

Anti-Bribery & FCPA Policy

Policy · US · Updated 2026-07-13 · Square brackets are placeholders to replace with your own details.

An anti-bribery policy is the written rule that nobody acting for the company — employee, officer, or third party — offers, gives, solicits, or accepts anything of value to improperly win business or influence a decision. It draws the practical lines: what counts as a bribe, what gifts and hospitality are acceptable, and what to do when someone asks for more.

Bribery risk rarely announces itself. It looks like a customer's buyer hinting about tickets, a "consultant" who charges double the market rate and delivers nothing visible, a fee that would make a permit appear. The policy exists so that the person facing that moment knows the answer is already decided — and knows the company will back them for refusing.

This template gives you the prohibitions, gift and hospitality limits as placeholders you set, the tightened rules for government officials and third parties, the books-and-records discipline that makes bribes hard to hide, and the reporting route when something looks wrong.

Purpose and scope

This policy applies to everyone acting for [Your company]: employees, officers, directors, and the third parties who represent us — [agents, distributors, consultants, joint-venture partners]. It covers dealings with government officials and with private businesses alike, in the US and abroad.

Nothing in this policy creates a contract of employment or changes at-will employment at [Your company]. Violations are handled under [the progressive discipline policy] and may also be reported to authorities where the law requires or allows.

What is prohibited

- Offering, promising, giving, soliciting, or accepting a bribe or kickback — anything of value exchanged to improperly influence a decision. "Anything of value" is as broad as it sounds: cash, gift cards, gifts, travel, entertainment, loans, donations to a chosen charity, a job or internship for a relative, favors.
- Doing any of the above through someone else — an agent, distributor, family member, or friend. Indirect is still prohibited.
- Facilitation payments — small payments to speed up routine government action — are prohibited under this policy, because they are bribes in every sense that matters and illegal in most of the world.
- Falsifying records to hide or enable any payment, or approving an expense you know is misdescribed.
- One exception outranks the policy: if refusing a demand for payment would put your safety at risk, pay, get safe, and report it to [name/role] immediately. Safety first, then the record.

Gifts, hospitality, and entertainment

Modest, occasional gifts and hospitality are a normal part of business. The rules below keep them on the right side of the line — when a gift stops being modest, occasional, or transparent, it starts being a problem:

- Gifts given or received should be worth less than [amount], infrequent, appropriate to the relationship, and never cash or a cash equivalent.
- Meals and entertainment should have a genuine business purpose, with the host present, at a reasonable standard for the relationship — [describe your norm].
- Nothing is given or accepted while a bid, negotiation, or contract renewal involving the other party is live — timing changes what a gift means.
- Anything above [amount], anything for or from a government official, and anything that feels off is declared to [name/role] and recorded in the gift register at [location/system].
- Declining gracefully is always acceptable at [Your company] — "our policy does not allow it" is a complete sentence.

Government officials and third parties

The rules tighten around two groups: government officials, because the FCPA and equivalent laws make even small courtesies risky, and third parties, because their conduct can become [Your company]'s liability.

- Anything of value for a government official — including employees of state-owned enterprises, who count as officials under the FCPA — requires advance approval from [name/role].
- Third parties who deal with officials or customers on our behalf are vetted before engagement: who they are, who owns them, why they are qualified, and why the compensation is proportionate to the work.
- Red flags stop the engagement until resolved: commissions above market rate, requests for payment in cash, offshore, or to a different name, a partner suggested by the very official they would deal with, or a reputation for "getting things done."
- Contracts with third parties include anti-bribery commitments, audit rights [where negotiable], and the right to terminate for violations.

Books, records, and internal controls

Every payment, expense, and transaction is recorded accurately, in reasonable detail, in the right account, at the time it happens. No off-the-books accounts, no misdescribed entries, no "miscellaneous" line hiding a real purpose — an inaccurate record violates this policy even when the underlying payment was innocent.

Approvals follow the authority matrix at [location]: nobody approves their own expenses, payments to new payees are verified by [role], and [finance role] reviews the gift register and third-party payments [frequency]. For companies with SEC-registered securities, accurate books and adequate internal accounting controls are a federal legal requirement, not just good practice.

Raising concerns

Report suspected bribery, a demand for payment, a red flag, or pressure to record something inaccurately to [name/role] or through the channels in [the whistleblower policy]. Reports are investigated as set out there, and retaliation for a good-faith report is prohibited.

Nothing in this policy or any [Your company] agreement prevents anyone from reporting suspected violations of law to a government agency, including the SEC, at any time.

Training, records, and review

Everyone in scope completes anti-bribery training at hire and [frequency] after; roles with government or third-party contact receive [additional training]. The gift register, approvals, due-diligence files, and training records are kept at [system/location] for [period].

This policy is reviewed [frequency, e.g. annually], after any incident or near miss, and whenever [Your company] enters a new market, channel, or country. Owner: [name/role]. Next review due: [date].

How to use this template

1. Set the gift and hospitality amounts to numbers that fit your industry and margins — then apply them without exceptions for senior people; the executive exception is where these policies die.
2. List your actual third parties and vet the ones who touch government or customer decisions first — that is where FCPA liability actually arrives.
3. Name who approves anything involving a government official and put that name in the policy; "check with compliance" fails when nobody is sure who compliance is.
4. Wire the gift register and approval steps into tools people already use — an unlogged gift limit is folklore, not a control.
5. If [Your company] has SEC-registered securities or significant international operations, take advice on the pieces a general template cannot cover.

Official guidance

- › [SEC — Foreign Corrupt Practices Act](#)
- › [SEC — Office of the Whistleblower](#)

This template is provided in good faith and for general information — it is not legal advice. Adapt it to your organisation and, where your sector carries specific legal requirements, have the finished document reviewed by a qualified adviser. The live version at <https://trainedteam.com/templates/anti-bribery-fcpa-policy> is kept current; this file is a snapshot.