

**ORDINANCE ON THE IMPLEMENTATION OF
THE OECD RECOMMENDATION ON BRIBERY
AND OFFICIALLY SUPPORTED EXPORT
CREDITS**

November 2024

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CONTENTS

PART ONE: INTRODUCTORY PROVISIONS	4
SUBJECT MATTER OF THE REGULATION	4
COMPETENCES AND RESPONSIBILITIES	4
PART TWO: PROCEDURE OF APPLYING THE OECD RECOMMENDATION ON BRIBERY.....	5
OECD RECOMMENDATION ON BRIBERY.....	5
SCOPE OF APPLICATION	5
DEFINITIONS	5
GENERAL MEASURES TO DETER BRIBERY	6
SCREENING AND DUE DILIGENCE PROCEDURE	7
ENHANCED DUE DILIGENCE PROCEDURE	8
EVALUATION, DECISION AND POST-FINAL COMMITMENT	9
EXCHANGE AND DISCLOSURE OF INFORMATION AND REPORTING TO OECD's ECG	10
PART THREE: TRANSITIONAL AND FINAL PROVISIONS.....	11

Pursuant to Article 14 of the By-Laws of the Croatian Bank for Reconstruction and Development (hereinafter: HBOR) the Management Board of HBOR, on its 51st meeting held on 7 November 2024 adopted the following

ORDINANCE ON THE IMPLEMENTATION OF THE OECD RECOMMENDATION ON BRIBERY AND OFFICIALLY SUPPORTED EXPORT CREDITS

PART ONE INTRODUCTORY PROVISIONS

Subject matter of the regulation

Article 1

By this Ordinance on the Implementation of the OECD Recommendation on Bribery and Officially Supported Export Credits (hereinafter: the Ordinance), authorisations and basic procedures in the business processes of involved organisational units and functions of HBOR are determined when implementing the OECD Recommendation of the Council on Bribery and Officially Supported Export Credits, OECD/LEGAL/0447, adopted on 14 December 2006, the latest version dated 13 March 2019; hereinafter: the OECD Recommendation on Bribery.

Competences and responsibilities

Article 2

The following organisational units and functions shall be responsible for the implementation of this Ordinance:

- Credit Division – organisational unit responsible for the implementation of loan programmes to which this Ordinance is applied,
- Export Credit Insurance and Guarantees Division – organisational unit in charge of the implementation of export credit insurance programmes to which this Ordinance is applied (hereinafter: SOIJ),
- Business Communications and Marketing – organisational unit in charge of public disclosure of information related to prevention of bribery in export business to which this Ordinance is applied,
- Management Board Office – organisational unit in charge of submitting information to state bodies in charge of implementation of law enforcement if a violation of law has occurred in case of bribery,
- International and Export Strategy – organisational unit responsible for reporting to international (external) bodies (such as the OECD, the European Commission, etc.) on the prevention of bribery in export transactions to which this Ordinance is applied (hereinafter: MIS) and
- other organisational units and functions of HBOR to the extent that the OECD Recommendation on Bribery relates to them.

PART TWO PROCEDURE OF APPLYING THE OECD RECOMMENDATION ON BRIBERY

OECD Recommendation on Bribery

Article 3

- (1) The OECD Recommendation on Bribery contains recommendations that are adhered to by government institutions or private companies acting on behalf of governments as national export credit agencies (ECAs) and export banks when considering applications for official export credit support.
- (2) Follow-up of the Recommendation referred to in the preceding paragraph of this Article shall entail taking appropriate measures to prevent bribery in officially supported export credit transactions, in accordance with the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (hereinafter: the OECD Convention on Combating Bribery), The United Nations Convention Against Corruption, legal system of each state involved in an export transaction and in accordance with the nature of export transaction.

Scope of application
Article 4

- (1) The OECD Recommendation on Bribery shall apply to all products of Officially supported export credits, as defined in Article 5 of this Ordinance.
- (2) By way of derogation from paragraph 1 of this Article, the OECD Recommendation on Bribery shall not apply to officially supported export credit products where the risk of default on credit or guarantee lies on the exporter (e.g., issuing and/or insuring of export performance-related bank guarantees, loans for pre-export finance / working capital / liquidity etc.).

Definitions
Article 5

For the purposes of applying this part of the Ordinance or the OECD Recommendation on Bribery, respectively, the terms below shall have the following meaning:

- **Due diligence** is a process through which HBOR identifies, considers and processes potential bribery risks in export transactions for which it has received applications for officially supported export credits within the framework of its decision-making and risk management systems.
- **Equivalent measures** refer to, for example, decisions by competent national authorities concerning bribery through the use of deferred prosecution agreements (DPAs) or non-prosecution agreements (NPAs), as well as measures resulting from any formal recognition or voluntary self-declaration agreed with the competent government authority, where such measures exist.
- **OECD Convention on Combating Bribery** refers to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business – “The Anti-Bribery Convention”, OECD/LEGAL/0293, adopted on 21 November 1997), international instrument against bribery, which serves to promote good governance, economic development and equal conditions in international business. The Convention came into force in 1999, and it establishes legally binding standards to criminalise bribery of foreign public officials in international business transactions and provides a set of associated standards as support to this obligation, whereas the aim of the programme of systematic monitoring and supervision as well as of its full implementation promotion is to ensure the efficiency of combat against foreign bribery. The Republic of Croatia joined the OECD Convention on Combating Bribery in November 2023, and the Convention for the Republic of Croatia entered into force on 21 January 2024.
- **The United Nations Convention against Corruption** (“UNICAC”) is an international anti-corruption instrument, which was adopted on 31 October 2003 and entered into force on 14 December 2005. The Convention consists of five main areas: preventive measures, criminalization and law enforcement, international cooperation, asset recovery, as well as technical assistance and information exchange. The Croatian Parliament ratified this Convention on 4 February 2005 (Act on

- Ratification of the United Nations Convention against Corruption, Narodne Novine, the official gazette of the Republic of Croatia No. 2/2005).
- **Officially supported export credits** include: (i) export credit insurance transactions: insurance policies (so-called “pure cover”) and (ii) direct finance and refinance or interest subsidies (so-called “official financing”), i.e. any combination of the aforementioned transactions by means of which governments support national exports, apart from the exceptions provided for in Article 4, paragraph 2 of this Ordinance. In the Republic of Croatia, the term refers to export finance by HBOR as a public body with state status, i.e. export credit insurance by HBOR as a body with a mandate to perform insurance operations for and on behalf of the Republic of Croatia. Loans and/or insurance approved in connection with officially supported export credits are also called “officially supported export finance loans”.
 - **MNE Guidelines** are the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (Decision of the Council on the Guidelines for Multinational Enterprises on Responsible Business Conduct, OECD/LEGAL/0307, adopted 27 June 2000, amended on 8 June 2023) and they are non-binding guidelines addressed by governments to multinational enterprises as a tool for responsible business conduct. The MNE Guidelines:
 - recognise and encourage positive contributions enterprises can make to economic, environmental and social progress
 - acknowledge that business activities may result in adverse impacts on labour rights, human rights, environment, bribery and corruption, consumer interests, corporate governance
 - recommend enterprises to carry out risk-based due diligence analysis in order to avoid or address adverse impacts related to their operations, their supply chains and other business relations in accordance with the **Recommendation of the Council on the OECD Due Diligence Guidance for Responsible Business Conduct**, OECD/LEGAL/0443, adopted on 30 May 2018.
 - **Multilateral Financial Institutions** are:
 - a) The African Development Bank,
 - b) The Asian Development Bank,
 - c) The European Bank for Reconstruction and Development - EBRD,
 - d) The Inter-American Development Bank and
 - e) The International Bank for Reconstruction and Development, the World Bank Group - IBRD.
 - **National Contact Point (NCP)** relates to the National Contact Point for Responsible Business Conduct, a body established by each country that has acceded to the MNE Guidelines as a permanent mechanism for promoting and implementing the MNE Guidelines and solving specific cases related to non-compliance with the recommendations contained in the MNE Guidelines. The Government of the Republic of Croatia has established the National Contact Point in 2019, and it consists of two bodies:
 - Secretariat – it consists of one official from the Ministry of the Economy and one official from the Ministry of Foreign and European Affairs, and it is responsible for coordinating all activities of the National Contact Point, providing administrative support to the activities of the External Body, preparing annual reports on the activities carried out by the National Contact Point to be submitted to the OECD Investment Committee and participating in the annual meetings of the OECD Working Party on Responsible Business Conduct, and
 - External Body – it consists of the representatives of several ministries of the Republic of Croatia (one representative from each ministry), the Office for Human Rights and National Minority Rights, the Croatian Association of Employers, the Croatian Chamber of Commerce, several trade union associations and several non-governmental organisations. The External Body is responsible for providing assistance to the parties in solving issues related to the application of the MNE Guidelines in specific cases as well as for other activities of promoting and applying the MNE Guidelines it performs in coordination with the Secretariat.

- **Bribery** includes the criminal offences of Receiving Bribes, Giving Bribes, Receiving Bribes in Business Dealings and Giving Bribes in Business Dealings, as described in the Criminal Code of the Republic of Croatia, as well as criminal offences which, by their description and consequences, correspond to the aforementioned criminal offences, which are prescribed by the national laws of other countries involved in export transaction.
- **Relevant parties** refer to applicant for officially supported export credits, foreign buyer, borrower, or any other party in the transaction with which the ECA or the export bank has or intends to have a direct contractual relationship arising from a written contract or a similar binding declaration in which there is a manifestation of the parties' mutual assent to enter into a loan, guarantee and/or insurance relationship not including reinsurance, co-financing or counterguarantee partners.

General measures to deter bribery

Article 6

- (1) General measures to deter bribery include:
- a) Informing exporters, and, where appropriate, other Relevant parties, about the legal consequences of bribery in export business transactions in accordance with national legislation;
 - b) Encouraging exporters, and, where appropriate, other Relevant parties to develop, apply and document appropriate management control systems that prevent and detect bribery;
 - c) Raising awareness of the need to comply with all relevant laws and regulations prohibiting bribery in the country or jurisdiction where the Relevant parties are conducting business;
 - d) Promoting responsible professional conduct among exporters and other parties involved in filling out and/or submitting application for officially supported export credits;
 - e) Within the framework of implementation of loan programmes and/or insurance programmes to which this Ordinance applies, development, application and documenting of appropriate control systems that seek to deter bribery in export business transactions and that are supported by adequate staff training, reporting mechanisms and internal audit procedures;
 - f) Developing and implementing of procedures, in accordance with national laws on such disclosure, for disclosing credible allegations or evidence that bribery was involved in the award or execution of the export contract to law enforcement authorities.
- (2) In order to achieve general measures to deter bribery referred to in paragraph 1 of this Article, the Credit Division and/or SOIJ, depending on the type of placement (loan or insurance), shall:
- a) Hold meetings, workshops, etc. with exporters and other Relevant parties, and/or in other appropriate ways (by publishing on the website, publishing in the media, leaflets and brochures, e-mail, letters, provisions within contractual documentation, etc.) to inform, educate and encourage greater control regarding responsible business conduct and prevention of bribery in export transactions in which they participate, as well as the consequences of its disclosure,
 - b) When considering the approval of an officially supported export credit and/or insurance, carry out the screening and due diligence procedure referred to in Article 7 of this Ordinance of all applications for officially supported export credits subject to this Ordinance, in order to determine which of these requirements should be subject to enhanced Due diligence referred to in Article 8 of this Ordinance due to bribery risks, and if necessary, carry out the enhanced Due diligence, and
 - c) Report to the competent decision-making bodies within HBOR on the observed bribery irregularities,

where, at their request, they are supported by other organisational units of HBOR specialised in

specific fields (e.g., professional support / providing opinions on risks and potential effects of bribery, obtaining additional necessary information and documentation from applicants for credit and/or insurance, external bodies etc.).

- (3) In the case of transactions in which HBOR participates both as a lender and as an insurer, the procedure of Due diligence, enhanced Due diligence and reporting referred to in paragraph 2 sub-paragraph b) and sub-paragraph c) of this Article, and the related actions under this Ordinance shall be implemented by the Credit Division.

Screening and Due diligence procedure
Article 7

- (1) Applications for official export credit support should be screened (reviewed) as soon as possible, but not later than before proposing an approval and/or refusal of officially supported export credit and/or insurance, in order to identify potential risks associated with bribery.
- (2) The screening referred to in the preceding paragraph shall include the implementation of Due diligence procedure, which shall include at least the following conduct:
- a) Requiring that, where appropriate, the parties filling out and/or submitting application for officially supported export credit and/or insurance provide all information necessary to undertake the screening and subsequent enhanced Due diligence;
 - b) Requiring exporters and, where appropriate, other Relevant parties to provide a declaration:
 - i. that neither the exporter, nor the Relevant parties, nor any natural or legal person acting on their behalf in connection with the transaction, such as agents, have been engaged or will engage in bribery in the respective export transaction. Such a declaration should cover bribery of foreign and domestic public officials, whereas for exporters and Relevant parties operating in or under the jurisdiction of a country implementing the OECD Recommendation on Bribery, where prohibited by national laws of the state and bribery in the private sector;
 - ii. whether they or any natural or legal person acting on their behalf in connection with an export transaction, such as agents:
 - are currently under charge in any court or, to the best of their knowledge, are formally under investigation by public prosecutors for violation of laws against bribery of any country, and/or
 - within a five-year period preceding the application, have been convicted in any court for violation of laws against bribery of any country, been subject to Equivalent measures, or been found as part of a publicly-available arbitral award to have engaged in bribery;
 - iii. that commissions and fees paid, or agreed to be paid, to any natural or legal person acting on their behalf in connection with the export transaction, such as agents, are, or will be, for legitimate services only;
 - c) Verifying or requiring a declaration that exporters and, where appropriate, other Relevant parties and any natural or legal person acting on their behalf in connection with the export transaction, such as agents, are not listed on the publicly-available debarment lists of one of the Multilateral Financial Institutions referred to in Article 5 of this Ordinance;
 - d) Requiring the following information to be provided at the request of the Credit Division and/or SOIJ:
 - i. the identity of any natural or legal person, such as agents, acting on behalf of the exporter and, where appropriate, other relevant parties in connection with the export transaction,
 - ii. the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons,

- iii. the country or jurisdiction in which the commissions and fees have been paid, or agreed to be paid.
- (3) If the Credit Division and/or SOIJ has no contractual relationship with the exporter or the Relevant party, the declarations referred to in paragraph 1 of this Article may be obtained, as appropriate, via other parties involved in the transaction (e.g. other export credit agencies, export banks, commercial banks, etc.).
- (4) The draft statements referred to in paragraph 2 sub-paragraphs b) and c) of this Article are set out in Annex I (credit) and Annex II (insurance) to this Ordinance.

Enhanced Due diligence procedure

Article 8

- (1) Enhanced Due diligence shall be undertaken if there is an increased risk of bribery related to the export business (transaction) for which an application for officially supported credit and/or insurance is submitted or related to the parties involved in the export transaction. Such an increased risk may exist, e.g., in the case of:
- submission of information on bribery or suspicion of bribery by exporters, other relevant parties and/or any other natural or legal person acting on their behalf in connection with the export transaction;
 - the export transaction involves the country or jurisdiction of a country with a higher risk of bribery, (e.g., non-Member of the European Union or the OECD, a country for which it has been determined, based on credible sources, that it has a significant level of bribery or other criminal offences, a country against which sanctions by the EU or international partners¹ are in force, a country that finances or supports terrorist activities or within which terrorist organisations operate, etc.);
 - the export transaction includes an industry or a sector with a higher risk of bribery (e.g. the construction sector that often involves politically exposed persons, or the shipbuilding industry that potentially involves tax havens, etc.);
 - the export transaction involves a state or a state-owned company;
 - the export transaction involves a politically exposed person;
 - declarations in credible media on suspicion of bribery;
 - information received from whistle-blowers, etc.
- (2) Enhanced Due diligence shall include at least the following conduct:
- a) Analysis of the data contained in the application for officially supported export credit and/or insurance, the declarations given in accordance with Article 7 of this Ordinance and any Due diligence made in respect of such information and/or declarations;
 - b) Taking measures of enhanced due diligence, such as:
 - i. in the event that one of the parties involved in export transaction has been convicted of violation of laws against bribery, been subject to Equivalent measures, or been found as part of a publicly-available arbitral award to have engaged in bribery within a five -year period preceding the application, verifying that the party concerned has taken, maintained and documented appropriate internal corrective and preventative measures (e.g. replacing individuals that have been involved in bribery, adopting appropriate anti-bribery management control system, submitting to an audit, making the results of such period audits available, etc.), which includes requesting evidence that such measures have been

¹ UN sanctions list, FATF sanctions list, UK sanctions list, US sanctions list

- taken;
- ii. taking into account the nature of the competent court and legislation in the event of disputes and arbitration (e.g. whether there is a possibility of unjustified or malicious accusations, investigation, etc.);
 - iii. verifying and noting whether additional parties involved in export transaction are listed on the publicly available debarment lists of one of the Multilateral Financial Institutions referred to in Article 5 of this Ordinance;
 - iv. where such information has not already been demanded during Due diligence, require that the following information be provided upon demand of the Credit Division and/or SOIJ:
 - the identity of any natural person or legal person, such as agents, acting on behalf of the exporter and, and, where appropriate, other relevant parties in connection with the export transaction,
 - the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons,
 - the country or jurisdiction in which the commissions and fees have been paid or agreed to be paid.
 - v. verifying whether the level of commissions and fees paid, or agreed to be paid, the purpose of such commissions and fees, and the location of such payments, appear appropriate and for legitimate services only;
 - vi. extending Due diligence to other parties involved in the export transaction, including, for example, joint ventures and consortia partners, and requesting information about the beneficial ownership and financial condition of any of the parties involved in export transaction;
 - vii. considering any statements or reports made publicly available by the National Contact Point at the conclusion of proceedings of a specific instance in accordance with the procedure under the MNE Guidelines²;
 - viii. contacting other relevant government bodies and institutions that may have useful information (e.g. Ministry of Foreign and European Affairs, Ministry of Justice and Administration, Ministry of the Economy, etc.).

Evaluation, decision and post-final commitment
Article 9

- (1) Information on the results from the screening, due diligence and possible enhanced Due diligence, carried out in accordance with the procedures described in Article 7 and Article 8 of this Ordinance, shall be submitted to the competent decision-making body of the HBOR and taken into account when deciding on whether to approve or reject an application for an officially supported export credit and/or insurance.
- (2) In the event that, in carrying out the procedures referred to in Article 7 and Article 8 of this Ordinance, i.e. prior to the commitment of an application for officially supported export credit and/or insurance, it has been established that bribery is involved in respect of the export transaction for which an officially supported export credit and/or insurance or related parties is requested, or if all the necessary declarations referred to in Article 7 of this Ordinance have not been obtained:
 - a) the decision-making body of the HBOR will make a decision on the decline of the application for officially supported export credit and/or insurance;
 - b) The Credit Division and/or SOIJ will report on the established allegation or evidence of bribery to the Management Board Office which, in accordance with the legal regulations and internal

² Statements and reports of the National Contact Point are made publicly available at the website: <https://rbcroatia.gov.hr/>.

procedures of HBOR, will take further actions to inform the state law enforcement authorities.

- (3) If the decision-making body of HBOR takes a decision on the approval of an application for an officially supported export credit and/or insurance, it may also lay down the conditions for the applicant for officially supported export credit and/or insurance and/or for the exporter and/or for other Relevant parties, the prior or subsequent fulfilment of which may be a condition for the respective export credit and/or insurance in question. These conditions may relate, for example, to:
 - informing the Credit Division and/or SOIJ, depending on the transaction, of any material changes to the declarations provided in accordance with Articles 7 and 8 of this Ordinance;
 - warranty, that exporters and, where appropriate, other Relevant parties and any natural or legal person acting on their behalf in connection with the export transaction, such as agents, have complied and will comply with all relevant laws and regulations prohibiting bribery in the country or under jurisdiction where they are conducting business;
 - the rights to audit or review the management control systems of the parties to the export transaction, the transaction for which support is provided, including all relevant payments, etc.
- (4) If the officially supported export credit and/or insurance is granted conditionally in accordance with paragraph 3 of this Article, the Credit Division and/or SOIJ, depending on the transaction, with the support of other organisational units of HBOR to which this Ordinance applies, shall supervise the fulfilment of additional conditions by dynamics and in the manner laid down in the loan contract and/or insurance contract for the respective transaction.
- (5) In the event of non-compliance with the additional conditions referred to in paragraph 3 of this Article, the organisational unit supervising them in accordance with paragraph 4 of this Article shall propose to the competent bodies of HBOR the measures to be taken which it considers appropriate to achieve the objective of complying with the respective conditions.
- (6) If it has been established that bribery was involved or might have been involved after an officially supported export credit and/or insurance has been approved, the organisational unit and/or function that has established this:
 - i. will undertake further due diligence procedures (e.g., consider press reports from reputable sources, information provided by parties involved in the export transaction, whistle-blowers information, etc.);
 - ii. in the event that the further due diligence procedure established that there was bribery involved in the export transaction:
 - it will inform the HBOR decision-making bodies in charge and the Management Board Office, which will, in accordance with HBOR's legal regulations and internal procedures, take further procedures to inform the state law enforcement authorities;
 - it will take other appropriate actions to reduce the risk incurred, such as the denial of further payments of the export credit granted, indemnification, refund of sums provided, etc.

Exchange and disclosure of information and reporting to the OECD's ECG

Article 10

- (1) Business Communications and Marketing shall publish on the HBOR website the OECD Recommendation on Bribery, information on the application of this Ordinance, and, if necessary, refer to the national regulations related to the prevention of bribery.
- (2) Upon receipt of information from HBOR's expert teams to which this Ordinance applies, MIS will report to the OECD Working Party on Export Credits and Credit Guarantees or Export Credits Group

(hereinafter: OECD's ECG) on all transactions in which bribery was involved in an export transaction for which an officially supported export credit and/or insurance was granted, information on the party involved in the bribery and the appropriate actions taken by it, taking due account of its obligations of professional secrecy and the applicable restrictions on the right of access to information.

- (3) MIS will report on the implementation of the OECD Recommendation on Bribery to the OECD's ECG at their request (as a rule once a year) through the prescribed form (questionnaire).
- (4) HBOR's expert teams to which this Ordinance applies shall provide all necessary information to Business Communications and Marketing and MIS in good time and support them in the disclosure of information and reporting referred to in paragraph 1, paragraph 2, and paragraph 3 of this Article.
- (5) HBOR will contribute to preventing and combating bribery in export transactions through reporting and exchange of information in accordance with the provisions of the OECD Recommendation on Bribery.

PART THREE TRANSITIONAL AND FINAL PROVISIONS

Article 11

- (1) The Credit Division, SOIJ, Business Communications and Marketing, the Management Board Office and MIS shall be responsible for interpreting and updating this Ordinance, everyone in the part that applies to them.
- (2) The organisational units and functions referred to in Article 2 of this Ordinance shall, if necessary, establish and apply their own procedures that will prescribe more detailed procedures in accordance with the Ordinance.
- (3) This Ordinance shall enter into force on 15 November 2024, and all employees of HBOR shall be obliged to act in the manner prescribed by this Ordinance.
- (4) On the day of entering into force of this Ordinance, the Ordinance on the Implementation of the OECD Recommendation on Bribery and Officially Supported Export Credits adopted on 1 October 2021 shall be repealed.
- (5) By way of derogation from paragraph 3 of this Article, the provisions related to MIS shall enter into force upon the accession of the Republic of Croatia to the OECD.
- (6) By way of derogation from paragraph 5 of this Article, reporting on the OECD recommendations that HBOR or HBOR on behalf of the Republic of Croatia is obliged to implement before the Republic of Croatia joins the OECD (e.g. reporting to the European Commission in accordance with the Regulation 1233/2011³), will be carried out in such a way that each organisational unit and/or function referred to in Article 2 of this Ordinance will collect the data necessary for its business segment and submit them to MIS in a timely manner in order to consolidate the reports and submit them to the European Commission.

³ Regulation (EU) No 1233/2011 of the European Parliament and the Council of 16 November 2011 on the application of certain guidelines in the field of officially supported export credits and repealing Council Decisions 2001/76/EC and 2001/77/EC

(7) This Ordinance is published on the HBOR's Internet and Intranet sites.

ANNEXES:

- ANNEX I: Draft Statements of the Applicant for Credit Related to Bribery
- ANNEX II: Draft Statements of the Applicant for Insurance Related to Bribery

Draft Statements of the Applicant for Credit Related to Bribery

Statement on compliance with the regulations against bribery in international trade

The Applicant takes notice of the fact that export credits of HBOR cannot be approved for exports negotiated by way of bribery in international trade.

The Applicant declares that:

- There was no violation of anti-bribery regulations in international trade when concluding the export contract*,
- Neither the Applicant nor any natural person nor legal entity acting on its behalf in connection with the export contract is listed on any of the debarment lists of the following international financial institutions: the World Bank Group (WB Listing of Ineligible Firms and Individuals), the European Bank for Reconstruction and Development (EBRD Debarment List), the Asian Development Bank (Anticorruption and Integrity Sanctions), the Inter-American Development Bank (Sanctioned Firms and Individuals), the African Development Bank (List of Debarred Entities),
- Neither the Applicant nor any natural person nor legal entity acting on its behalf in connection with the export contract has been accused, nor has been convicted in the past 5 years, of violating the regulations against bribery of public officials in any country,
- Commissions and fees paid, or agreed to be paid, to any natural person or legal entity acting on behalf of the Applicant in connection with the export transaction, such as a representative (an agent), are, or will be, only for lawful services,
- It shall, at the request of HBOR, submit information on:
 - the identity of any natural person or legal entity, such as a representative (an agent), acting on behalf of the exporter and, if necessary, other parties in connection with the export transaction,
 - the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons,
 - the name of the country or the jurisdiction of the country in which the commissions and fees were paid or agreed to be paid.

*Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960; the OECD Guidelines for Multinational Enterprises [C(76)99/FINAL, as amended] (hereafter the "MNE Guidelines") (in particular, Chapter VII on Combating Bribery, Bribe Solicitation and Extortion), the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (hereafter the "Anti-Bribery Convention"), the Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions [C(2009)159/REV1/FINAL as amended] (hereafter the "2009 Recommendation") (including its Annex II: Good Practice Guidance on Internal Controls, Ethics & Compliance, which is an integral part of the 2009 Recommendation), the Recommendation of the Council on Public Procurement [C(2015)2] and the Recommendation of the Council for Development Co-operation Actors on Managing the Risk of Corruption [C(2016)156];

Statement on acceptability of client

A statement obtained in accordance with the provisions of the HBOR's Ordinance on Management of Reputational Risk Arising from Business Relationship with Client (<https://www.hbor.hr/pravilnik-o-upravljanju-reputacijskim-rizikom-hbor-a-koji-proizlazi-iz-poslovnog-odnosa-s-klijentom/>).

The valid version of the statement is published on HBOR's website as part of the documentation for submitting loan application for export credit programme.

Draft Statement of the Applicant for Insurance Related to Bribery

Statement on compliance with the regulations against bribery in international trade

The Applicant takes notice of the fact that the insurance of officially supported export credits, which HBOR provides as the Insurer for and on behalf of the Republic of Croatia, cannot be given to exports negotiated by way of bribery in international trade.

The Applicant declares that:

- There was no violation of anti-bribery regulations in international trade when concluding the export contract*,
- Neither the Applicant nor any natural person nor legal entity acting on its behalf in connection with the export contract is listed on any of the debarment lists of the following international financial institutions: the World Bank Group (WB Listing of Ineligible Firms and Individuals), the European Bank for Reconstruction and Development (EBRD Debarment List), the Asian Development Bank (Anticorruption and Integrity Sanctions), the Inter-American Development Bank (Sanctioned Firms and Individuals), the African Development Bank (List of Debarred Entities),
- Neither the Applicant nor any natural person nor legal entity acting on its behalf in connection with the export contract has been accused, nor has been convicted in the past 5 years, of violating the regulations against bribery of public officials in any country,
- Commissions and fees paid, or agreed to be paid, to any natural person or legal entity acting on behalf of the Applicant in connection with the export transaction, such as a representative (an agent), are, or will be, only for lawful services,
- It shall, at the request of HBOR, submit information on:
 - the identity of any natural person or legal entity, such as a representative (an agent), acting on behalf of the exporter and, if necessary, other parties in connection with the export transaction,
 - the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons,
 - the name of the country or the jurisdiction of the country in which the commissions and fees were paid or agreed to be paid.

*Article 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14 December 1960; the OECD Guidelines for Multinational Enterprises [C(76)99/FINAL, as amended] (hereafter the "MNE Guidelines") (in particular, Chapter VII on Combating Bribery, Bribe Solicitation and Extortion), the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (hereafter the "Anti-Bribery Convention"), the Recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions [C(2009)159/REV1/FINAL as amended] (hereafter the "2009 Recommendation") (including its Annex II: Good Practice Guidance on Internal Controls, Ethics & Compliance, which is an integral part of the 2009 Recommendation), the Recommendation of the Council on Public Procurement [C(2015)2] and the Recommendation of the Council for Development Co-operation Actors on Managing the Risk of Corruption [C(2016)156];

Statement on acceptability of client

A statement obtained in accordance with the provisions of the HBOR's Ordinance on Management of Reputational Risk Arising from Business Relationship with Client (<https://www.hbor.hr/pravilnik-o-upravljanju-reputacijskim-rizikom-hbor-a-koji-proizlazi-iz-poslovnog-odnosa-s-klijentom/>).

The valid version of the statement is published on HBOR's website as part of the documentation for submitting insurance application for export credit insurance programme.