

Policy on Prevention of Sexual Harassment of Women at Workplace

BEW Engineering Limited

Name of the Document	Policy on Prevention of Sexual Harassment of Women at Workplace (POSH) of BEW Engineering Limited.
Version	02
Approving Authority & Date of Approve	Adopted by Board of Directors & Thursday, March 09, 2023
Original date of issue	Thursday, March 09, 2023
Date of Last Review and approve by the Board	Friday, September 25, 2026
Version History	Version 01: Initial version Date: Thursday, March 09, 2023

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1) PREAMBLE.:

To provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Further, sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business with includes a right to a safe environment free from sexual harassment.

BEW Engineering Limited (hereinafter referred to as "BEW") is committed to providing a safe, secure, respectful and inclusive workplace free from sexual harassment. We maintain a zero-tolerance approach towards sexual harassment and are committed to addressing every complaint promptly, fairly, impartially and confidentially, in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act") and the rules made thereunder.

2) REGULATORY FRAMEWORK.:

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act") was enacted to provide a safe and respectful workplace for women and to prevent, prohibit and redress sexual harassment at the workplace.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("POSH Rules") provide the framework for implementing the provisions of the POSH Act.

In accordance with Section 4(1) of the POSH Act, every employer having 10 or more employees at a workplace is required to constitute an Internal Committee ("IC") by an order in writing.

Accordingly, the Company has constituted an Internal Committee to provide employees with an accessible and impartial mechanism for raising concerns and complaints relating to sexual harassment at the workplace. The IC is responsible for receiving and addressing complaints in accordance with the POSH Act and the rules made thereunder.

3) APPLICABILITY.:

This Policy shall apply to all persons employed at the Company's workplace, including regular, temporary, ad hoc or daily wage basis. Directly or through an agent/contractor, including persons working on a voluntary basis as well as apprentices, trainees, probationers, agent, and consultants of the Company.

The Policy applies to all women employees of the Company and outsourced personnel working in the Company premises.

WHO CAN MAKE A COMPLAINT AND AGAINST WHOM?

Under the POSH Act, an aggrieved woman may make a complaint of sexual harassment at the workplace. The complaint may be against any person, irrespective of gender, whose conduct falls within the definition of sexual harassment under the Act.

4) DEFINITIONS.:

- (a) **“Act”** means Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- (b) **“Aggrieved Woman”** means
 - i) in relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent;
 - ii) in relation to dwelling place or house, a woman of any age who is employed in such a dwelling place or house and includes contractual, temporary employees and visitors.
- (c) **“Workplace”** includes—
 - i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society;
 - ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;
 - iii) hospitals or nursing homes;
 - iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
 - v) any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey;
 - vi) a dwelling place or a house;

WORKPLACE AND EXTENDED WORKPLACE

“Workplace” shall have the meaning assigned under the POSH Act and includes the Company's premises, work-related travel, meetings, events, training and other work-related activities.

This also includes Work from Home and work-related virtual or digital interactions, including video calls, emails and messaging platforms.

- (d) **“Employee”** means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;
- (e) **“Employer”** means
- i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch, or unit of the appropriate Government or a local authority, the head of that department, organization, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;
 - ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.
Explanation. —For the purposes of this sub-clause “management” includes the person or board or committee responsible for formulation and administration of policies for such organisation;
 - iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;
 - iv) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker;
- (f) **“Complainant”** is any aggrieved individual (including a representative as more fully described under Section 9(2) of the said Act read with Rule 6 of the said Rules, if where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by –
- a) her relative or friend; or
 - b) her co-worker; or
 - c) an officer of the National Commission for Women or State Women's Commission; or
 - d) any person who has knowledge of the incident, with the written consent of the aggrieved woman;
- ii) where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by-
- a) her relative or friend; or
 - b) a special educator; or
 - c) a qualified psychiatrist or psychologist; or
 - d) the guardian or authority under whose care she is receiving treatment or care; or

- e) any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;
- iii) where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent;
- iv) where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.
- (g) **"Complaint"** means the complaint made under section 9;
- (h) **"Conciliation"** a process to resolve conflict/complaint by the Internal Committee on the specific request of the aggrieved employee in the manner provided under the Act;
- (i) **"Complaints Committee"** means the Internal Committee or the Local Committee, as the case may be;
- (j) **"Internal Committee"** means a committee constituted by the Company as per this Policy;
- (k) **"Local Committee"** means the Local Complaints Committee constituted under section 6;
- (l) **"Member"** means a Member of the Internal Committee and amendment made therein from time to time;
- (m) **"Competent Authorities"** means central/ state government, District magistrate or additional district magistrate or collector or deputy collector as District officer etc.;
- (n) **"District Officer"** means an officer notified under section 5;
- (o) **"Presiding Officer"** means the Presiding Officer of the Internal Committee nominated under sub-section (2) of section 4 and amendment made therein from time to time;
- (p) **"Respondent"** means a person against whom the aggrieved woman has made a complaint in respect of sexual harassment at workplace.
- (q) **"Rules"** shall mean the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.
- (r) **"Sexual Harassment"** shall mean and include any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
 - a) physical contact and advances; or
 - b) a demand or request for sexual favour; or
 - c) making sexually colored remarks; or
 - d) showing pornography; or

- e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Words and expressions used and not defined in this Policy shall have the same meanings respectively assigned to them in the Act and/or Rules.

5) INTERNAL COMMITTEE.:

CONSTITUTION OF COMMITTEE:

The Board of Directors of the Company ("Board") has constituted an Internal Committee ("IC") in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("Act").

The IC shall comprise of at least four members, one of whom shall be an External Member and shall consist of the following:

a) Presiding Officer:

A woman employee holding a senior position at the workplace shall be appointed as the Presiding Officer of the IC.

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace.

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization.

b) Employee Members:

At least two employees shall be appointed as members of the IC. Preference shall be given to employees who are committed to the cause of women, have experience in social work, or possess legal knowledge.

c) External Member:

One member shall be nominated from amongst a non-governmental organisation or association committed to the cause of women, or a person who is familiar with issues relating to sexual harassment.

At least one-half of the total members of the IC so nominated shall be women.

The names, designations and contact details of the IC members are displayed at the workplace and are also made available to employees through the Company's internal communication channels. Employees may approach any member of the IC to raise a concern or seek guidance regarding sexual harassment.

Name	Designation in IC
Pallavi Rohan Lade	Presiding Officer
Vibha Vishal Namugade	Member
Nimesh Bhagwanbhai Rathod	Member
Mohit Ranjan Das	External Member

FREQUENCY OF MEETINGS:

The Internal Committee shall meet as and when required, including for the timely consideration and resolution of complaints and other matters relating to the implementation of this Policy.

TERM OF MEMBERS OF THE IC:

The Presiding Officer and other Members of the Internal Committee shall hold office for a period not exceeding three years from the date of their nomination, as specified by the Company in the order constituting the Internal Committee.

RESPONSIBILITIES AND POWERS OF THE INTERNAL COMMITTEE:

The Internal Committee ("IC") shall:

- receive and address complaints of sexual harassment in accordance with the POSH Act and this Policy;
- conduct inquiries in a fair, impartial and confidential manner;
- provide a reasonable opportunity to both parties to present their case;
- recommend appropriate interim measures and action, wherever required;
- maintain confidentiality of complaints and proceedings;
- conduct awareness and sensitisation programmes for employees; and
- prepare and submit the required Annual Report and other statutory reports.

The IC shall have the powers and responsibilities provided under the POSH Act and the Rules for effectively carrying out its functions.

REMOVAL OR DISQUALIFICATION OF MEMBERS OF IC:

The Presiding Officer or any Member of the Internal Committee (IC) may stand disqualified and be removed on the following grounds if he/she:

- i) has been convicted or is being tried for an offence under any law for the time being in force;
- ii) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her;
- iii) has contravened the provisions of this Policy, the Act or the rules made thereunder; or
- iv) has abused his/her position so as to render his/her continuance in office prejudicial to the objects of the present policy and public interest;

In case of such removal or any other vacancy, the Company shall nominate a new member in accordance with the provisions of the POSH Act and the Rules.

MINUTES OF COMMITTEE MEETING:

The Proceedings of all meetings of the Internal Committee shall be appropriately recorded and maintained securely, in accordance with the confidentiality requirements of the POSH Act and the Rules.

6) DUTIES OF EMPLOYER.:

The Company is committed to maintaining a safe and respectful workplace and shall:

- a) Provide a safe working environment with shall include safety from the persons coming into contact at the workplace;
- b) Display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee;
- c) Conduct workshops and awareness programmes for the employees and orientation programmes for the members of the Internal Committee at regular intervals;
- d) Provide the Internal Committee with the necessary facilities and support for dealing with the complaint and conducting an inquiry;
- e) Assist the IC in securing the attendance of the respondent and witnesses, wherever required.;
- f) Provide the Internal Committee or Local Committee, as applicable, with the information and assistance required for dealing with a complaint.;
- g) Provide assistance to the aggrieved woman, if she so chooses to file a complaint in relation to the offence under the applicable law for the time being in force;
- h) Take appropriate action, in accordance with applicable law, against the respondent where sexual harassment is established, including where the respondent is not an employee, in the workplace at which the incident of sexual harassment took place;
- i) Treat sexual harassment as a misconduct in accordance with the applicable service rules and initiate action for such misconduct;
- j) Monitor the timely submission of reports by the Internal Committee.

7) COMMITTEE TO SUBMIT ANNUAL REPORT.:

The Internal Committee ("IC") shall prepare an Annual Report every calendar year in the prescribed manner and within the prescribed timelines.

The Annual Report shall be submitted to the Company and the District Officer or other competent authorities, as applicable, in accordance with the provisions of the POSH Act and Rules.

In accordance with Rule 14 of the POSH Rules read with Section 21 of the POSH Act, the Annual Report shall include the prescribed details, including:

- a) the number of complaints of sexual harassment received during the year;
- b) the number of complaints disposed off during the year;
- c) the number of cases pending for more than ninety days;
- d) the number of workshops or awareness programme against sexual harassment carried out during the year;
- e) nature of action taken by the employer or District Officer, as the case may be, in respect of complaints and other matters relating to sexual harassment.

8) COMPANY TO INCLUDE INFORMATION IN ANNUAL REPORT.:

The Company shall make the disclosures relating to complaints of sexual harassment and their disposal in its annual report or other statutory report, as required under applicable laws and regulations.

In addition to the requirements of the POSH Act, the Companies (Accounts) Rules, 2014 require applicable companies to make the prescribed disclosure relating to compliance with the provisions of the POSH Act in the Board's Report.

The Company shall make such disclosure in its Board's Report, as applicable, in accordance with the Companies Act, 2013 and the rules made thereunder.

9) COMPLAINTS MECHANISM.:

The Company encourages any woman who experiences or faces sexual harassment at the workplace to raise her concern without fear. Complaints will be handled with sensitivity, fairness and confidentiality, in accordance with the POSH Act and the Rules.

a) Making a Complaint

An aggrieved woman may make a written complaint to the Internal Committee ("IC") within three months from the date of the incident. In case of a series of incidents, the complaint may be made within three months from the date of the last incident.

If the woman is unable to make the complaint in writing, the Presiding Officer or any Member of the IC shall provide reasonable assistance in recording the complaint.

The IC may extend the time limit by a further period of up to three months, for reasons recorded in writing, where circumstances prevented the woman from making the complaint within the initial period.

b) Where the Aggrieved Woman is Unable to Make a Complaint

Where an aggrieved woman is unable to make a complaint due to physical or mental incapacity, death or any other reason, the complaint may be made by her legal heir or such other person as permitted under the POSH Act and the Rules.

SHe-Box Complaint Mechanism

In addition to approaching the Company's IC, an aggrieved woman may also submit a complaint through **SHe-Box (Sexual Harassment Electronic Box)**. It is an online platform of the Government of India for reporting and monitoring complaints relating to sexual harassment at the workplace.

Employees may use SHe-Box as an additional channel for reporting workplace sexual harassment, in addition to the complaint mechanism provided under the Company's POSH Policy.

SHe-Box Portal: [SHe-Box Portal](#)

10) CONCILIATION.:

At the request of the aggrieved woman, the Internal Committee ("IC") may, before starting an inquiry, assist the parties in resolving the matter through conciliation.

- No monetary settlement shall be made as part of the conciliation process.
- If settlement has been arrived the IC shall record the terms of settlement and provide a copy to both the aggrieved woman and the respondent.

- The IC shall forward the settlement to the Employer or District Officer, as applicable, for taking the appropriate action.
- Once a settlement is reached through conciliation, no further inquiry shall be conducted into the complaint, except as permitted under the POSH Act.

11) INQUIRY INTO COMPLAINT.:

a) Initiation of Inquiry:

After receiving a complaint and, where applicable, completing the conciliation process, the Internal Committee ("IC") shall conduct an inquiry in accordance with the POSH Act, and the Rules.

- The IC shall provide a copy of the complaint to the respondent within 7 working days of receiving the complaint.
- The respondent shall submit a written response to the IC within 10 days of receiving the complaint.

b) Non-Compliance with Settlement:

If the aggrieved woman informs the IC that the terms of a settlement have not been complied with, the IC shall take appropriate action in accordance with the POSH Act and the Rules.

c) Opportunity of Being Heard:

Both the aggrieved woman and the respondent shall be given a fair opportunity to present their case and provide relevant information or documents during the inquiry. The findings of the IC shall be shared with both parties in accordance with the POSH Act and the Rules.

d) Criminal Offences:

Where the allegations disclose an offence under applicable criminal law, appropriate action may be taken in accordance with such law. Nothing in this Policy limits an aggrieved woman's right to seek any remedy available under law.

e) Powers of the IC:

For conducting an inquiry, the IC shall have the powers provided under the POSH Act and the Rules, including the powers applicable to a civil court under the Code of Civil Procedure, 1908, to the extent prescribed by law.

f) Time Limit for Completion of Inquiry:

The inquiry shall be completed by the Internal Committee within a period of 90 days from the commencement of the inquiry, in accordance with the POSH Act and the Rules.

12) ACTION DURING PENDENCY OF INQUIRY.:

During an ongoing inquiry, the aggrieved woman may make a written request to the Internal Committee ("IC") for appropriate interim measures to ensure a safe and comfortable working environment.

Based on the circumstances, the IC may recommend measures such as:

- a) transfer of the aggrieved woman or the respondent to another workplace; or
- b) grant of paid leave to the aggrieved woman up to a period of three months; or
- c) grant of such other relief to the aggrieved woman as may be prescribed under the POSH Act and the Rules.

The leave granted to the aggrieved woman under this provision shall be in addition to the leave she would be otherwise entitled under the applicable service rules or Company policy.

The Company shall consider and implement the recommendations of the IC in accordance with the POSH Act and the Rules and shall provide the IC with an update on the implementation within the prescribed or reasonable time.

13) INQUIRY REPORT.:

After completing the inquiry, the Internal Committee ("IC") shall prepare a written report of its findings and submit it to the Employer or District Officer, as applicable, within 10 days from completion of the inquiry.

A copy of the report shall also be provided to the aggrieved woman and the respondent.

a) Where the Complaint is Not Proved

If the IC finds that the allegation has not been proved, it shall recommend that no action be taken against the respondent in relation to the complaint.

b) Where the Complaint is Proved

If the IC finds that the allegation has been proved, it may recommend appropriate action against the respondent in accordance with the applicable service rules, the POSH Act and the Rules.

Where applicable, the IC may also recommend payment of compensation to the aggrieved woman or her legal heirs in accordance with Section 15 of the POSH Act.

c) Action by the Company

The Company shall act on the recommendations of the IC within 60 days from the date of receiving the recommendations and shall inform the IC of the action taken.

14) PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE.:

The Company encourages employees to raise genuine concerns in good faith. A complaint that cannot be proved or is not substantiated will not, by itself, be treated as a false or malicious complaint.

If, after following the prescribed inquiry process, the Internal Committee ("IC") finds that a complaint was knowingly false or malicious, or that forged or misleading documents were knowingly submitted, it may recommend appropriate action in accordance with the applicable service rules, the POSH Act and the Rules.

Similarly, if a witness is found, after due inquiry, to have knowingly given false evidence or submitted forged or misleading documents, the IC may recommend appropriate action in accordance with the applicable service rules, the POSH Act and the Rules.

15) DETERMINATION OF COMPENSATION.:

Where compensation is recommended under Section 15 of the POSH Act, the Internal Committee ("IC") shall consider the circumstances of the case, including:

- a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- b) any loss in the career opportunities resulting from the incident;
- c) medical expenses incurred by the aggrieved woman for physical or psychiatric treatment;
- d) the income and financial status of the respondent; and
- e) the feasibility of payment of the compensation as a lump sum or in instalments.

The Internal Committee shall consider the above factors, along with such other relevant circumstances, while determining the appropriate amount of compensation, in accordance with the with the POSH Act and the Rules.

16) PROHIBITION OF PUBLICATION OR MAKING KNOWN CONTENTS OF COMPLAINT AND INQUIRY PROCEEDINGS.:

All information relating to a complaint, including the identity of the aggrieved woman, respondent and witnesses, and details of conciliation, inquiry, recommendations and action taken, shall be kept strictly confidential.

The Internal Committee members, aggrieved woman, respondent, witnesses, employees, management and any other person involved in or having access to the proceedings shall not disclose or share such information with any unauthorised person, including the media or public.

Information may be shared only where permitted or required by law, while ensuring that the identity and personal details of the aggrieved woman and witnesses are protected.

Any breach of confidentiality may result in appropriate action in accordance with the POSH Act, Rules and applicable Company policies.

17) PENALTY FOR PUBLICATION OR MAKING KNOWN CONTENTS OF COMPLAINT AND INQUIRY PROCEEDINGS.:

Any person who is involved in handling a complaint or inquiry and breaches the confidentiality requirements under the POSH Act may be subject to appropriate disciplinary action in accordance with the Company's applicable service rules and policies.

Where no specific service rules apply, appropriate action may be taken in accordance with the POSH Act and the POSH Rules.

18) PENALTY FOR NON-COMPLIANCE WITH PROVISIONS OF ACT.:

The Company is committed to complying with the POSH Act and the Rules. Failure to comply with the statutory requirements, including failure to constitute the Internal Committee or failure to take required action, may result in penalties under the POSH Act.

The penalty for certain contraventions may extend to ₹50,000, as prescribed under the Act.

In case of a subsequent conviction for the same offence, the Company may be subject to enhanced penalties and other consequences, including cancellation, withdrawal or non-renewal of applicable licenses, registrations or approvals, as provided under the POSH Act.

19) APPEAL.:

Any person aggrieved by the recommendations of the Internal Committee ("IC"), the action taken based on such recommendations, or the non-implementation of the recommendations, may file an appeal in accordance with the applicable service rules and the POSH Act.

Where applicable, an appeal may be filed before the appropriate court, tribunal or other authority in accordance with the prescribed procedure.

The appeal should be filed within 90 days from the date of the recommendations, action taken, or non-implementation, as applicable.

20) IMPLEMENTATION.:

The Committee may issue such guidelines, procedures, formats, or other supporting documents as may be required for the effective implementation of this Policy.

21) AMENDMENTS TO THE POLICY.:

The Board of Directors on its own can review and amend this Policy, as required to ensure its continued effectiveness and compliance with applicable law.

22) AMENDMENTS IN THE LAW.:

Any amendment, modification or replacement of the POSH Act, Rules or other applicable laws relating to sexual harassment shall, to the extent applicable, be incorporated into and prevail over this Policy.
