

RATIFIED BY
the Order no. V-152
of 4 May 2021
of Chief Executive Officer of
state enterprise Oro Navigacija

BUSINESS PARTNER CODE OF CONDUCT OF STATE ENTERPRISE ORO NAVIGACIJA

CHAPTER I GENERAL PROVISIONS

1. The Business Partner Code of Conduct of state enterprise Oro Navigacija (hereinafter referred to as Business Partner Code of Conduct) shall establish the general requirements and principles, that encourage the business partners of state enterprise Oro Navigacija (hereinafter referred to as the Enterprise) to act in accordance with generally accepted standards of transparent conduct. Business Partner Code of Conduct shall be applicable to all the business partners of the Enterprise.

2. The Enterprise shall follow the principle of legitimacy in all the fields of its activity. Following the principle of legitimacy shall include unhindered implementation of human rights and freedoms, honest payment of the taxes, following the laws on competition and anti-monopoly, strict prohibition of corruption, other criminal acts, breaches of law, following the requirements on environment protection, acquisition of all the administrative permissions necessary for the activity, execution of the procedures and etc.

3. By its own example the Enterprise shall oblige the business partners to:

3.1. Act honestly, ensure legal conduct (for example, by strictly following the legal acts on human rights and freedoms, corruption prevention, privacy, personal data protection, competition, environment protection and other legal acts).

3.2. Act transparently, undertake the responsibility for own actions.

3.3. Seek and make reasonable efforts to ensure that the requirements and principles established under Business Partner Code of Conduct would also be applicable to the partners, suppliers and subcontractors of the business partners.

3.4. Pro-actively promote the implementation and compliance with the principles of transparency, honesty and responsibility.

4. Business Partner Code of Conduct shall be prepared following the provisions of the employee code of conduct of the Ministry of Transport and Communication of the Republic of Lithuania and the enterprises, institutions and companies supervised by the Ministry as well as the Enterprise.

5. Concepts used in Business Partner Code of Conduct:

5.1. **Responsible person** – employees appointed by the order of the chief executive officer: executor of anti-corruption compliance function and employees responsible for the corruption prevention.

5.2. **Gift** – material (cash money, cheques, coupons and etc.) or other personal benefit (hospitality gifts, services, promises, privileges, discounts, gifts for consumption and etc.), which the employee is not privately entitled to and which grants the employee better material or non-material conditions. That also encompasses the benefit received by third persons, for example, relatives, acquaintances and etc.

5.3. **Persons representing the Enterprise** – business partners (acting in accordance with the authorisations granted to them by the Enterprise), members of collegial bodies, members of advisory bodies and etc.

5.4. **Product** – result of the Enterprise activity process and (or) manual work, i.e., goods, services, information products (for example, ideas, texts, knowledge), works.

5.5. **International protocol and (or) traditions** – the entirety of generally acceptable rules and traditions, that provide the foundation for the mutual cooperation with foreign subjects for the Enterprise.

5.6. **Business partner**¹ – air traffic control service providers from other states, equipment

¹ The concept *business partner* complies with the definition of the concept provided under Item 3.26 of ISO 37001 standard.

manufacturers, airlines, aeroclubs and etc.

5.7. Other concepts used in Business Partner Code of Conduct are understood in the same way as they are defined under the Law on Prevention of Corruption of the Republic of Lithuania, Law on the Adjustment of Public and Private Interests of the Republic of Lithuania, Anti-bribery Management System Guide of the Enterprise and Lithuanian standard LST ISO 37001:2017 "Anti-bribery Management Systems, Requirements and Usage Guidelines".

CHAPTER II RESPONSIBILITY TO THE SOCIETY AND EMPLOYEES

6. In the course of their activity the business partners of the Enterprise shall be liable to:

6.1. Respect the internationally recognised human rights and freedoms, contribute to their protection and implementation by their actions.

6.2. Follow the valid provisions of child labour prohibition and not tolerate any form of forced labour. The business partners of the Enterprise are strictly forbidden to use illegal child labour.

6.3. Promote and respect the variety of society, languages, cultures and lifestyles as well as not to tolerate discrimination of people due to any reasons, especially because of their origin, religion, sexual orientation, citizenship, political affiliations, age, marital or social status, gender, disability or on any other grounds.

6.4. Follow the requirements of the legal acts pertaining to the freedom of assembly and formation of groups on the basis of interests.

6.5. Ensure safe work environment, product safety and the necessary qualifications and knowledge of the employees responsible for the safety, acting along with their employees.

6.6. Ensure the organisation of constant and preventive employee safety and health measures at work, because they protect the employees from possible threat to their health and life as well as create safe and healthy conditions for work.

6.7. Follow the applicable environment protection standards, also are obliged to follow the principles of sustainability, social responsibility and efficiency.

6.8. Follow the laws, regulating labour relationships, agreements between the employers and employees, ensure fair reimbursement to the employees for the executed work.

6.9. Follow the requirements of the legal acts pertaining to the personal data protection. The Enterprise and the business partners thereof shall respect the privacy of its employees, clients and partners and shall apply suitable technical and organisational measures in order to ensure proper safety of the personal data, including the protection from unintentional or illegal destruction, loss, alteration, disclosure of the personal data without the permission to do so, illegal access of such data.

6.10. Use only licensed software, taking into consideration the limitations of the granted rights and licences.

6.11. Ensure that the confidential information and intellectual property of the Enterprise are protected. In case the business relationships are terminated, shall be liable to continue protecting and not to disclose the confidential information, which became known during the implementation of joint activity with the Enterprise, except for the cases, when a certain term for protecting the confidential information is established under the contracts or on different legal basis.

CHAPTER III PREVENTION OF CORRUPTION

7. The Enterprise shall oblige the business partners thereof not to tolerate any corruption or other forms of dishonest mutual activity, also the activity of such nature with the clients, partners, Lithuanian and foreign state institutions, organisations, other persons. In order to avoid tolerating and contributing to dishonest activity, the subjects, which participate in the tenders as the suppliers for subcontractor works, should guarantee that the executed works and provided services coincide with the order and the expectations of the general contractor, should not participate in the transactions, which possibly create

preconditions for improper implementation of procurement contracts and unreasonable savings of the supplier concluding such a contract. In case of such occurrences, notifications about possible breaches of the contract concluded under the procedure of public procurement should be made to the Enterprise and (or) competent institutions.

8. The remuneration of the employees working for the business partners of the Enterprise shall have to be proportional to the delivered goods, provided services. The remuneration may not be used for granting or receiving covert, unsubstantiated benefit.

9. The business partners of the Enterprise shall be liable to avoid conflicts of public and private interests, which may cause risks of corruption. In case of possible conflicts of public and private interests, in so far as it is related to the services provided by the business partners to the Enterprise, the business partners shall always notify the Enterprise about it.

10. Cooperating with the Enterprise the business partners are liable to ensure, that their employees do not tolerate and do not accept any gifts, in case such gifts may be perceived as more expensive in comparison to usual commercial gifts and the intention of such gifts is to acquire the favour of the employees of the business partner, to influence the decisions made by the employees.

11. The business partners shall be liable to ensure that their employees do not render and offer any gifts, in case the purpose of such gifts is to dishonestly secure advantage or favour of the decisions made by the receiving person in respect of the business partners.

12. The business partners shall be entitled to accept and render gifts in accordance with the international protocol and (or) traditions, representation gifts, provided that they are not forbidden under any valid legal acts and such gifts are suitable from the point of view of maintaining business relationships.

13. The business partners shall be liable to follow the requirements of legal acts regarding the process of rendering gifts to political parties, their representatives also to candidates for the political positions.

14. The business partners shall be liable to follow the requirements of the legal acts regarding the provision of support and (or) charity. The measures of support and charity may not be used to covert promotion of interests. The support and charity may be provided following the principles of transparency, impartiality, expediency, publicity and social responsibility.

CHAPTER IV FAIR COMPETITION

15. The business partners of the Enterprise shall follow the requirements of competition law and shall not conclude any agreements, which may have influence upon the prices, transaction conditions, activity strategies, participation or non-participation in the tenders.

16. The business partners shall carefully select the suppliers, that are employed by them for implementing the contracts with the Enterprise, as well as shall seek and make reasonable efforts to notify the business partners about the rules established under Business Partner Code of Conduct or other similar applicable rules and shall oblige them to follow the respectful rules.

17. The business partners of the Enterprise shall be liable to follow the requirements of the legal acts on suitable import, export and transit of goods and services.

18. The business partners shall be liable to undertake all the necessary measures, in order to prevent money laundering and tax fraud within their field of influence.

19. The business partners shall undertake all the necessary measures in order to ensure prevention of direct or indirect funding of terrorist activities, armed groups and shall follow the applicable legal requirements pertaining to the problem of "conflict minerals".

CHAPTER V FOLLOWING BUSINESS PARTNER CODE OF CONDUCT

20. The Enterprise shall be liable to seek and make reasonable efforts to ensure that the business partners thereof get acquainted with Business Partner Code of Conduct.

21. While cooperating with the Enterprise, the business partners shall be liable to notify the Enterprise about possible breaches of Business Partner Code of Conduct, unethical or dishonest conduct, which can have impact upon the business reputation of the Enterprise and (or) cause damage to the Enterprise.

22. The business partners shall not tolerate any actions that cause negative outcome against the employees, who notify about the breaches, and shall guarantee the safety of the persons, who notify about the breaches.

23. In case the business partners of the Enterprise breach Business Partner Code of Conduct, provided that the business partners of the Enterprise agree, they are granted an opportunity to execute the breach eliminations actions within a set reasonable period of time, except for the cases of possible criminal acts, other violent breaches of legal acts, concerning which the Enterprise shall be liable to address authorised state institutions in accordance with their competences.

24. The Enterprise shall not waive the right to terminate certain part or all the activities with the business partner, to suspend or terminate contracts, request indemnification of the damages, to include into the list of unreliable tax payers, in case the business partner does not undertake the necessary actions for elimination of the breaches within the set period of time.

25. The Enterprise shall not waive the right to verify, whether the business partners, their suppliers and subcontractors follow Business Partner Code of Conduct. In such cases the Enterprise shall agree with the business partners upon the scope and period of verification, the data and information necessary to be submitted.

26. In case of ambiguities or questions pertaining to the implementation or compliance with Business Partner Code of Conduct, the business partners shall be entitled to address an employee of the Enterprise responsible for corruption prevention or respectful institutions.

CHAPTER VI FINAL PROVISIONS

27. In case of changes in the setting (political, social, legal, economic) of the activity of the Ministry of Transport and Communications and (or) the Enterprise, this Business Partner Code of Conduct may be amended and updated, based on the newly obtained experience.

28. The provisions of this Business Partner Code of Conduct are applicable in so far as this legal relationship is not ratified under the laws and other legal acts of the Republic of Lithuania.

29. This Business Partner Code of Conduct is an inseparable and mandatory annex to the contractual relationship.

30. In case a potential (future) business partner refuses to follow this Business Partner Code of Conduct in the course of activity, the Enterprise shall be bound to request providing a reasoned explanation of the respectful decision. Having assessed all the indicated motives and arguments of the potential business partner, the Enterprise shall make a decision concerning the possible cooperation or refusal to conclude a contract.
