



**HeiTech Padu Berhad**

# **WHISTLEBLOWING POLICY AND GUIDELINES**

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## **PART A WHISTLEBLOWING POLICY**

HeiTech Padu Berhad Group of Companies ("HeiTech" or the "Company") is committed to ensure that every part of its operation is carried out professionally in accordance with relevant laws, rules, regulations, business ethics and conduct, and recognise that all employees have an important role to play in achieving this goal.

As such, the Board of Directors of HeiTech has formulated this Whistleblowing Policy to protect the values of transparency, integrity, impartiality and accountability in where HeiTech conducts its businesses and affairs. Further, as a responsible corporate citizen of Malaysia, this Policy and Guidelines, is in accordance with the Malaysian WHISTLEBLOWER PROTECTION ACT 2010 (ACT 711).

The Board of Directors of HeiTech believes that employees will usually be the first to know when an improper or illegal act is being or has been committed. Employees are encouraged to blow the whistle, in good faith, on any such potential violations or concerns according to the procedures established in this Whistleblowing Policy.

HeiTech's Whistleblowing Policy will:

- Govern the process through which employees and others may report potential violations or concerns relating to relevant laws, rules, regulations, business ethics and conduct, including any violations or concerns relating to illegal, embezzlement and fraudulent activities;
- Establish a mechanism for responding to any reports from employees and others regarding such potential violations or concerns;
- Prohibit retaliation against employees raising such potential violations or concerns; and
- Establish procedures for the retention of records and reports.

Employees who blow the whistle on wrongdoings will be protected against victimisation or other adverse treatment provided that the whistleblowing is done in good faith. However, any whistleblowing which is not made in good faith and is found to be deliberately falsified with malicious intent will be subjected to Disciplinary Action in accordance with HeiTech's Disciplinary Policy and Procedure.

All employees of HeiTech and its subsidiaries must follow this Whistleblowing Policy and cooperate with any review and investigation initiated pursuant to this Whistleblowing Policy.

The Board of HeiTech is overall responsible for the Whistleblowing Policy. The administration and implementation of the policy is to be carried out by the Governance and Integrity Department. The Board Integrity Committee shall exercise the oversight function over the administration of the policy.

## **PART B WHISTLEBLOWING GUIDELINES**

### **1.0 DEFINITION**

- 1.1 The word whistleblowing in the context of this Whistleblowing Guidelines (“Guideline”) refers to a situation where a person (internal or external) raises serious concerns at an early stage about risks of wrongful activities or reports a wrongdoing.
- 1.2 The person who initiates or raises serious concerns of wrongful activities or wrongdoings is referred to as “whistleblower”.

For the purpose of this Guideline, the wrongful activities and wrongdoings refer to any potential violations or concerns relating to any laws, rules, regulations, business ethics, HeiTech’s Anti-Bribery & Corruption Policy and Code of Business Conduct, including any violations or concerns relating to illegal, immoral, embezzlement and fraudulent activities.

### **2.0 OBJECTIVE**

- 2.1 The objective of the Whistleblowing Policy and Guidelines is to protect the values of transparency, integrity, governance, impartiality and accountability in the manner in which HeiTech conducts its business and affairs.
- 2.2 Through effective implementation of this Guideline, HeiTech will enhance its accountability in preserving its integrity and will be able to stand up to public and legal scrutiny. This, in turn, enhances and builds the credibility of our stakeholders.

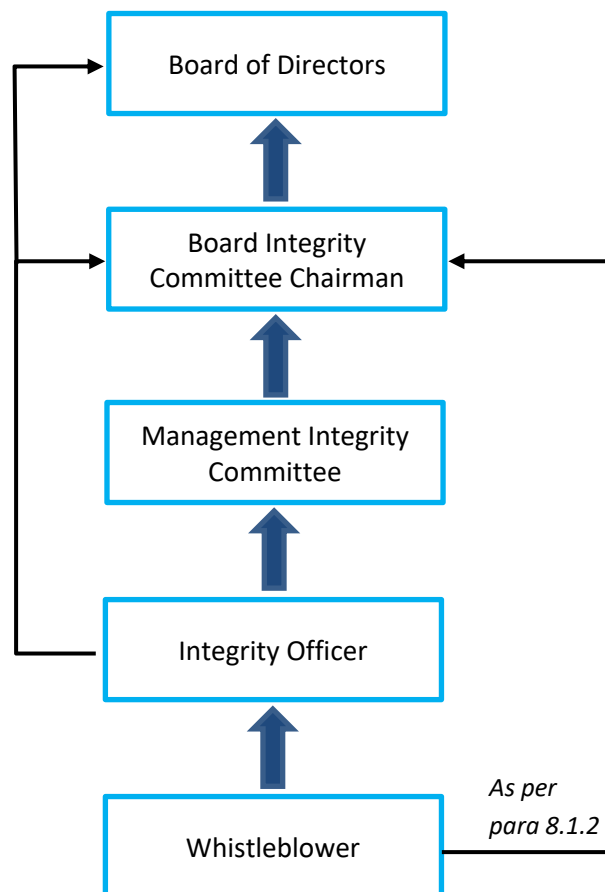
### **3.0 APPLICATION**

- 3.1 This Guideline will be applied in HeiTech covering all employees of HeiTech and its subsidiaries.
- 3.2 This Guideline will not apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters. However, the Whistleblowing Hotline can receive all types of complaints. Any complaints related to HR matters will be escalated to Human Resource Department and to be dealt with under existing Code of Conduct and Disciplinary Action Procedure.

## 4.0 REPORTING STRUCTURE

Whistleblowing reporting structure

The Whistleblowing reporting structure is as shown below:



*Note:*

*A Whistleblower should report directly to the Integrity Officer. However, the whistleblower could also directly contact the Chairman of Board Integrity Committee in accordance with paragraph 8.1.2 for matters relating to the Integrity Officer or Management Integrity Committee Members.*

## **5.0 WHO COULD BECOME A WHISTLEBLOWER?**

In accordance with this policy and guidelines, any of the following people could become a whistleblower:

- a. HeiTech and its subsidiaries' employees including employees on contract terms, temporary or short-term employees and employees on secondment;
- b. People performing services for HeiTech including business associates, contractors and consultants; and
- c. Any external parties who have the information or knowledge of wrongdoings in HeiTech and its subsidiary companies.

## **6.0 WHAT ARE THE WRONG DOINGS THAT CAN BE REPORTED?**

6.1 A qualified disclosure may be made if it relates to one or more of the following wrongdoings by any employees in the conduct of HeiTech's business or affairs that is being, has been, or is likely to be committed:

- a. Failure to comply with legal obligations;
- b. Criminal offence;
- c. Corruption or fraud;
- d. Misuse or abuse of HeiTech's funds or assets;
- e. Gross mismanagement within HeiTech;
- f. Serious financial irregularity or impropriety within HeiTech;
- g. Repeated ill-treatment of a client/customer/supplier despite a complaint being made;
- h. A serious breach of HeiTech's Policy and Procedures;
- i. A breach of HeiTech's Anti-bribery and Corruption Policy;
- j. A breach of HeiTech's Code of Business Conduct;
- k. A breach of any terms and conditions as contained in business contracts or agreements with clients, customers and/ or business associates;
- l. Actions which endanger the health or safety of employees or the public;

- m. Failure to comply with the provisions of the Government Laws and Regulations where the wrongdoer, knowingly, disregards or does not comply with such provisions;
- n. Any acts of collusion with any party with the intent of gaining an unfair advantage when conducting business with or on behalf of HeiTech;
- o. Knowingly directing, misleading or advising a person to commit any of the above wrongdoings;
- p. Harassment in any nature or method; and
- q. Any action which is intended to conceal any of the above.

The above list is not exhaustive and there will be instances where employees would need to exercise judgement.

- 6.2 A whistleblower will not be expected to prove the truth of an allegation but must be able to demonstrate that there are sufficient grounds to have a reasonable belief that something is wrong.
- 6.3 A whistleblower is unsure whether a particular act or omission constitutes a wrongdoing under this Guideline, he or she is still encouraged to contact the Integrity Officer, for clarification. If you are in doubt, you are encouraged to send an email (use a pseudonym, if preferred, but provide us with an avenue to contact you) to seek clarification, before making a formal complaint.

## 7.0 WHEN TO BLOW THE WHISTLE ON WRONGDOINGS

- 7.1 A whistleblower should immediately come forward with any information that he or she, in good faith, reasonably believes discloses a wrongdoing is likely to happen, is being committed or has been committed.
- 7.2 However, a whistleblower is not expected to first obtain substantial evidence of proof beyond reasonable doubt when making a disclosure. If he or she knows as a matter of fact that there are serious risks that a wrongdoing is going to take place, such bonafide concerns should be raised immediately i.e. the whistleblower is able to show the reasons for concern.
- 7.3 All complaints received shall be treated as allegations and will not be accepted as the truth until sufficient evidence is established. As such, the whistleblower is encouraged to provide adequate evidence, for Governance & Integrity department to conduct an enquiry or an investigation into the matter.



#### 7.4 **WARNING – DO NOT MAKE UNSUBSTANTIATED CLAIMS OR ACCUSATIONS WITH MALICIOUS INTENT!**

### 8.0 **PROCEDURES IN HANDLING WHISTLEBLOWING OF WRONGDOINGS**

#### 8.1 **INITIAL STEP**

- 8.1.1 When an employee is of the opinion that specific concern falls within the scope of this Guideline and cannot be resolved through existing procedures, he or she can choose to make a report orally or in writing/email and submit it to Integrity Officer. (Refer to Appendix A: Whistleblowing Hotline).
- 8.1.2 In the event the whistleblower has a reasonable belief that there is serious malpractice relating to any of the wrongdoings specified in paragraph 6.1 and it would not be properly dealt with by reporting to the entities (i.e. Integrity Officer and Management Integrity Committee Members, etc.) the whistleblower can make a report directly to the Chairman of the Board Integrity Committee.
- 8.1.3 The whistleblower can also report directly to President/ Executive Deputy Chairman of HeiTech if they believe that the action taken as per this policy and procedure has not been satisfactory or adequate.
- 8.1.4 The whistleblower should inform the Integrity Officer of all details of his or her concerns as reasonably as possible, including:
  - a. Nature of wrongdoing;
  - b. The date of incidence;
  - c. Time and place of its occurrence;
  - d. The identity of the alleged wrongdoer(s);
  - e. Particulars of witnesses, if any;
  - f. Particulars or production of documentary evidence, if any and;
  - g. Other details deemed to be useful to facilitate screening and action to be carried out in paragraphs 8.2, 8.3 and 8.4.

*(Refer to Appendix B for other preparations to be made prior to contacting the Integrity Officer).*

- 8.1.5 The whistleblower may be asked to provide further clarifications and information from time to time, for example, if an enquiry or investigation is conducted.
- 8.1.6 In respect of an employee who reports a suspected violation in good faith and is not engaged in questionable conduct, the Company will make attempts to keep its discussions and actions confidential to the greatest extent possible.
- 8.1.7 However, there may be circumstances where the employee may be needed as a witness. Should this be the case, HeiTech will discuss the matter confidentially with the employee, at the earliest opportunity. In addition, in the course of the investigation, the Company may need to share information with others on a “need to know” basis.

## 8.2 SCREENING

- 8.2.1 The Integrity Officer will screen and assess the whistleblower’s disclosure to determine the following:
  - a. it is related to a wrongdoing as stated in paragraph 6.1; or
  - b. excluded from the scope of the Whistleblowing Policy and Guidelines, and will prepare general recommendations to the Management Integrity Committee.
- 8.2.2 This initial process in 8.2.1 should not take more than one (1) month from the day the Integrity Officer receives the whistleblower’s disclosure. The process may start on immediate basis if the wrongdoing is capable of causing irreparable harm to HeiTech.
- 8.2.3 If the whistleblower’s disclosure involves the Integrity Officer or members of the Management Integrity Committee, the alleged wrongdoer or any other implicated persons will be excluded from performing the activities of screening, action, investigation and recommendation described in this Guideline.

### 8.3 PRELIMINARY ACTION

8.3.1 The Management Integrity Committee, together with the general recommendations made by Integrity Officer, will make decisions including but not limited to any of the following:

- a. Rejection of the whistleblower's disclosure;
- b. Directing investigation by the Integrity Officer or any other inside/outside party;
- c. Suspending the alleged wrongdoer or any other implicated persons from work in accordance with the Human Resource Disciplinary Policy and Procedures to facilitate any fact-finding or to avoid any employee's exposure to a threat or harm; and
- d. Referral to the appropriate enforcement authority.

8.3.2 All decisions made and reasons for action thereof shall be documented. Records are kept confidential by the Integrity Officer. Only Board and Management Integrity Committee members shall have access to the records.

8.3.3 Subject to legal constraints, the whistleblower will be notified of the status of his or her whistleblower's disclosure based on the preliminary action taken by the Management Integrity Committee as far as reasonably practicable.

8.3.4 The alleged wrongdoer will also be informed of the allegations and given an opportunity to answer the allegations at the investigation, if any, as stated in Paragraph 8.4 - investigation, where deemed appropriate by the Management Integrity Committee.

### 8.4 INVESTIGATION

8.4.1 The investigation would be carried out under the terms of strict confidentiality, by not informing the subject of the whistleblower's disclosure and identity (if known) to any other party other than the Management Integrity Committee until (or if) it becomes necessary to do so.

8.4.2 The whistleblower and the alleged wrongdoer are expected to give their full cooperation in any investigation or any other process carried

out pursuant to this Guideline and/or the Disciplinary Policy and Procedure of the Human Resource.

8.4.3 In the event the whistleblower is implicated or discovered to be or have been involved in any wrongdoing, he or she may also be investigated so as to complete the fact-finding process in accordance with this Guideline and/or the Disciplinary Policy and Procedure of the Human Resource.

8.4.4 If the alleged wrongdoer or any other implicated persons has/have, or is/are found to have:

- a. committed a wrongdoing; or
- b. taken serious risks which would likely cause a wrongdoing to be committed;

The action to be taken against that alleged wrongdoer or any other implicated persons will be determined based on the Disciplinary Policy & Procedure of the Human Resource, which may include formal warning or reprimand, demotion, suspension or termination of employment or services with HeiTech.

8.4.5 The Management Integrity Committee will have the final decision on whether to pursue any or all of the actions identified below:

- a. Disciplinary Action;
- b. Legal action; and/ or
- c. Report to the enforcement agencies

8.4.6 Investigation outcome as per 8.4.4 and decision as per 8.4.5 will be documented and communicated to the Human Resource Department.

The Human Resource Department must update the Integrity Officer on status of Disciplinary Action for Quarterly Report to Management Integrity Committee and the Board Integrity Committee.

## 8.5 REPORTING OF OUTCOME

8.5.1 As per 8.4.6, the disciplinary action process will take place and will be executed by the Human Resource Department and legal action shall be executed by Legal Department (when required).

- 8.5.2 In the event there are on-going cases, the Integrity Officer will furnish a report to the Management Integrity Committee and the Board Integrity Committee stating the number and nature of wrongdoings reported by whistleblowers including the follow-up action and the unresolved cases of wrongdoings.
- 8.5.3 Records of whistleblowing is a confidential document; to be kept by Integrity Officer and only the Management Integrity Committee and Board shall have access.

## 9.0 EXTERNAL DISCLOSURE

- 9.1 The whistleblower has the right to make external disclosure, in the event, the whistleblower is dissatisfied with the actions taken by HeiTech in accordance with policy and guidelines. By external disclosure, it is meant that the whistleblower may choose to report the matter to the relevant governmental authorities i.e. Malaysian Anti-Corruption Commission as deems fit.

However, HeiTech would like to advise the whistleblower to allow, the Integrity Officer and the Management Integrity Committee, to complete its course of actions, first.

- 9.2 Whilst the whistleblower is able to report issues externally, the whistleblower must be aware that there is a difference between reporting internally through the Integrity Officer of HeiTech, and externally. To report internally, the whistleblower must have reasonable suspicion that there is evidence of malpractice, whereas to report externally, the whistleblower must have reasonable belief that malpractice has or is taking place and some offer evidence to support the report.
- 9.3 The whistleblower should minimise the possible impact of his or her actions to HeiTech and to the people involved. The external party that the whistleblower considers disclosing information to, should be a party which will be able to effectively organise action against the alleged contravention.
- 9.4 A whistleblower that makes an external complaint in good faith to any of the relevant governmental, regulatory authorities and enforcement agencies in Malaysia or in the country concerned after exhausting HeiTech's procedure, will not be protected under this Whistleblower Policy and Guidelines. The whistleblower will be protected and governed under the Whistleblower Protection Act 2010 (WPA) instead.

## 10.0 PROTECTION

- 10.1 Upon making a disclosure in good faith, based on reasonable grounds and in accordance with the procedures pursuant to this Guideline:
- a. the whistleblower's identity will be protected i.e. kept confidential unless otherwise required by law or for purposes of any proceedings by or against HeiTech.
  - b. the whistleblower will be protected from harassment or victimisation within HeiTech and its subsidiary companies as a direct consequence of his or her disclosure.
- 10.2 HeiTech will not tolerate punishment or unfair treatment when concerns are raised in good faith. Any employee who reports a contravention or a concern will be given protection and shall in no way be put at a disadvantage as a result of his or her report.
- 10.3 Where it is determined that there is a prima facie case that the whistleblower has suffered adverse treatment, harassment or victimisation as a result of his or her disclosure, a further investigation may take place and disciplinary action may be taken against the perpetrator in accordance with the relevant procedure in this Guideline and/or the Disciplinary Action of the Human Resource Guidelines and Procedures.
- 10.4 If the complaint was made by the whistleblower with malicious intent or with the intent to tarnish the integrity of anyone, the whistleblower will automatically lose the protection as stated in paragraph 10.1. In addition, HeiTech will determine the action to be taken which may include disciplinary measures, formal warning or reprimand, demotion, suspension or termination of employment or services with HeiTech in accordance with Disciplinary Policy and Procedure of the Human Resource.

*Note: Please also refer to anti-retaliation policy in HeiTech Anti-Bribery and Corruption Policy.*

## 11.0 TIME LIMITS AND RETENTION OF RECORDS

The Governance and Integrity Department will retain for a minimum period of seven (7) years all records ("Record of Whistleblowing") relating to any whistleblowing case(s) and its related investigation report, if any.

## **12.0 CIRCULATION AND REVIEW**

- 12.1 The Whistleblower Policy and Guidelines will be informed and made available to all employees of HeiTech and its subsidiary.
- 12.2 The Whistleblowing Policy and Guidelines will be made available in HeiTech's website for external parties.
- 12.3 The Whistleblower Policy and Guidelines will be reviewed at least once in 3 years by the Management Integrity Committee or upon the request of the Chairman Board Integrity Committee or the Board Integrity Committee or the Board.
- 12.4 This policy must be reviewed as and when there are changes to act, laws and legislations which affecting the policy.

## **13.0 PRIVACY**

- 13.1 HeiTech is committed to protecting the privacy of the persons involved to the fullest extent possible and in accordance with applicable laws and regulations. Any personal data obtained, as part of this Guideline will only be used for the purposes explained in this Guideline and will only be provided to those who have a need to know about these data for these purposes or to comply with the law or important public interest.

|            |
|------------|
| <b>END</b> |
|------------|

## PART C

# PART C APPENDICES



**APPENDIX A: WHISTLEBLOWER HOTLINE**

The HeiTech Whistleblowing Channel is a communication channel to receive and report any wrongdoings as prescribed in paragraph 6.1.

The particulars of the HeiTech Whistleblowing Channel are as below:

|                          |                                                                                                                                                      |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Integrity Officer</b> | <b>IZANE BIN ISMAIL</b><br>Level 7, Menara HeiTech Village<br>Persiaran Kewajipan USJ 1<br>UEP Subang Jaya<br>47600 Selangor Darul Ehsan<br>Malaysia |
| <b>Hotline number</b>    | <b>Fixed Line : 03-8601 3355</b><br><b>Mobile phone : 019-354 5454</b>                                                                               |
| <b>Offering hours</b>    | 9.00 am to 6.00 pm on Mondays to Fridays.<br>(Excluding public holidays)                                                                             |
| <b>Dedicated Email</b>   | <a href="mailto:htpwhistleblowing@gmail.com">htpwhistleblowing@gmail.com</a>                                                                         |

|                                           |                                                              |
|-------------------------------------------|--------------------------------------------------------------|
| <b>Board Integrity Committee Chairman</b> | <b>RAZALEE BIN AMIN</b>                                      |
| <b>Email</b>                              | <a href="mailto:ra@razaleeco.com.my">ra@razaleeco.com.my</a> |

**Preparation required  
Prior to calling the Hotline**

To accomplish an effective call reporting (as stated in paragraph 8.1 – initial step) you are expected to prepare the following information prior to calling the hotline:

- i. Nature of the wrongdoing to be reported
- ii. The date of the wrongdoing took place
- iii. Time and place of its occurrence
- iv. The identity of the alleged wrongdoer
- v. Particulars of witnesses, if any
- vi. Particulars or production of documentary evidence, if any; and
- vii. Other details deemed to be useful to facilitate preliminary screening and action to be carried out under paragraph 8.2 and 8.3, if required.

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**APPENDIX B: WHISTLEBLOWER CHECKLIST*****(Prior to contacting Integrity Officer)*****1. Personal information**

- a) Your name or preferred identity:
- b) Your preferred phone number:
- c) Your preferred e-mail address:
- d) Best time for communication with you:
- e) Best way of communication with you: ☐ Phone ☐ E-mail ☐ Physical

**2. Report of wrongdoing in accordance with paragraph 6.1**

- a) What is the wrongdoing or concern you want to report?  
(Nature of wrongdoing to be reported)
- b) Do you have a serious suspicion or are you sure? ☐ Serious suspicion ☐ I am sure
- c) When did it occur?
- d) Where did it occur?
- e) Who are, in your opinion, the persons involved?  
(The identity of the alleged wrongdoing to be reported)
- f) What is, in your opinion, the potential damage (financially or otherwise) to the company or other interested parties?
- g) Do you think it will happen again? ☐ No ☐ Yes, when:

**3. Personal action**

- a) How did you become aware of the situation?
- b) Do you know of any other person(s) who are aware of the situation, not being personally involved? ☐ No ☐ Yes:
- c) Do you have any physical evidence, which can be handed over?  
(Documentary evidence) ☐ No ☐ Yes:

## APPENDIX C: PROCESS FLOW IN HANDLING WHISTLEBLOWING OF WRONGDOINGS

