



FOURWAYS ■ SANDTON ■ RANDBURG ■ MIDRAND ■ LANSERIA

AFFILIATED TO SACCI AND SBI ■ PROMOTING BUSINESS & TOURISM

## **RANDBURG CHAMBER OF COMMERCE AND INDUSTRY**

### **CODE OF GOOD CONDUCT**

The Randburg Chamber of Commerce and Industry (“RCCI”) strives to reinforce and promote a strong business community through sound practices that support social and economic development. To that end, the RCCI Board of Directors adopted the following Code of Conduct as the encouraged method of practice by business owners or managers who are members of RCCI.

RCCI is affiliated to SACCI, the largest national chamber in South Africa. Its mission is to protect and promote the interests of business in South Africa across all sectors and size of business.

RCCI strives to reinforce and promote a strong business community through sound ethical business practices that support inclusive economic growth and development.

RCCI Membership must ensure that all our business relationships reflect our personal integrity, respect for human dignity, the rights of others, honesty and a commitment to do what is right, fair, reasonable, lawful and just. It is fundamental to RCCI that its members conduct their business with honesty and integrity and in accordance with the highest legal and ethical standards. To this end, the RCCI Board of Directors has adopted this Code of Conduct as the encouraged method of practice by which RCCI members/business owners or managers should abide.

The RCCI Board of Directors is confident that the RCCI membership will uphold the values embodied in this Code of Conduct at all times.

As a member of RCCI, i/we recognise that membership is a privilege, and that membership brings with it the responsibility to assure that all members understand and commit to the following membership undertakings:

#### **1. Anti-bribery and corruption**

- We accept that the foundation of any business must be based on the business values of integrity and fair dealing in all matters and we reject all acts characterised by bad faith, deception, fraud, or bribery. We support and foster a culture of zero tolerance to bribery, corruption and any unlawful or criminal conduct in all our business activities.
- The RCCI Board of Directors believes that corruption weakens the freedom of businesses to operate in a healthy economic environment. We state that we shall have no association with any form of bribes and will expose to the relevant authorities any such matters that may come to our attention. A zero-tolerance attitude will be adopted towards any unlawful or criminal conduct that could in any way be notionally perceived to be offering or receiving an undue inducement to win or retain business or towards any other practice that could be considered as obtaining improper business advantage over our competitors.
- Corruption takes many forms, with the most common element being bribery which constitutes the promise, offering or giving or receiving of a benefit, being a gift of money or other inducement, in

order to improperly affect or persuade someone to act or decide in one's favour and thereby gain any commercial, contractual, regulatory or personal advantage. Another element of corruption is embezzlement, which involves the theft of resources by persons entrusted with the authority and control of such resources.

- We endeavour to co-operate with our municipality, government and organised business in various initiatives to ensure a corruption-free business environment.
- Furthermore, we are fully committed to complying with our obligations under the applicable legislation, including the Prevention and Combatting of Corrupt Activities Act 12 of 2004 ("**PACCA**").

Conduct falling under this Code is legally defined in section 3 of the PACCA which provides that:

*"Any person who, directly or indirectly—*

*a) accepts or agrees or offers to accept any gratification from any other person, whether for the benefit of himself or herself or for the benefit of another person.*

*or*

*b) gives or agrees or offers to give to any other person any gratification, whether for the benefit of that other person or for the benefit of another person, in order to act, personally or by influencing another person so to act, in a manner—*

*(i) that amounts to the—*

*(aa) illegal, dishonest, unauthorised, incomplete, or biased; or*

*(bb) misuse or selling of information or material acquired in the course of the exercise, carrying out or performance of any powers, duties or functions arising out of a constitutional, statutory, contractual or any other legal obligation.*

*(ii) that amounts to—*

*(aa) the abuse of a position of authority.*

*(bb) a breach of trust; or*

*(cc) the violation of a legal duty or a set of rules.*

*(iii) designed to achieve an unjustified result; or*

*(iv) that amounts to any other unauthorised or improper inducement to do or not to do anything, is guilty of the offence of corruption."*

## **2. Conflicts of interest**

- We accept in principle that all employees and managers will ensure that matters of personal financial gain do not conflict with the general good governance of the company and do not place the company at risk of being seen as not properly managed.
- Where it is not possible to avoid a conflict of interest, we shall manage the potential conflict of interest accordingly and appropriately.
- We will not conduct ourselves in any manner that may be regarded as an attempt to exert influence in unduly favouring any party, including the offering, giving or receipt of any gift or gratification.

### 3. Good business principles

- We stand by the principles of fair competition and reject all forms of anti-competitive practices, prohibited by the Competition Act No 89 of 1998, as amended. The Competition Act prohibits certain conduct such as:

anti-competitive agreements between competitors and potential competitors.

direct or indirect price-fixing.

market division.

tender collusion.

minimum resale price maintenance.

generally anti-competitive agreements between firms and their suppliers and/or customers.

abuses of dominance:

- excessive pricing.
  - refusing to give a competitor access to an essential facility.
  - price discrimination.
  - general exclusionary acts; and
  - specific exclusionary acts:
    - requiring or inducing a customer or supplier not to deal with the dominant firm's competitors.
    - refusal to supply scarce goods to competitors.
    - tying or bundling products.
    - predatory pricing; and
    - buying up a scarce supply of intermediate goods or resources required by a competitor.
- We accept that at all times a business must remain service-driven and customer orientated and that good consumer practices are adopted at all levels of our business operations.
  - We accept that representation of goods and services should be truthfully made and scrupulously fulfilled. We undertake to avoid any untruthful or misleading statements both in matters of publicity or advertising, or in any communications.
  - Our business will be conducted with all reasonable care and skill, with attention being given to the areas of financial controls, accounting, marketing and human resource management to ensure that the company operates at levels above the minimum levels set by relevant professional bodies in such disciplines.
  - We accept that all individual persons and groups employed are accountable for their conduct while employed at our company.
  - As far as business dealings are concerned, we will seek to ensure that we conduct ourselves in such a way that we take into account the disparate interests of all stakeholders, including shareholders, customers, employees, society at large and the community in which our company operates on the basis of respect for all individuals.

- With regard to information disclosure, we shall adhere to the laws of South Africa governing information disclosure.
- We shall ensure that the company, in all its dealings, complies with the laws of South Africa.

**Adherence to this Code of Conduct**

- o By joining RCCI, all members are assumed to have accepted this Code of Conduct and will comply with the RCCI MOI and the Rules as published.
- o Members are encouraged to report and express their concerns in relation to the Code of Conduct and must do so fairly, honestly and respectfully.
- o The RCCI Board shall provide protection for any person who reports violations of the Code in the form of ensuring the anonymity of the person reporting the violation. We will not tolerate any form of victimisation or retribution against those who attempt to uphold this code.
- o Members are encouraged to submit disputes arising there under on the basis of settlement by voluntary agreement and in terms of the mechanisms available to the Board of the Randburg Chamber of Commerce & Industry, and according to its Memorandum of Incorporation and Rules.
- o When non-compliance with the RCCI Code of Conduct is reported or otherwise suspected, steps will be taken to investigate and, if appropriate, remedy the situation.

Signed at: .....on..... .20.....

Signature:.....On behalf of .....  
(Member)

Signature:.....On behalf of .....  
(RCCI)