

1. Purpose and scope of application

1.1. The purpose of the documented procedure "Gifts and Representation Expenses" (hereinafter referred to as the Procedure) is to regulate actions focused at preventing the offer or acceptance of gifts, payment of expenses, payment of donations and receipt of similar benefits, and if such an offer or acceptance is a bribe and could be reasonably considered as a form of corruption in accordance with the requirements of the international standard ISO 37001 item 8.7.

1.2. This Procedure is designated to be used in the anti-corruption management system (hereinafter referred to as ACMS) of "Saken Seifullin Kazakh Agrotechnical Research University" (hereinafter referred to as the University).

1.3. This Procedure determines the actions and decisions of university employees aimed at strict compliance with the established rules, norms and policies to prevent corruption forms.

1.4. This Procedure applies to all persons who are employees of the University and are in labor relations with it, regardless of their position and functions performed, as well as to individuals cooperating with the University on the basis of civil law contracts.

1.5. Control of compliance with this Procedure by University employees is carried out by the administrative department.

2 Regulatory references

2.1. This Procedure has been developed taking into account the requirements of the following regulatory documents:

Law of the Republic of Kazakhstan "On Combating Corruption"	Law of the Republic of Kazakhstan "On Combating Corruption" dated November 18, 2015 No. 410-V SAM
Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family"	" Code of the Republic of Kazakhstan "On Marriage (Matrimony) and family" dated December 26, 2011 No. 518-IV SAM
Civil Code of the Republic of Kazakhstan	The Civil Code of the Republic of Kazakhstan (General part). It was put into effect by the Resolution of the Supreme Council of the Republic of Kazakhstan dated December 27, 1994 No. 269-XII
The Code of Administrative Offences of the Republic of Kazakhstan	The Code of Administrative Offences of the Republic of Kazakhstan dated July 5, 2014 No. 235-V Legislation of the RK
Criminal Code	Criminal Code of the Republic of Kazakhstan No. 226-V dated July 03, 1914
Law of the Republic of Kazakhstan "On Public Service of the Republic of Kazakhstan"	Law of the Republic of Kazakhstan "On Public Service of the Republic of Kazakhstan" dated November 23, 2015 No. 416-V SAM
International standard ISO 37001:2016	Anti-corruption management Systems. Requirements and application guidelines

International standard ISO 9001:2015	Quality Management Systems. Requirements
2.2. This Procedure introduces the following form:	
F KATU 0901-01-23	0901-01-23 Notification of receipt of a gift

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3. Terms and definitions

This procedure uses terms and their definitions in accordance with the Law of the Republic of Kazakhstan "On combating Corruption", the Criminal Code of the Republic of Kazakhstan, the Code of the Republic of Kazakhstan "On Marriage (Matrimony) and Family", the Civil Code of the Republic of Kazakhstan (general part), the international standard ISO 37001.

A gift is something that the giver offers free of charge for full ownership at his discretion in order to give pleasure, benefit to the recipient of the gift. A gift has a meaning similar to a grant and a donation.

Representative expenses are the expenses of an organization for the official reception and/or service of representatives of other organizations as an element of business hospitality.

Charity is a gift, a donation of money in favor of an organization or person, as well as a voluntary payment without coercion, that is, payment as a gratitude for a pre-existing product or service received.

A bribe – receipt by a person authorized to perform state functions, or a person equated to this person, or a person holding a responsible public position, or an official, as well as an official of a foreign state or an international organization, personally or through an intermediary, of money, securities, other property, the right to property or property benefits for himself or other persons for actions (inaction) in favor of the bribe-giver or persons represented by him, if such actions (inaction) are included in the official powers of this person, or it may, by virtue of its official position, contribute to such actions (inaction), as well as for general patronage or connivance.

Corruption is the illegal use by persons holding a responsible public position, persons authorized to perform state functions, persons equated to persons authorized to perform state functions, officials of their official (official) powers and related opportunities in order to obtain or extract property (non-property) benefits and advantages personally or through intermediaries for themselves or third parties, as well as the bribery of these persons by providing benefits and advantages.

Corruption risk is a combination of the probability of occurrence and severity of consequences from the offer, promise, provision, acceptance or solicitation of an unlawful advantage in any form (both financial and non-financial), directly or through intermediaries, regardless of location, in violation of current legislation as an incentive or reward for a person acting or refraining from actions within the framework of the activity for which the person is responsible.

A corruption incident is an event that occurs due to circumstances or in the course of an activity that can potentially lead to a corruption case.

A corruption case is an incident that led to a single fact of corruption or bribery.

Conflict of interests is a contradiction between the personal interests of persons holding a responsible public position, persons, authorized to perform public functions, or persons equated to them, officials with their official powers, where the personal interests of these persons may lead to non-performance and (or) improper performance of their official duties.

Close relatives – parents (parent), children, adoptive parents, adopted children, full and half siblings, grandfather, grandmother, grandchildren,

Family – a scope of persons connected by property and personal non-property rights and obligations arising from marriage (matrimony), kinship, property, adoption or other form of adoption of children for upbringing and designed to promote the strengthening and development of family relations;

4 General provisions

4.1. The University recognizes that offer, giving, extorting or receiving a gift or benefit with the intention to influence the behavior of any person to act contrary to the rules of honesty and integrity is considered an offense and has the potential for corruption (in the form of bribery) resulting from the provision and receipt of gifts and services in connection with the daily activities of staff. Giving gifts may involve a conflict of interest or provoke a conflict of interest.

4.2. The University undertakes to establish clear boundaries as to which gifts and services may or may not be accepted by employees, which will minimize or eliminate the probability of corruption regarding the acceptance of gifts and benefits.

4.3. For the official recognition of outstanding merits and achievements of employees, the University recommends using various forms of recognition (diploma, appreciation letter, bonuses, etc.), departmental and state awards.

5 Gifts

5.1. Offering a bribe to a university employee is a corruption incident and may lead to a corruption case, therefore, the University staff should never take bribes.

5.2. Acceptance by a University employee of a gift or service for an action (inaction) in a certain way, different from his proper regulated activity, is a bribe.

5.3. If an employee believes that he was offered a gift as a bribe, or believes that the gift offer can be perceived as a bribe, he should refuse to accept the gift (service) and stop all interactions with the person who made the offer.

5.4. Acceptance of monetary gifts by university employees, such as cash, checks, money transfers of all kinds, personal deposits, gift payment cards, shares or other securities, precious metal products, antiques, luxury goods and that sort of things, is strictly prohibited.

5.5. The best way to avoid compromise situations is to refuse to participate in any action or activity that may be perceived as corrupt or unethical. Transparency is a defense against accusations of corruption; therefore, the University requires employees to report on gift offers and the results of such incidents.

5.6. University employees should take into account the value, frequency and purpose of the gift and/or benefits that are offered, as well as the range of public perception and conflict of interest that may relate to a particular situation.

5.7. In a situation where it is impossible to refuse the offer of gifts as a sign of gratitude or tradition, the university considers it reasonable for employees to accept gifts from individuals and legal entities the value of which does not exceed the size of two monthly calculation indices, provided that their acceptance does not violate any section of this Procedure and the anti-corruption policy.

5.8. If one gift, the value of which does not exceed the size of two monthly calculation indices, may be considered insufficient for the employee to deviate from the proper regulations of own activities, then the total amount of multiple or cumulative gifts may be considered a form of corruption. Accordingly, when an individual or a representative of the individual provides a subsequent gift, employees should politely decline the offer, explaining that this is contrary to the anti-corruption policy of the University.

5.9. If the employee is not sure of the actual value of the gift, so that he/she must treat the gift as a value exceeding the size of two monthly calculation indices.

5.10. Sometimes an employee may inadvertently accept a gift that contradicts this Procedure or anti-corruption policy (for example, if the gift (service) is anonymous or the packaged gift was not opened upon receipt).

5.11. For mandatory and clear adherence to the criteria of this Procedure and the anti-corruption policy, each employee of the University should assume that these procedural requirements apply to family members and close relatives.

6.Representation expenses

6.1. University employees may participate in business, social, cultural or social events where it is customary to present or exchange symbolic gifts. The University considers it reasonable and expedient if the official representatives of the University accept symbolic gifts with a nominal value of no more than two monthly calculation indices, provided that this does not violate the anti-corruption policy of the University.

6.2. An employee may keep symbolic gifts, unless otherwise specified by the head of his department. Accepted gifts can be displayed for demonstration or used by the recipient at own discretion.

6.3. Gifts of greater value than two monthly calculation indices are not symbolic gifts. They should be treated as official gifts and managed accordingly.

6.4. Any official gifts must:

1) be declared to the University authorities;

2) be considered as the property of the University and located in the appropriate storage location;

3) be managed on the basis of decisions of the University authorities.

6.5. University employees who have received official gifts are obliged to fill out the "Notification of a gift receipt " according to the form in Appendix 1 within 7 calendar days from the date of receipt (discovery) of the gift and submit it to the University authorities.

6.6. In cases where an official gift has an unknown value or exceeds the cost of two monthly calculation indices, the head of the department is obliged to consult with the employees of

the administrative department. It is possible that an item with a small value for external parties will have significant artistic or cultural value for the University's collection.

7. Donations and other benefits

7.1. Any external party wishing to make a legitimate monetary donation to the University may do so in accordance with the regulatory legal requirements for the economic activities of the University.

7.2. It is prohibited to make donations through university employees as individuals.

7.3. If there is a commercial relationship between the University and another organization, accepting any gift other than an official one is considered inappropriate. In these circumstances, the intended recipient should politely decline the gift, explaining that this is contrary to the university's anti-corruption policy. The donation of any item (service) that can serve or be perceived as an incentive for an employee to seek services from a certain company, and not from others, may lead to a conflict of interest or contradict the procurement policy. This can also be considered a bribe.

7.4. If the commercial relationship includes the offer and acceptance of gifts, it is necessary that their acceptance and use be determined prior to the conclusion of any commercial agreement containing gifts or additional services.

7.5. University employees will sometimes be offered hospitality (e.g. food and drinks) related to their work and other activities as part of their role in representing or managing University affairs. As a rule, it is acceptable for employees to accept modest hospitality offers that the University itself offers in such events. Employees should not accept extravagant hospitality, regular or frequent hospitality, or any hospitality aimed at influencing the decision-making process.

8. Final provisions

8.1 The heads of the structural divisions of the University communicate the requirements of this Procedure to the staff.

8.2 The University expects that employees and officials of the University who have reasons to believe that this Procedure has been violated must immediately inform their direct supervisors or specialists about persons who have violated or have the potential to violate this Policy in terms of requirements, namely:

- 1) when the employee was offered a gift as a bribe, or believes that the gift offer can be perceived as a bribe;
- 2) if an employee believes that he witnessed another University employee received a gift (service) as a bribe;
- 3) if the employee unintentionally accepted a gift that contradicts this Procedure or anti-corruption policy.

In case of doubt and ambiguity of the situation of receiving a gift, you should seek accurate advice from your supervisor or specialists.

8.3 The University guarantees that no employee will be prosecuted or experience other adverse consequences on the initiative of the University, in connection with compliance with the requirements of this Procedure or reporting to the University about potential or existing violations of this Procedure.

Appendix 1

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Kazakh Agrotechnical Research University named after Saken Seifullin

NOTIFICATION about the receiving a gift

(Position, Full name, organization)
from _____
(Full name, position of the person, who
handed over the gift)

Notification of the gift receipt

Dated “__” __ 20__ y.

I am notifying you of the receipt

(date of the receipt)

of a gift on

(name of the event, conference)

Official business trip, official meeting, etc., place and date of the event)

№ П/П	GIFT	Specification, description of the gift	Number of items	Cost (tenge), document ¹
1				
2				
Total				

The person who submitted
the notification

(signature) _____ “__” __ 20__ y.
(Full name)

The person who accepted the
notification

(signature) _____ “__” __ 20__ y.
(Full name)

¹ Заполняется при наличии документов, подтверждающих стоимость подарка.

Registration number in the notification log
_____ of “ _____ ” _____ 20 ____ y.