



KENYA PIPELINE COMPANY LTD

**Bribery and Corruption Prevention
Procedures**

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1. LIST OF ABBREVIATIONS AND ACRONYMS

For the purposes of this document, the following acronyms shall apply:

KPC	– Kenya Pipeline Company
Information	– Meaningful data
EACC	– Ethics and Anti-corruption Commission
BCRA	– Bribery and Corruption Risk Assessment
BCPP	– Bribery and Corruption Prevention Plans
GM	– General Manager
MIOC	– Management Integrity Oversight Committee
CIAC	– Central Integrity Assurance Committee
IAO	– Integrity Assurance Officers (Integrity Champions)

2. PREAMBLE

Kenya Pipeline Company Limited (KPC) is a wholly owned Government Corporation under the Ministry of Energy and Petroleum, Incorporated in 1973 under Companies Act Cap 486. The core mandate is to transport, store, and dispense petroleum products safely and efficiently from Mombasa to the hinterland through a pipeline system.

KPC is committed to implementing good corporate governance principles and adheres to integrity, high ethical values, and professionalism in all its activities in line with its core values of Integrity, Transparency, Accountability, Diligence, Team spirit, Loyalty, and Care for the Environment. The employees of KPC discharge their respective duties at various points of operation and service delivery along the pipeline system spanning from Mombasa to Western Kenya, with high level of professionalism, integrity, and ethics, and are committed to impartial, fair, and equitable services.

The Managing Director of KPC is the responsible and authorized Officer for ensuring the implementation of the bribery and corruption prevention procedures and is committed to ensure that all Company employees are conversant with the provisions and they abide by the principles therein; that they report any knowledge or suspicion of bribery or corruption in their areas of operation; that they are aware of consequences of failure to report; and the adequate measures in place to protect whistleblowers, informers, and witnesses from any reprisals.

3. PURPOSE

This procedure defines and documents the necessary control measures for prevention of bribery and corruption, protection of whistleblowers, informants, and witnesses, monitoring and evaluation of the impact.

4. SCOPE

These procedures are applicable to the KPC Board of Directors, Management and Staff, KPC clients, suppliers, contractors whenever they are engaged to provide services. It also anticipates collaboration and cooperation with other industry regulatory agencies.

5. ROLES AND RESPONSIBILITIES

5.1. BOARD

5.1.1. To offer oversight in the implementation of the procedures and ensure that Management is committed to the implementation

5.2. Managing Director

5.2.1. Shall be responsible for ensuring that the procedures for the prevention of bribery and corruption are operationalized.

5.2.2. Shall designate a Senior Officer in authority to oversee the implementation of the procedures in the Company.

5.2.3. Shall provide an enabling environment for the implementation of this procedures

5.2.4. Shall provide all the necessary resources

5.3. General Managers

5.3.1. Support Bribery and Corruption Prevention Initiatives through enforcement of Policy decisions and continuous reviews.

5.3.2. As the Corruption Prevention Committee (CPC) referred to as the Management Integrity Oversight Committee (MIOC), continuously monitor the implementation of the Corruption and Bribery Prevention Strategies, ensure prompt decisive action on Corruption Prevention Recommendations and setting ethical standards.

5.4. Managers

5.4.1. Ensure that staff are aware of and adhere to the procedures

5.4.2. Ensure that reported cases are progressed according to laid down procedures.

5.4.3. Foster a working environment free of harassment, discrimination, victimization during the process of investigations of corruption and bribery incidences.

5.5. Integrity Committees

The Committees comprising of the Regional and the Central Assurance Committees with the mandates as outlined in the KPCs Anti-Corruption Prevention Policy (2016) shall be responsible for:

- 5.5.1. Formulating Bribery and Corruption Prevention policies, procedures, and plans
- 5.5.2. Receiving reports from whistleblowers, informers from their various locations, investigate and submit reports with recommendations to the CPC/MIOC for action.

- 5.5.3. Carry out Bribery and Corruption Risk Assessment in liaison with departmental link persons and develop Bribery and Corruption Prevention Plans (BCPP).
- 5.5.4. Staff awareness on Bribery and Corruption Prevention Initiatives.
- 5.5.5. Monitoring, evaluation and review the effectiveness of the procedures, identification of emerging risks and making recommendations for improvement to MIOC.

5.6. Enforcement Structure

- 5.6.1. The Company shall designate a Senior Officer with authority to oversee the implementation of the procedures.
- 5.6.2. The trained Integrity Officers shall be responsible for Investigating the reported bribery or corruption; advise the informant of their rights and obligations inform them of the progress and submit a report to the responsible officer for further action.
- 5.6.3. The responsible officer shall submit investigation report to MIOC for deliberation, review the recommendations for implementation.

- 5.6.4. Where the Bribery and Corruption involves higher authority, the whistleblower report shall be escalated to the Ethics and Anti-Corruption Commission (EACC) for further action.

6. BRIBERY AND CORRUPTION RISK ASSESSMENT AND MANAGEMENT

6.1. Generation of Bribery and Corruption Risk Assessment and Bribery and Corruption Prevention Plans

- 6.1.1. The departments shall nominate link persons to generate the bribery and corruption risk assessment and the bribery corruption prevention plans with the support of the trained IAOs.
- 6.1.2. The departmental BCRA/BCRPP will be approved by the respective HODs and submitted for collation by the Integrity Secretariat.
- 6.1.3. The Companywide BCRA/BCRPP shall be forwarded to MIOC for discussion, review, and approval.
- 6.1.4. The adopted BCRA/BCRPP, and the quarterly implementation status report shall be submitted to EACC.

6.2. Reporting of acts of Bribery and Corruption

- 6.2.1. Reports can be made using several mechanisms which KPC has put in place including but not limited to anonymous email, integrity boxes or in-person report as per the Anti-Corruption Prevention Policy.
- 6.2.2. Reported acts of bribery shall be reviewed, an acknowledgement of receipt sent to the whistleblower (if address is provided) while maintaining confidentiality.
- 6.2.3. An ad-hoc Committee shall be formed from the trained IAOs, to verify and investigate the Bribery or Corruption allegation(s), and a report forwarded to Management Integrity Oversight Committee (MIOC) for action.

6.3. Protection of Whistle Blowers, Informants and Witnesses

- 6.3.1. To ensure that the confidentiality and anonymity of whistle blowers, informants and witnesses is maintained, the responsible officer (s) shall remove any personal information before assigning for action or escalating for guidance.
- 6.3.2. Whistle blowers, informants and witnesses shall be informed of their rights and obligations by the responsible officer.

6.3.3. The Management Integrity Oversight Committee (MIOC) shall ensure that whistleblowers, informants, and witnesses are protected against any reprisal or detrimental action, or any form of victimization as a consequence of making bribery disclosures in line with the Bribery Act, 2016, the Bribery Regulations, 2021, Published Guidelines on the Preparation of Procedures (Gazette Notice 11125, 2021), and KPC Whistle Blower Policy. The measures to ensure protection from retaliation, reprisal or victimization of any person who reports in good faith, any knowledge or suspicion of an act of bribery or corruption shall include but not be limited to:

6.3.3.1. An assessment of the implications of the reported matter shall be undertaken to determine the threat, and the perpetrator(s);

6.3.3.2. Whereupon an assessment it is deemed that it is difficult for the whistle-blower to continue working in the same area, deployment to another location may be considered

6.3.3.3. The perpetrator(s) shall be informed of the consequences of harassing a whistleblower and cautioned. If the harassment continues, disciplinary action against the perpetrator shall be meted.

6.3.3.4. Where no internal deterrence measure can be meted against the perpetrator(s), it shall be escalated to EACC for action;

6.4. Compliance, Monitoring and Review Mechanisms

6.4.1. Continuous monitoring and improvement process shall be undertaken to ensure the procedures for addressing bribery prevention remain relevant to technological advancement.

7. REFERENCE AND RELATED DOCUMENTS

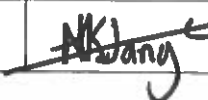
Ref	Document Title
	Bribery Act 2016
	Bribery Regulations 2021
	The Guidelines for the Development of Bribery & Corruption Prevention Procedures, Kenya Gazette Vo. CXXIII – No. 215
	The Anti-Corruption and Economic Crimes Act, 2003 (ACECA)
	Public Officers Ethics Act, 2003 (2016)
	The Leadership and Integrity Act 2012
	The Leadership and Integrity Regulations 2015
	KPC Code of Conduct and Ethics, 2016
	KPC Corruption Prevention Policy, 2016
	KPC Gift Policy, 2016
	KPC Whistle Blower Policy, 2016

8. PROCEDURE TRAINING / AWARENESS

8.1. All Staff shall be made aware of the existence of the procedures or any revisions thereafter. When training is conducted training records shall be kept by the responsible officer.

9. MONITORING EVALUATION AND REVIEW

The procedures will be subject to continuous monitoring evaluation and review of the effectiveness, identification of emerging risks and making improvements where necessary.

Details	Name	Designation	Signature	Date
Approved by:	JOE SANG	MD		4.08.23

