

**LAND AND AGRICULTURAL DEVELOPMENT
BANK OF SOUTH AFRICA**

**ILLUSTRATIVE LIST OF FRAUD AND CORRUPTION
RISKS**

(Annexure A to the Fraud and Corruption Prevention Plan)

Financial/Accounting

1. Theft of revenue.
2. Misappropriation of Land Bank funds.
 - Duplicate payment of invoices;
 - Approval of fictitious invoices; and
 - Diversion of payments.
3. Non-compliance with financial policies and procedures.
4. Lack of segregation of duties.

Support Services

1. Possibility of corruption within procurement/tender processes:
 - Contractors/consultants not established as bona fide companies/legal entities with appropriate insurance/warranty claims;
 - Contractors /consultants inducing staff to select other than the most appropriate contractor/consultant relative to the established criteria;
 - Inappropriate work specifications drafted by or from data provided by a contractor;
 - Submission of specifications aimed at a particular contractor/supplier;
 - Disclosure of sensitive information to contractors/service providers;
 - Payments to fraudulent contractors/service providers;
 - Collusion between employees and contractors/service providers and contract staff; and
 - Non-adherence to procurement levels.
2. Procurement control not enforced:
 - Lack of central control over the appointment of contractors/service providers;
 - Agreements not standardised; and

- No database of suppliers/service providers to track poor/risky service providers.
3. Ineffective procurement management policies and procedures:
- Database of service providers with poor risk profiles;

Asset Management

1. Occurrence of theft and pilferage.
2. Inadequate asset management policy.

Loans

1. Non compliance with policies, procedures and loan guidelines:
 - Non compliance with loan conditions;
 - Land Bank approvals granted not adhering to loan guidelines; and
 - Providing unauthorised information.
2. Ineffective policies, procedures and loan guidelines:
 - Ineffective assessment criteria;
 - Irrelevant evaluation data; and
 - Inflexibility of loan guidelines.
3. Ineffective loan document tracking, control and management.
4. Insufficient securities/collateral requirements.
5. Incorrect information provided by clients.
6. Inappropriate application of loan guidelines by staff.
7. Offers of inducement to staff to omit, modify information and conditions in return for favoured consideration.

Recoveries

1. Non-compliance with internal policies and procedures concerning the recovery of debt.
2. Laxity or lack of pro-activeness in the collection of debt.
3. Inadequate control measures regarding the safeguarding of bought-in-properties.
4. Inadequate system to evaluate the merits on which to grant the extension of time on loans.

Human Resources

1. Non compliance with HR policies and procedures:
 - Recruitment not in accordance with procedure system;
 - Ineffective management of the payroll system;
 - Payments to ghost employees;
 - Fraudulent claims for overtime submitted;
 - Overtime abuse;
 - Failure to pre-screen all prospective employees and verify qualifications and previous work experience;
 - Favouritism towards applicants who are personally known/related to the Land Bank staff;
 - Release of confidential information;
 - Tampering with personnel records;
 - Ignoring complaints which may highlight potential fraudulent behaviour;
 - Excessive sick leave absences; and
 - Involvement in other forms of employment other than the Land Bank.

2. Failure to attract and retain skilled personnel:
 - Nepotism in respect of recruitment; and
 - Favouritism.

3. Inadequate work ethics and values:
 - Lack of loyalty to Land Bank; and
 - Loyalty of staff to clients rather than the Land Bank.
4. Deployment of temporary staff:
 - Unjustified extensions of appointment; and
 - Fraudulent claims for time submitted.

Information Technology

1. Inadequate logical and physical security:
 - Security around the physical movements and retrieval of information technology devices in and out of the Land Bank;
 - Undefined security access rights by application users;
 - Sensitive data deliberately destroyed or misused for personal advantage;
 - Possible intrusion by external hackers;
 - Lack of controls at security and/or reception areas for visitors to declare mobile devices (laptops, palm tops);
 - Lack of declaration policies for users to sign that all IT devices/system will be used purely for Land Bank purposes;
 - Lack of defined IT governance;
 - Critical tasks and responsibilities left in the hands of external service providers and consultants; and
 - Lack of asset tracing system.
2. Use of IT data and computer files:
 - Unauthorised use and release of sensitive data;
 - Deliberate misuse of sensitive files; and
 - Unauthorised use and distribution of data.
3. Theft of computer equipment.

**LAND AND AGRICULTURAL DEVELOPMENT
BANK OF SOUTH AFRICA**

CODE OF ETHICS AND BUSINESS CONDUCT ("the Code")

(Annexure B to the Fraud and Corruption Prevention Plan)

CODE OF ETHICS AND BUSINESS CONDUCT FOR THE LAND BANK

CONTENTS

Section	Title	Page
1.	Introduction and scope	3
2.	Ethics	4
3	Rights and obligations:	
	• Obligations of the Land Bank	6
	• Rights and obligations of employees	7
	• Obligations of management	9
4	Offering business courtesies	10
5	Accepting business courtesies / gifts / hospitality / favours	11
6	Conflicts of interest	12
7	Relationships with colleagues	13
8	Relationships with customers and suppliers	14
9	Health, safety and environmental protection	15
10	Use of the Land Bank's supplier and other resources (including information, intellectual property and computer equipment)	16
11	Creating Awareness	20
12	Compliance	20
13	Contravention of the Code	20
14	Adoption of the Code	22

1. INTRODUCTION AND SCOPE

Introduction

- 1.1 The Land Bank is committed to a policy of fair dealing and integrity in the conduct of their business. This commitment, which is actively endorsed by the Board of Directors ("the Board") of the Land Bank, is based on a fundamental belief that business should be conducted honestly, fairly and legally. The Land Bank expects all employees to share its commitment to high quality agricultural financial services, moral, ethical and legal standards.
- 1.2 In addition since the business of the Land Bank carries with it a particular obligation to the public as a whole it goes without saying that the Land Bank requires from all its employees standards of ethical behaviour that promote and maintain public confidence and trust.
- 1.3 This Code of Ethics and Business Conduct ("the Code") does not replace the Land Bank's conditions of employment, but should be seen as complementary to the conditions of employment and as a statement of the values and ethical business conduct that the Land Bank pursues in its dealings with people and organisations internally as well as externally.

Scope

- 1.4 Compliance with the Code is required of all employees of the Land Bank. The principles contained in the Code also apply to contract labour, consultants, temporary employees, part-time employees, casual employees, occasional employees, directors, customers, suppliers and others acting on behalf of, or dealing with, the Land Bank.
- 1.5 Employees of the Land Bank must comply with its policies, applicable laws, regulations and provisions of the Constitution. Anything prohibited by the Land Bank's policies, applicable laws, regulations and provisions of the Constitution would still be

prohibited even if it were done on behalf of an employee of the Land Bank by someone who was not the Land Bank employee.

- 1.6 Although the Land Bank has limited legal rights to enforce the Code on its goods and service providers, the Land Bank can exercise moral persuasion to gain compliance with the Code or choose not to enter into business relationships with providers who do not comply.

2. ETHICS

- 2.1 The term "ethics" refers to standards of conduct, which indicate how a person should behave, based on moral duties and virtues arising from the principles of right and wrong. Ethics therefore involve two aspects:

- (a) The ability to distinguish right from wrong; and
- (b) The commitment to do what is right.

- 2.2 Ethical standards are necessary for the following reasons:

- (a) To ensure that all stakeholders of the Land Bank are aware of the core values respected by its employees (including management) and the Board; and
- (b) To ensure accountability within the Land Bank in terms of fundamental ethical values and value systems.

- 2.3 The foundation for the Code is based on the Land Bank's core corporate values. These values detailed below define who we are as individuals and as an agricultural development institution, namely:

- Customer focus;
- Mutual respect and dignity;
- Openness and transparency;
- Fair and equitable access to services;
- Integrity and trust;

- Team spirit;
- Accountability; and
- Recognition and reward.

Individual ethical conduct

- 2.4 Ethical behaviour refers to individual actions by employees which are intended to further the common good of the organisation, as determined by its policies, procedures, directives and business objectives, with which employees are required to comply. If a person is conscious that his/her conduct is against the common good of the organisation or other employees, such conduct is unethical.

Collective ethical conduct

- 2.5 Ethical behaviour can also be regarded as a collective behaviour, because external stakeholders such as suppliers, communities and the State develop their perceptions about the Land Bank's commitment to the common good on the basis of the actions and the conduct of the Land Bank's employees they deal with. In this way, excellent ethical business conduct by employees of the Land Bank leads to the collective perception of the Land Bank as an ethical organisation.

Ethical behaviour and business conduct

- 2.6 The integrity of the employees acting on its behalf underlies all the Land Bank's relationships, including those with customers, suppliers and communities, as well as those between employees. The highest standards of ethical business conduct are required of employees of the Land Bank in fulfilling their Land Bank responsibilities.
- 2.7 Employees may not engage in any activity that could raise questions as to the Land Bank's integrity, respect for diversity, impartiality or reputation. Ethical business conduct includes workplace relationships between employees in terms of the Constitution and requires respect for constitutional rights in employment, particularly with regard to human dignity, non-discrimination, respect for diversity, impartiality and reputation.

- 2.8 All employees are personally responsible for ensuring that their conduct is ethical and should bring possible contraventions to the appropriate manager's attention.

3. RIGHTS AND OBLIGATIONS

Obligations of the Land Bank

The Land Bank endeavors to treat its employees with respect and fairness and to promote empowerment, providing a positive working environment and encouraging all employees to reach their full potential.

- 3.1 As a leading agricultural financier, which considers the needs of all stakeholders of paramount concern, the Land Bank will strive to:
- (a) Pursue a fair recruitment selection and placement process with due regard to its empowerment and employment equity strategies;
 - (b) Enter into fair contracts of employment within the parameters of labour law provisions;
 - (c) Offer market-related salaries and service conditions;
 - (d) Put performance measurement systems in place that reward achievement and highlight under-achievement;
 - (e) Promote understanding of cultural diversity between different ethnic groups;
 - (f) Afford employees with illnesses or disabilities the right to continue to work, provided they are able to continue to perform satisfactorily the essential duties of their jobs and do not present a safety and health hazard to themselves and/or others;
 - (g) Respect the right of employees to participate in the political process in accordance with the Constitution and respect their right to absolute privacy with regard to personal political activity;
 - (h) Treat people with respect and empathy (e.g. in the case of serious medical disorders);
 - (i) Create a culture of mutual trust;

- (i) a safe and healthy working environment;
 - (ii) employment and promotion opportunities to formerly disadvantaged groups; and
 - (iii) succession planning / career pathing / upward mobility;
- (k) Empower its staff to fulfil their responsibilities and potential (e.g. provision of office facilities for disabled people);
- (l) Ensure that discipline is seen as positive and necessary and not solely as a
- (m) Encourage transparent interaction between employer and employees (based

3.2 In terms of the Code, all employees have the following rights and obligations:

- (a) To be well informed regarding ethical conduct and sensitised to the Land
- (b) To be provided with information (suitable to their job grade) about the details of the procedures and policies affecting their work, and to understand and follow them;
- (c) To be made aware of, and alert to, situations that could encourage or allow participation in illegal, improper or unethical actions and to seek guidance to avoid potential problems;

- (d) To consider whether the actions of others may be unethical, and to report conduct which is, or appears to be, in conflict with the Code;
- (e) Not to accept or offer substantial business courtesies or gifts, either in cash or in kind, in connection with their employment;
- (f) To manage their personal affairs in a manner which does not impair, or appear to impair, the objectivity of any decisions that they make on behalf of the Land Bank;
- (g) To discourage and refrain from nepotism in the workplace;
- (h) To recuse themselves from any official action or decision-making process which may result in personal gain;
- (i) Not to tolerate any form of improper influence, bribery or unethical conduct by suppliers or any other stakeholders and to immediately report such conduct;
- (j) To refrain from undertaking remunerative work without permission outside their official duties or use office equipment for such work;
- (k) Not to receive commissions or other remuneration relating to the sale of any product or service of the Land Bank except as specifically provided for under an individual's terms of employment;
- (l) To recognise that assets of the Land Bank, including time, materials, equipment and information, are for the sole use of the Land Bank and are not for personal benefit or use, even after working hours;
- (m) Neither to utilise the Land Bank's assets, resources, funds, goods or services as contributions to political parties or their candidates nor to make the facilities of the Land Bank available to such candidates or campaigns;
- (n) To perform duties with honesty and integrity, and to the best of one's ability;
- (o) To take responsibility and accept accountability for actions and decisions taken (appropriate to their job grade);
- (p) To address any misconceptions or misunderstandings in the workplace, however they arise;
- (q) To actively discourage any form of victimisation, discrimination or retribution against those who report, have reported or intend to report breaches of the Code;
- (r) To communicate openly and honestly, and act with a commitment to achieve a prudent, fair, transparent and responsible result;

- (s) To communicate in a complete, accurate and timely manner with all parties (internal and external), including government and the public, with whom business is conducted;
- (t) To honour the confidentiality of all matters, documents and discussions regarding the Land Bank and not use or disclose any official information for personal gain or the gain of others;
- (u) To keep abreast of technical and functional developments and to avail themselves of ongoing training and self-development; and
- (v) To participate fully and contribute to the improvement of team spirit.

Obligations of management

All supervisors and managers should provide a good example to their staff, promote efficiency and productivity, advance the Land Bank's commercial efforts and promote a culture of openness, awareness and discussion regarding issues of professional ethics.

- 3.3 In addition to their rights and responsibilities as employees of the Land Bank, supervisors and managers have additional responsibilities arising from their seniority and the nature of their managerial and/or supervisory duties, which include:
- (a) To strive to reduce inefficiencies in the Land Bank and establish standards of efficiency in consultation with the other employees of the organisation;
 - (b) To introduce and maintain in the Land Bank an awareness by all employees that the resources of the organisation, including time resources, are in limited supply and should not be abused;
 - (c) To market the products and services of the Land Bank accurately;
 - (d) To determine minimum quality standards for the products and services of the Land Bank and ensure that the products conform to these standards;
 - (e) To provide stakeholders with the ready means of lodging complaints about the quality of the Land Bank's products and services;
 - (f) To furnish to an auditor of the Land Bank all information and explanations which the auditors require for the performance of their functions;

- (g) To make a personal commitment to act in accordance with our standards of ethical business conduct, communicating this to subordinates and leading by example;
- (h) To establish a working environment that encourages open communication regarding business ethics issues and concerns;
- (i) To discuss business ethics issues periodically and review standards of conduct during working hours e.g. at team briefings and forums;
- (j) To become familiar with the resources and processes available to assist in the resolution of questions and concerns about business ethics;
- (k) To be alert to areas of business risk and establishing ways to address potential contraventions of the Code;
- (l) To take responsibility for the conduct of staff to ensure that any misconduct, so serious, recurrent or widespread that action should already have been taken to prevent it, is dealt with speedily and appropriately;
- (m) To ensure that the Code, and its contents, is communicated clearly and distributed to all staff members. The Code should be included in the sign-on documentation for new employees.

4. OFFERING BUSINESS COURTESIES

Rules for offering courtesies/gifts/hospitality/favours

Employees should not offer business courtesies, gifts or other benefits without keeping proper records thereof and obtaining management approval.

- 4.1 Employees of the Land Bank may offer business courtesies, including gifts, hospitality or other favours, provided the following conditions are met:
- (a) The business courtesy does not violate any law or regulation, the culture or the known policy of the recipient;
 - (b) The business courtesy is customary and consistent with the reasonable and ethical business practices of the market place in which it is offered;

- (c) Management approval, at an appropriate level, is obtained for gifts other than novelty/ promotional items as defined in paragraph 5.02(a) below;
- (d) The business courtesy is properly accounted for and recorded; and
- (e) The business courtesy does not gain for the giver any right or privilege that he/she might otherwise not enjoy.

5. ACCEPTING BUSINESS COURTESIES

Rules for accepting courtesies/gifts/hospitality/favours

Employees may accept business courtesies, gifts or other benefits provided that appropriate management approval is secured, the gift is properly declared and accounted for, and the acceptance does not create the appearance of a conflict of interest.

- 5.1 Conflicts of interest can arise where employees are offered business courtesies, including gifts, hospitality or other favours which may, or could be perceived to influence their judgement in relation to business transactions such as placing of orders and contracts.
- 5.2 Employees should not accept business courtesies, including gifts, hospitality and favours (e.g. personal favours or other preferential treatment) when these are offered because of the employee's position with the Land Bank. These may place the recipient under an obligation to the person or organisation offering such courtesies. However, acceptance of the following is acceptable:
 - (a) *Novelty or advertising items* may be accepted when they have no appreciable value and are widely distributed by the giver to other firms e.g. inexpensive calendars, pens, cups and other promotional items carrying the distributing company's name or logo;
 - (b) *Occasional business entertainment* such as luncheons, cocktail parties or dinner on an infrequent basis. In assessing the items in (c) and (d) above, the following conditions must be met:
 - It is in the interests of building necessary business relationships;

- It is not likely to be extravagantly priced;
 - Acceptance will not create the appearance of a conflict of interest; and
 - Management approval has been obtained.
- (c) *Occasional hospitality e.g. tickets to sporting events or theatres,* provided that the cost of any accommodation is borne by the recipient.

6. CONFLICTS OF INTEREST

Rules regarding conflicts of interest

An employee should not acquire any business interest or participate in any activity which would create or appear to create a conflict of interest, i.e. an obligation, interest or distraction which would interfere or appear to interfere with the independent exercise of his/her judgment on behalf of the Land Bank.

- 6.1 In conducting the business of the Land Bank, it is important that stakeholders, clients and colleagues feel confident about the impartiality of the decisions taken by the bank. As a public entity the principal of impartiality in decision making is imperative.
- 6.2 The Land Bank expects employees to perform their duties conscientiously, honestly and in accordance with the best interests of the Land Bank.
- 6.3 Employees must not use their positions, or knowledge gained through their employment with the Land Bank, for private or personal advantage or in such a manner that a conflict or an appearance of conflict arises between the Land Bank's interest and their personal interests.
- 6.4 A conflict of interest could arise where an employee, member of an employee's family or a business with which the employee or family member is associated, obtains a benefit, advantage or profit by virtue of the employee's position with the Land Bank or knowledge gained through that position.

- 6.5 If employees feel that a course of action they have pursued, are pursuing or are contemplating pursuing, may involve them in a conflict of interest situation or a perceived conflict of interest situation, they should make all the facts known to the person to whom they report.
- 6.6 Employees should, however, avoid acquiring any business interest or participating in any activity outside the Land Bank, which would create, or appear to create the following:
- (a) An excessive demand on their time and energy which would deprive the Land Bank of their best efforts on the job; and/or
 - (b) A conflict of interest, that is an obligation, interest or distraction which would interfere or appear to interfere with the independent exercise of judgement in the Land Bank's best interest.
- 6.7 Approval from the Chief Executive Officer is required before doing any of the following:
- (a) Holding a passive investment interest (either directly or indirectly) in any supplier or customer of the Land Bank;
 - (b) Acting as an officer, director, partner, consultant, representative, agent, adviser or employee of a (potential) supplier, customer or any other entity;
 - (c) Being involved in any capacity in the conduct of any business whose customers include the Land Bank, its customers, suppliers or providers of agricultural services; and
 - (d) Any other additional external employment.

7. RELATIONSHIPS WITH COLLEAGUES

Employees should not discriminate against fellow employees and should treat all colleagues with respect.

- 7.1 The following rules are to be observed by all employees:

- (a) Not to make false accusations against a fellow employee;
- (b) Recognise fellow employees' rights to freedom of association;
- (c) To show respect for the dignity of all their colleagues;
- (d) Not to discriminate against fellow employees in word or deed on the basis of race, citizenship, creed, political persuasion, age, marital or family status, gender, language, religion, sexual orientation or on account of a disability;
- (e) Not to hinder the Land Bank's employment equity initiatives and efforts to redress the imbalances of the past; and
- (f) Not to attempt to intimidate or irregularly influence fellow employees in any way, or be influenced by others.

8. RELATIONSHIPS WITH CUSTOMERS AND SUPPLIERS

In order to ensure that they remain objective, employees should not accept any bribes offered by any customer or supplier of the Land Bank, should report such offers to management and refrain from having any vested interest, financial or otherwise, with any customer or supplier.

- 8.1 Employees should not invest in, or acquire a financial interest, directly or indirectly, in any business organisation having a contractual relationship with the Land Bank or which is a provider of goods or services to the Land Bank, if such a relationship might influence or create the impression of influencing their decisions in the performance of their duties on behalf of the Land Bank.
- 8.2 The following rules apply particularly to employees who have direct contact with any business organisation having a contractual relationship with the Land Bank, or is a provider of goods or services to the Land Bank and to employees who are indirectly involved in source selection or evaluation (procurement/purchasing/tender evaluation):
 - (a) Inform a supplier of any bribe or attempted bribe by the supplier's personnel;

- (b) Terminate dealings with any supplier who bribes or attempts to bribe, employees of the Land Bank;
- (c) Ensure that no bribe is paid to personnel of a supplier of the Land Bank;
- (d) Have regard for the interests of its creditors when requesting an extension of time in which to pay;
- (e) Purchase contracting must be made on the basis of quality, service, price and availability;
- (f) Employees should ensure that they are independent, and are seen to be independent, from any business organisation having a contractual relationship with the Land Bank or providing goods or services to the Land Bank;
- (g) Employees are responsible for complying with supplier-imposed limitations governing the use of supplier information, including documents and computer software and protecting the suppliers proprietary data;
- (h) The Land Bank's purchasing power should not be misused for personal benefit to buy goods, materials or services at terms not available to all employees;
- (i) Information about the Land Bank that is restricted, proprietary or sensitive must not be revealed to a supplier or potential supplier unless authorised;
- (j) All employees, contract labour, consultants and others acting for the Land Bank are prohibited from providing, attempting to provide, or offering to provide a kickback; and from soliciting, accepting, or attempting to accept a kickback;
- (k) No form of improper influence, bribery or unethical conduct by suppliers or customers is to be tolerated and such conduct should be reported; and
- (l) Employees who make, or could influence, purchasing decisions should not be involved in the solicitations on behalf of charitable, civic, or other organisations, of gifts of money or time from current or potential suppliers.

9. HEALTH, SAFETY AND ENVIRONMENTAL PROTECTION

An employee should act responsibly in protecting his or her personal safety and that of fellow employees and comply with all regulatory and public policies to protect public health and the environment.

- 9.1 The Land Bank is committed to taking every reasonable precaution to ensure a safe environment for all employees. All employees who become aware of circumstances relating to the Land Bank's operations or activities which pose a real or potential health or safety risk should report the matter.
- 9.2 The Land Bank is committed to developing operating policies to address the environmental impact of its business activities by integrating environmental planning, pollution control, waste management and rehabilitation activities into operating procedures. Employees should give appropriate and timely attention to environmental issues.
- 9.3 All employees can contribute to the Land Bank's efforts in this regard by:
- (a) Complying with environmental, health and safety laws and regulations;
 - (b) Taking measures to prevent workplace injuries and illnesses, and providing a safe and healthy working environment;
 - (c) Reducing the use and release of toxic and hazardous materials; and
 - (d) Co-operating with the public, the government, and other interested parties to develop regulatory and public policies to protect public health and the environment.

10. USE OF THE LAND BANK'S STAKEHOLDER (USERS OF LAND BANK RESOURCES), SUPPLIER AND OTHER RESOURCES (INCLUDING INFORMATION, INTELLECTUAL PROPERTY AND COMPUTER EQUIPMENT)

An employee should use the assets and other resources of the Land Bank efficiently and economically in the best interests of the Land Bank, not make use of these assets and/or resources for private purposes and not disclose confidential information.

- 10.1 The Land Bank's resources are to be used for the benefit of the Land Bank and ultimately all stakeholders. They include time, materials, equipment and

information and they should not be used for personal benefit or non-company purposes, even after working hours.

- 10.2 The Land Bank is committed to conserving resources used by its business operations. All employees should use their best efforts to make efficient use of resources and to reduce the use of supplies and materials wherever practical without compromising quality of service.

Physical assets of the Land Bank

- 10.3 The Land Bank has developed a number of internal controls to safeguard assets and imposes strict standards to prevent fraud and other dishonesty. All employees who have access to the Land Bank's funds and property in any form must at all times follow prescribed procedures for recording, handling and protecting of such funds and property.
- 10.4 Employees must, at all times, ensure that the Land Bank's funds and property are used for legitimate Land Bank business purposes.
- 10.5 The assets and property of the Land Bank, its customers and its suppliers should be treated with the same respect as personal assets and property.
- 10.6 Materials and equipment of the Land Bank must remain on Land Bank controlled property, unless a manager authorises their use in another location in the Land Bank's interests.
- 10.7 Proper measures should be taken for the storage and safeguarding of Land Bank information to prevent unauthorised access, use or removal by any means and in any form (e.g. electronic, optical, magnetic, hard copy, etc.).

Confidentiality of information

- 10.8 Information is used and released by the Land Bank in many forms, including reports, brochures, booklets and electronically via the Internet. Employee's can provide official information that is normally available to the members of the public. All other official information or documents should only be provided under the following circumstances:
- a) It is a normal part of an employee's job function and the employee's have received proper authorisation to provide the information;
 - b) It is requirement to do so by law; and
 - c) Employees are called to give evidence in court.
- 10.9 Employees approached by the media should immediately refer this to the Chief Executive Officer.
- 10.10 When dealing with anyone outside the Land Bank, including public officials, an employee must not compromise the integrity of or damage the reputation of any individual.
- 10.11 Information with respect to any confidential product, plan or business transaction of the Land Bank or personal information regarding customers and employees (including their salaries) must not be disclosed by any person / employee unless and until proper authorisation for such disclosures has been obtained.
- 10.12 It is the responsibility of all employees to make sure that confidential information, in any form cannot be accessed by unauthorised personnel and that sensitive information is only discussed with individuals inside or outside the Land Bank, who have been authorised to have access to the information.

Privacy of employee information

- 10.13 The Land Bank is obliged to record and maintain legally required personal data for payroll, pension, union membership and medical benefits. Such information must be treated as confidential and used only for legitimate Land Bank purposes. An employee has the right to correct errors in his or her files.

Intellectual property and proprietary information

- 10.14 The Land Bank requires the protection of intellectual property and proprietary information. This includes patents, trademarks, copyrights and research and trade secrets. It also applies to any other information over which the Land Bank has control. The obligation not to disclose proprietary information still applies after an employee has left the Land Bank.

Computer security

- 10.15 Hardware, software and data processed by computers and shared electronically or otherwise must be adequately safeguarded against damage, loss, alteration, theft, fraudulent manipulation, unauthorised access to and disclosure of information. Strict adherence to all policies and standards addressing the protection of the Land Bank's data resources and data networks is required of all employees.
- 10.16 Each employee is responsible for the protection and confidentiality of passwords, IDs and any other access information of systems and networks. All security measures and internal controls that have been established for safeguarding the integrity and validity of computer systems, data and software must be complied with.
- 10.17 Unauthorised duplication of copyrighted computer software violates the law. Strict compliance with all licence or purchase terms regulating the use of any software acquired or used must be maintained.

11. CREATING AWARENESS

- 11.1 It is the responsibility of management to ensure that all employees, are made aware of, and receive appropriate training and education with regard to this Code.

12. COMPLIANCE

- 12.1 All employees of the Land Bank

- (a) Shall sign an annual declaration that they have read, are familiar with, understand and will conform with this Code. Responsibility for ensuring that all employees have delivered this declaration lies with all managers; and.
- (b) Who have doubts regarding a questionable situation that might arise, should immediately consult their manager who will secure clarity.

13. CONTRAVENTION OF THE CODE

- 13.1 The Land Bank will consider any contravention of the Code as a serious matter. In similar vein, any investigation that is conducted into any suspected or alleged contravention will be treated confidentially.
- 13.2 In the event of an employee believing that his/her actions have or may have been in contravention of the Code, he/she should either advise his immediate supervisor or report the matter to a person at management level.
- 13.3 Where an employee suspects that a fellow employee has contravened the Code, this should be reported promptly and confidentially, preferably in writing, to their immediate supervisor or a person at management level. The employee making the report should not confront the suspected individual. This will facilitate the maintaining of confidentiality and impartiality of any subsequent investigation into the matter and also limit the risk of damaging the reputation of the suspected person should it be found that the suspicion is unfounded.

13.4 In view of the fact that a contravention of the Code is a serious matter, it may result in any or all the following actions:

- (a) Disciplinary action, including termination of employment; and/or
- (b) Civil action; and/or
- (c) Criminal proceedings.

14. ADOPTION OF THE CODE

Adopted by:

Land Bank CEO

Chairperson of the Audit Committee

ff _____
Chairperson of the Board

Date

16 NOVEMBER 2004

Date

29 NOVEMBER 2004

Date