



LONGEVITY CARD

LONGEVITY CARD LTD

Bribery Act 2010- Policy and Procedures Manual

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GENERAL INTRODUCTION

INTRODUCTION

The *UK's Bribery Act 2010* ("*the Act*") came into effect on 1 July 2011, following publication of relevant guidance by the Ministry of Justice ("MoJ"). The scope of the Act includes all firms that conduct business in and/or manage it from the UK. Longevity Card Ltd ('Longevity' or 'the Firm') has produced this Policy and Procedures Manual to demonstrate its intention to be compliant with the Act and how it will achieve its ongoing compliance.

Unlike other legislation that is relevant to the Firm, the Act does not provide for a regulator to have compliance oversight responsibility; compliance responsibility rests with the senior management of the Firm, the directors. Currently, on behalf of the directors, the Firm's Compliance Officer holds prime responsibility, in parallel with other responsibilities, specifically the Compliance Officer and Money Laundering Reporting Officer ("MLRO"). Any matters relating to the Act, the Firm's policy and procedures for compliance with its obligations under the Act or any other matters arising, relating to the Act should be referred in the first instance to the Firm's Compliance Officer for advice and guidance as appropriate.



LONGEVITY CARD LTD'S POLICY

INTRODUCTION

The Act embraces four distinct offences, including the failure of the Firm to have in place adequate arrangements to prevent and detect bribery. The Guidance issued by the MoJ indicates the need for all firms to have a clear policy on the prevention of bribery as part of its arrangements for preventing and detecting bribery.

LONGEVITY CARD LTD'S POLICY

Longevity insists on honesty, integrity and fairness in all aspects of its business.

The Firm's reputation is built on values as a firm, the values of our employees and our collective commitment to acting with integrity throughout our organisation. The Firm condemns corruption in all its forms and will not tolerate it in its business or in those with whom the Firm does business. The direct or indirect offer of payment, soliciting or acceptance of bribes is unacceptable.

The Firm expects all personnel to read, understand and comply with this Policy. This Policy is also intended to be of help to all those doing business with the Firm or working with or for the Firm in any capacity.

If convicted of a bribery offence, the Firm risks a significant fine and lasting reputational damage. If any individual is convicted of a bribery offence, that person risks facing up to ten years in prison in addition to the consequences of the Firm's disciplinary procedures being activated.

Anyone having any questions about anything set out in this policy statement, or who needs to discuss any issue arising from it, please contact the Firm's Compliance Officer. Requests by external third parties for a copy of our *Bribery Act Policy* will be handled by the Compliance Officer who will ensure that only a current and up-to-date version of the policy is issued.



THE OFFENCES

INTRODUCTION

The Act provides for four offences. These can be considered as:

- Offering a bribe
- Receiving a bribe
- Bribing a foreign government official
- Failure by a firm to put in place adequate and effective arrangements for the prevention and detection of bribery.

The Guidance issued by the MoJ focuses specifically on the fourth of the offences.

Offences can be committed by simply attempting to bribe another person or seeking to receive a bribe.

Bribes can take the form of money or any other form that can represent value and benefit to the recipient.

WHO CAN COMMIT THE OFFENCES?

The first three offences can all be committed by anyone 'associated' with the Firm. 'Associated' includes all personnel and anyone else, personal or impersonal, holding themselves out to be acting in the name of the Firm or otherwise acting on the Firm's behalf.

All three of these offences can be committed anywhere in the world; in that respect the Act has 'extra-territorial' applicability. The offences do not have to have been committed in the UK to be able to be prosecuted in the UK. Furthermore, the offences can be committed without the knowledge or permission of the Firm's management. In these cases, the Firm can be liable if it cannot demonstrate the reasonableness and adequacy of the preventative arrangements that have been put in place.



WHAT CONSTITUTES BRIBERY?

INTRODUCTION

Bribery can be viewed from either the side of the person offering the bribe or from the side of the person receiving the bribe. A bribe is any inducement of value to the recipient to fail to perform their own job properly so that the provider of the bribe (or their firm) gains an advantage that would not otherwise have been the case. The recipient of a bribe does not themselves have to fail to perform their job properly if they are in a position to provoke someone else to bring about the advantage by failing to perform their job properly at the instigation of the recipient of the bribe.

GIFTS, HOSPITALITY AND ENTERTAINMENT

The concepts of gifts, hospitality and entertainment are all recognised as having potential to be used or construed as bribes. The MoJ Guidance makes clear that the Act is not intended to prevent the provision of gifts, hospitality and entertainment in the normal course of business, provided it is not excessive when considered in the circumstances of each individual case.

In this respect, the MoJ Guidance can be seen as being consistent with the obligations in the *FCA's Conduct of Business Rules*; the Firm judges compliance with the latter to achieve compliance with the spirit of the Guidance on this matter.

Personnel who are in any way uncertain on such issues must seek appropriate guidance and authority from the Compliance Officer before entering into any potentially relevant commitment.



THE SIX PRINCIPLES

INTRODUCTION

The MoJ Guidance records six principles by which the adequacy and effectiveness of a firm's anti-bribery arrangements can be assessed. These six principles are summarised as:

- Adopting a risk based approach
- Top level commitment
- Proportionate procedures
- Communication (including training)
- Due diligence
- Monitoring and review

A RISK BASED APPROACH

The MoJ Guidance recognises that firms falling into the Act's scope cover all sorts of business activities, are of all sizes from one-man businesses to multi-national conglomerates, and that different types of business activity generate different levels of risk potential. Consequently, no 'one size fits all' approach to compliance can be appropriate. Instead, the expectation is that firms will adopt a proportionate approach to the compliance and preventative arrangements.

Senior management in the Firm judge the Firm's bribery risk potential to be LOW and that no additional, substantive arrangements for compliance are required beyond those already in place and driven by compliance obligations in respect of FCA rules relating to the conduct of business.

TOP LEVEL COMMITMENT

The Firm's senior management are fully committed to compliance with the obligations of the Act. This commitment is not compromised by the LOW risk of bribery by the Firm *and its associates* as has been assessed by management.

PROPORTIONATE PROCEDURES

The Firm's status as a compliant FCA regulated firm has provided a regime of controls and procedures that are broadly sufficient to provide an ongoing compliant regime under the Act.

COMMUNICATION (INCLUDING TRAINING)

The Firm's Personnel are made aware of the Act and its implications, both for the Firm and for them as individuals. Awareness is communicated to all personnel at the time of joining and refreshed at intervals thereafter. For operational convenience, communication on Bribery Act matters will be dealt with at the same time as anti-money laundering training is delivered. Any relevant, specific job training needs that may be identified from time to time will be addressed on an arising basis.



DUE DILIGENCE

Due diligence in the context of the Act does not share the same definition as ‘customer due diligence’ (“CDD”) from *the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and The Money Laundering and Terrorist Financing (Amendment) Regulations 2019, together, (the “MLRs”)*. Nevertheless, serving the one obligation can assist in fulfilling the other and vice versa. Insofar as bribery issues are concerned, there is an ongoing obligation on all associated with the Firm to be alert to any possible infringement of the Act and to promptly report any such situations to the Compliance Officer. The obligation to be satisfied as to the integrity of third parties prior to entering into business with them, be they clients or otherwise, means that when satisfaction is gained as a result of undertaking CDD, that can contribute to the satisfaction required for the prevention of bribery.

MONITORING AND REVIEW

No special or additional measures have been required to augment established arrangements for authorising, monitoring and accounting for disbursements through the settlement of invoices, expenses claims or any other means. All personnel know that the law requires that they be constantly alert to any knowledge or suspicion of bribery and the requirement that such knowledge or suspicion be brought to the attention of the Compliance Officer immediately.

When warranted, reporting knowledge or suspicion internally can be dealt with in accordance with the Firm’s established ‘whistle blowing’ arrangements and thereby will be within the protections offered by the *Public Interest Disclosure Act 1998*.