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## **1.0 PURPOSE**

It is the policy of Delek US Holdings, Inc. to conduct business honestly, ethically, and in compliance with applicable laws and regulations. As embodied in its Core Values – Safety, Integrity, Innovation and Excellence, Commitment, Growth Oriented, and Maximize Value, Delek is committed to acting professionally, fairly and with integrity in all our business dealings and relations.

## **2.0 SCOPE**

Company-wide. This Policy applies to all employees of Delek US Holdings, Inc., its subsidiaries, and its affiliates (“Delek” or the “Company”), as well as officers and directors of the Company. This Policy also applies to all Third Parties working on behalf of Delek in any capacity, including contractors, agents, joint venture relationships, business partners, brokers, freight forwarders, external consultants, and Third-Party Intermediaries.


Failure to comply with this Policy may result in disciplinary action, up to and including termination from employment and/or termination of the contract or business relationship with the Third Party.

## **3.0 DEFINITIONS**

- 3.1 “Anything of Value” includes cash or cash equivalents (e.g., gift cards), gifts, entertainment, charitable or political contributions, jobs/internships for relatives, travel, meals, accommodations, excessive discounts, preferential options involving business opportunities, or employer and employee scholarships.
- 3.2 “Bribery” or “Bribe” means the act of offering, giving, or receiving anything of value with the intention of influencing a person(s) for the purpose of obtaining or retaining business or securing some other improper advantage. This includes gifts, fees, rewards, or kickbacks – giving a payment to someone who helps facilitate a transaction. It’s important to understand that a corrupt act has occurred even if:
  - a. A bribe does not succeed.
  - b. A person authorizes or provides direction for a bribe, but no bribe is ultimately offered or paid.
- 3.3 “Corruption” is defined as the abuse or perversion of entrusted power, including the expectation of impartiality, for private or unlawful gain. It includes influencing the actions of another party.
- 3.4 “Facilitating Payments” are payments made to a Public Official or government employee to expedite or secure performance of a routine, non-discretionary governmental action, such as obtaining visas, permits, or licenses.

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3.5 “Public Official” means:

- a. An officer or employee of a government (or any department, agency or instrumentality thereof) or any person acting in an official capacity for or on behalf of any such government (or department, agency or instrumentality thereof);
- b. An officer or employee of a public international organization or any person acting in an official capacity for or on behalf of any such public international organization. Public international organizations include such organizations as the International Monetary Fund and the European Bank for Reconstruction and Development.
- c. An officer or employee of a government owned or controlled commercial entity or any person acting in an official capacity for or on behalf of any such government owned or controlled commercial entity, such as government owned/controlled energy companies;
- d. Political parties or officials thereof or any candidate for political office.

## 4.0 **POLICY**

4.1 Transactions Involving Public Officials.

- a. The Company prohibits employees, officers, directors, and Third Parties from all forms of Corruption and Bribery. To this end, Company employees, officers, directors, and Third Parties shall not corruptly offer, promise, authorize or pay Anything of Value to any Public Official in order to influence the Public Official for the purpose of obtaining or retaining business or securing some other improper advantage.
- b. Payments of Anything of Value (including gifts and entertainment) to Public Officials may be made only after the Legal Department determines that such payment complies with applicable laws, including the U.S. Foreign Corrupt Practices Act of 1977 (“FCPA”). Review of proposed payments must be conducted in accordance with Section 4.4.
- c. Retention of a Public Official as a Third-Party may be permissible in very limited circumstances. Such relationships must be structured so that they meet the requirements of applicable laws, including the FCPA. No such relationship may be initiated without the input and approval of the Legal Department.
- d. Where a potential employee or Third-Party is affiliated with an organization that is deemed to be a government instrumentality, has a family relationship with a Public Official or was previously engaged in government service, the Legal Department must provide input and approval prior to the initiation of the business relationship.
- e. The use of corporate funds, property or assets for direct or indirect contributions to political parties or candidates are subject to the Political Contributions section of the [Code of Business Conduct and Ethics](#) and Delek’s [Political Activity Policy](#).

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- f. Contributions to political parties, candidates, and campaigns by Delek US Holdings LLC PAC (aka DK PAC) are made using funds from individual donors and in accordance with all applicable laws and regulations. DK PAC does not receive corporate funding.
- g. Facilitating Payments of Anything of Value to Public Officials are prohibited by this Policy. If it is unclear whether a payment may be considered a facilitating payment, please contact the Legal Department to seek clarification.

#### 4.2 Transactions with Third-Parties

- a. A review by Supply Chain, Accounts Payables, or Credit, depending on the vendor/customer relationship, must be conducted of any new Third-Parties with whom the Company intends to do business. Reviews include checking for companies on the U.S. sanctioned and/or embargo list in accordance with the Denied Party Screening Policy.
- b. The New Vendor addition process may include a review of expertise, experience, past performance, reasonableness of the proposed commercial terms, payment arrangements under the circumstances, and the business purpose for entering into the relationship with the Third-Party. Level of review depends on scope of work, risk, and spend.
- c. Certain standard provisions designed to ensure compliance with the requirements of applicable laws, including the FCPA, must be included in all agreements with Third-Parties.
- d. Payments of Anything of Value to Third-Parties where such parties subsequently make payments for Bribes or Corruptions to Public Officials violate this Policy.

#### 4.3 Gifts and Entertainment.

- a. Any gifts or entertainment extended to Public Officials must: (i) be consistent with this Policy and applicable laws, including the FCPA; (ii) have a clear business purpose which is directly related to the Company's commercial objectives; (iii) be reasonable in amount; and (iv) be offered only in connection with the promotion, demonstration or explanation of the Company's products or services or the execution or performance of a contract with a government or agency thereof.
- b. Proposed gifts and entertainment for Public Officials or family members of Public Officials must be pre-approved by the Legal Department, pursuant to Section 4.4.
- c. Gifts and entertainment to third-parties who are not Public Officials are subject to the Gifts and Entertainment section of the [Code of Business Conduct and Ethics](#).

#### 4.4 Proposed Payments to Public Officials Review Process

- a. Prior to obtaining Legal Department review, the appropriate Executive Vice President ("EVP") must approve the proposed payment of Anything of Value (including gifts and entertainment) made by his/her business unit to the Public Official. If an Executive Vice President is making the proposed payment of Anything of Value directly (including gifts and entertainment), the Chief Executive Officer ("CEO") must approve the request prior to Legal Department Review.
- b. Following CEO or EVP approval, an email must be sent to [integrity@delekus.com](mailto:integrity@delekus.com) identifying: (i) recipient of proposed payment of Anything of Value (including gifts and entertainment); (ii)

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proposed payment of Anything of Value (including type and value of gifts and entertainment) to be given; and (iii) business purpose of proposed payment of Anything of Value (including gifts and entertainment). The CEO or EVP approval should be attached to the email.


- c. The General Counsel will review all requests for all proposed payments of Anything of Value to be made to a Public Official pursuant to this Policy. A written approval or rejection of the request will be emailed to the requesting party with a copy to [integrity@delekus.com](mailto:integrity@delekus.com) within three (3) business days of receipt.

#### 4.5 Accounting; Books and Records; Internal Controls.

- a. The Company maintains a system of internal accounting controls and makes and keeps accurate books and records which, in reasonable detail, fairly reflect transactions and dispositions of assets.
- b. False, misleading, or incomplete entries in such records or in other documents are prohibited as a matter of Company policy.
- c. No undisclosed or unrecorded fund or account may be established for any purpose.
- d. A system of accounting controls is maintained that provides reasonable assurances that: (i) transactions are executed in accordance with management authorization; (ii) transactions are recorded so as to permit preparation of accurate financial statements and to maintain accountability for assets; (iii) access to assets is permitted only in accordance with management authorization; and (iv) appropriate auditing functions are conducted.
- e. Requests for expense reimbursements must be submitted and approved in accordance with the [Business Travel and Business Expense Policy](#).

## 5.0 COMMUNICATION & TRAINING

- 5.1 To ensure that all directors, officers, employees, and Third Parties of Delek are aware of the Policy, a copy of the Policy will be provided to them. All directors, officers, employees, and Third Parties of Delek will be informed when significant changes are made.
- 5.2 Training on this Policy will be conducted annually to all Delek employees through a Learning Management System, which will be tracked for completion.

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## **6.0 RESPONSIBILITIES & AUTHORITY**

**6.1** All Delek employees, officers, directors, and Third-Parties are responsible for compliance with this Policy. It is incumbent upon every employee engaged to contact the Legal Department with questions or concerns about the legality of business transactions and to get help navigating various anti-bribery and anti-corruption laws that affect our business.

**6.2** Potential or actual violations of this Policy should be reported without fear of retaliation to any of the following resources:

**6.2.1** Management;

**6.2.2** Human Resources;

**6.2.3** Internal Audit;

**6.2.4** Legal Department; or

**6.2.5** The Compliance and Ethics Hotline, available 24/7, through which reports may be made anonymously [online](#) or by phone at 800-867-9267.

Allegations reported to a member of Management, Human Resources, or Internal Audit Services must be communicated upon receipt to the Director, Ethics & Compliance) to be reviewed and assigned in accordance with the Compliance Investigation Procedure.

## **7.0 RELATED POLICIES**

**7.1** [Code of Business Conduct and Ethics](#)

**7.2** [Business Travel and Business Expense Policy](#)

**7.3** [Denied Party Screening Policy](#)

**7.4** [Political Activity Policy](#)

## **8.0 DOCUMENT INFORMATION**

Revision	Content Owner	Executive Sponsor	Executive Review Committee Approval Date	Policy Effective Date
3	Director, Ethics and Compliance	EVP, General Counsel & Corporate Secretary	September 2022	September 2022
2	Chief Compliance & Corporate Governance Counsel	EVP, General Counsel & Corporate Secretary	NA (updated Content Owner)	January 2021
1	Assistant General Counsel, Compliance	EVP, General Counsel & Corporate Secretary	May 2020	May 2020
<b>NOTICE:</b> The information contained herein is the confidential property of Delek US and should not be relied upon by other parties.				

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