

Policies and Procedures – Human Resources																	
	<table border="1"> <tr> <td>Policy Name</td> <td>Anti-Competitive behaviour policy</td> </tr> <tr> <td>Policy Number</td> <td>HR-POL-047/01</td> </tr> <tr> <td>Owner</td> <td>Group HR Executive</td> </tr> <tr> <td>Version</td> <td>0</td> </tr> <tr> <td>Original Date of Issue</td> <td>30 April 2019</td> </tr> <tr> <td>Revision Date</td> <td></td> </tr> <tr> <td>Revised By</td> <td></td> </tr> <tr> <td>Approved By</td> <td>CEO</td> </tr> </table>	Policy Name	Anti-Competitive behaviour policy	Policy Number	HR-POL-047/01	Owner	Group HR Executive	Version	0	Original Date of Issue	30 April 2019	Revision Date		Revised By		Approved By	CEO
Policy Name	Anti-Competitive behaviour policy																
Policy Number	HR-POL-047/01																
Owner	Group HR Executive																
Version	0																
Original Date of Issue	30 April 2019																
Revision Date																	
Revised By																	
Approved By	CEO																

Contents

Purpose and scope.....	2
Reference to other documents.....	2
Related forms and documentation.....	2
Principles	2
Raising concerns	3
Policy Compliance	3

Purpose and scope

GVK-Siya Zama is committed to conduct its operations with integrity and in a manner that is consistent with all applicable laws and business practices related to free and fair competition. These practices are aimed at an open, competitive and fair market environment that will best serve the interests of our customers, stakeholders and the wider community.

The purpose of this policy is to set out GVK-Siya Zama's approach to anti-competitive behaviours. We are committed to dealing fairly and honestly with our customers, suppliers, competitors and any other business partners.

This policy applies to all employees employed at GVK-Siya Zama and includes salaried and wage staff.

Reference to other documents

- [Code of Conduct Policy](#)
- [Disciplinary Policy](#)

Related forms and documentation

- [Disciplinary Code](#)

Principles

This principle of this policy is based on the Competition Act, 89 of 1998 which aims to encourage and maintain competition in the Republic in order to promote the efficiency, adaptability and development of the economy; provide consumers with competitive prices and product choices; promote employment and advance the social and economic welfare of South Africans; expand opportunities for South African participation in world markets and recognise the role of foreign competition in the Republic; ensure that small and medium-sized enterprises have an equitable opportunity to participate in the economy; and to promote a greater spread of ownership, in particular to increase the ownership stakes of historically disadvantaged persons.

It prohibits any agreement between parties that substantially prevents or lessens competition unless the agreement can be justified based on technology, efficiency or other pro-competitive gains. The Act also prohibits anti-competitive conduct between competitors, firms and their customers or suppliers and/or abuses of dominance by firms having a substantial market share.

GVK-Siya Zama's policies prohibit any person representing GVK- Siya Zama from entering into arrangements which are illegal or in breach of the Competition Act.

GVK-Siya Zama has zero tolerance for anti-competitive conduct with specific reference to:

- **Collusion** with competitors referred to as "cartel behaviour". Cartel conduct and collective boycotts between competitors include:
 - *price fixing*: agreements involving fixing the selling price to the customer or the buying price to be paid to suppliers;
 - *output restrictions*: agreements between competitors to prevent, restrict or limit production, capacity or supply of goods and services;

- *allocating customers, suppliers or territories*: agreements between competitors to divide or allocate customers, suppliers or territories among themselves;
 - *bid-rigging or collusive tendering*: agreements between competitors in order to ensure that bids for a tender are submitted (or withheld) in a manner agreed by the bidding participants.
-
- Payment of a loser's fee: agreeing to inflate your price with a view to pay competitors who were unsuccessful in their bid.
 - Exclusionary arrangements amongst competitors which have the purpose of preventing, restricting or limiting dealings with a particular person or class or persons; or of substantially lessening competition which may include, depending on circumstances, exclusive dealing and other restrictive arrangements.
 - Conduct that limits or prevents competitors from entering or competing in markets or the misuse of market power for the purpose of substantially damaging a competitor or preventing the competitor from entering into a market and engaging freely and fairly.
 - Misleading or deceptive conduct that conveys an untrue impression of a competitor or situation.
 - Exchanging price sensitive information with competitors.

Raising concerns

If an employee or stakeholder becomes aware of anti-competitive behaviour, they should raise their concern without fear of retribution by addressing the matter with a line manager, regional managing director or any member of the Group Executive.

Policy Compliance

Failure to comply with this policy may result in substantial fines and penalties imposed upon GVK-Siya Zama and may expose GVK-Siya Zama and / or its employees to civil or criminal liability or other financial or reputational damage. Employees who breach this Policy may face disciplinary action, including dismissal.

GVK-Siya Zama cautions staff to be vigilant and proactive under circumstances where they have concerns about conduct that may result in a breach of this policy and encourages employees to escalate any concerns, they might have to their line managers, or any member of the Executive.