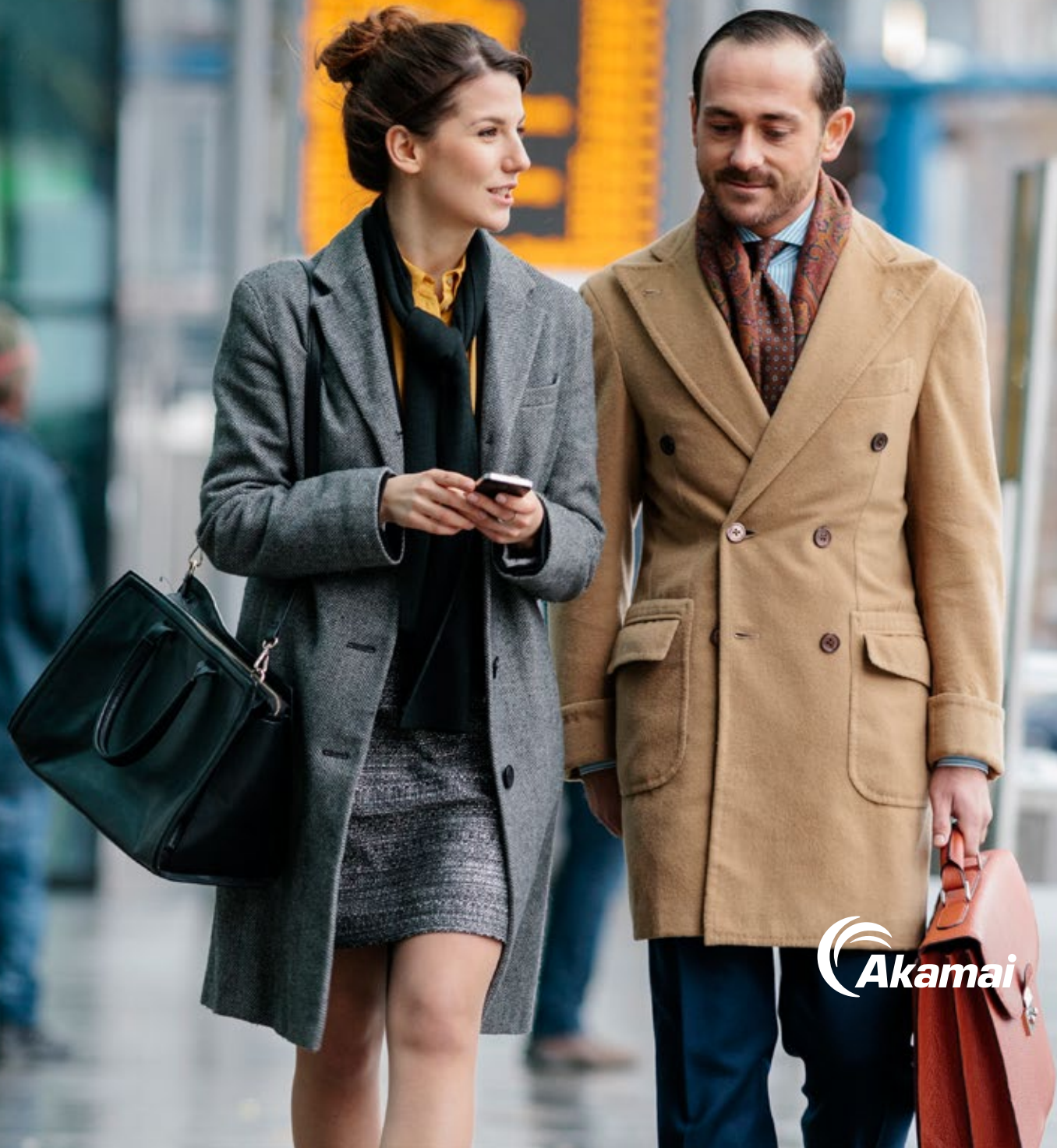


# ANTI-BRIBERY & ANTICORRUPTION POLICY

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# OVERVIEW

Bribery and kickbacks are illegal wherever Akamai does business, and it is our policy not to make or offer bribes - directly or indirectly - under any circumstances. We do not tolerate bribery at Akamai by our directors, officers, employees, partners, resellers, advisors, or vendors because it violates our Code of Ethics and our overarching corporate values.

The purpose of this Policy is to help ensure that our business is conducted both in accordance with our Code of Ethics as well as all applicable anti-bribery and anti-corruption ("ABAC") standards and laws.

Bribery can result in lasting damage to the Akamai brand and reputation, can impact our stock value, and can result in multi-million-dollar fines and imprisonment for those who participate in or authorize bribery.

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**Core Policy Statement:** It is against this policy and Akamai's values for any officer, director, employee, partner, reseller, advisor, or vendor to make bribes on our behalf.

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## SCOPE AND PURPOSE

This Policy is both mandatory and global and applies to all officers, directors, and employees of Akamai as well as its subsidiaries, affiliates, and any joint ventures to which we are a party. It applies to transactions and other interactions with both governmental, state-owned enterprises (“SOEs”), and commercial entities.

This Policy also applies to any consultant, contractor, or agent working on our behalf anywhere in the world, including resellers, channel partners, referral partners, systems integrators, distributors, aggregators, brokers, commissioned agents, sales consultants, finders, and dealers or other advisors.

Failure to comply with this policy may result in disciplinary action, including termination of your employment, and may also result in fines or imprisonment. If our partners violate this policy, then we may take steps to terminate that relationship.

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If you have more questions or are concerned that a bribe has been offered or received, contact us at [ethics@akamai.com](mailto:ethics@akamai.com) or via the **Ask Global Compliance** page on the Aloha Community.

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## WHAT IS A BRIBE?



A bribe occurs when someone gives, authorizes, offers, promises, or receives a financial payment, anything of value, or other benefit in order to obtain any improper advantage by influencing the judgment or conduct of a person against that person's duty to an employer or under applicable law.

As explained in greater detail below, the elements of a bribery offence are construed very broadly by our regulators and law enforcement agencies:

- **Offering:** Includes unaccepted offers or promises of future benefits, gifts, entertainment, or other benefits. A bribe does not actually have to be accepted, paid, or given for there to be a violation of ABAC laws
- **Anything of value:** Includes not just cash payments and equivalents (i.e., pre-paid gift cards), but all gifts, meals, entertainment, services, job and internship offers, etc.
- **Government official:** Includes any employee of a state-owned or -controlled entity and any person acting with apparent official capacity
- **State-owned entity:** Includes any company – even publicly listed companies – that are substantially owned or controlled by a government
- **Any improper advantage:** Includes obtaining licenses and permits, accelerating customs/import processes or ministerial governmental actions, and any other commercial advantage for Akamai's benefit

While bribery can take many forms and is not just limited to government interaction, you must pay close scrutiny to relationships involving government officials, government entities, and SOEs including demands for gifts and entertainment.

**We don't recognize a "that's how business is done here" excuse.** Local custom and practice does not justify bribery. Current and potential business partners need to understand that if they want to do business with us, they must do so in the right way.

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Akamai follows and adheres to all applicable laws and treaties that have been adopted in recent years and prohibit a number of corrupt practices, including bribery. A list of many laws can be found in the Appendix to this policy.

**We reserve the right to conduct due diligence on our partners to ensure they do not engage in bribery or corruption and may terminate our agreements with such partners who do so.**

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## Examples of Bribery

You are Akamai's "first line of defense" against bribery. We need you to be the company's eyes and ears as you go about your job to ensure that we are not at risk of illegal conduct by anyone acting on our behalf.

### Bribes can include:

- Cash or cash equivalents, like vouchers and giftcards
- Travel expenses
- Gifts and entertainment (including meals)
- Payments that are masked as charitable giving
- Job offers, internships, or scholarships for family members

These transactions often are an attempt to reward the recipient for or induce the recipient to:

- Misuse his or her position to grant action favorable to Akamai's interest
- Refrain from official action in order to benefit Akamai's interests
- Use his or her influence to secure action or inaction of a third party to advance Akamai's interests
- Otherwise obtain an improper business advantage

Further red flags may arise in some of the following cases:

- Third-party "consulting agreements" or "finder's fee" agreements that include only vaguely described services
- Pressure to hire a consultant or agent with no obvious, relevant qualifications
- Unexplained preferences for certain contractors during an RFP
- Third parties that are related to or closely associated with foreign officials are in the deal
- Third parties that are shell companies incorporated in offshore jurisdictions
- Third parties that refuse to certify global compliance with anti-bribery or FCPA/U.K. Bribery Act requirements, or refuse to, or push back on, our request to perform due diligence
- Excessively high commissions percentages being paid to a particular agent
- Abnormal requests for, or insistence upon, cash payments
- Requests for payments in countries other than the place where services are rendered
- Suggestions of kickbacks or sharing proceeds with other unrelated parties
- Assertions that bribes are "just the way we do business"
- Pressure being exerted for payments to be made ahead of schedule

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If you have questions about additional scenarios, or are concerned that a corrupt payment may have been made, received, or has been requested, contact Global Compliance immediately at [ethics@akamai.com](mailto:ethics@akamai.com) or on the **Ask Global Compliance** page on the Aloha Community.

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# WHO IS A GOVERNMENT OFFICIAL?



This can be a tricky question. While in many cases the answer is obvious, other areas can be trickier. What about a state-run airline or telecoms company?

- A government official is any employee, officer, director, agent, consultant, or board member of any agency or branch of national, regional, provincial, state, or local government — whether legislative, executive, or judicial — or any person acting in an official capacity on behalf of a government entity and the family members of any of the aforementioned individuals.

An employee or other affiliate of a company will be considered a government official if they work for an SOE, meaning that:

- The company is majority-owned or -controlled by a government
- The government officially says the company is part of the government
- The government can hire and fire the entity's principals
- The company's profits go to the government
- The company has a monopoly over the public function it exists to carry out (such as utility or telecommunications company)
- The government subsidizes the company
- The public and government of a country generally perceive the entity to be critical to the country's interests or sense of international standing

If you aren't sure, please contact Global Compliance at [ethics@akamai.com](mailto:ethics@akamai.com).

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It also includes an officer, director, employee, agent, consultant, or official of a public international body, like the United Nations, as well as officials of political parties, candidates for political office, political parties, and officers, directors, employees, agents, consultants, or officials of business entities owned, operated, or controlled by, or otherwise under the dominant influence of, a government, and the family members of any of the aforementioned individuals.

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# GIFTS AND ENTERTAINMENT



Many alleged acts of bribery arise in the context of gifts, entertainment (including meals), and travel. Akamai's policy is that all gifts, entertainment, and travel offered or received by our officers, directors, and employees, or our subsidiaries, affiliates, partners, consultants, contractors, or agents, must be legal and reasonable - and under certain circumstances will require pre-approval by Senior Management and Global Compliance.

You can find more information in the [Code of Ethics](#), but key things to note:

- You may not offer a gift, meal, or entertainment to a government employee or employee of an SOE, no matter how nominal in value, without prior approval from Global Compliance.
- You may give a gift or use Akamai funds to provide a gift to an employee, advisor, or other person involved with a current or prospective business partner of Akamai only if such a gift:
  - is of modest value
  - is not provided frequently or repeatedly
  - is appropriate under the circumstances
  - will not embarrass Akamai if publicly known
- The price of a gift generally is considered of modest value if it has a retail value of less than US\$150 to a non-government entity. If you believe there is a legitimate reason to exceed this guideline, Global Compliance pre-approval is required. If you unexpectedly exceed the guideline, you should contact Global Compliance to discuss the situation.
- The following gifts are expressly prohibited without the prior approval of the Global Compliance Department:
  - cash
  - gift cards of any sort (like online store gift cards, iTunes gift cards, Starbucks gift cards, pre-paid debit/credit cards)
  - any other cash equivalent

These rules also apply to third parties (such as partners and resellers) working on our behalf.

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## Need approval?

**Fill out this form.** Be prepared to provide a description of the Akamai-sponsored event, any travel costs, individuals involved, and the reason for offering it.

Outside the U.S., you should use the equivalent value of the local currency. Further, you may not split gifts to get around the US\$150 rule.

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## Facilitation Payments

**Akamai does not permit any facilitation payments.**

Facilitation payments are small payments made to government officials to expedite the performance of routine governmental actions, such as obtaining licences, permits, or other government documents, getting things 'unstuck' at customs, speeding up meetings with decision makers, etc.

If you have been asked to make a payment, are unclear whether a transaction is a facilitation payment or not, or suspect such a payment has been made, contact Global Compliance via [ethics@akamai.com](mailto:ethics@akamai.com) or on the [Ask Global Compliance page](#).

## Charitable and Political Contributions

Any contribution intended (or that may appear) to influence a government official or an employee or representative of a private company is considered an impermissible bribe.

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More details on charitable/ political contributions are in the Akamai Code of Ethics. If you have a legitimate donation, you will need to get pre-approval via [this form](#).

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## THIRD PARTIES



We do not do business with individuals or organizations known to make corrupt payments or who could harm our reputation - **this also applies to Third Parties working on our behalf**

A Third Party means any party that sells, resells, or assists in selling or reselling any products manufactured, distributed, or provided by Akamai, and receives a fee, commission, discount, or other compensation or consideration from Akamai for such services.

**We reserve the right to conduct due diligence on our partners to ensure they do not engage in bribery or corruption and may terminate our agreements with such partners who do so.**

If you are involved in establishing or maintaining ongoing relationships with third parties, then you are responsible for adhering to the guidelines set out in this Policy. This includes monitoring requests for and the use of rebates, credits, and marketing development funds. These are all a potential source of value that can be used to pay bribes or improperly influence government officials.

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If you suspect that an Akamai partners/Third Party is misusing rebates, credits, or MDF allowance, you have a duty to speak up. Contact Global Compliance via [ethics@akamai.com](mailto:ethics@akamai.com) or reach out via the escalation options below.

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## BOOKS AND RECORDS

As also covered in our **Code of Ethics**, Akamai requires you to keep accurate and transparent transactions. Regardless of the type of transaction, all books and records established by Akamai employees must be complete and accurate.

All relevant records - including invoices and expense reports - must accurately reflect the associated transaction.

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Akamai representatives must never consent to or initiate the creation of false or misleading documents, including any that are designed to disguise a bribe as a legitimate payment.

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## IDENTIFYING AND RAISING CONCERNS



If you are confronted with a demand to pay a bribe or are offered one, refuse to pay or accept the bribe and explain that such payments are illegal and not tolerated by Akamai.

If for any reason you prefer to remain anonymous, you may call an independent third party that can be reached at (877) 888-0002 (in the U.S.) or +1(770) 810-1147 (if you are calling from outside the U.S.). There is also a **web form** you can complete in confidence, in your own language.

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Immediately report the situation via **[ethics@akamai.com](mailto:ethics@akamai.com)** or on the **Ask Global Compliance** page.

Akamai will not tolerate any retaliation against anyone who honestly reports an issue or concern regarding bribery or corruption.

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**[Click here to acknowledge that you have read and understood the Anti-Bribery and Anti-Corruption Policy](#)**

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### APPENDIX

Everywhere Akamai does business, it is unlawful to corruptly offer anything of value to a government official or employee for the purpose of obtaining or retaining business or for any competitive business advantage. In many countries, private commercial bribery is also prohibited. Numerous transnational laws and treaties have been adopted in recent years that prohibit a variety of corrupt practices, including transnational bribery. These include the:

- United States Foreign Corrupt Practices Act (FCPA)
- United Kingdom Bribery Act 2010
- Organization of Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions
- Organization of American States (OAS) Inter-American Convention Against Corruption
- Council of Europe Criminal Law Convention Against Corruption
- Asia Development Bank (ADB)/ Organization of Economic Cooperation and Development (OECD) Anti-Corruption Initiative
- United Nations Convention Against Corruption