



Anti-Bribery Due Diligence Questionnaire For Companies

Section 1. Basic Information

Name of Company (the "Company") _____ Date _____

_____ Telephone number _____

Address _____

Check type of company _____ Partnership _____ Corporation

A. Describe Products or Services to be provided

B. Describe Commercial Terms

Section 2. Background of Company/Partnership/Corporation

A. Year and country of incorporation/registration _____

B. Description of Company's business activities

C. Business registration or identification number (if any) _____

D. Current number of employees _____

E. Describe Company's business experience and qualifications relevant to the products to be supplied or services to be performed.

F. Names of the Company's employees expected to provide services, and a brief description of their respective roles and the work they are expected to perform.



G. Names of any other individuals or companies the Company expects to use for products to be supplied or services to be performed and describe what they are expected to provide. Note-BorgWarner must give prior approval to such persons or entities and may request that any such persons or companies must complete separate questionnaires.

H. For the persons or companies identified in Section 2. D. above, please provide a brief background description and an outline of their business experience and qualifications.

I. Please provide the names of some of the Company's past and current clients or customers.

J. Names of principal owners (including their percentage of ownership), officers (including their titles), directors and/or partners of the Company and any interests or affiliations they have with other companies.

K. To the extent not already provided, please provide a brief background description of the individuals named in questions Section 2. J as well as an outline of their business experience and qualifications and their role in the Company.

L. Names of Affiliated Companies, their relationship to the Company, and a description of their business activity.

(i) Parent Companies

(ii) Jointly owned companies

M. Please provide the details of any investigation, charge, judgment, or conviction against the Company for any actual or alleged criminal act, including fraud, misrepresentation, bribery or other similar activities, or any civil act involving such allegations, as well as any ongoing investigation with respect to matters of such nature.

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- N. Does the Company have an established compliance program to prevent the bribery of private and public officials? Public official(s) include any officer or employee of a foreign, national, local or municipal government whether elected or appointed (this includes officials holding a legislative, administrative or judicial position of any kind); any person acting in an official capacity or exercising a public function for or on behalf of any government or its instrumentality such as a professional working for a public health agency; any officer or employee of a public international organization such as the UN or the World Bank; political parties, their officials and candidates for public office; or employees of state-owned enterprises or state controlled commercial enterprises.
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Section 3. Relationship to Public Officials, Including State-Owned Enterprises

- A. Do any officers, directors, principal owners and/or partners of the Company also have a status as a public official, either currently or within the last three years. If the answer is yes, please provide the name of the position held and the government agency/department.
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- B. Are any of the officers, directors, principal owners and/or partners of the Company related in any way (by blood, marriage or otherwise) to a public official or have business relationships with a public official? If the answer is yes, please provide an explanation of the relationship.
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- C. If the Company is not publicly traded, does any public official have any ownership or financial interest in the Company? If the answer is yes, please provide an explanation of the relationship.
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- D. Does the Company sell any products or services to any office of (i) an office or agency of a national, regional or local government; (ii) a public international organization; or (c) a Government-owned (in whole or part) or controlled commercial enterprise. If the answer is yes, please provide an explanation of the relationship.
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E. Has the Company or any of its employees provided any payments, other compensation, gifts or anything of value whether directly or through intermediaries, to any public official in connection with either (i) efforts to obtain or retain business or obtain any other form of commercial advantage or (ii) interaction with Government agencies with respect to, including but not limited to, taxes, customs, regulatory approvals, and permits. If the answer is yes, please provide an explanation of the payments or other compensation.

Section 4. Additional Information

A. Is it legal for the Company to enter into this proposed transaction Yes ___ No ___

B. Please provide business references, including contact information.

C. If the Company has any brochures or other documents which describe the services provided by the Company, or its compliance with anti-bribery laws, please provide them.

I understand that BorgWarner will rely on the above information in determining whether to enter into any contractual agreement with the Company, and incomplete or misleading information provided by the proposed person or Company would be grounds for the immediate termination of any contractual agreement.

Name of Company

By: (Name of Signer)

Date

Title of Signer