



# OFFENSE PREVENTION POLICY (Law N° 20.393 and its amending laws)

EMPRESAS COPEC S.A.

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## 1. AIM

The aim of this document is to establish the guidelines underpinning the adoption, implementation and operation of the Offense Prevention Model of Empresas Copec S.A., pursuant to what is set forth in Law N° 20.393 on the Criminal Liability of Legal Persons and all its amending laws.

## 2. SCOPE

The scope of this Policy and the Offense Prevention Model ("OPM") only applies to Empresas Copec S.A.

The scope of the Offense Prevention Policy and the related Offense Prevention Model is corporate, i.e., it includes Directors, Executives, representatives, employees, contractors and consultants of Empresas Copec S.A.

### 3. MODEL PREVENTION PRINCIPLES AND GUIDELINES

3.1 Empresas Copec S.A. will continue to permanently strive to maintain a suitable organizational, management and supervision model for the prevention of offenses set forth in Law N° 20.393 on the Criminal Liability of Legal Persons and all its amending laws, called the "Offense Prevention Model of Empresas Copec S.A."

3.2 Through it, it will promote the prevention of bribery crimes against national or foreign public officials; money laundering; terrorist financing; receiving; corruption between individuals; unfair administration; incompatible negotiation; misappropriation; extractive activities without aquaculture concession, in areas of management and exploitation of benthic resources; management of hydrobiological resources in a collapsed or overexploited state, or derivative products, without accrediting their legal origin; contamination of bodies of water; management of banned hydrobiological resources; and others that are incorporated in the future.

3.3 In consideration of the foregoing, the Directors, Executives and employees of Empresas Copec S.A., as well as third parties that link with it, like suppliers, contractors, consultants, agents, clients, among others, are expressly prohibited to perform any act that may set up a crime or any conduct that may result in the criminal imputation of the Company.

3.4 The application and control of the norms established by the Offense Prevention Model of Empresas Copec S.A. is in charge of a professional who has the title of Person in Charge of Offense Prevention, who will have the necessary autonomy to fulfill his functions, in the terms established in numeral 2 of article 4 of Law No. 20.393. The person in charge of Offense Prevention is appointed by the Board of Companies Copec S.A., with a duration of up to three years in his duties, and may be extended in his position for periods of equal duration.

3.5 The Board, Management and the Person in Charge of Offense Prevention of Empresas Copec S.A. shall be jointly accountable for adopting, implementing, managing, updating and overseeing the Offense Prevention Model.

3.6 The Board shall provide the Person in Charge of Offense Prevention with the means and powers to undertake his functions and activities, which includes resources and materials to perform his work suitably. The approval of these must be formalized in the corresponding Board minutes.

3.7 The Person in Charge of Offense Prevention shall have access to information concerning his area of action and to the Management of Empresas Copec S.A., and shall have the duty of informing the Board on the management of the Offense Prevention Model at least twice a year and/or when needed.

3.8 The Person in Charge of Prevention shall disseminate and inform the entire organization of the Prevention Model, the roles and responsibilities arising from this and penalties for non-compliance.

3.9 Empresas Copec S.A. shall strive to comply with all the applicable laws, standards and procedures on the crimes indicated in the Law N° 20.393 and its amending laws.

3.10 The Offense Prevention Model shall be updated when there are material changes to the business conditions or in the Law N° 20.393, for which the Person in Charge of Offense Prevention shall be accountable.

3.11 The Prevention Model may be certified when the Company deems it fit, pursuant to what is laid down in article 4, numbered subparagraph 4, letter b, of Law N° 20.393.

## 4. ROLES AND RESPONSABILITIES

### 4.1 Board

- Approve the offense prevention policy.
- Appoint the Person in Charge of Offense Prevention and/or remove him from his position, pursuant to what is laid down in Law N° 20.393. The Board of Empresas Copec S.A. may renew and extend such appointment every three years.<sup>1</sup>
- Provide the materials and resources needed so the Person in Charge of Offense Prevention can fulfill his roles and responsibilities.<sup>2</sup>
- Safeguard, together with the Person in Charge of Offense Prevention, the correct implementation and effective operation of the Offense Prevention Model.
- Know and evaluate the management and operation reports of the Offense Prevention Model generated by the Person in Charge of Offense Prevention, at least every six months.

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1. Article 4, numbered subparagraph 1, of Law N° 20.393, which establishes the Criminal Liability of Legal Persons.

2. Article 4, numbered subparagraph 2, *ibid.*

- Receive and evaluate each year the administrative management report drawn up by the Person in Charge of Offense Prevention and approve the planning for the next period.
- Inform the Offense Prevention Officer of any observed situation that is related to Law No. 20,393 and its amending laws, and the procedures related to the Offense Prevention Model.
- Decide if the certification of the Offense Prevention Model will be chosen, in accordance with the provisions of Law N° 20.393.

## 4.2 General Management

- Approve the offense prevention procedures.
- Support the Person in Charge of Offense Prevention, assuring his unrestricted access to information and people, and coordinate the activities inherent to the Offense Prevention Model in those areas required.
- Help to disseminate the Offense Prevention Model across the organization, generating the necessary dissemination and commitment proceedings to attain effective communication of the policies and procedures.
- Inform the Person in Charge of Offense Prevention of any situation observed regarding breach of Law N° 20.393 and its amending laws, and of the Offense Prevention Model measures.



### 4.3 Ethics Committee

The Ethics Committee is appointed by the Board of Directors, which must be disclosed to all Company employees. The members of the Ethics Committee shall last indefinitely in their functions, and may be removed by the Board of Directors at any time and without expression of cause, nullifying the appointment or appointments made, and appointing in their replacement new members. Its main responsibility is to advise the Board on matters of ethics and conduct in the Company, and ensure the proper application and dissemination of the Code of Ethics - Principles and Values. The Code of Ethics of Empresas Copec S.A. establishes ethical standards for the development of commercial and operational activities, promoting an environment of transparency and fair competition, through the values and principles established by the organization.

Its main functions are:

- Promote the values and behaviors that are promoted in the Code of Ethics - Principles and Values.
- Facilitate and assist the Person in Charge of Offense Prevention in the development, implementation and effective operation of the Offense Prevention Model or others associated with ethics and values.
- Be a consulting body on matters of ethics and conduct.
- Facilitate the resolution of conflicts related to the application of the Code of Ethics - Principles and Values.

- Refer special cases to the appropriate instance.
- Channel the investigation and documentation of the cases presented by the Person in Charge of Offense Prevention, or another function responsible for receiving complaints.
- Review requests for staff clarification.
- Propose, if applicable, disciplinary or other measures, as a result of investigations carried out by the Person in Charge of Offense Prevention, and in accordance with the provisions of the Internal Order, Hygiene and Safety Regulations.
- Propose to the Board of Directors updates and modifications to the Code of Ethics - Principles and Values.

#### 4.4 Person in Charge of Offense Prevention

- Carry out the role in accordance with the powers defined for the position by the Board of Empresas Copec S.A., as set forth in Law N° 20.393.
- Determine, jointly with the management of Empresas Copec S.A., the means and resources needed to be able to carry out his role and responsibilities.<sup>3</sup>

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4. Article 4, numbered subparagraph 2, *ibid.*

- Train the employees of Empresas Copec S.A. on issues covered by the scope of Law N° 20.393 and its amending laws.
- Safeguard the correct establishment and operation of the Offense Prevention Model developed and put in place by Empresas Copec S.A.
- Report to the Ethics Committee when the circumstances warrant.
- Report, at least half yearly and/or when needed, to the Board of Empresas Copec S.A.
- Establish and comply with the Offense Prevention Model policy and procedures and suggest, draw up and implement any other policy and/or procedure he deems necessary to complement the current Offense Prevention Model.<sup>4</sup>
- Make sure the company's internal processes and activities have effective offense risk prevention controls and keep a log of compliance with and execution of these controls.
- Permanently evaluate the efficacy and validity of the Offense Prevention Model and its compliance with laws and other regulations, informing the Board of Directors of the need and convenience of its modification.

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5. Article 4, numbered subparagraph 1, of Law N°20.393, which establishes the Criminal Liability of Legal Persons for the offenses of asset laundering, financing of terrorism, bribery of a public or foreign official, receiving and others that are incorporated in the future.

- Find out about and analyze any unusual or suspicious operation denounced, raising the case in the Ethics Committee and/or Board, if applicable, as indicated in the current complaint procedure.
- For those cases he deems it necessary to exercise his functions, request all the information and contracts that Empresas Copec S.A. enters into, especially with state-owned companies, and generally all the public services created by law; partnerships, public or private companies in which the State or its centralized or decentralized companies or institutions have majority capital investment or in the same proportion or, in the same conditions, representation or participation, to safeguard compliance with Law N° 20.393 and its amending laws, the regularity of these operations, and eventually enforce the liabilities when he confirms a breach of this law or any of the offenses he is trying to prevent have been committed.
- Document and keep evidence of offense prevention activities.
- Widely collaborate with the Offense Prevention Model certification process.
- Follow up on the recommendations or instructions which arise from the certification process or regulatory bodies.
- Make sure the offense prevention policy and procedure is updated in accordance with regulatory changes and the business environment of Empresas Copec S.A.

- If applicable, participate in lawsuits, charges or legal proceedings Empresas Copec S.A. decides to file in regard to the offenses laid down in Law N° 20.393 and its amending laws, and provide all the information he has or of which he has knowledge due to his job position.
- Undertake special tasks that the Board of Empresas Copec S.A. entrusts him regarding matters of his responsibility.

The responsibilities and functions established above will apply to the person designated as subrogate when, in the absence of the Person in Charge of the Offense Prevention or any other circumstance that merits it, perform the duties of the Person in charge of the Offense Prevention. The person designated as subrogate shall be proposed by the Person in Charge of the Offense Prevention and designated by the Board of Directors of Empresas Copec S.A.

## 5. PREVENTION MODEL SUPPORT AREAS

The Prevention Model support areas are as follows:

- Legal advisors
- Finance and Administration Management
- Ethics Committee
- Person in Charge of Internal Audit Function

- Person in Charge of Risks Management Function

The controls that each support area is accountable for are outlined in the document "Offense Prevention Procedure."

## 6. OBLIGACIONES OF EMPLOYEES, CONSULTANTS AND EXTERNALS

- Comply with what is set out in this Policy, in all the internal norms, and in the Offense Prevention Model of Empresas Copec S.A.
- Report, through defined channels, situations that might breach what is set forth in this Policy and in the Offense Prevention Model.

## 7. DEFINITIONS

- **Code of Ethics – Principles and Values:** Guiding document for each employee, irrespective of his or her hierarchical position, that fosters conduct based on total rectitude and honesty.
- **Crimes:** Illicit acts indicated in the Law N° 20.393 and its amending laws.
- **Penalty:** For committing an offense of breaching the Offense Prevention Model or any of its related controls.
- **Consultants:** Any person or company that facilitates or provides any kinds of professional or support services to the Company.

## 8. APPROVAL AND MODIFICATIONS

This Policy was approved by the Company's Board of Directors at meeting held on May 31<sup>st</sup>, 2018, and modified at meetings held on August 29<sup>th</sup> 2019 and September 30<sup>th</sup> 2022. If amendments are made, this subheading shall include the date on which the Board meeting where such amendments were approved was held.

The Offense Prevention Policy will be reviewed annually, upon its entry into force, by the Person in Charge of Offense Prevention, proposing the changes when appropriate.

## 9. VALIDITY

This Policy is effective as from September 30<sup>th</sup>, 2022 and shall have an indefinite validity as long as the Company's Board of Directors does not determine otherwise on such regard.

## 10. DISCLOSURE MECHANISMS

The full and updated text of this Policy shall be made and remain available to the interested parties in the Company's web page ([www.empresascopec.cl](http://www.empresascopec.cl)).