# Annex: Template Form to Submit a Specific Instance to the National Contact Point

Form to Submit a Specific Instance to the National Contact Point

This document provides the minimum elements required to submit a Specific Instance to the Brazilian National Contact Point (NCP) for Responsible Business Conduct.

For further information and details, please consult the NCP Procedures Manual at www.pcn.economia.gov.br The Complaint shall contain:

I. The identification of the Complainant(s) and, where applicable, the organization represented, specifying the names, CPF or CNPJ (passport or I.D., if foreign), addresses (physical and electronic) and telephone numbers (landline and mobile, when applicable);

II. The identification of the multinational company(ies) object of the Complaint, specifying the name of the representative in Brazil with mailing address (physical and electronic) and telephone number;

III. The indication of the country or countries in whose territory the issues arose;

IV. A detailed description of the facts object of the complaint, indicating the article(s) of the Guidelines that would not have been observed by the multinational company(ies), applicable to the Specific Instance;

V. An explanation of how the alleged non-compliance with the Guidelines affects, even potentially, the Complainant(s) or the persons represented by them;

VI. A description, if applicable, of the efforts undertaken by the Complainant(s) with the aim of making the multinational company(ies) deal with the alleged non-compliance with the Guidelines and the results of those efforts;

VII. A copy of documents or information that may help understand the facts or circumstances that would characterize the alleged non-compliance with the Guidelines, as well as a copy of the documents related tothe efforts referred to in item VI;

VIII. An indication of data/information considered confidential

IX. Information if the object of the Complaint is being processed by the judiciary, in other national or international administrative bodies, or in any international entity. Whenever possible, the Party(ies) shall submit to the NCP the documents that prove this situation and that are related to the presented Specific Instance; and

X. The signature(s) of the person(s) submitting the Specific Instance.

1. Identification of the Complainant(s):

|  |  |
| --- | --- |
| a) From the Complainant(s):  Names, CPF or CNPJ (passport or I.D., if foreign), addresses (physical and electronic) and telephone numbers (landline and mobile, when applicable) |  |
| b) Affected party(ies):  If the Specific Instance is presented on behalf of a third party (individuals, organizations, groups, associations, etc.), please provide details of the affected party(ies). |  |
| c) Link:  Specify the link between the Complainant(s) and the affected party (ies) |  |

1. Identification of the multinational company(ies) object of the Complaint

a) Name of representative in Brazil or abroad (where applicable), address (physical and electronic), and telephone number

b) Indicate the country(ies) where the alleged non-compliance occurred

|  |
| --- |
| **c) Is the company(ies) already aware of the Complaint?** |
| Yes  No  If YES, what was the reaction of the company representative(s)? |

1. Identification of any interested third party that the Brazilian NCP should consult for more information.

a) Provide all useful details and/or contact details for the Brazilian NCP to identify and contact any interested third party

1. Description of the problem(s) which is the subject of the Complaint

|  |  |  |
| --- | --- | --- |
| **a) Indicate the Chapter(s) and/or Paragraph(s) of the Guidelines that the multinational company(ies) is(are) not complying with** | | |
| Chapters | | Paragraphs |
| I. | Concepts and Principles |  |
| II. | General Policies |  |
| III. | Disclosure |  |
| IV. | Human rights |  |
| V. | Employment  and Industrial Relations |  |
| VI. | Environment |  |
| VII. | Combating Corruption, Bribery Solicitation and Extortion |  |
| VIII. | Consumer Interests |  |
| IX. | Science and Technology |  |
| X. | Competition |  |
| XI. | Taxation |  |

b) A detailed description of the object facts of the complaint, possibly linking the allegations to the above- mentioned Chapter and Paragraph of the Guidelines. Please also state how the alleged non-compliance with the Guidelines affects, even if potentially, the Applicant(s) or the persons represented by it.

c) Indicate the expected results of a possible mediation

1. **Parallel Proceedings**

|  |
| --- |
| a) Is there any pending or completed process on the matter before other national / international public / private authorities? (administrative, judicial, public safety authority)  Note: The documents referring to these complaints that prove this situation and that are related to the allegation presented must be sent to the Brazilian NCP |
| Yes  No  I don’t know  If YES, please inform which authority the Specific Instance was submitted to:  Is the case pending a decision?  Yes  No  I can't inform |

|  |
| --- |
| b) Is there any National Contact Point (NCP) from another country aware of or has been triggered in relation to this Complaint? |
| Yes  No  I don't know  If the Specific Instance has been submitted to other NCP(s), please indicate which NPCs are involved and which NCP is responsible for assistance to the Party (leading NCP): |

1. Confidentiality

Indicate the information and/or documents that should be treated confidentially:

1. **Documentation**

Please list the documents attached to this form that support the Allegation

**8) Other relevant information**

By this submission form, I request the Brazilian NCP to provide its good offices for the resolution of the issue stated above.

I authorize the use of the data and information contained in this document, in accordance with the provisions of Decree No. 9,874, of 06/27/2019, and the Brazilian NCP Procedures Manual.

I promise to maintain confidentiality regarding88 the submission of this Specific Instance until its effective acceptance or rejection, as provided in the Brazilian NCP Procedures Manual.

Date and Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_