TOTAL COMPLIANCE INITIATIVE

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Compliance Officer TOTAL E&P INDONESIA
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DOJ were seeking $245.2 Million and $153 Million fines for:

- conspiracy to violate anti-bribery provisions of FCPA
- violation of internal controls and books and records provisions of FCPA
TOTAL PREVENTION APPROACH

- The essential ingredients of corporate compliance
- Organization structure
- Detailed program
THE ESSENTIAL INGREDIENTS OF CORPORATE COMPLIANCE

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TOTAL E&P INDONESIA PREVENTION APPROACH

- The essential ingredients of corporate compliance
- Organization structure
- Detailed program
COMPLIANCE ORGANIZATION STRUCTURE

- **Total E&P Indonesie President & General Manager**
  - SRC Division Head Compliance Officer
  - Compliance Department Head

**Compliance Program and Method**
- Compliance Procedures
- Risk Assessment
- Training and Awareness
- Compliance Review to Gift, Hospitality, Government Hosting, Sponsorship and Contributions

**External Due Diligence**
- Due Diligence to Procurement and Sales
- Due Diligence to Agents
- Due Diligence to Joint Ventures
- Due Diligence to Donations, Sponsorship and Contributions / PPO

**Integrated Risk Review**
- Internal Investigation of Fraud cases
Risk Assessment
- Annual Corruption and Fraud Risk Assessment to all entities.
- Compliance Department in cooperation with all entities perform anti fraud and anti corruption risk mapping to all business process.

External Due Diligence
- External Due Diligence to Third Party.
- Due Diligence is part of mandatory process during pre-qualification procurement process.

Top Management issues internal memo to all employees of any compliance recent news and updates.
Head of Entity present Compliance Rules to all team members in a entity regular meeting.

Ethics Charter
Code of Conduct
Business Integrity Guide
Anti Corruption of Gift, Hospitality, Business Travel, Donations, Sponsorship and Contributions
Due Diligence to Procurement and Sales; Representatives, Joint Ventures and Donations, Sponsorship Beneficiary
Conflict of Interest
Anti Fraud and Corruption Risk Assessment
Investigation
Whistleblower

Awareness and training is held regularly to TEPI internal employees, Third Party and Stakeholders
Engaging employees in producing awareness campaign
Whistleblower hotline
✓ Employees are encouraged to actively participate as whistleblower

Compliance quarterly report

Coordination meeting with Ethics Advisory Board for Ethic matters

Obtain Pre-Approval of Gift and Favors
✓ All employees should obtain pre-approval when receive / offer gift and favors from or to external party

Code of Conduct and Conflict of Interest Declaration
✓ All employees shall sign biannual code of conduct and conflict of interest declaration

Compliance Recommendation Follow Up
✓ Monitor the implementation of compliance recommendation on donations, sponsorship and contributions project

TEPI applies ZERO TOLERANCE for any misconduct.

Upon the result of internal reviews (in the event of misconduct cases), sanction will be discussed in the following committees meeting:
✓ Contract Committee for cases involving third party;
✓ Industrial Committee for cases involving employees;
✓ Ethics Advisory Board.
GIFT, HOSPITALITY, AND GOVERNMENT HOSTING

Report any of your **Offering** and **Receiving** to **E-CPR**

**What you could do with E-CPR?**

**CAReS**

- Receiving Gift
- Receiving Hospitality
- Offering Donation, PPO, & Sponsorship (DPPOS)
- Offering Gift
- Offering Hospitality & Govt. Hosting
- Offering Requisition
- Realization Report

**Payment**

- RFP Advance
- Settlement of Advance
- RFP Reimbursement
- Petty Cash Voucher (PCV)
COMPLIANCE MENTORSHIP PROGRAM

- TEPI’s program to assist active contractors to develop and enhance their compliance programs in 6-month duration

Workflow

- Selection of Contractors
  - Compliance risk profile
  - Business scale

- Self-Assessment Questionnaire
  - Determination of compliance level
  - Verification interview

- Developing the Program
  - Basic requirement
  - Compliance culture initiation
  - Enhancement

- Monitoring
  - Program target date set up
  - Correspondences
  - Meetings & Discussions
CONCLUSION

- Cross border prosecution - Companies that are head-quartered in the USA and some other western countries are accountable for corruption offences even though they occurred in other countries.

- U.S. authorities have decided to end the legal proceedings initiated against Total.

- Today, Total has a very comprehensive compliance program around the world which is acknowledged by DOJ.

- Total E&P Indonesie is considered as one of the most advance affiliate in implementing compliance program and initiatives.
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