

Due Diligence Questionnaire for Companies

As part of BorgWarner’s commitment to comply with anti-corruption laws, the Company has commercial third parties take part in a due diligence review to determine that they are reputable, qualified, and ethical or not substantively connected to Government Entities and/or Government Officials (as defined below).

We also expect and requires you to conduct your business in line with our [Code of Ethical Conduct \(LINK\)](#).

Please answer all questions with as much information as possible and avoid using abbreviations and acronyms. If you have any questions, you may contact the employee who provided you with this Questionnaire. Thank you very much for your cooperation and compliance with our policies and this due diligence process.

Please note that the following definitions are used in this document:

- **“Government Official”** means (i) an officer, employee, agent, or representative of any government or military; (ii) any person acting in an official capacity for or on behalf of a Government Entity; (iii) any candidate for political office, any political party, or any official of a political party; or (iv) any officer, employee, agent, or representative of any public international organization.
- **“Government Entity”** means any (i) department, agency, corporate entity, instrumentality, or political subdivision of any government or military; or (ii) any company in which a Government Entity as defined in (i) of this clause owns an interest.

No.	Question	Response
Section 1 – Basic Information		
1.	Full legal name (English)	
2.	Full legal name (local language)	
3.	Any other names the business operates under	
4.	Registered address	
5.	Operation address or place of business	
6.	Telephone number	
7.	Website	
8.	Industry type	
9.	Description of products or services provided to be provided to BorgWarner	
10.	Who are the individuals at the company who will be responsible for working with BorgWarner?	
11.	Does the business operate as a sole trader, joint venture, company, or partnership?	
Section 2 – Company Representative Information		
12.	Company representative completing this Questionnaire:	
	(a) Name	
	(b) Job title	

No.	Question	Response
	(c) Email address	
	(d) Phone number	
Section 3 – Further Company Information		
13.	Year and country of incorporation?	
14.	Number of employees	
15.	Describe Company's business experience and qualifications relevant to the products to be supplied/services to be performed.	
16.	Is the company publicly listed? If so, please provide details.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
17.	Who are the members of the company's governing board?	
18.	Who are the principal officers of the company?	
19.	Does the company have any parent, subsidiary or affiliate companies that will be involved in providing business services to BorgWarner in any country? If yes, please describe the business services and state the name of the legal entity.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
20.	Does the company plan to use any contractors, agents, or other third parties that will be involved in providing business services to BorgWarner in any country? If yes, please describe the business services and state the name of the legal entity or entities.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
Section 4 – Government Relations		
21.	Is the company, any shareholder or partner in the company, or any subsidiaries, owned in any part by a Government Official or a person related to a Government Official (this includes partial State-Owned Enterprises)? If yes, please explain the government ownership and list the names of the Government Officials/Entities and their total percentage ownership interest.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
22.	Will the company interact with any Government Entity or Government Official when performing business activities for/with BorgWarner? If yes, please explain.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
23.	Has the company done business with a Government Entity or Government Official	Yes <input type="checkbox"/> No <input type="checkbox"/>

No.	Question	Response
	within the last 3 years? If yes, please explain and provide the approximate percentage of annual revenue derived from such activities.	Comments:
24.	In the last three years, has the company hired any current or former Government Officials as employees, agents, consultants, or subcontractors? If yes, please explain.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
25.	Is/was any director, officer, manager, employee, or agent of your company a Government Official at the present time or within the past 3 years? If yes, is/was the individual working in a capacity or government function which in any way could be used to confer any benefit for BorgWarner?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
26.	Is any key employee or senior management member of the company related (by blood, marriage, current or past business association or otherwise) to a Government Official? If yes, please explain.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
27.	Does any Government Official or a member of a Government Official's family have any interest in or stand to benefit in any way as a result of the proposed relationship with BorgWarner? If yes, please explain.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
Section 5 – Legal Violations, Enforcement, and Investigations		
28.	Has there been any investigation, charge, judgment, or conviction against the Company or employees, principals or shareholders 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? If yes, please explain.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
29.	Is the Company prohibited from bidding on or otherwise entering into government contracts? If yes, please provide details.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
30.	Has the Company been subject to the withdrawal or suspension of any authorizations, licenses or permits in the last five years?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:

No.	Question	Response
Section 6 – Systems and Internal Controls		
31.	Does the company have any codes of conduct applicable to its business and employees? If so, please attach them to this form.	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
32.	Does the company have policies and procedures to detect and prevent violations of the FCPA, UK Bribery Act 2010, and other anti-corruption laws?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
33.	Does the company provide training to its employees and agents on its codes of conduct, anti-trust, and/or anti-corruption policies?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
34.	Does the company screen any agent, consultant, or other subcontractor for bribery or corruption risk before their hiring or renewal?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
35.	Does the company audit its financial statements?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
36.	Does the company maintain its books and records in accordance with generally accepted accounting principles (GAAP), International Financial Reporting Standards, and/or recognized accounting standards in its country of incorporation and any other countries in which it would conduct activities on behalf of BorgWarner?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comments:
Section 7 – References		
37.	Please provide at least 2 business references, including contact information.	
Section 8 – Compliance Confirmations		
38.	Is it legal for the Company to enter into this proposed transaction?	Yes <input type="checkbox"/> No <input type="checkbox"/>
39.	Does the company agree to abide by the provisions of applicable laws in providing goods and services under the proposed agreement?	Yes <input type="checkbox"/> No <input type="checkbox"/>
40.	Please confirm that you have read and agree to abide by the BorgWarner Code of Ethical Conduct in providing goods and services under the proposed agreement.	Yes <input type="checkbox"/> No <input type="checkbox"/>



Certification of Company Representative

By submitting this Questionnaire, you certify on behalf of the company that:

- a) You are an authorized representative of the company.
- b) All answers are accurate, current, and complete to the best of your knowledge;
- c) The company will conduct business in line with our ethical values and will not directly or indirectly offer, make or provide any bribe or other improper payment or thing of value in connection with any business dealing or regulatory or governmental matter involving or relating to BorgWarner or any of its products, services or technologies; and
- d) You agree to contact BorgWarner promptly if there are any material changes to the information you have provided.

Signature: _____

Name: _____

Title: _____

Date: _____

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