

Anti-Bribery Policy

Effective Date: April 22, 2024

1. Purpose

Public Library of Science, including its subsidiaries and affiliates (“PLOS”) is committed to promoting the highest standards of ethical business conduct and to compliance with all applicable laws, rules, and regulations. As part of this commitment, all PLOS directors, officers, employees, contractors, freelancers and volunteers (“PLOS community members”) are required to comply with this Policy, the US Foreign Corrupt Practices Act (“FCPA”), the UK Bribery Act 2010, the European Commission on Anti-Corruption, the Singapore Prevention of Corruption Act (“PCA”) and all other applicable anti-bribery laws (collectively, all of these laws are referred to as the “Anti-Bribery Laws”).

2. Scope

PLOS community members are prohibited from authorizing, making, offering, promising, requesting, receiving or accepting bribes or kickbacks in any form in both the private and public sector. This prohibition applies to all forms of bribery, including bribery of government and private sector employees or officials. In addition, PLOS community members may not accept or give any payments, gifts, loans, or other favors from or to anyone who is doing or wishes to do business with PLOS, except for items of nominal value (e.g., pads, pens, t-shirts, tote bags) or as approved by PLOS.

Several Anti-Bribery Laws prohibiting bribery are very broad, so that many kinds of gifts or entertainment invitations provided to private sector and government employees or officials might be considered improper. Violations of these laws can result in both civil and criminal penalties against both PLOS and individuals. For that reason, PLOS community members may not give anything of value to any private sector or government employee or official in order to wrongfully influence such person(s), obtain or retain business or receive any improper advantage. This prohibition applies regardless of whether the payment or offer of payment is made directly to the private sector employee or government official or indirectly through a third party.

3. Important Terms

A government official includes:

- any official or employee of a government, including any political party, administrative agency, or government-owned business. Please note that government-owned business can sometimes include a university, library or medical facility.
- any person acting in an official capacity on behalf of a government entity;
- employees or agents of a business which is owned or controlled by a government;
- any person or firm employed by or acting for or on behalf of any government;
- any political party official, employee or agent of a political party, or candidate for political office (or political party position); and
- any family member or other representative of any of the above.

Any doubts about whether a particular person is a government official should be resolved by assuming that the individual involved is a government official for purposes of the Anti-Bribery Laws.

“Anything of value” includes money and monetary equivalents (such as gift cards), entertainment and hospitality invitations (such as meals, sporting events, concerts), accommodations, and any other benefit. There is no “minimum” required under the Anti-Bribery Laws. Any amount can be sufficient to trigger a violation.

An “improper advantage” includes payments intended to wrongfully:

- influence a decision by a government official, including a failure to perform their official functions;
- induce a government official to use their influence to affect a decision by someone else in their government; and
- induce a government official to use their influence to affect or influence any act or decision.

In addition to obtaining or retaining business, “improper advantage” includes reducing taxes or duties, awarding a contract, and any form of preferential treatment.

4. Gifts & Hospitality Expenditures

Gifts and hospitality expenditures in the business context can be an appropriate way to display respect to a person with whom PLOS does or may do business with. However, significant legal restrictions apply with regard to providing gifts or other invitations for travel, entertainment and hospitality related to government employees and officials and other individuals we do business with, such as vendors, customers and authors ("Business Associate").

Nominal gifts to Business Associates in the private sector are permissible as long as they comply with the requirements set out below. **Prior to offering any gift (even a nominal gift) to any government employee or official, consult with the PLOS legal department** (see form in Appendix A below) as countries have different legal standards and prohibitions on nominal gifts to government employees or officials. Attached to this Policy is a form that can be filled out to request approval of a proposed gift. Many countries, including the US, UK, Singapore and Germany, do not set out a monetary threshold amount on what is considered a “nominal gift” and instead look at the various factors set out in the bullet points below to determine if a gift is nominal. Examples of nominal gifts include: small gifts with the PLOS or vendor logo (pens, t-shirts, tote bags) and modest dining or entertainment invitations. Various scenarios and examples of gifts and hospitality expenses that fall within this policy are set forth in the attached Appendix B.

PLOS community members must exercise good judgment and moderation when giving or receiving anything of value to/from a Business Associate in the private or public sector. No gift/hospitality expenditure should ever be offered, given, provided or accepted by PLOS community members unless it:

- is reasonable and of nominal value;
- is appropriate under the circumstances;
- serves a valid business purpose for PLOS;
- is customary and appropriate under local laws and customs;

- is not being offered for any improper advantage, and could not be construed as a bribe, kickback or payoff;
- does not violate any PLOS policy;
- does not violate any Anti-Bribery Laws; and
- is accurately described in an expense report and PLOS's books and records.

PLOS community members should avoid even the appearance of impropriety. Any gift or expense that is lavish or might otherwise prove embarrassing for PLOS is prohibited. If PLOS community members have any question regarding the appropriateness of any gift or expense, they should consult with PLOS's General Counsel prior to giving or receiving the gift or incurring the expense.

5. Reporting Violations Of Anti-Bribery Policy

All PLOS community members must report, in person or in writing, any known or suspected violations of this Policy to the General Counsel or in a manner consistent with PLOS's Whistleblower Policy. Known or suspected violations may be reported confidentially through the PLOS Speak Up Helpline [online](#) or by calling 1-800-461-9330 (USA), 0808 189 1053 (UK), 0800 181 2396 (Germany), 800 852 3912 (Singapore). It is contrary to the values of PLOS and various laws for anyone to retaliate against an individual who reports in good faith a known or suspected violation of this Policy. PLOS will investigate any reports of known or suspected violations of this Policy and will determine an appropriate response, including corrective action, disciplinary action, and preventive measures as appropriate.

6. Forms and Related Information

[PLOS Code of Ethics](#)

[PLOS Conflict of Interest Policy](#)

[PLOS Whistleblower Policy](#)

[PLOS Speak Up Helpline](#)

7. Questions

Please contact the Legal Department at legal@plos.org if you have questions about this policy.

Appendix A
Gift/Hospitality Approval Request Form

Name	
Title	
Department	
Who is giving the gift? (Include full name of individual, title and organization)	
Who is the gift to? (Include full name of individual, title and organization)	
Item/Event description	
Approximate value of gift (USD, GBP, EUR, SGD)	
Reason for Gift/Event	
Country where other individual/organization resides and where the gift is given (For US- include state)	

I have read and confirmed the gift/event described above does not violate the PLOS Anti-Bribery Policy.

Signature

Date

APPROVED BY:

Signature

Date

Not approved for the following reason(s):

**Attach supporting documentation*

Appendix B

Gift and Hospitality Expense Scenarios

Scenario 1:

John has been asked to speak at a convention by an association of publishers and they have offered to pay for his travel and accommodation expenses. Can John accept the invitation?

Answer: Yes John can accept conventional hospitality where it is normal and reasonable in the circumstances. In addition, John is providing a service to the association. John may accept travel and accommodations paid for by the association but the value of these hospitality expenditures should be reasonable in the circumstances.

Scenario 2:

Marie and her team are evaluating cloud storage solutions to acquire on behalf of the company. One of the prospective vendors has offered to gift the team with new laptops and personal cloud storage accounts to better allow the team to evaluate the vendor's services. Can Marie's team accept the laptops and accounts?

Answer: Marie must decline the offer. Accepting a gift, particularly while making a potential buying decision, could improperly influence the team or appear to do so.

Scenario 3:

Philip is establishing an office in a country that is new to the company. He is working with a local consultant to assist with translation and getting the required permits and licences required to open the new office. The consultant has said that he needs to have a £3000 cash fund available to meet unspecified expenses. Should Philip provide the fund?

Answer: No. Philip should not make the funds available without documentation about how they will be used for legitimate expenses, along with controls to ensure the same. Otherwise, this appears to be a means to make facilitation payments to influence local government officials.

Scenario 4:

Daisy is attending a conference and would like to invite various business contacts from both the private and government sector to dinner at a very nice restaurant for dinner and drinks. Can Daisy do so?

Answer: Yes as to business contacts from the private sector. Daisy can take business contacts from the private sector to dinner as long as she confirms such hospitality expense is within the department budget, approved by her manager and in compliance with PLOS' policies. The value of the expense should also be reasonable. As to business contacts from the government sector, Daisy should consult with the government sector business contact or the PLOS Legal Department to confirm if the dinner invitation is permissible. Some government agencies, such as the [National Institutes of Health \(NIH\) in the US](#), do not permit their employees to accept any gift regardless of value with very few exceptions. In such situations, the government business contact can attend the dinner and pay for their own dinner and drinks.