Attachment C: SERV's Anti-Corruption Process

Catalogue of Questions: Anti-corruption

for internal SERV-use only

General Questions

Internal Processes

1 Does the exporter have an internal programme against corruption? Can documentation be provided?
2 Does the exporter have an internal defense (against corruption) plan?
3 Has this plan been published and where has it been published?
4 Does the exporter have procedures in place in case of corruption?
5 Has the exporter set up a contact point that will help answer questions on the internal processes?

Questions on Tenders, Contract and Financing

6 Was there an international tender?
7 If no, why not, e.g. the criteria for the invited tender process.
8 Is there a separate loan agreement or is this a part of the delivery contract?
9 Who signed the delivery contract (e.g. position within a ministry or position within the company)?
10 Were the signatures notirised and if yes, from whom (e.g. the Swiss embassy)?
11 In the case of a separate loan agreement: who signed the loan agreement (e.g. position within a ministry)?
12 Were the signatures notarised and if yes, from whom (e.g. the Swiss embassy)?
13 Bank's due diligence: Was the bank present at the signing of the delivery contract and / or loan agreement?

Detail Questions

Intermediary / Agent / Consultant

14 Was an intermediary/agent/consultant used (even partially) to close the transaction?
15 Who is the intermediary/agent/consultant (name, address and telephone and, if this person is an employee, the name of the owner/director/senior manager)?
16 How was the intermediary/agent/consultant chosen?
17 What other organisations (other exporters, companies) does the intermediary/agent/consultant represent?
18 Since when is the intermediary/agent/consultant active for your company?
19 Was a commission paid?
20 To whom was the commission paid (name, address and telephone)?
21 How high was the commission (in CHF and / or percent of delivery contract)?
22 Please describe the services for which the commission was paid.
23 When – in relation to the course of the transaction – was/will the commission be paid?

Delivery Contract

24 Is there a maintenance contract?
25 What is the tenor of the maintenance contract?
26 What portion - in percent - of the delivery value does the maintenance contract represent?
27 Which services are included (e.g. maintenance, training, spare parts, supplies and man hours according to profession and divided into local and international employees)?

These questions are meant as a guide for a discussion with the exporter / bank should the enhanced due diligence process need to be carried out.