



Gifts and Hospitality Policy

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1. INTRODUCTION

ENAIRe, a state-owned company of the [Ministry of Transport and Sustainable Mobility \(MITMS\)](#), is responsible for the planning, management, coordination, operation, maintenance and administration of air traffic, telecommunications and aeronautical information services, as well as of the communications infrastructure, facilities and networks of the air navigation system, with the aim of ensuring that the service is provided safely, efficiently, continuously and sustainably.

As a demonstration of its commitment to a [culture of ethics and regulatory compliance](#), ENAIRe approves this [Gifts and Hospitality Policy](#), framed within [ENAIRe's Governance and Management Model](#), as part of [ENAIRe's Ethics and Regulatory Compliance Management System](#), and specifically within [ENAIRe's Criminal Compliance Management System](#), which is in accordance with the [UNE 19601 Standard](#).

This Policy also complements the provisions of the [ENAIRe Anti-Corruption and Fraud Policy](#).

This [Policy](#) has been drawn up with the aim of guiding [behaviour towards legal, ethical and transparent actions and, especially, to help staff take the right decisions in relation to gifts and hospitality](#), avoiding the risk of unknowingly engaging in actions that, once completed, could constitute irregular conduct. Its ultimate goal is to prevent the commission of unlawful acts and those that could generate the appearance of being an unlawful act.

2. PURPOSE AND SCOPE

2.1. Purpose

The purpose of this [Policy](#) is to establish the [principles of conduct regarding the acceptance by ENAIRe employees of gifts and hospitality](#), whether in cash or in kind, from third parties (suppliers, customers, intermediaries, or anyone else), and the offering or giving of gifts and hospitality by ENAIRe employees to third parties, whether in cash or in kind.

This [Policy](#) is governed by [the general principles and commitments of ENAIRe in terms of Good Governance, Ethics, and Criminal Compliance and the fight against corruption](#), serving as a guide for all ENAIRe personnel and others subject to this Policy, without prejudice to other specific policies in place; reinforcing and spreading [ENAIRe's commitment to the express prohibition of any behaviour that constitutes an illegal act or contravenes the applicable laws or ENAIRe's regulations, values, and principles](#).

This [Policy](#) promotes and consolidates [ENAIRe's ethical and regulatory compliance culture by encouraging adherence to applicable regulations through the observance of the Entity's Code of Ethics](#), while reinforcing [ENAIRe's purpose, values, ethical principles, and commitments to conduct as approved by its Governing Board](#).

This [Policy](#) fosters a [culture](#) that encourages the development of [professional conduct marked by integrity and diligence](#), and firmly [rejects the commission of any criminal and corrupt act, which may in no case be justified based on potential benefits to the Entity](#).

2.2. Subjective scope of application

This [Policy](#) applies to ENAIRe and is mandatory for members of the Governing Board and Management Committee, as well as for the rest of the company's governing and management bodies and for each and every one of the people working at ENAIRe, both in the performance of their duties and in their interactions

with third parties, regardless of their association or position within the company (all of them, hereinafter, the "Personnel").

Similarly, persons acting on behalf of and representing ENAIRE without being part of its organisation will undertake to act in accordance with this Policy when representing the Company or acting on its behalf in the performance of their duties.

2.3. Objective scope of application

This Policy affects all the activities carried out by ENAIRE that are exposed to criminal risks involving corruption.

3. DEFINITIONS

Gift: for the purposes of this Policy, a gift is defined as any present, advantage, benefit, favour, or comparable item, whether in cash or in kind, of any nature and denomination, that the individuals subject to this Policy receive as a result of the position they hold, either directly or through third parties, and for themselves or their immediate family circle, including someone in a marital or equivalent relationship, and blood relatives up to the fourth degree and in-laws up to the second degree.

Hospitality: for the purposes of this Policy, hospitality is defined as any favour, courtesy, or invitation, generally of a social nature, that is offered or received in a business and/or social context.

4. OPERATING PRINCIPLES AND COMMITMENTS

The principles governing this Policy are those already outlined in ENAIRE's Ethics and Regulatory Compliance Policy, Criminal Compliance Policy, and Anti-Corruption and Fraud Policy. These notwithstanding, the following principles are noted regarding the acceptance and offering of gifts and hospitality:



- **Never offer gifts and hospitality** to a third party beyond what is stated in this Policy.
- **Never accept gifts and hospitality** from a third party that are related to the position you hold in the organisation outside of what is set out in this Policy.
- **If such an offer is made, expressly communicate that accepting gifts and hospitality is not possible** under ENAIRE's established Policy, and if you have already received it, return it immediately and explicitly.

5. GENERAL RULES ON ACCEPTING AND OFFERING GIFTS AND HOSPITALITY

5.1. General rule on acceptance and delivery

As a general rule, affected individuals must not accept or solicit or offer gifts and hospitality directly or through third parties that represent a benefit to themselves or their immediate family.

Affected individuals must comply with the applicable law for personnel in the service of Public Administrations regarding gifts and hospitality, in accordance with the provisions of Royal Legislative Decree 5/2015 of 30 October, which approves the consolidated text of the **Basic Statute of Public Employees**, specifically **Article 54.6 regarding principles of conduct**:

“Any gift, favour or service under advantageous conditions that goes beyond the usual, social and courtesy norms shall be rejected, without prejudice to the provisions of the Criminal Code”

Articles 419 to 426 of the Penal Code classify various behaviours related to the acceptance or solicitation of gifts, favours, or any form of remuneration by public officials or employees, as crimes.

Examples of gifts and hospitality that can NOT be accepted or offered in any of the following cases:

- ✗ **Cash or equivalents** (e.g., gift cards, credit cards or checks), not even as a **loan or advance** (except those issued by credit institutions over the usual course of business).
- ✗ **Gifts in the form of services or other benefits** other than products and cash or equivalents (e.g., a job promise).
- ✗ **Personal services** (e.g., the use of another company's vehicle, personal discounts, use of holiday homes).
- ✗ **Attendance at sports events and shows.**

5.2. Exceptions on acceptance and offering

Exceptionally, the following can be accepted and offered:

- ✓ **Low-value gifts that may be considered as tokens of social or institutional courtesy**, such as books, promotional items with a company's logo, and merchandising products (for example, agendas with a company's logo, pens, USB drives, etc.).
- ✓ **Hospitality such as invitations to conferences**, courses, or professional meetings, as long as they are related to the activity of the person subject to this policy at ENAIRE or in a context of institutional representation.
- ✓ Regarding the possibility of accepting invitations for **meals or other catering expenses**, this is generally not permitted, especially when the employee is on official duty and receives per diem or a meal allowance. Such invitations are only acceptable in a context of institutional representation, or when they occur during meetings related to ENAIRE's activities and conform to widely accepted customs and practices.

Provided that these gifts and hospitality:

- Cannot give rise to conflicts of interest.
- Cannot in any way affect the professional activity of the affected person at ENAIRE, enticing them not to perform their work independently and objectively, and in the manner most favourable to the general interest.
- Cannot influence relationships by creating any advantage, preferential treatment, business expectations, a capacity to influence or an obligation to hire.

- Are in keeping with usual business services.

6. OBLIGATION TO REPORT SUSPICIOUS ACTS OR CONDUCT RELATED TO CRIMINAL RISKS

ENAIRe personnel are required to report, through ENAIRe's Internal Reporting System, any suspicious occurrence or behaviour involving criminal risks involving corruption and fraud of which they become aware.

To the extent possible, this obligation must be imposed on Third Parties.

7. INTERNAL REPORTING SYSTEM OF ENAIRe

In compliance with the provisions of this [Policy](#), ENAIRe makes available to whistleblowers, whether they are employees or third parties, [its Internal Reporting System](#), through which they can report **suspicious acts or behaviours related to criminal risks involving corruption**, as outlined in the **scope of ENAIRe's Internal Reporting and Whistleblower Protection System Policy**.

ENAIRe's [Internal Reporting System](#) can also be used to submit relevant questions or queries.

ENAIRe guarantees the absence of retaliation provided that the report was made in **good faith**, is within the **objective scope of application** and complies with the **protection conditions laid out in Law 2/2023 on the protection of whistleblowers**.

8. CONSEQUENCES IN THE EVENT OF NON-COMPLIANCE

Personnel who violate this [Policy](#) may be subject to disciplinary measures proportional to the degree of non-compliance, in accordance with the provisions of collective agreements and other applicable regulations.

In the case of third parties, the sanctions regime specified in the relevant commercial, civil or other regulations shall apply.

If applicable, the competent authority will be promptly notified.

9. MONITORING MECHANISMS

The body responsible for monitoring and overseeing the principles and guidelines outlined in this [Policy](#) is ENAIRe's Ethics and Regulatory Compliance Committee.

10. DISCLOSURE AND DISSEMINATION

In compliance with the requirements of international transparency standards and practices, this [Policy](#) will be made available to all stakeholders on ENAIRe's website for their information and consultation.

Similarly, the Policy will be appropriately communicated and disseminated internally using existing tools, to help everyone acting on behalf of ENAIRe to understand and apply it.

11. APPROVAL AND VALIDITY

Having been reviewed by the Ethics and Regulatory Compliance Committee on 10 September 2024, and following its presentation to the Management Committee on 13 September 2024, this [Policy](#) was approved by ENAIRE's Governing Board at its meeting of 25 September 2024, going into effect 10 calendar days after its approval. It will remain in effect until any modifications are made.

This [Policy](#) is subject to review and updating as needed to adapt it to any regulatory, social, economic or organisational changes.

This [Policy](#) repeals and replaces the **Hospitality and Gift Policy** (G1-19-POL-001-1.0) approved on 10 May 2019.