

Policy Title: Anti-Bribery and Anti-Corruption Policy

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Purpose

This document is intended to ensure Illumina is compliant with applicable anti-bribery and anti-corruption laws.

Scope

This policy applies to Illumina, Inc. and its subsidiaries and affiliates globally (collectively referred to as “Illumina”), including all employees, officers of the company, members of the board of directors, and temporary workers.

Definitions

| Term | Definition |
|-------------------------------------|--|
| Bribe | Anything of value given in an attempt to affect a person’s actions or decisions in order to gain or retain business or to gain or retain an improper advantage. Facilitation payments are bribes. Anything of value includes, for example, cash, gift cards, entertainment, or other gifts or courtesies. A bribe could take other forms as well. |
| Corruption | The misuse of public office or power for private gain or the misuse of private power in relation to business. |
| Facilitation payments | A small sum paid to a government official/employee to facilitate or expedite a routine, non-discretionary action of the government official/employee (e.g., a small amount paid to expedite customs clearance, or to schedule a government inspection, or to issue a work visa). |
| Government official/employee | The definition of government official/employee should be interpreted broadly and includes: <ul style="list-style-type: none"> • Any elected or appointed Government official (e.g., a legislator or a member of a Government Ministry) • Any employee or individual acting for or on behalf of a Government official, agency, or enterprise performing a governmental function, or owned or controlled by, a Government (e.g., a healthcare professional employed by a Government hospital or university and a researcher employed by a Government university or research center) • Any political party officer, candidate for public office, officer, or employee or individual acting for or on behalf of a political party or candidate for public office • Any employee or individual acting for or on behalf of a public international organization (e.g., IOC, IMF, World Bank, United Nations, World Health Organization) • Any member of a royal family or member of the military |

| Term | Definition |
|---------------------------|--|
| | <ul style="list-style-type: none"> Any private person acting for or on behalf of any of the persons or entities listed above <p>“Government” includes all levels and subdivisions of governments (e.g., local, regional, national).</p> |
| Improper advantage | Is broadly defined to mean something that is illegal or to which a company is not clearly entitled, such as a price increase approval, improper influence on a decision to purchase Illumina products at a government institution or commercial business, favorable product specification selection, contract award, grant of operating permits, product use/registration approval, favorable court decision, or tax dispute settlement. |
| Money laundering | In general means, any act or attempted act to conceal or disguise the true origin and ownership of illegally obtained proceeds so that they appear to have originated from legitimate sources thereby avoiding prosecution, conviction and confiscation of the illegal proceeds. |

Policy

Illumina forbids bribery and corruption in the conduct of its business. It is Illumina’s policy to comply with all applicable anti-bribery and anti-corruption laws, including but not limited to the U.S. Foreign Corrupt Practices Act (“**FCPA**”), the U.K. Bribery Act, and the China Anti-Unfair Competition Law.

1. Basic rule to follow

Do not, directly or indirectly, offer, promise, pay, give, or authorize the giving of any financial or other advantage, or anything of value, to any other person or organization, in order exert improper influence over the recipient, induce the recipient to violate his or her duties, secure an improper advantage for Illumina, or improperly reward the recipient for past conduct.

These are all bribes.

Illumina policy also prohibits requesting, agreeing to receive, or accepting a bribe, kickback, or any other improper financial or other advantage.

2. Business associates of Illumina

Third parties working for or acting on behalf of Illumina (“**Business Associates**”), including for example, consultants, contractors, distributors, sales agents and other channel partners, marketing agencies, and meeting/event planners, and import/export companies, are prohibited from bribing government officials/employees, providing facilitation payments, and committing commercial bribery.

3. Bribes can take many forms

Here are several examples of potential bribes:

- Expensive gifts, paid non-Illumina business related travel, and lavish entertainment
- Loans, whether or not repaid
- Employment of the children or spouses of government officials/employees
- Paying the educational expenses or scholarships for the children of government officials/employees
- Donations to social programs or charities at the direction or urging of government officials/employees
- Direct cash payments to government officials/employees, or payments through sales channel partners or local agents, recorded on their books as legitimate fees and commissions, or as other business expenses. Cash for corrupt payments can be generated by raising false invoices for goods, works or services that were not performed, and turning the payments into cash.

4. Commercial (or private sector) interactions

Bribery in the commercial or private (i.e., non-government) sector is prohibited.

Examples of commercial bribery include:

- Giving money or gifts to an employee of a customer in hopes that the employee will influence the customer to acquire Illumina products
- Providing a disguised or hidden incentive or “commission” to an employee of a customer to influence or reward their actions
- Accepting or giving lavish gifts or entertainment, kickbacks, or investment opportunities to private individuals or entities that do business with Illumina or seek to do business with Illumina

5. Healthcare professional (HCP) interactions

As a manufacturer of medical devices and research tools, Illumina must be particularly sensitive to bribery and corruption issues when government officials/employees are involved because governments are often both the regulators of Illumina products and our customers. Additionally, outside of the United States many, if not most, healthcare professionals (HCPs) work for the government and thus are government officials/employees.

Refer to Illumina’s *Policy and Guidelines on Interactions with Healthcare Professionals and Organizations* (Doc. 1000000013329) for specific guidance on how to appropriately interact with healthcare professionals.

Always follow the most restrictive Illumina policy when dealing with government officials/employees, including those that are healthcare professionals. If local applicable law is more restrictive, then follow that.

6. Facilitation payments

Facilitation payments are illegal in most countries and prohibited by this policy. Report all requests or demands for facilitation payments or bribes to the legal department at compliance@illumina.com.

If you are ever required to make a payment as a result of an imminent threat to your health, safety or welfare, the demanded payment may be made. You are advised to ask for a receipt, if safe to do so. However, you must immediately report the payment to the legal

department at compliance@illumina.com. Include information on the circumstances and amount of the payment. You must ensure the payment is accurately and completely recorded in Illumina's books and records.

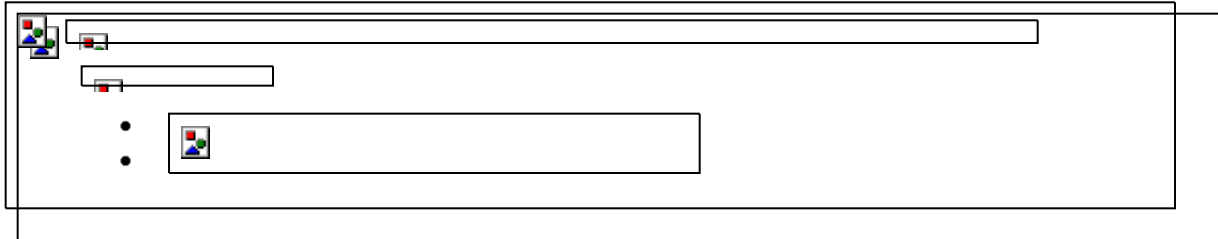
7. Business hospitality (gifts, entertainment, meals)

a. General principles

Business hospitality can only be provided to government officials/employees if it:

- Is permitted by applicable local law
- Is allowed by the policies of the institution with which the government official/employee is related
- Is not in conflict with the terms of contracts between the institution and Illumina
- Is infrequently provided
- Is of a minimal or modest value – must never be lavish or excessive
- Is within the normal standards of courtesy or protocol
- Does not compromise or appear to compromise the integrity of the government official/employee
- Would not embarrass or call into question the integrity of Illumina if publicly disclosed
- Complies with this policy and all other applicable Illumina policies and procedures

Always follow the most restrictive Illumina policy when dealing with government officials/employees, including those that are healthcare professionals. If local applicable law is more restrictive, then follow that.



b. Gifts and entertainment generally should not be provided

Gifts and entertainment generally should not be provided to government officials/employees or their close family members as most countries, states, and regions have specific laws preventing or limiting the value and type of gifts and entertainment that may be provided. Likewise, many institutions Illumina interacts with have policies limiting the receipt of gifts and entertainment.

Prior review by the Legal department is recommended

To request review by the Legal department, complete the Gift, Entertainment, Travel, and Government Official/Employee Engagement Form and send to compliance@illumina.com (the form is available on the Anti-Bribery and Corruption section of the Legal department insider page)

Guidance:

- Cash and cash equivalents (e.g., gift cards, per diem) may never be provided to a government official/employee or their family members
- All gifts must be of nominal value
- Illumina-branded items and items of limited personal value or that have a short useful life are more likely to receive legal department approval

c. Meals and government officials/employees

Meals for government officials/employees may be provided or paid for if the following conditions are met:

- Must be associated with a legitimate business purpose (e.g., presentation or discussion of scientific, technical, or educational information, including in connection with Illumina products and services)
- Must be subordinate in time to the business purpose of the meeting/engagement
- Must not simply be for “goodwill”
- Should not occur on a frequent basis
- Must be modest in value, taking into consideration the geographic area
- The venue must be appropriate for conducting business on behalf of Illumina
- No spouses or guests of the government official/employee should attend, unless they are paying for their own costs

d. Travel

Occasionally, it may be necessary and appropriate to provide travel for a government official/employee, such as in connection with providing consulting or other services to Illumina.

Prior review by the Legal department is recommended

To request review by the Legal department, complete the Gift, Entertainment, Travel, and Government Official/Employee Engagement Form and send to compliance@illumina.com (the form is available on the Anti-Bribery and Corruption section of the Legal department insider page)

Guidance:

- The travel must be for a purpose that complies with this policy (e.g., the travel may not be provided as a gift, reward for business, for purposes of entertainment) and must support a legitimate business need of Illumina.
- Airfare should be coach/economy class
- Lodging must be modest and reasonable – must not exceed what would be authorized for an employee under Illumina’s travel and expense policy
- Ground transportation must be modest and reasonable.
- No Illumina paid side trips are permitted
- No unusual itinerary through tourist attractions
- No Illumina paid tourist or entertainment excursions
- Illumina may not pay for spouses or travel companions of the government official/employee
- Wherever possible, payments must be made directly to vendors by Illumina (e.g., airlines, hotels, car rental companies)

- Where direct payment is not possible, expenses can be reimbursed only if official written receipts are provided to Illumina

8. Consulting or engaging government official/employee

Occasionally, it may be necessary and appropriate to engage a government official/employee to provide consulting, advisory, or other services for Illumina.

Prior review by the Legal department is recommended

To request review by the Legal department, complete the Gift, Entertainment, Travel, and Government Official/Employee Engagement Form and send to compliance@illumina.com (the form is available on the Anti-Bribery and Corruption section of the Legal department insider page)

Guidance:

- All consulting or other arrangements with government officials/employees must address legitimate business needs of Illumina
- Only pay the government officials/employees fair market value for services they provide Illumina
- The engagement may not be for purposes of inducing the government official/employee to take or not take an action or otherwise reward the government official/employee
- Be specific about the goals of the engagement, the service to be provided, including the deliverables needed by Illumina
- Always document the engagement in a formal, written contract which has been properly reviewed by Illumina's legal department and signed by an authorized representative of Illumina
- Always ensure all deliverables under the contract are provided to Illumina
- Use objective criteria to select government official/employee based on their qualifications and expertise
- Sales representatives should not control or unduly influence the decision to engage a particular government official/employee
- Verify background of potential government official/employees, including ensuring they have not been debarred or excluded by any government agency or are from an embargoed country or on a sanctions list. Contact Trade Compliance at ILMN-Export@illumina.com to verify.
- Document in writing how you chose the government official/employees, including copies of CVs, leadership in professional organizations, as well as reviewing relevant awards & recognitions.

9. Charitable donations

While donations to charitable organizations ordinarily are regarded as good corporate citizenship, those made to organizations in which government official/employees possess a role, such as trustee or board member, or are in a position to receive a benefit whether direct or indirect, cause concerns under anti-bribery and anti-corruption laws. A donation made to a charity associated with a government official/employee is considered a benefit for that government official/employee.

Prior review by the Legal department is recommended

To request review by the Legal department, complete the Gift, Entertainment, Travel, and Government Official/Employee Engagement Form and send to compliance@illumina.com (the form is available on the Anti-Bribery and Corruption section of the Legal department insider page).

10. Political contributions

No Illumina funds, products, or services of any kind may be given to any candidate or prospective candidate for public office, to any political party, or to any other political initiative or campaign without the prior approval of the government affairs department.

11. Accurate books and records and internal controls

It is Illumina's policy to keep books and records that accurately and fairly reflect Illumina's transactions in reasonable detail and maintain internal controls to prevent and detect potential violations of Illumina policies or of applicable law. No false, artificial, or misleading entries may be made in the books and records for any reason, and all payments and transactions, regardless of value, must be recorded accurately.

12. Employment decisions

Illumina may not provide a job or internship to a government official/employee, or a member of their family, in order to gain influence with the government official/employee. If a government official/employee offers to give a benefit to Illumina or threatens to take adverse action in connection with a hiring decision, the suggested candidate cannot be hired.

13. Anti-money laundering

Illumina is committed to complying fully with all applicable Anti-Money Laundering Laws while conducting our business; which includes the prohibition of market manipulation, trade of illegal goods, corruption of public funds, funding of terrorist organizations, and tax evasion, as well as the activities that aim to conceal these deeds.

14. Compliance with this policy

Failure to follow this policy may result in disciplinary action, up to and including termination, disengagement, civil proceedings, criminal prosecution or such other remedial or punitive action as appropriate in the circumstances. Such action may be taken or initiated by Illumina, by governmental authorities, or by other competent body.

Illumina will not directly or indirectly pay any fine imposed on an Illumina employee as a result of a breach of this policy or a violation of any anti-bribery laws.

15. Reporting potential compliance violations or concerns

There are several options to report potential violations:

- Speak with a supervisor.
- Submit concerns to the legal department via email at compliance@illumina.com.
- Report a concern via the third-party managed Compliance and Fraud Prevention Hotline
 - By phone at (800) 461-9330.
 - By Internet at [Compliance & Fraud Prevention Hotline webpage](#).

Reports made through the Compliance and Fraud Prevention Hotline may be made anonymously unless prohibited by local law.

Everyone has an obligation to report violations. Not reporting a violation when you know about it may result in discipline up to and including termination of employment.

16. Additional resources

Send questions to: compliance@illumina.com or visit the Legal department Insider page and go to the Antibribery and Anticorruption section.

17. Country Specific Guidance

Some countries have more restrictive anti-bribery anti-corruption laws. When doing business with individuals or entities from these countries or conducting business within the borders of these countries, the more restrictive law applies and must be followed. Please check with your local Legal department if you have questions.

a. China

Chinese law also prohibits bribes to entities. Such entities include government agencies, public institutions, state-owned enterprises, or under a commercial or private business transaction, any entity entrusted by the counterparty to the transaction to handle relevant affairs or any entity that is likely to take advantage of its power or influence to affect the transaction.

Therefore, any unusual value transfer to the aforesaid entities (such as a free rental or free placement of an instrument to a public hospital to generate sales of consumables) may be subject to scrutiny by local enforcement authorities and needs to be reviewed by the local Legal counsel.

b. Korea

Kim Young-ran Act

The Kim Young-ran Act expands the definition of public officials to include teachers, employees of educational institutions, reporters, media outlets, and spouses of public officials.

In addition, to general anti-bribery anti-corruption policy requirements, the Korean Government sets specific monetary thresholds for gifts, entertainment or other valuables. Exceeding these thresholds, even without an improper purpose, is in violation of the Act. Furthermore, the Act does not require an improper solicitation be accompanied with the payment, offer, or promise to pay anything of value, just the mere act of an improper solicitation is in violation of the Act.

Under Korean Law, both the individual and the corporation can be held criminally liable for bribery.

For specific thresholds please see the Chart Below.

Provision or Reception of Money or Valuables

| Type | Maximum Permitted Value |
|--------------------------------------|---|
| Food & Drink* | KRW 30,000 |
| Gifts* | KRW 50,000 (KRW 100,000 if agricultural or fishery goods) |
| Festive Occasion or Funeral Maximum* | KRW 50,000 (KRW 100,000 if wreathes or floral arrangements in lieu of cash) |

*Extended to public official's spouse if there is a link to the public official's duties

Honoraria for Outside Lectures

| Public Official | Maximum Value Per Hour |
|---|------------------------|
| Private Schools, Media Companies | KRW 1,000,000 |
| Minister or Higher | KRW 400,000 |
| Vice Minister, Heads of Public Service Institutions | KRW 400,000 |
| Public Officials of Grade 4 or Higher & Executives of Public Institutions | KRW 400,000 |
| Public Officials of Grade 5 or Lower & employees of Public Institutions | KRW 400,000 |