

# Byrne Group Corporate Criminal Offences Policy Statement

SAFETY / PEOPLE / DELIVERY / RELATIONSHIPS / INNOVATION



Byrne Group has a zero-tolerance policy towards tax evasion and the facilitation of tax evasion, and maintains and enforces effective systems to counter such activities.

Byrne Group is committed to promoting and maintaining the highest level of ethical and legal standards in relation to all our business activities, and has implemented a policy to preserve and strengthen these values.

## Scope and purpose of the policy

Our policy applies to all our employees (including Directors/senior managers), agents, consultants, agency staff, volunteers, interns, contractors and any third party (potentially suppliers) who provides services for or on behalf of our business (all collectively defined as “associated persons” under this legislation). Our policy sets out the Company’s position on tax evasion and the facilitation of tax evasion, and the expectations of all our people and other “associated persons” in meeting the requirements of this legislation.

## Background of the legislation

The Criminal Finances Act 2017 introduced two Corporate Criminal Offences (‘CCO’):

- The failure to prevent facilitation of UK tax evasion, and
- The failure to prevent facilitation of foreign tax evasion.

The legislation took effect on 30 September 2017.

The legislation is all about businesses such as ours being able to demonstrate we can prevent the facilitation of tax evasion as part of our day-to-day operations. Specifically, the legislation means that if an “associated person” of a business does criminally facilitate tax evasion, and the business is unable to demonstrate that it had reasonable procedures in place to prevent such facilitation, the business is guilty of a criminal offence. The legislation applies to all taxes – personal and corporate tax – and includes other taxes such as VAT, Customs Duties, National Insurance Contributions etc.

The consequences of a prosecution for Byrne Group includes unlimited fines, reputational damage and the likelihood of regulatory sanction. Tax evasion and facilitation of tax evasion are also punishable for individuals with fines and custodial sentences. We therefore take our legal responsibilities very seriously.

## How are we responding as a business

Byrne Group expects all our employees and anyone who works for us – e.g. contractors, not to engage in any activity which evades tax or facilitates or may facilitate the evasion of tax by any other person (company or individual). It does not matter whether the taxes are UK taxes or are due to an overseas fiscal authority.

We will not engage with any third party (including those who contract with us or otherwise provide services to us) who do not have a similar policy. We expect all employees and associated persons to be able to identify and take steps to prevent any scenarios where there may be a risk that they are facilitating others to commit tax evasion, either in the UK or overseas. We support the questioning and eventual declining of business where there are any suspicions of tax evasion or the facilitation of tax evasion.

Byrne Group has created, and will maintain, a rigorous and effective framework for dealing with any suspected instances of tax evasion. This includes providing suitable and secure reporting and communication channels, ensuring that any information that is reported is properly investigated and effectively dealt with.

## Reporting suspicions or concerns

Byrne Group expects all employees and other “associated persons” to:

- Act honestly, responsibly and with integrity.
- Safeguard and uphold the Company’s core values by operating in an ethical, professional and lawful manner at all times.

If at any time you have a reasonable belief, suspicion or concern that, in any way connected to our business, someone has been engaged in facilitation of tax evasion or other wrongdoing (however insignificant it may be and whether it involves an employee of a third party) you must raise this with your line manager.

You must tell your line manager as soon as possible if you are asked to do something (either by someone else in the business or a third party) where you suspect there may be facilitation of tax evasion, or believe that you are a victim of another form of unlawful activity.

## Sanctions for breach

Any individual who breaches this policy may face disciplinary action, potentially resulting in dismissal for misconduct or gross misconduct. Similarly, we may terminate our relationship with other individuals, organisations and other “associated persons” working on our behalf if they breach this policy.

## Monitoring compliance

The group’s Financial Director has lead responsibility for ensuring compliance with our policy, and will review its contents on a regular basis. This includes responsibility for monitoring its effectiveness, and for the provision of regular reports in this regard to the Directors of the Company, who have overall responsibility for ensuring that our policy complies with the Company’s legal and ethical obligations.

## Training and awareness

The Company will provide training to all employees to help them understand their duties and responsibilities under our policy.

The Company’s zero tolerance approach to tax evasion and the facilitation of tax evasion will also be communicated to all business partners at the onset of the business relationship, and as appropriate thereafter. We expect all parties acting with us or for us to adopt a similarly robust approach.

Signed:

Michael Byrne

Chief Executive, Byrne Group

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