

POLICY

Gifts and Commercial Courtesies

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Version: 03

Type: Public

This PO.ADC.04 document is integrated to the body of the current internal regulation of the entities Distribuidora de Electricidad de Oriente, Sociedad Anónima and Distribuidora de Electricidad de Occidente, Sociedad Anónima. All references made to ENERGUATE in the present document must be understood as references to the entities Distribuidora de Electricidad de Occidente, Sociedad Anónima and Distribuidora de Electricidad de Oriente, Sociedad Anónima, indistinctly.

	Responsible
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Approved by	General Manager PAULO PARRA

Effective Date:

09/01/2023

Historical Revisions

Version	Date	Reason
01	11/04/2019	Redrafting of document.
02	04/25/2022	Change of name of policy to Gifts and Commercial Courtesies. Adaptation of content into the current policy template, updating of definitions according to corporate policy, as well as modification in some points of the policy with the purpose of clarifying and strengthening controls for its application.
03	09/01/2023	Update of communication channel and persons responsible of this policy.

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1. OBJECTIVE

Disclose regulations and rules applicable to the delivery and acceptance of gifts and commercial courtesies to evidence transparency and goodwill in this practice, with the purpose of keeping trust and integrity without commercial partners and of complying with the applicable legal and regulatory frame.

2. SCOPE

It is applicable to ENERGUATE, who is required to implement and comply with the present policy and its current guidelines.

Likewise, it is required that suppliers and contractors of the Companies keep the same spirit and intention of the Policy and its guidelines, standardizing the provisions that correspond to them according to the nature of their contract.

3. REFERENCE DOCUMENTS

a. Internal

- CO.ADC.01 Code of Conduct and Ethics
- PO.ADC.01 Anticorruption and Antibribery
- PO.ADC.03 Interaction with Public Officers
- PG.RHS.07 Disciplinary Process

b. External

- Decreto 31-2012 Law against corruption.

4. DEFINITIONS

- Merchandising products: group of products or merchandising or promotional items (usually include the logo and brand) that have low or irrelevant nominal or resale value in the market, and that are used to promote and merchandise a product or brand. For example: pens, caps, cups, agendas, calendars, among others.
- Employee; refers to directors, managers, officers or employees that are part of ENERGUATE or the third party services that act in its representation.
- Commercial Courtesies: attention given personally to third parties with the purpose of starting to create a business, commercial or professional relationship. This includes, but is not limited to, events, meals, business meetings, entertainment, conferences, travels or others in which the host is present.

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d. Public Officials: the term Public Official, governmental authority or officials of elected governments or appointed includes widely the following:

- Any official or employee of any entity, department or agency of the government (either foreign, national, federal, state, municipal, local or tribal) and of any branch of state power (executive, legislative or judicial).
- Any official or employee of regulatory commissions, supervisor bodies and/or any other institution or entity that exercises supervision over the company.
- Any employee of a business, school, hospital or other state entity or company owned by the government or with state participation within their shareholders.
- Any political party or official, chairholder or employee of it.
- Any candidate for a public position.
- An international public organization or any entity or agency of it, just as its officials or employees. (for example, United Nations, International Olympic Committee, FIFA Committee or the World Bank).
- Any person who acts as official or in representation of a governmental entity.
- Union leaders and representatives must be treated as Public Officials, independently if they are considered or not as such by the laws of the corresponding jurisdiction.

e. Gifts and Presents: thing given or received for free in a voluntary manner or by tradition. It may be goods or services that are given as symbol of friendship, appreciation or to promote personal, business, commercial or professional relationships. The gifts or presents include, but are not limited to, promotional articles, food baskets, consumption vouchers, tickets for sports or cultural events, travels, any other product independently of its value, or not monetary benefit, that is given to an individual or group of persons in which the host is not present.

5. RESPONSIBILITIES

a. Employees

- To know and comply with this Policy, the regulations of ENERGUATE and the current legal regulations of the country, that may be applicable. In addition, to the Immediate Boss, Human Resources and Communication Management, Legal Services Management and Compliance, they must:
 - Report any breach or transgression to this Policy.
 - Ask about any doubt or concern referring to this Policy.

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- Attend and complete the training processes that are scheduled.
- b. Managers, Submanagers and People Responsible of the Process
 - Disclose this policy, clarify and elevate any doubt about it
- c. Legal Services Management
 - Inform about guidelines and recommendations established in the regulations of each jurisdiction in respect to the interaction with Public Officers, when it proceeds.
 - Inform and solve questions about the legal frame applicable to this Policy.
 - Channel and clarify any doubt or comment related with the legal frame applicable to this Policy.
- d. Compliance
 - Update the content of the Policy, when required.
 - Communicate and disclose the updates, changes, exceptions and any other matter related to the Policy.
 - Channel and clarify any doubt or comment about the Policy.
 - Give specific guidance about each situation or case that may arise in the application of the Policy.
 - Record and document all approvals required by the Policy.

6. DECLARATION OF POLICY

Establish the rules and recommendation for delivering and receiving gifts, courtesies or other benefits by the employees of ENERGUATE or any third party acting on its behalf, interest or representation. This Policy must be read along with the corresponding sections of *CO.ADC.01 Code of Conduct and Ethics*, policy *PO.ADC.01 Anticorruption and Antibribery* and policy *PO.ADC.03 Interaction with Public Officers*.

6.1. General Regulations

Gifts and commercial courtesies are governed by the following general regulations:

- They must not give the impression (nor the implicit obligation) of granting the right to a preferential treatment.
- They must be delivered in an open and transparent manner.
- They must be considered common and rutinary for our work position.

It is prohibited to give or receive the following gifts and commercial courtesies:

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- Money or its equivalent in money (such as vouchers or purchase or consumption certificates).
- Prohibited or restricted by current law.
- Given as bribery, reward or commission, with the objective of retaining businesses, obtaining advantages or favors, among others.
- When a decision is pending to be taken or may affect the judgement of a third party.

6.2. Rules for granting gifts and commercial courtesies to Public Officers

Is prohibited the direct or indirect delivery of gifts, presents or any liberality, independently of its value, to Public Officers and/or employees bonded to the Government, such as donations, free services, position or work offers.

6.2.1. Exceptions

- Gifts and donations in favor of a public entity.
- Information material.
- Training duly supported and approved by the head of the public entity.
- Recognitions or awards with commemorative value or conferred in public events.
- Samples distributed with promotional purposes.
- Lunches, meals, cocktails and similar, of common practice in the development of the institutional relationships.
- Commercial products (Merchandising).
- Perishable food in individual gift presentation such as chocolates, bread, candy, cookies or similar.

6.3. Rules for granting gifts and commercial courtesies

- Every granting of gifts or courtesies must be reported and documented in the Gifts and Commercial Courtesies form.
- They must have the support documentation and the corresponding internal approvals.
- The acquisition expense must be duly registered.
- The costs, frequency and amount must be reasonable.

6.4. Rules for receiving gifts and commercial courtesies

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No employee of ENERGUATE may accept gifts or commercial courtesies, except by the following exceptions:

- Every reception of gift or commercial courtesy must be reported and documented in the Gifts and Commercial Courtesies form.
- Merchandising products delivered impersonally in public or corporate events.
- Training or corporate events whose invitation is made officially through the company.
- Lunches, meals, cocktails and similar, of common practice in the development of commercial relationships.
- Gifts and commercial courtesies must have reasonable costs, frequency and amount.
- Perishable food in individual gift presentation such as chocolates, bread, candy, cookies or similar

Employees who have any doubt about a gift or commercial courtesy or concerns if it may be considered improper, must ask their Immediate Boss, Manager of their hierarchic line or Compliance.

6.5. Approvals

The approvals required in the present Policy involve:

- Immediate Boss
- Managers
- General Manager
- Compliance

6.6. Rejection of gifts and commercial courtesies

Is mandatory that all employees of ENERGUATE reject politely the gifts and commercial courtesies that do not comply with the provisions established in the present Policy, explaining that the Company has a Policy of Commercial Courtesies.

If it is considered that such rejection may be considered offensive or affect the relationship with the person, company or institution granting the gift or commercial courtesy, will proceed with the acceptance of it. In these exceptional cases, the employee must communicate as soon as possible and place the gift or commercial courtesy on the disposition of its Immediate Boss or Manager of its hierarchic line and inform Compliance.

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6.7. Consequences of Breach

Deviations and breach to the present Policy may carry the imposition of disciplinary measures, that if applied, will be used as education and forming element of our organizational culture.

Disciplinary measures must be fair, reasonable and proportional to the fault committed, respecting the corresponding legal frame and according to what is established in the general procedure *PG.RHS.07 Disciplinary Process*.

6.8. Exceptions

Any exception to this Policy must be treated in a particular way and to be duly supported by the Manager of its hierarchic line, approved by the General Manager and Compliance.

7. CONTROL POINTS

Compliance with this Policy is mandatory. All personnel from ENERGUATE and any third party acting on its behalf, interest or representation, must understand its role and responsibility in relation to this Policy.

The cases that may arise must be documented by the employee of ENERGUATE or the third party acting on its behalf, just as all the information must be filed as support, for when Compliance or any other control body requires it.

8. RECORDS

RECORD	RESPONSIBLE OF ISSUANCE	SUPPORT	RESPONSIBLE OF FILE	CONSERVATION TIME
<i>FO.PO.ADC.04.01 Gifts and Commercial Courtesies</i>	Employee	Digital	Compliance	5 years

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