measures for matters that may violate or infringe Anti-Corruption Acts and this Regulation’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Compliance Committee Minutes (February 2014):
http://www.samsungtechwin.com/about/pop_msg_01.asp
Company Website, Investment – Board of Directors

Company website, Our Company – Compliance Program:
‘Compliance Officer (Chief legal counsel, a vice president of Compliance Team appointed by Chair of the Board) has responsibility for implementing our company’s compliance and anti-corruption agenda. Compliance Officer has direct reporting line to the Board and Compliance Committee and shall directly report to Chief Executive Officer and Chair of the Board periodically. Compliance Committee (Board level) monitors and reviews of the performance of our compliance and anti-corruption agenda twice a year and Chair of the Board also review that once a year.’
http://www.samsungtechwin.com/about/about_law.asp
A7:  
Has the company appointed a person at a senior level within the company to have responsibility for implementing the company’s ethics and anti-corruption agenda, and who has a direct reporting line to the Board?

Score:

2

Comments:

Based on public information, there is evidence that the company has appointed the Compliance Officer with responsibility for implementing the company’s ethics and anti-corruption agenda. 30 business department staff and overseas subsidiary compliance supervisors and personnel have been appointed under the supervision of the Compliance Officer. The Compliance Team has been tasked with surveying “the situations where officers and employees fail even though they know and conduct monitoring” as well as providing education and guidelines to strengthen the system.

References:

Public:
Compliance Committee Minutes (February 2014):
Vice President Chaejoon Lee.  
http://www.samsungtechwin.com/about/pop_msg_01.asp

Company website, Our Company – Compliance Program:  
http://www.samsungtechwin.com/about/about_law.asp
A8:

Is there regular Board level monitoring and review of the performance of the company’s ethics and anti-corruption agenda?

Score:

2

Comments:

Based on public information, there is evidence that the Board-level Compliance Committee monitors and reviews the performance of the company’s compliance and anti-corruption agenda twice a year. In addition, the Chair of the Board reviews the compliance and anti-corruption agenda once a year.

References:

Public:
Company website, Our Company – Compliance Program:
‘Compliance Committee (Board level) monitors and reviews of the performance of our compliance and anti-corruption agenda twice a year and Chair of the Board also review that once a year.’
http://www.samsungtechwin.com/about/about_law.asp

Regulation for Compliance with Anti-Corruption Acts (February 2014), p.10:
‘②The Compliance Team shall perform the following detailed activities and report its results to the CP Committee.
1. Establishing detailed criteria and guidelines for Anti-Corruption Acts and this Regulation.
2. Providing notices, guidelines and answers to questions regarding the Anti-Corruption Acts and this Regulation to the Company (including subsidiaries and overseas corporations) and a Third Party.
3. Reviewing and suggesting measures for matters that may violate or infringe Anti-Corruption Acts and this Regulation.’
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A8(a):
Is there a formal, clear, written plan in place on which the review of the ethics and anti-corruption agenda by the Board or senior management is based, and evidence of improvement plans being implemented when issues are identified?

Score:

0

Comments:
Based on public information, there is no readily available evidence of a formal, clear, written plan in place on which the review of the ethics and anti-corruption agenda by the Board or senior management is based, and no evidence of improvement plans being implemented when issues are identified.

References:

Public:
TI notes:
Company website, Our Company – Compliance Program:
‘Compliance Committee (Board level) monitors and reviews of the performance of our compliance and anti-corruption agenda twice a year and Chair of the Board also review that once a year.’
http://www.samsungtechwin.com/about/about_law.asp

Regulation for Compliance with Anti-Corruption Acts (February 2014), p.10:
‘②The Compliance Team shall perform the following detailed activities and report its results to the CP Committee.
1. Establishing detailed criteria and guidelines for Anti-Corruption Acts and this Regulation.
2. Providing notices, guidelines and answers to questions regarding the Anti-Corruption Acts and this Regulation to the Company (including subsidiaries and overseas corporations) and a Third Party.
3. Reviewing and suggesting measures for matters that may violate or infringe Anti-Corruption Acts and this Regulation.’
http://www.samsungtechwin.com/about/Anti-CorruptionActs_ENG.pdf
Compliance Guidelines (April 2012), p.8:

‘Article 21 (Evaluation Criteria and Procedure)

① The Board shall monitor if Compliance Guidelines and related systems are effectively designed and operated regularly. If there is need for improvements, the Board shall establish an improvement plan.

② The Compliance Officer shall evaluate the effectiveness of the Compliance system internally and report the result to the Board.

③ The Board may conduct a company-wide evaluation to assess effectiveness of the Compliance system separately from the evaluation conducted by the Compliance Officer.

④ It is required to establish standards for the evaluation to understand the Compliance Guidelines, the existing evaluation and management systems for related legal risks, compliance check and reporting system, Compliance Officer’s independent Compliance-related activities and the disciplinary system.

Article 22 (Follow-up after Evaluation)

① The Board shall establish an improvement plan if the evaluation result reveals that any improvements are required. To this end, the Board may request opinions of Compliance Officer.

② CEO shall implement an improvement plan based on the evaluation result.’

A9:
Does the company have a formal process for review and where appropriate update its policies and practices in response to actual or alleged instances of corruption?

Score:

0

Comments:
Based on public information, there is evidence that the Compliance Committee reviews the ethics and anti-corruption agenda on a regular basis. The Compliance Guidelines indicate that the Board monitors compliance-related systems and establishes improvement plans where necessary. However, there is no readily available evidence of policies and practices being updated in response to actual or alleged instances of corruption.

References:
Public:

Company website, Our Company – Compliance Program:
‘Compliance Committee(Board level) monitors and reviews of the performance of our compliance and anti-corruption agenda twice a year and Chair of the Board also review that once a year’
http://www.samsungtechwin.com/about/about_law.asp

Regulation for Compliance with Anti-Corruption Acts (February 2014), p.10:
‘②The Compliance Team shall perform the following detailed activities and report its results to the CP Committee.
1. Establishing detailed criteria and guidelines for Anti-Corruption Acts and this Regulation.
2. Providing notices, guidelines and answers to questions regarding the Anti-Corruption Acts and this Regulation to the Company (including subsidiaries and overseas corporations) and a Third Party.
3. Reviewing and suggesting measures for matters that may violate or infringe Anti-Corruption Acts and this Regulation.’
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
Compliance Guidelines (April 2012), p.8:
‘Article 21 (Evaluation Criteria and Procedure)
① The Board shall monitor if Compliance Guidelines and related systems are effectively designed and operated regularly. If there is need for improvements, the Board shall establish an improvement plan.
② The Compliance Officer shall evaluate the effectiveness of the Compliance system internally and report the result to the Board.
③ The Board may conduct a company-wide evaluation to assess effectiveness of the Compliance system separately from the evaluation conducted by the Compliance Officer.
④ It is required to establish standards for the evaluation to understand the Compliance Guidelines, the existing evaluation and management systems for related legal risks, compliance check and reporting system, Compliance Officer’s independent Compliance-related activities and the disciplinary system.

Article 22 (Follow-up after Evaluation)
① The Board shall establish an improvement plan if the evaluation result reveals that any improvements are required. To this end, the Board may request opinions of Compliance Officer.
② CEO shall implement an improvement plan based on the evaluation result.’

A9(a):
Does the company have a formal anti-corruption risk assessment procedure implemented enterprise-wide?

Score:

0

Comments:
Based on public information, there is no readily available evidence that the company has a formal anti-corruption risk assessment procedure implemented enterprise-wide.

References:
Public:
NA
A10:
Does the company have a formal anti-corruption risk assessment procedure for assessing proposed business decisions, with clear requirements on the circumstances under which such a procedure should be applied?

Score:

0

Comments:
Based on public information, there is evidence that the company identifies a number of ‘dangers’ when assessing proposed business decisions. However, there is no readily available evidence that the company has a formal anti-corruption risk assessment procedure for assessing proposed business decisions.

References:
Public:
TI notes:
Regulation for Compliance with Anti-Corruption Acts (February 2014), p.9:
‘Article 15 (Danger Signal)
① The Management and Employees of the Company responsible for a Third Party shall note the following terms and in case they notice a danger signal or have any concerns or questions related to the Third Party, they shall immediately report them to the compliance team (“Compliance Team”).
1. If the country for the place of current business is notorious for cases of corruption.
2. If the Third Party has been especially recommended by a Government Official.
3. If the Third Party rejects or neglects to comply with the FCPA and other Anti-Corruption Acts in the country or this Regulation.
4. If the Third Party denies to confirm the requested anti-corruption related issues, or provides incomplete or inaccurate information.
5. If the Third Party refuses to sign written agreements or requests to sign a dual contract.
6. If the Third Party frequently donates significant amounts of money as a political donation.
7. If the Third Party demands to receive payment using a complicated method (e.g. demanding a wire transfer of money to a third country or through a third party, or payment in another country, etc.).
8. If the Third Party demands an excessive payment for its work (e.g. demands for fixed
payment or contingency fees that are higher than ordinary amounts).
9. The Third Party is in a family relationship or is dealing with Government Officials.
10. The Third Party emphasizes its ability to influence Government Officials as their sole merit.
11. Any other suspicions.’

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A11:
Does the company conduct due diligence that minimises corruption risk when selecting or reappointing its agents?

Score:
1

Comments:
Based on public information, there is evidence that the company conducts due diligence on third parties, including agents, with links to Government Officials. However, evidence does not suggest that due diligence is carried out on all agents, or that it is refreshed at least every three years and/or when there is a significant change in the business relationship. The company therefore scores 1.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 13 (Pre Verification)
① The Management and Employees of the Company, when dealing with Government Officials through a Third Party, shall proceed with the proper verification procedures and due diligence and shall retain the documents of the results in accordance with the following:
1. The recommender of the Third Party, the relationship with the Government Officials, political donations or any past records of violation of the Anti-Corruption Acts.
2. The precise role of the Third Party, payment for the role and the reasonableness of such payment amount.

Article 14 (Written Agreement)
① The Management and Employees of the Company shall include the following terms and conditions in a contract entered into with a Third Party who are in deals with Government Officials:
1. Statement of Anti-Corruption that the Third Party warrants to comply with the Anti-Corruption Acts such as the FCPA and this Regulation.
2. Roles and responsibilities of the Third Party (including service details and payment terms).
3. The terms for termination and damages when the Third Party violates the Anti-
Corruption Act, this Regulation and/ or anti-corruption related provisions within the contract.

4. The conditions for auditing the Third Party in case the Third Party provides or is likely to provide improper gifts to Government Officials.

② The Management and Employees of the Company shall enter into a written agreement with all of the above mentioned terms and conditions, and shall sign and retain such agreement.

Article 15 (Danger Signal)

① The Management and Employees of the Company responsible for a Third Party shall note the following terms and in case they notice a danger signal or have any concerns or questions related to the Third Party, they shall immediately report them to the compliance team (“Compliance Team”).

1. If the country for the place of current business is notorious for cases of corruption.
2. If the Third Party has been especially recommended by a Government Official.
3. If the Third Party rejects or neglects to comply with the FCPA and other Anti-Corruption Acts in the country or this Regulation.
4. If the Third Party denies to confirm the requested anti-corruption related issues, or provides incomplete or inaccurate information.
5. If the Third Party refuses to sign written agreements or requests to sign a dual contract.
6. If the Third Party frequently donates significant amounts of money as a political donation.
7. If the Third Party demands to receive payment using a complicated method (e.g. demanding a wire transfer of money to a third country or through a third party, or payment in another country, etc.).
8. If the Third Party demands an excessive payment for its work (e.g. demands for fixed payment or contingency fees that are higher than ordinary amounts).
9. The Third Party is in a family relationship or is dealing with Government Officials.
10. The Third Party emphasizes its ability to influence Government Officials as their sole merit.
11. Any other suspicions’

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A12:

Does the company have contractual rights and processes for the behaviour, monitoring, control, and audit of agents with respect to countering corruption?

Score:

1

Comments:

Based on public information, there is evidence that the company has contractual rights for the behaviour and audit of third parties, including agents, who deal with Government Officials. However, there is no readily available evidence that the company has contractual rights and processes for the monitoring and control of all agents with respect to countering corruption. The company therefore scores 1.

References:

Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 2 (Applicability)
① The Regulation shall be applicable to all of the Management and Employees of the Company’s domestic and overseas subsidiaries, branches and corporations (hereinafter referred to as “Management and Employees”).
② Besides the Company’s Management and Employees, the Regulations shall also apply to the relationships with the Company’s business counterparts, agents, consultants, representatives, joint venture companies, partnership companies as well as its business partners.
③ Additional guidelines may be established for compliance with the Regulations depending on the local conditions and laws of each country.’

‘Article 14 (Written Agreement)
① The Management and Employees of the Company shall include the following terms and conditions in a contract entered into with a Third Party who are in deals with Government Officials:
1. Statement of Anti-Corruption that the Third Party warrants to comply with the
2. Roles and responsibilities of the Third Party (including service details and payment terms).
3. The terms for termination and damages when the Third Party violates the Anti-Corruption Act, this Regulation and/or anti-corruption related provisions within the contract.
4. The conditions for auditing the Third Party in case the Third Party provides or is likely to provide improper gifts to Government Officials.

② The Management and Employees of the Company shall enter into a written agreement with all of the above mentioned terms and conditions, and shall sign and retain such agreement.’

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A13:
Does the company make clear to contractors, sub-contractors, and suppliers, through policy and contractual terms, its stance on bribery and corruption and the consequences of breaches to this stance?

Score:
0

Comments:
Based on public information, there is no readily available evidence that the company makes clear to contractors, sub-contractors, and suppliers, through policy and contractual terms, its stance on bribery and corruption and the consequences of breaches to this stance. TI notes that the Regulation for Compliance with Anti-Corruption Acts applies to agents, consultants, representatives, joint venture companies, partnership companies and business partners. However, there is no readily available evidence of contractual terms for contractors, sub-contractors, and suppliers.

References:
Public:
TI notes:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Third Party’ shall collectively refer to business counterparts, a partner company (e.g. consortiums, etc.), or a joint venture that engages in businesses with the Company as well as an Agent as described in section 3 above.

Article 14 (Written Agreement)
① The Management and Employees of the Company shall include the following terms and conditions in a contract entered into with a Third Party who are in deals with Government Officials:
1. Statement of Anti-Corruption that the Third Party warrants to comply with the Anti-Corruption Acts such as the FCPA and this Regulation.
2. Roles and responsibilities of the Third Party (including service details and payment terms).
3. The terms for termination and damages when the Third Party violates the Anti-Corruption Act, this Regulation and/ or anti-corruption related provisions within the
contract.

4. The conditions for auditing the Third Party in case the Third Party provides or is likely to provide improper gifts to Government Officials.

② The Management and Employees of the Company shall enter into a written agreement with all of the above mentioned terms and conditions, and shall sign and retain such agreement’.

Article 15 (Danger Signal)

① The Management and Employees of the Company responsible for a Third Party shall note the following terms and in case they notice a danger signal or have any concerns or questions related to the Third Party, they shall immediately report them to the compliance team (“Compliance Team”).

1. If the country for the place of current business is notorious for cases of corruption.
2. If the Third Party has been especially recommended by a Government Official.
3. If the Third Party rejects or neglects to comply with the FCPA and other Anti-Corruption Acts in the country or this Regulation.
4. If the Third Party denies to confirm the requested anti-corruption related issues, or provides incomplete or inaccurate information.
5. If the Third Party refuses to sign written agreements or requests to sign a dual contract.
6. If the Third Party frequently donates significant amounts of money as a political donation.
7. If the Third Party demands to receive payment using a complicated method (e.g. demanding a wire transfer of money to a third country or through a third party, or payment in another country, etc.).
8. If the Third Party demands an excessive payment for its work (e.g. demands for fixed payment or contingency fees that are higher than ordinary amounts).
9. The Third Party is in a family relationship or is dealing with Government Officials.
10. The Third Party emphasizes its ability to influence Government Officials as their sole merit.
11. Any other suspicions’

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A13(a):
Does the company explicitly address the corruption risks associated with offset contracting?

Score:

0

Comments:
Based on public information, there is no readily available evidence that the company explicitly addresses the corruption risk associated with offset contracting.

References:
Public:
TI notes:
Trade offsets – An Instrument of Government Procurement, p.9:
‘Buyer Furnished Equipment (BFE) Engine Program – Samsung Techwin & GE’.
http://blueskymc.net/data/BSTrade%20Offsets-intro.pdf
A13(b):
Does the company conduct due diligence that minimises corruption risk when selecting its offset partners and offset brokers?

Score:

0

Comments:
Based on public information, there is no readily available evidence that the company conducts due diligence that minimises corruption risk when selecting its offset partners and offset brokers.

References:
Public:
TI notes:
Trade offsets – An Instrument of Government Procurement, p.9:
‘Buyer Furnished Equipment (BFE) Engine Program – Samsung Techwin & GE’.
http://blueskymc.net/data/BSTrade%20Offsets-intro.pdf
A15:
Does the company have an anti-corruption policy that prohibits corruption in its various forms?

Score:
2

Comments:
Based on public information, there is evidence that the company has a comprehensive anti-corruption policy, which covers bribery, political donations, facilitation payments, and gifts and hospitality.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
Chapter 2  Compliance with Anti-Corruption Acts
Article 4  Compliance with Domestic Acts
Article 5  Compliance with Foreign Acts
Chapter 3  Prohibitions
Article 6  Fundamental Prohibitions
Article 7  Exceptions
Article 8  Hospitality
Article 9  Travel Expenses
Article 10  Expediting Payment
Article 11  Donations’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

STW Global Code of Conduct website – Code of Conduct:
http://www.stw-audit.co.kr/english/default.asp
A16:
Is the anti-corruption policy explicitly one of zero tolerance?

Score:

2

Comments:
Based on public information, there is evidence that the company has an explicit policy of zero tolerance towards corruption and bribery.

References:
Public:
Company website, Our Company – Compliance Program
‘Zero tolerance for corruption and bribery
Samsung Techwin will never tolerate an employee or a partner company who are engaged in corrupt practices.
We also expect our joint venture partners, suppliers, contractors, consultants, agents and other business partners to maintain a zero tolerance for bribery.’
http://www.samsungtechwin.com/about/about_law.asp
A17:
Is the company's anti-corruption policy easily accessible to Board members, employees, contracted staff and any other organisations acting with or on behalf of the company?

Score:

2

Comments:
Based on public information, there is evidence that the company’s anti-corruption policy is easily accessible on the company’s website. Documents are available in English and Korean.

References:
Public:
Code of Conduct:

Regulation for Compliance with Anti-Corruption Acts (February 2014):
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

STW Global Code of Conduct website – Code of Conduct:
http://www.stw-audit.co.kr/english/default.asp
A17(a):
Is the company’s anti-corruption policy easily understandable and clear to Board members, employees and third parties?

Score:

1

Comments:

Based on public information, there is evidence that the company's anti-corruption policy is written in legalistic language and is therefore assessed to not be easily understandable to a non-legal audience. The company therefore scores 1.

References:

Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A18:

Does the anti-corruption policy explicitly apply to all employees and members of the Board?

Score:

1

Comments:

Based on public information, there is evidence that the company’s anti-corruption policy applies to all employees and management. However, evidence does not suggest it explicitly applies to members of the Board. The company therefore scores 1.

References:

Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘The Regulation shall be applicable to all of the Management and Employees of the Company’s domestic and overseas subsidiaries, branches and corporations (hereinafter referred to as “Management and Employees”).

http://www.samsungtechwin.com/about/Anti-CorruptionActs_ENG.pdf
A20:
Does the company have a policy on potential conflicts of interest, and does it apply to both employees and board members?

Score:

1

Comments:
Based on public information, there is evidence that the company has a policy on conflicts of interest. However, there is no evidence that the company defines conflict of interest or whether the specific clauses relating to the policy also apply to Board members. The company therefore scores 1.

References:
Public:
STW Global Code of Conduct website – Code of Conduct:
‘All business decisions must be made and all business activities must be conducted, in the best interests of the Company. Employees should avoid any action which may involve, or may appear to involve, a conflict of interest with the Company. No employees may have any financial or other business relationships with suppliers, customers or competitors that might impair, or even appear to impair, the independence of any judgment they may need to make in the best of interest of the Company’.
‘The Company will not allow its officers and employees, while in office, to act as members of boards of companies with conflicts of interest or participate in competitive business activities’.
‘The Company shall apply this Code of Conduct to all of its employees and subsidiaries, and, where relevant and appropriate, shall also recommend specific clause(s) of the Code of Conduct to affiliates and external business partners’.
http://www.stw-audit.co.kr/english/default.asp
A21:
Does the company have a policy for the giving and receipt of gifts to ensure that such transactions are bona fide and not a subterfuge for bribery?

Score:

1

Comments:
Based on public information, there is evidence that the company has a policy on providing gifts to Government Officers, Clients or other third parties (‘Government Officials’). However, there is no reference to non-governmental parties or the receipt of gifts, and there are no upper limits provided for the giving of gifts. The company therefore scores 1.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘The Management and Employees of the Company shall not directly or indirectly provide, suggest, promise and/or approve of the money, Valuables or other Bribery to a Government Officer, Client or other third party (hereinafter collectively referred to as “Government Officials”) in order to exert influence or acquire and maintain improper business profits.
Article 7 (Exceptions)
① Providing improper money, Valuables or other tangible and intangible profits in return for business benefits and preferential treatment shall not be allowed. Nevertheless, providing Government Officials specific conveniences in work shall be allowed as an exception.
② In case the Management and Employees provide Government Officials with a business convenience (i.e., to sign contracts or to promote better business relationships, such as gifts, dining, service, entertainment, etc.), the following principles and procedures shall be observed:
1. Business convenience shall be provided abiding by the highest standards set forth by the laws or the code of conduct in each country.
2. Business convenience shall be in accordance with the local culture and customs.
3. Business convenience shall be reasonable and at the proper level.
4. Business convenience shall not be repeatedly or frequently provided to a specific Government Official.
5. The cost for business convenience shall be proven by receipts, bills, statements or other means and shall be accurately recorded and reflected in the Company’s account books.

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A22:
Does the company’s anti-corruption policy include a statement on the giving and receipt of hospitality that ensures that such transactions are bona fide and not a subterfuge for bribery?

Score:
1

Comments:
Based on public information, there is evidence that the company’s anti-corruption policy includes a statement on hospitality. However, the company limits the amount of hospitality dependant on the laws and codes of conduct in each country, rather than according to an internal company limit. The company therefore scores 1.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 8 (Hospitality)
① In the event of an anniversary or condolence for a Government Official, money may be provided under the principles set forth in Article 7 as expressing gratitude or respect.
② The maximum cap for such Hospitality shall be determined by the laws and codes of conduct in each country.
③ The expenditure for Hospitality shall be proven whenever possible and shall be properly classified and accounted for in the Company’s account books, records and accounting documents’.
http://www.samsungtechwin.com/about/Anti-CorruptionActs_ENG.pdf
A23: Does the company have a policy that explicitly prohibits facilitation payments?

Score: 1

Comments: Based on public information, there is evidence that the company prohibits facilitation payments. However, no guidance is provided on how the policy is to be implemented in practice. The company therefore scores 1.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 10 (Expediting payment)
A Expediting payment is a payment made to expedite a routine governmental action that involves non-discretionary acts. The Company prohibits such payment as it is considered to be a bribe in most countries’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A24:
Does the company prohibit political contributions, or regulate such contributions in order to prevent undue influence or other corrupt intent? Does the company record and publicly disclose all political contributions?

Score:

2

Comments:
Based on public information, there is evidence that the company prohibits political involvement or political donations in its name.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 11 (Donations)
① Any political donation in the Company’s name is prohibited.’

STW Global Code of Conduct website – Code of Conduct:
‘1-4. We do not get involved in politics and maintain neutrality
Employees shall not attribute their personal political opinions and conduct to the Company, or cause such opinions or conduct to be attributed to the Company.
The Company's resources, including financial resources, manpower, and facilities shall not be used to further political goals.
The Company will refrain from illegal donations and improper dealings with governments, and will respect related national, state and local laws of the host jurisdiction.’
http://www.stw-audit.co.kr/english/default.asp
A25:
Does the company have a clear policy on engagement in lobbying activities, in order to prevent undue influence or other corrupt intent, and discloses the issues on which the company lobbies?

Score:
0

Comments:
Based on public information, there is no readily available evidence that the company has a clear policy on engagement in lobbying activities, in order to prevent undue influence or other corrupt intent, or discloses the issues on which it lobbies.

References:
Public:
TI notes:
STW Global Code of Conduct website – Code of Conduct:
‘1-4. We do not get involved in politics and maintain neutrality
Employees shall not attribute their personal political opinions and conduct to the Company, or cause such opinions or conduct to be attributed to the Company.
The Company's resources, including financial resources, manpower, and facilities shall not be used to further political goals.
The Company will refrain from illegal donations and improper dealings with governments, and will respect related national, state and local laws of the host jurisdiction.’
http://www.stw-audit.co.kr/english/default.asp
A25(a):
Does the company prohibit charitable contributions, or regulate such contributions in order to prevent undue influence or other corrupt intent?

Score:
1

Comments:
Based on public information, there is evidence that the company regulates charitable contributions. The company states that it will verify that these payments are not disguised as corrupt payments to government officials, and that charities are not set up to violate US and international money laundering acts. However, there is no readily available evidence that donations are publicly declared. The company therefore scores 1.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘As donation to a charity organization may be used as a means to violate criminal laws or Anti-Corruption Acts, the Management and Employees shall verify the following:
1. Check whether such charity organization is a lawfully established entity.
2. Check whether the illegal payment to Government Officials is not disguised as a donation to a charity.
3. Check whether a donation to a charity is used as a route to fund illegal activities that violate the US and international money laundering prevention act’.

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A26:

Does the company provide written guidance to help Board members and employees understand and implement the firm’s ethics and anti-corruption agenda?

Score:

0

Comments:

Based on public information, there is evidence that the company defines key terms in its anti-corruption policy. However, there are no examples or scenarios to help illustrate the company’s policies and no other readily available guidance for employees was found.

References:

Public:

TI notes:

Regulation for Compliance with Anti-Corruption Acts (February 2014):

"Gift" shall mean anything provided without any expectation of illegal or unfair profits which is generally acceptable under the social rules of society.

7. "Entertainment" shall mean bearing the costs of meals, drinks, sports and other leisurely activities or providing other non-tangible profits.

8. "Hospitality" shall mean valuables and property gains provided in the event of anniversaries and condolences.

9. "Valuables" shall refer to any and all types of economic valuables in general. It shall include, but not be limited to, money and valuables, gifts, meals and entertainment, payments for travel expenditures, donations, political donations, memberships and/or gift cards.

10. "Facilitation Payment" shall mean money paid in order to promote a speedy processing of general governmental works by a foreign Government Officer (e.g. obtaining licenses or approvals, quick processing of official documents such as visas or dealing with unfair delays at customs).

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A27:
Does the company have a training programme that explicitly covers anti-corruption?

Score:

2

Comments:
Based on public information, there is evidence that the company provides anti-corruption training to employees.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 19 (Anti-Corruption Training)
① All Management and Employees of the Company who frequently or periodically have contacts with Government Officials shall receive basic anti-corruption training of Anti-Corruption Acts and this Regulation.
③ The training of the Management and Employees shall follow the Compliance Team’s training standards’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Program:
‘Compliance and Ethics training programs aim to provide support in understanding the standards of business conduct that everyone is expected to follow, giving practical guidance to help deal with compliance and ethical issues and identify where to ask for help.
※Training Topics
- Understanding of Compliance and anti-corruption
- Samsung Techwin's Ethical standards and anti-corruption policy
- Main contents of relevant Acts (ex. FCPA, UK Bribery Act and etc) and relevant cases of sanctions
※Audience - mandatory training for all employees including expatriate employees, executives/managers, new hires, and etc.’
http://www.samsungtechwin.com/about/about_law.asp
A28:
Is anti-corruption training provided in all countries where the company operates or has company sites?

Score:
2

Comments:
Based on public information, there is evidence that the company provides mandatory compliance and anti-corruption training for all employees.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 19 (Anti-Corruption Training)
① All Management and Employees of the Company who frequently or periodically have contacts with Government Officials shall receive basic anti-corruption training of Anti-Corruption Acts and this Regulation.
③ The training of the Management and Employees shall follow the Compliance Team’s training standards’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Program:
‘Compliance and Ethics training programs aim to provide support in understanding the standards of business conduct that everyone is expected to follow, giving practical guidance to help deal with compliance and ethical issues and identify where to ask for help.
※Training Topics
- Understanding of Compliance and anti-corruption
- Samsung Techwin’s Ethical standards and anti-corruption policy
- Main contents of relevant Acts (ex. FCPA, UK Bribery Act and etc) and relevant cases of sanctions
※Audience - mandatory training for all employees including expatriate employees, executives/managers, new hires, and etc.’
http://www.samsungtechwin.com/about/about_law.asp
A29:
Does the company provide targeted anti-corruption training to members of the Board?

Score:

0

Comments:
Based on public information, there is no readily available evidence that the company provides targeted anti-corruption training to members of the Board.

References:
Public:
NA
A30: Does the company provide tailored ethics and anti-corruption training for employees in sensitive positions?

Score: 0

Comments: Based on public information, there is evidence that the company conducts basic training for employees that interact with government officials. However, this does not constitute the entirety of sensitive positions and appears not to be tailored.

References:
Public:
TI notes:
Regulation for Compliance with Anti-Corruption Acts (February 2014): ‘Article 19 (Anti-Corruption Training)
① All Management and Employees of the Company who frequently or periodically have contacts with Government Officials shall receive basic anti-corruption training of Anti-Corruption Acts and this Regulation.’
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A31: Does the company have a clear and formal process by which employees declare conflicts of interest?

Score:

0

Comments: Based on public information, there is no readily available evidence that the company has a clear and formal process by which employees declare conflicts of interest.

References:

Public: NA
A32: Is the company explicit in its commitment to apply disciplinary procedures to employees, Directors and Board members found to have engaged in corrupt activities?

Score: 1

Comments: Based on public information, there is evidence that the company only states that it ‘may’ take civil and criminal action against those found to have engaged in corrupt activities. The company therefore scores 1.

References:

Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘The Company may take internal measures under its employment regulations or compliance system to the Management and Employees who violate the Anti-Corruption Acts or this Regulation in addition to taking civil and criminal actions.

② If the Management and Employees are fined for violating the Anti-Corruption Acts, the Company shall not be liable for such result, nor shall the Management and Employees be reimbursed for the penalty or any other damages from the Company’.

http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf
A33:
Does the company have multiple, well-publicised channels that are easily accessible and secure, to guarantee confidentiality or anonymity where requested by the employee (e.g. web, phone, in person), to report concerns or instances of suspected corrupt activity?

Score:

1

Comments:
Based on public information, there is evidence that employees can report suspicions to the compliance team via direct visits, telephone, email, or fax. Further the company commits to protect the confidentiality of the person reporting. The Compliance Hotline is publicised on the company website. However, although the confidentiality is guaranteed, individuals are unable to make anonymous reports and personal data must be provided. In addition, there is no readily available evidence that an external, independent channel is provided for employees to use. The company therefore scores 1.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘In the event that the Management and Employees of the Company have knowledge that the Anti-Corruption Acts and/or this Regulation has been violated or is suspected to be violated, such Management and Employees shall immediately report such information to the Compliance Team.
② For reporting purposes, the Management and Employees of the Company may use direct visits, telephones, fax or e-mail (compliance1@samsung.com) or the Report function under the Compliance Management System (CPMS)’.
‘The Company shall protect the upmost confidentiality of the Management and Employees who report a case of suspicion or an actual violation of the Anti-Corruption Acts and this Regulation and shall not give any disadvantage to the Managements and Employees with respect to their employment’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Hotline:
‘Worldwide TEL 82-70-7147-7166 | FAX 82-31-8018-3709 | E-mail
compliance1@samsung.com

Protection of whistle-blower
The identity of whistle-blowers and the report shall be kept in confidence
Exposing identity or tracking down is prohibited (violators are subject to disciplinary action)
Retaliation against the whistle-blower or unfair treatment is prohibited (violators are subject to disciplinary action)

User agreement for personal information protection
Under the ‘Act on Promotion of Information and Communications Network Utilization and Information Protection, etc.’, the service is available after you agree to the gathering and application of personal information.

Samsung Techwin (hereinafter referred to as the “Company”) gives the highest priority to each customer’s personal information and strictly adheres to the “Personal Information Protection Act”.

Furthermore, the Company clearly identifies where and how your personal information is used and notifies the customer of every possible action to protect your personal information through its Privacy Policy.

I agree to the Terms of Service [Personal Information Gathering & Use].

1. Purpose of Personal Information Gathering & Application
   To answer customer queries efficiently and retain the information of answers

2. Personal Information to be gathered
   Name, phone number, address, e-mail address, IP information

3. Personal Information Retention & Use Period
   - In general, if certain personal information has been gathered and used accordingly, such information shall be immediately scrapped. However, the following information will be retained for the following period.
     o Retention Items: Name, phone number, address, e-mail address
     o Retention Ground: Check service provision
     o Retention Period: 3 years

4. Consent veto and Disadvantage
   - The personal information provider is entitled to reject the demand to provide personal information.
   - If you do not agree to provide personal information then you might be subject to disadvantages such as website registration denial.’

http://www.samsungtechwin.com/about/about_send.asp
A33(a):
Are the whistleblowing channels available to all employees in all geographies?

Score:

1

Comments:
Based on public information, there is evidence that across geographies all employees are able to report to the Compliance Team, via telephone or internal mechanisms. Therefore the company scores 1. To score higher the company would need to provide evidence that across geographies, all employees have access to more than one reporting channel.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘In the event that the Management and Employees of the Company have knowledge that the Anti-Corruption Acts and/or this Regulation has been violated or is suspected to be violated, such Management and Employees shall immediately report such information to the Compliance Team.
② For reporting purposes, the Management and Employees of the Company may use direct visits, telephones, fax or e-mail (compliance1@samsung.com) or the Report function under the Compliance Management System (CPMS)’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Hotline:
‘Worldwide TEL 82-70-7147-7166 | FAX 82-31-8018-3709 | E-mail compliance1@samsung.com’
http://www.samsungtechwin.com/about/about_send.asp
A33(b):
Does the company have formal and comprehensive mechanisms to assure itself that whistleblowing by employees is not deterred, and that whistleblowers are treated supportively?

Score:

1

Comments:

Based on public information, there is evidence that the company commits to protecting the identity of whistleblowers and may reward such employees after evaluating the contents of the report. However, it is not clear that the company has other formal and comprehensive mechanisms to assure itself that whistleblowing by employees is not deterred, such as ways to follow up with whistleblowers and monitor their experience. The company therefore scores 1.

References:

Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘Article 23 (Internal Whistleblower Protection and Rewarding)
① The Company shall protect the upmost confidentiality of the Management and Employees who report a case of suspicion or an actual violation of the Anti-Corruption Acts and this Regulation and shall not give any disadvantage to the Managements and Employees with respect to their employment.
② The Company may provide appropriate rewards for the Management and Employees who report cases of violations after evaluating the contents of such report.
③ Notwithstanding the above Sections 1 and 2, the following items shall not be regarded as a fair and just report and the whistleblower shall not be subject to protection.
1. The reporter knew or could have known that the report was false.
2. The reporter had demanded for specific benefits in the labor relationship or for gifts in return, or had used the report for any improper purpose’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Hotline:
‘Protection of whistle-blower
The identity of whistle-blowers and the report shall be kept in confidence
Exposing identity or tracking down is prohibited (violators are subject to disciplinary action)
Retaliation against the whistle-blower or unfair treatment is prohibited (violators are subject to disciplinary action).’

http://www.samsungtechwin.com/about/about_send.asp
A34:
Does the company have well-publicised resources available to all employees where help and advice can be sought on corruption-related issues?

Score:

2

Comments:
Based on public information, there is evidence that the company has well-publicised resources available to all employees where help and advice can be sought on corruption-related issues. Employees in Korea for example have access to a website that is managed by the Compliance Team, which provides access to trained counsellors.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘The Management and Employees of the Company shall fully comply with Anti-Corruption Acts and this Regulation and in case there are inquiries regarding the legality or propriety of certain actions, they shall submit such inquiries to the Compliance Team’.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Program:
‘We have well-publicised resources available to all employees where help and advice can be sought. Especially, in Korea we have a website called CPMS(Compliance Management System) managed by Compliance Team to provide all employees located in Korea with counseling relating matters of Compliance and Ethics through guidelines/manuals upload and Q&A. CPMS is a window to ask trained counselors(including legal counsel) for ethic dilemma questions and get answers. Also, employees in other areas can reach Compliance Team via various methods such as visit, phone, mail, fax and e-mail instead of CPMS.
TEL +82-70-7147-7166 | FAX +82-31-8018-3709 | E-mail compliance1@samsung.com’
http://www.samsungtechwin.com/about/about_law.asp
A35:
Is there a commitment to non-retaliation for bona fide reporting of corruption?

Score:
2

Comments:
Based on public information, there is evidence that the company commits to not disadvantaging employees and management with respect to employment when they report suspicions of violations in good faith. Those who retaliate against whistleblowers are subject to disciplinary action.

References:
Public:
Regulation for Compliance with Anti-Corruption Acts (February 2014):
‘The Company shall protect the upmost confidentiality of the Management and Employees who report a case of suspicion or an actual violation of the Anti-Corruption Acts and this Regulation and shall not give any disadvantage to the Managements and Employees with respect to their employment.
② The Company may provide appropriate rewards for the Management and Employees who report cases of violations after evaluating the contents of such report.
③ Notwithstanding the above Sections 1 and 2, the following items shall not be regarded as a fair and just report and the whistleblower shall not be subject to protection.
1. The reporter knew or could have known that the report was false.
2. The reporter had demanded for specific benefits in the labor relationship or for gifts in return, or had used the report for any improper purpose.
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Company website, Our Company – Compliance Hotline:
‘Protection of whistle-blower
The identity of whistle-blowers and the report shall be kept in confidence
Exposing identity or tracking down is prohibited (violators are subject to disciplinary action)
Retaliation against the whistle-blower or unfair treatment is prohibited (violators are subject to disciplinary action)’
http://www.samsungtechwin.com/about/about_send.asp
Information Sources:

Company Website:
http://www.samsungtechwin.com/

Code of Conduct:

Regulation for Compliance with Anti-Corruption Acts (February 2014):
http://www.samsungtechwin.com/about/Anti-Corruption_Acts_ENG.pdf

Compliance Committee Minutes (February 2014):
http://www.samsungtechwin.com/about/pop_msg_01.asp

2013 Address for the Anniversary of the company’s establishment:
http://www.samsungtechwin.com/about/pop_msg_02.asp

Demonstration of CEO’s Resolve: New Year’s Address for 2013:
http://www.samsungtechwin.com/about/pop_msg_03.asp

http://www.samsungtechwin.com/about/pop_msg_04.asp

Compliance Guidelines (April 2012):