



# **ANTI-BRIBERY & ANTI-CORRUPTION POLICY (ABAC Policy)**

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# ANTI-BRIBERY AND ANTI-CORRUPTION POLICY

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## 1.0 Introduction

HeiTech Padu Berhad (“HeiTech”) Anti-Bribery & Anti-Corruption Policy (“ABAC”) will set out responsibilities to comply and provide guidance to employees concerning how to deal with improper solicitation, bribery and other corrupt activities and issues that may arise in the course of its operations and business activities.

The ABAC addresses the commitment of HeiTech towards good governance, integrity, promoting transparency and an ethical code of conduct of its operations and business activities. This policy document and the supporting procedures set out principles, guideline, prevention, disclosure and guide to employees on how to handle potential bribery and corruption practices that may arise in HeiTech.

The ABAC works inter-alia with HeiTech Code of Business Conduct, internal policy and procedures and circulars from Group Human Resource.

If you breach this policy, you may also be breaking the law and there may be consequences for you and/or HeiTech. You could face disciplinary action that could lead to you losing your job, being suspended, subjected to a domestic inquiry, and/or prosecuted in accordance with requirements of the law.

## 2.0 Policy Statement

As a corporate citizen of Malaysia, it is **HeiTech policy to conduct all its business in an honest and ethical manner and in accordance with the laws of the country.** We adopt a **ZERO-TOLERANCE APPROACH TOWARDS BRIBERY AND CORRUPTION** and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships by implementing an effective system and controls to counter bribery and corruption.

Our employees are prohibited from engaging in any acts of bribery or potential bribery and corrupt practices, as defined in the Malaysian Anti-Corruption Commission Act and other related laws. This includes a **prohibition** against both direct bribery and indirect bribery, including any form of gratification (as defined in the Malaysian Anti-Corruption Commission Act) through third parties. If any employee suspects or becomes aware of any acts of bribery or potential bribery in day-to-day business activities, it is the duty of that employee to report their suspicion by following the procedure set out in the HeiTech Whistleblowing Policy.

The Company will undertake a periodic bribery and corruption risk assessment across its business to understand the bribery and corruption risks it faces and ensure that it has adequate procedures in place to address those risks.

### 3.0 Application

This policy applies to all employees of HeiTech (whether on a permanent, contractual basis including interns/trainees), consultant, business associates and its controlled entities.

In this policy, the third party means any individual or organisation that the business associate may come into contact with during the course of their engagement with the Company, and includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, business associates (including brokers or deal makers etc.) and government and public bodies including their advisors, representatives and officials, politicians and political parties.

In the event any policy as set out in this ABAC conflicts with any law or act, you shall comply with the law or act, and you should consult your supervisor and notify Governance & Integrity Department.

### 4.0 Legal Implications

#### 4.1 Punishment

Under the amendment of the Malaysian Anti-Corruption Commission Act 2009 (Amendment 2018) the punishment if convicted for corruption is as follows:

*“any organization which commits an offence under Section 17a, shall on conviction be liable for a fine of **not less than ten times the sum** or value of the gratification which is the subject matter of the offence, where such gratification is capable of being valued or is of a pecuniary nature, or **one million ringgit**, whichever is the higher, or **imprisonment for a term not exceeding twenty years or both**”.*

#### 4.2 Who can be punished

Anybody in the organisation who is its director, controller, officer or partner; or who is concerned in the management of its affairs, is deemed to have committed the offence and as such is punishable by the Malaysian Anti-Corruption Commission Act. In other words, irrespective of the person within the organisation, committing the offence.

## 5.0 Important Definitions

- a) “**ABMS**” means HeiTech’s Anti-Bribery Management System.
- b) “**Board Integrity Committee**” means the Committee of the Board of Directors of HeiTech Padu Berhad.
- c) “**AMLATFPUAA**” means Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (Act 613).
- d) “**Bribery & Corruption**” means any action which would be considered as an offence of giving or receiving ‘gratification’ under the Malaysian Anti-Corruption Commission Act 2009 (MACCA). In practice, this means offering, giving, receiving or soliciting something of value to illicitly influence the decisions or actions of a person who is in a position of trust within an organisation.

Bribery may be ‘outbound’, where someone acting on behalf of HeiTech attempts to influence the actions of someone external, such as a Government/ Public official or client decision-maker. It may also be ‘inbound’, where an external party is attempting to influence someone within the Company such as a senior decision-maker or someone with access to confidential information.

- e) “**Business Associate**” means an external party with whom HeiTech has, or plans to establish, some form of business relationship. This may include clients, customers, joint ventures, joint venture partners, consortium partners, outsourcing providers, contractors, consultants, subcontractors, suppliers, vendors, advisers, agents, distributors, representatives, intermediaries and investors.
- f) “**Business initiative**” include activities such as sales and marketing initiatives, participation in tenders and invitations to quote, engagement with business associates/ partners (i.e. principal/ vendor/ consultant), requests for quotations, delivery of contractual commitments and post contractual obligations.
- g) “**Conflict of Interest**” means when a person’s own interests either influence, have the potential to influence, or are perceived to influence their decision making at HeiTech.

- h) **“Controlled organisation”** means an entity where HeiTech has the decision-making power over the organisation such that it has the right to appoint and remove the management. This would normally be where HeiTech has the controlling interest (>50% of the voting share ownership), but it could be where there is an agreement in place that HeiTech has the right to appoint the management, for example a joint venture where HeiTech has the largest (but still <50%) allocation of the voting shares.
- i) **“Corporate Gift”** means something given from one organisation to another, with the appointed representatives of each organisation giving and accepting the gift. Corporate gifts may also be promotional items given out equally to the public at events, trade shows and exhibitions as a part of building the Company’s brand. The gifts are given transparently and openly, with the implicit or explicit approval of all parties involved. Corporate gifts normally bear the Company name and logo. Examples of corporate gifts include items such as diaries, table calendars, pens, notepads, plaques etc.
- j) **“Donation & Sponsorship”** means charitable contributions and sponsorship payments made to support the community and received from any third party. Examples include sponsorship of educational events, provision of scholarships, supporting NGOs, event sponsorship by business partner/vendor and other social causes.
- k) **“Exposed Position”** means a staff position identified as vulnerable to bribery through a risk assessment. Such positions may include any role involving: procurement or contract management; financial approvals; human resource; relations with government officials or government departments; sales; positions where negotiation with an external party is required; or other positions which the Company has identified as vulnerable to bribery.
- l) **“Gratification”** is defined in the MACCA to mean the following:
- Money, donation, gift, loan, fee, reward, valuable security, property or interest in property being property of any description whether movable or immovable, financial benefit, or any other similar advantage;
  - Any office, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;
  - Any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
  - Any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;
  - Any forbearance to demand any money or money’s worth or valuable thing;

- Any other service or favour of any description, including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and
  - Any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the above mention points.
- m) **“Gift”** according to Malaysian Anti-Corruption Commission Act comprises of cash money, free fares, shares, lottery tickets, travelling facilities, entertainment expenses, services, club membership, any form of commission, hampers, jewellery, decorative items and any item of high value that is given to a public official.
- n) **“Hospitality”** means the considerate care of guests, which may include refreshments, accommodation and entertainment at a restaurant, hotel, club, resort, convention, concert, sporting event or other venue such as Company offices, with or without the personal presence of the host. Provision of travel may also be included, as may other services such as provision of guides, attendants and escorts; use of facilities such as a spa, golf course or ski resort with equipment included.
- o) **“HeiTech”** or **“Company”** means HeiTech Padu Berhad and its group of companies.
- p) **“Personnel”** means directors and all individuals directly contracted to the Company on an employment basis, including permanent, contract and temporary employees.
- q) **“Public Official/ Government Official”** means
- Officials or employees of any government or other public body, agency or legal entity, at any level;
  - Officers or employees of state-owned enterprises;
  - Officers or employees of enterprises which are mandated by a public body or a state-owned enterprise to administrate public functions;
  - Any officer or employee of a public international organisation (for example, the World Bank or United Nations);
  - Officers or employees of Non-Governmental Organisations (NGO);
  - Any officer or employee of a political party, or any candidate for public office;
  - Any person acting in an official capacity for or on behalf of any of the above.

- r) **“Red Flag”** is a fact, event, or set of circumstances, or other information that may indicate a potential legal compliance concern for illegal or unethical business conduct, particularly about corrupt practices and non-compliance with anti-corruption laws.
- s) **“Third Party”** means any individual or organisation that comes into contact with HeiTech Padu Berhad during the course of our work. This includes actual and potential customers, suppliers, business contacts, intermediaries, government and public bodies/ public officers, including their advisors, representatives and officials, politicians and political parties.

## 6.0 What is Bribery/Corruption

### 6.1 Bribery/corruption by definition

The following activities can be considered as bribery (not exhaustive):

- a) The offer, promise or receipt of any gratification in the form of gifts, hospitality, loan, fee, reward or other advantage to induce or reward behaviour which is dishonest, illegal or a breach of trust, duty, good faith or impartiality in the performance of a person's functions or activities (including but not limited to, a person's public functions, activities in their employment or otherwise in connection with a business); or
- b) The offer or promise of any gratification in the form of gifts, hospitality, loan, fee, reward or any other advantage to any officer/individual/entity with the intention of influencing the officer/individual/entity in the performance of their public function, to obtain a business advantage; or
- c) The request for any form of gratification in the form of gifts, holidays, hospitality, loan, fee, reward, work for relatives or any other advantage from public officials or persons in power with the purpose of favourably considering contract bids or sales.

Bribery includes not only direct payments but also authorising or permitting an associate or 3<sup>rd</sup> party to commit any of the acts or take any part in the actions identified in (a), (b) and (c) above.

## 6.2. Possible Red Flags

Below are examples of a non-exhaustive list of possible red flags that may arise while doing business:

- ❖ Being aware that a third party engages in, or has been accused of engaging in, improper business practices;
- ❖ Learning that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
- ❖ A third party insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;
- ❖ A third-party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- ❖ A third-party request that payment is made to a country or geographic location different from where the third party resides or conducts business;
- ❖ A third party requests an unexpected additional fee or commission to "facilitate" a service;
- ❖ A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- ❖ A third-party request that a payment is made to "overlook" potential legal violations;
- ❖ A third-party request that you provide employment or some other advantage to a friend or relative;
- ❖ You receive an invoice from a third party that appears to be non-standard or customised;
- ❖ A third party insists on the use of side letters or refuses to put terms agreed in writing;
- ❖ You observe that the Company has been invoiced for a commission or fee payment that appears large compared to the service stated to have been provided;
- ❖ A third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to the Company; and/or
- ❖ You are offered an unusually generous gift or lavish hospitality by a third party.

## 7.0 What is not Acceptable

The following acts are considered not acceptable (non-exhaustive), however if you are in **doubt**, ask Governance & Integrity Department:

- a) If anyone gives you, promise to give, offer a payment, gift or hospitality to secure or award an improper business advantage;
- b) If you, or on behalf of the Company, give, promise to give, offer a payment, gift or hospitality to any person, official, agent or representative to facilitate, expedite, or reward any action or procedure;
- c) Any payment or release of fund without valid supporting document and approval as required by company's policy or procedure;
- d) Any valuable consideration of any kind, discount, commission or rebate without proper approval in accordance to company's policy and procedure;
- e) Accept payment from a third party knowing or suspecting it is offered with the expectation that it will obtain a business advantage for them;
- f) Induce another individual or associate to indulge in any of the acts prohibited in this policy;
- g) Threaten or retaliate against another associate who has refused to commit a bribery offence or who has raised concerns under this policy;
- h) Give or accept any gift where such gift is or could reasonably be perceived to be a contravention of this policy and / or applicable law; and
- i) Engage in any activity that might lead to a breach of this policy.

## 8.0 Gifts

The principle of integrity requires employees not to place themselves under an obligation that might influence or be perceived to influence the conduct of their duties. HeiTech adopt a **"No Gift Policy"** whereby, subject only to certain narrow exceptions. Employees are prohibited from, directly or indirectly, receiving or providing gifts. This policy is meant to avoid any potential conflict of interest, perceive as undue influence and misconstrued as acceptance of gratification.

#### a) Receiving or Accepting Gifts

The general principle is to immediately refuse or return such gift, unless refusing or returning the gift is likely to insult, offend or may sever business relationship with the giver or business associates. However, in no circumstances an employee allowed to accept gifts in the form of cash or cash equivalent.

In the event such refusal is not possible or inappropriate, you can accept the gift, subject to certain requirements as below:

- To explain to the giver on HeiTech's gift policy;
- To declare the gift (of any value) using physical form (in MyHR portal) or online form <https://forms.gle/xELtwZURFtJ6PaBd6> ; and
- To surrender the item to Governance & Integrity department soonest possible for next course of action.

#### b) Providing Gifts

Generally employees are not allowed to provide gifts to third parties with the exception of the Executive Director (ED), any officers authorised by ED and/or upon approval by ED. However, the exceptions are permitted in the following situations:

- i) Exchange of gifts at the company-to-company level (e.g. gifts exchanged between companies as part of an official company visit / courtesy call and thereafter said gift is treated as HeiTech property);
- ii) Gifts from HeiTech to external institutions or individuals in relation to the HeiTech's official functions, events and celebrations (e.g. commemorative gifts or door gifts offered to all guests attending the event or training);
- iii) Gifts from HeiTech to employees and directors and/or their family members in relation to an internal or externally recognised Company function, event and celebration (e.g. in recognition of an employee's/director's service to the Company);
- iv) Token gifts of nominal value normally bearing HeiTech's logo (corporate gifts such as t-shirts, pens, diaries, calendars and other small promotional items) that are given out public, delegates, customers, partners and key stakeholders attending events such as annual general meeting,

conferences, exhibitions, training, trade shows etc. and deemed as part of the company's brand building or promotional activities; and

- v) Gifts to employee by Kelab Kakitangan HeiTech (KKH) in accordance to its policy (e.g. exam result, marriage, child birth, death, retirement, natural disaster, etc).

Even in the above exceptional circumstances, employees are expected to exercise proper judgment in handling gift activities and behave in a manner as per below:

- ❖ Conscientiously maintain the highest degree of integrity;
- ❖ Always exercise proper care and judgment;
- ❖ Avoid conflicts of interest;
- ❖ Refrain from taking advantage of your position or exercising your authority to further your own personal interest at the expense of HeiTech; and
- ❖ Comply with applicable laws, regulations and HeiTech's internal policies and procedures.

## 9.0 Entertainment and Hospitality

The exchange of business courtesies by way entertainment and hospitality, is a well-established practice which, when used appropriately, can help strengthen existing relationships, foster new opportunities, and convey respect and appreciation for business partners. This policy does not prohibit normal and appropriate entertainment and hospitality (given and received) to or from Third Parties.

Employees should always exercise proper care and judgement in determining the appropriateness of the entertainment and hospitality provided by an external party in order to protect Company's reputation from allegations of impropriety or undue influence.

Rationale test should always be applied to determine whether in all circumstances the entertainment and hospitality (given or received) is reasonable and justifiable. Following are simple rules:

- a) You must not ask/request for entertainment and/or hospitality from a customer, supplier, or other business associates.

- b) Providing or offering entertainment and/or hospitality in order to exert undue influence in exchange for any future benefit or outcome on any party is strictly prohibited. Whether directly or indirectly provided by an intermediary, it may be construed as an act of bribery and may conflict with the prevalent principles.
- c) It is reasonable in value and appropriate under the circumstances. Avoid excessive or lavish meals, entertainment and hospitality that can be perceived as undue influence, conflict of interest or misconstrued as acceptance of gratification.
- d) The entertainment venue that has the potential to create a reputational concern, or a negative impression for HeiTech or its employees should be avoided. For example, entertainment at strips clubs or in gambling venues is not considered appropriate.
- e) Entertainment and/or hospitality provided to a spouse, family member is generally considered inappropriate. The family members of employees by no means may accept entertainment and/or hospitality from HeiTech's business associates.
- f) Frequency of the entertainment and/or hospitality provided or received.
- g) To observe recipient's policy on entertainment and hospitality.
- h) Avoid providing entertainment and/or hospitality when there is an on-going sales pitch, tender or bid process, or active opportunity with the recipient's organization.

## **10.0 Corporate Social Responsibility (CSR)**

HeiTech may be involved in organizing and sponsoring activities in conjunction with the sustainability effort under CSR. All CSR activities to be directed and managed by the Corporate Communication Department (CCD). The authority and approval of all CSR activities shall follow Corporate Communication Policies and Guideline.

HeiTech does not prohibit donations and sponsorship if it is reasonable, appropriate, in compliance with this policy and local applicable laws.

Donations and sponsorship can be considered to an institution or body who makes an official request to HeiTech and dully vetted and approved by the authorised personnel.

No donation should be made, which may, or may be perceived to breach applicable laws, or any other section of this policy. HeiTech shall keep records of all donations made.

A donation, sponsorship and any other charitable contributions initiated by HeiTech, as a minimum, must comply with the following:

- a) Duly vetted and approved by authorised person;
- b) Such contributions are allowed by the law;
- c) To be given directly to the beneficiaries. Not to use an agent or 3<sup>rd</sup> party/unrelated individual;
- d) Not to be made to influence or win business deals; and
- e) To identify any potential conflicts of interest

On certain occasions, it is necessary to conduct due diligence on the requestor and recipients to ensure its legitimacy i.e. registered body and to request for an official receipt for the contribution.

No donations or sponsorship shall be awarded in the form of cash. Requests for monetary contributions, if acceptable, shall be provided in the form of an official cheque or electronic fund transfer and shall be traceable to the recipient.

Please refer Procedure for Request of Contribution and Sponsorship in MyHR portal.

## 11.0 Facilitation Payment

Facilitation payments are usually payments made to secure or expedite the performance by a person performing a routine or administrative duty or function. Offering, promising or requesting facilitation payments is just as prohibited as actually paying or receiving facilitation payments. Facilitation payments need not involve cash or other financial asset; it can be any sort of gratification or advantage with the intention to influence them in their duties.

HeiTech prohibits accepting or obtaining, either directly or indirectly, facilitation payments from any person for the benefit of the employee himself or for any other person. The reason underlying this prohibition is that facilitation payment is seen as a form of bribery and corruption.

All personnel of HeiTech must not offer, promise, give, request, accept or receive anything which might reasonably be regarded as a facilitation payment. If you receive a request or if you are offered facilitation payments, you must report it to the Governance & Integrity Department.

### **Exceptions**

However, there are certain situations or circumstances where you are faced with having to make facilitation payments to protect your life, limb or liberty or damage to assets of the organisation. In dangerous situations like this, you can make payments, but you must immediately report (email, memo, letter or using whistleblowing complaint menu in DVOC mobile application) the matter to the Governance & Integrity Department and Legal Department. Keep a detailed record of all activities leading to and including the event or transaction (to the extent possible) without jeopardising safety and security. Making facilitation payment in such a situation is the only exception which can be used as a defence when faced with allegations of bribery and corruption.

The Governance & Integrity Department to maintain records (email, letter, etc.) for future reference.

## **12.0 Conflict of Interest (COI)**

Conflicts of interest arise in situations where there is a personal interest that might be considered to interfere with that person's objectivity when performing duties or exercising judgement on behalf of the Group. Employees should avoid or deal appropriately with situations in which personal interest could conflict obligations or duties. Employees must not use their position, official working hours, company's resources and assets for personal gain or to the company's disadvantage.

It is the responsibility of the employee to disclose any possible transaction or relationship that may give rise to a conflict of interest situation.

HeiTech's Code of Business Conduct sets out the requirement on how to deal with conflicts of interests arising from situation as bellow:

- a) Personal investment
- b) Other employment/disclosure of business interest
- c) Business opportunities found through work
- d) Inventions
- e) Doing business with others

Declaration by Board of directors to refer Directors' conflict of interest policy.

### 13.0 Dealing with Public/Government Officials

- a) Dealing with government officials require particular care and consideration You must exercise more caution when working with government officials due to strict local and international laws that govern the interface between the private and public sectors.
- b) When dealing with Public/ Governments officials you must ensure that all aspects of the law are observed and adhered to, at all times.
- c) Providing gift, entertainment or corporate hospitality to public officials or their family/household members is generally considered a “red flag” situation. Ensure that all requirements stated in Section 8 are observed.
- d) If you have to arrange for site visits, product familiarization trips/ visits, training at different locations (i.e. other than their or your place of work), ensure that events are part of the project deliverable or scope. Otherwise, it require prior approval of President/Executive Deputy Chairman. The costs incurred shall be in accordance with the relevant circulars including that of the government, e.g. “*Garis Panduan Pemberian dan Penerimaan Hadiah di dalam Perkhidmatan Awam*”, MACC Guide on Gifts etc.
- e) Ensure that the entertainment provided to the public official is reasonable and modest in value, and commensurate with the official designation of the public official.
- f) You are prohibited from paying for non-business-related travel and hospitality for any government official or their family/household members without permission from President/Executive Deputy Chairman or Executive Vice President.
- g) Always deal with government officials in an open, transparent and professional manner, at all times.
- h) Exercise caution when hosting government officials. Obtain prior approval from the Top Management and notify Governance & Integrity Department.

### 14.0 Dealing with Business Associates/ Third Parties

- a) All business associates (including external providers such as consultants, advisors, and agents) acting on behalf of HeiTech are required to comply with this Policy, and all other policies as it relates to them.

- b) In circumstances where HeiTech retains controlling interest, such as in certain joint venture agreements, business associates are required to adhere to the ABAC and HeiTech's Code of Business Conduct. Where HeiTech does not have a controlling interest, associates are encouraged to comply the same.
- c) Due diligence should also be carried out with regards to any business associates intending to act on the Company's behalf as an agent or in other representative roles, to ensure that the entity is not likely to commit an act of bribery or corruption in the course of its work with HeiTech.
- d) HeiTech shall include standard clauses in all contracts with business associates enabling the Company to terminate the contract if bribery or an act of corruption has been proved to occur. Additional clauses may also be included for business associates acting on HeiTech's behalf where a more than minor bribery risk has been identified.

## 15.0 Political Contributions

In general, it is **not** HeiTech's policy to offer political contributions or support. However, in certain circumstances, HeiTech may support certain initiatives of the Government in the interest of public or societal welfare and well-being. All such initiatives should have prior approval from President/Executive Deputy Chairman. Such contributions shall not be in contravention of any existing laws and must directly benefit the target community or segment and not directly benefit the political office or candidate.

## 16.0 Offset Activities

Often, offsets are more motivating than the primary purchase of an acquisition, for personal or political reasons.

As stated by Transparency International, there are three main categories of corruption risk from offsets:

- a) Improperly influencing the need for a particular acquisition/ purchase in the first place;
- b) Influencing the competitive decision for the main contract in non-transparent ways; and

- c) Allowing favours to be repaid to corrupt officials/ individuals via the offset contracts.

In general, HeiTech does not practice offset activities in normal business circumstances. However, parties (for example product principal and Public Sector) that HeiTech deals in performing its business activities may practice an offset activity as part of their business strategy or initiative by the Public Sector.

All offset transactions carried out by, or on behalf of HeiTech must comply to the following:

- a) Obtain a formal approval from President/Executive Deputy Chairman;
- b) Comply with all applicable laws and legislations;
- c) There is no apparent risk of corruption and unethical behaviour;
- d) There is a clear business case;
- e) Made for the best interest of HeiTech and not to benefit any individual or a group of people.
- f) Any third parties involved with the delivery of offset will be subject to an appropriate due diligence process by Business Owner or Governance and Integrity department; and
- g) Details of offset arrangement need to be made known to Governance and Integrity department once parties agree upon and prior to the execution of the contract.

HeiTech will not responsible for any offset activities made without organization knowledge or without approval from President/Executive Deputy Chairman.

## 17.0 Anti-Money Laundering, Countering Terrorism & Proliferation Financing

HeiTech and its subsidiaries strongly objects and prohibits all activities related to money laundering, terrorism and proliferation financing, including dealing in the proceeds of unlawful activities.

HeiTech define money laundering as engaging in acts designed to conceal or disguise the true origins of illegally proceeds (such as from the drug trade or terrorist activities) and passing it surreptitiously through legitimate business channels by means of bank deposits, investments, or transfers from one place (or person) to another so that unlawful proceeds appear to have derived from legitimate origins or constitute legitimate assets.

Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (AMLATFPUAA) provisions are designed to help prevent legitimate businesses from being used by criminals for this purpose, and to assist law enforcement agencies to trace and recover criminal assets and terrorist funding.

It is HeiTech policy and its subsidiary companies prohibits involvement in money laundering activities, either directly or indirectly. The activities may include, but not limited to the following:

- Payments made in currencies that differ from invoices;
- Payments in cash or cash equivalent (out of normal business practice);
- Payments receive from third parties that are not parties to the contract; and
- Payments made to accounts of third parties that are not parties to the contract.

As a general rule, reasonable degree of due diligence to be carried out in order to understand the business and background of any prospective customer, vendor, third party or business partner that intends to do business with HeiTech to determine the origin and destination of money or assets involved.

Any suspected activities relating to money laundering, terrorism financing and proceeds from unlawful activities should be immediately reported to Compliance Officer or Integrity Officer.

Please refer Anti-Money Laundering Procedure (AML) in MyHR portal.

## **18.0 Support or Authorization Letters**

HeiTech may from time to time in conducting its business, receive support or authorization letters from suppliers, vendors or business partners. As a general rule, HeiTech shall make business decisions based on merit and prudence. If support or authorization letters are received as part of the submission of documents, HeiTech shall evaluate such documents, including support or authorization letters on the same basis of merit and prudence, and shall not be unduly influenced by such support letters.

Similarly, HeiTech may need to issue support or authorization letters to certain parties as part of its normal business operations. The letter shall be factual, true and reflect the competency/capability of the said party. The support or authorization letters to be authorised by Executive Director (ED) or Group Chief Executive Officer (GCEO) or any person authorised ED.

Copy of the letter (receive or issue) should be kept and maintained for future reference.

## 19.0 Due Diligence on Business Associates and Major Business Activities

HeiTech shall conduct due diligence on its business associates, projects and major business initiatives, in particular where there is significant exposure to bribery and corruption risk.

The purpose of the due diligence exercise is aimed at obtaining sufficient information in order to assess if there are bribery risks posed by any of the parties and business activities as mentioned above.

Based on due diligence results, HeiTech may either decline, suspend or terminate relationships with business associates or any other parties engaging with HeiTech to protect HeiTech from any legal, financial and reputation risk.

There is no limitation to the method of due diligence to be used. The method that could be used will be dependent on the bribery risk exposure to HeiTech. Among the methods that could be used, but not limited to, are:

- a) Deploying survey questionnaires;
- b) Conducting web searches;
- c) Reviewing external databases and screening tools/solutions (e.g. CTOS, CCRIS, Company Search with ROC etc.); and
- d) Engagement of third-party due diligence service providers.

## 20.0 Employee Screening

- a) Prior to the recruitment of new employees, integrity screening shall be carried out which commensurate with job level and position risk profile. The screening may consist of integrity questionnaire during interview, declaration or any suitable method to be adopted by the Human Resource Department.
- b) Employee's integrity shall be inculcated in the promotion evaluation process.
- c) The Human Resource department shall perform a "risk profiling" based on job level and position. Those employees which fall under "high-risk" category shall be

subjected to further due diligence exercise which to be decided upon by the Human Resource Department.

- d) Screening exercise to be conducted based on regulatory requirement, compliance requirement or as and when decided by the management.

## **21.0 Training and Awareness**

- a) Integrity, anti-bribery and anti-corruption topic shall be included in the new employee induction program.
- b) A training program (integrity and anti-bribery related topic) shall be organized (internal or external) and provided to all employees. The aim is to provide an understanding of improper conduct (integrity, bribery, corruption, etc) and to build employees' confidence and trust in, and commitment to the integrity and anti-bribery program adopted by the company.
- c) Records of such training will be retained for the duration of employment.
- d) HeiTech shall conduct an awareness program for all its employee regarding anti-bribery, anti-corruption, anti-money laundering, integrity and ethics.

## **22.0 Employee Responsibilities**

- a) Employees have a duty to read, understand, familiarize and adhere with the directives and information specified in this Policy and with any training or other anti-bribery and anti-corruption information provided.
- b) All employees are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. Employees are required to avoid any activities that could lead to, or imply a breach of this Policy.
- c) Employees should always be alert to any indication or evidence of possible violations of this Policy. If an employee has reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this Policy, the employee must report to the Integrity Officer.
- d) Employees who violate this Policy will result in disciplinary action including dismissal for gross misconduct. Penalties for violating the law as an individual may

include imprisonment, probation and significant monetary fines which will not be paid by the company.

- e) All employees shall certify in writing that they have read, understood and will abide by this policy. A copy of this declaration shall be documented and retained by the Human Resources Department for the duration of the personnel's employment. A sample of the employee declaration form can be found in the Appendix 1 of this Policy.

### 23.0 Whistleblowing Policy/ Reporting of Violations

The Board of Directors of HeiTech has formulated a comprehensive Whistleblowing Policy to protect the values of transparency, integrity, impartiality and accountability in the way HeiTech operates and conducts its businesses and affairs.

Employees and business associates are encouraged to “blow the whistle”, in good faith, on any violations or potential violations or concerns according to the procedures established in this Whistleblowing Policy. If you have reason to believe or suspect that any aspect of this ABAC Policy has been breached or violated, you could also use the Whistleblowing procedure to voice your concern.

This Whistleblowing Policy and Procedure has taken into consideration the requirements as outlined in the Malaysian Whistle-blower Protection Act 2010 (Act 711).

A copy of the Whistle-blower policy can be viewed at HeiTech website, MyHR portal or obtained from Governance & Integrity Department.

Retaliation in any form against HeiTech personnel where the person has, in good faith, reported a violation or possible violation of this policy is strictly prohibited. Any HeiTech personnel found to have deliberately acted against the interests of a person who has in good faith reported a violation or possible violation of this policy shall be subjected to disciplinary proceedings including demotion, suspension, dismissal or other actions (including legal action) which HeiTech may pursue.

## 24.0 Anti-Retaliation

HeiTech is committed in maintaining a work environment that is free of harassment, intimidation, discrimination and retaliation for engaging in protected activity such as reporting (“whistle blow”) of violations or participating in an investigation pertaining to alleged violations.

HeiTech encourage all employees, stakeholders and business associates to voice concerns especially those related to improper business conduct, breach of HeiTech’s policies and ethical or legal issues. Crucial to these objectives is promoting an atmosphere where employees and others feel safe to engage in frank, honest communication, raising concerns at any time without fear of retaliation. Due action will be taken if there is any retaliation directly or indirectly against anyone who reports a known or suspected improper business conduct or any violation of HeiTech’s policies.

## 25.0 Monitoring and Review of Policy

HeiTech’s ABAC is subject to monitoring and regular reviews to ensure its continued suitability for use by HeiTech. This will be carried out in the following manner:

- a) Periodic audits at planned intervals shall be conducted to ensure compliance with this policy. Such audits may be conducted internally by either Practices Management and Consulting (ABMS audit), Audit & Assurance (operational/management audit), Governance & Integrity (compliance exercise) or by an external party appointed by HeiTech.
- b) HeiTech has implemented the ISO 37001:2016 Anti-Bribery Management System and is certified to the same. This ABAC forms an integral part of the implemented ABMS. As such changes made to this policy to address finding made by the certification body will be considered as part of the review of this policy.
- c) This policy will also be reviewed when there is a complaint or report received via the Whistle-blower or other channel.
- d) This ABAC will be reviewed at least once in 3 years by the Management Integrity Committee or upon recommendation by the Integrity Officer or upon request of the Committee Chairman, Board Integrity Committee or the Board, for continued suitability for use.

- e) This policy must be reviewed as and when there are changes to act, laws and legislations which affecting the policy.

All amendments made to this policy as a result of these reviews will be documented and made known formally to all interested and involved parties.

END

## **APPENDIX 1**

### **EMPLOYEE DECLARATION FORM**



## HEITECH PADU BERHAD EMPLOYEE DECLARATION FORM

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To : Human Resource Department  
HeiTech Padu Berhad

I, ....., hereby acknowledged that HeiTech Padu Berhad (“HeiTech”) had made available on-line at MyHR portal, the HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct. It is my sole duty and responsibility as Warga HeiTech to read, understand and practice the provisions stipulated in HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct.

I shall conduct myself with complete integrity in the execution of all my duties and assignments. I recognize, understand and adhere to the moral and ethical standards adopted by HeiTech as stated in HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct. I pledge that I will always abide by the provisions in HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct. If for any reason(s) I do not comply with any of the provisions in HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct, I shall not cite ignorance or lack of understanding as grounds for self-defence. I also agree that the Company has the absolute right to take any action it deems fit, because of non-compliance with the conditions stated in HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct.

I hereby confirm that I fully understand and agree that the Management of HeiTech has the absolute right and discretion to amend, as it deems fit the contents in HeiTech’s Anti-Bribery and Corruption Policy and Code of Business Conduct as and when necessary.

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Date :

Name :  
(Capital letter)

Staff ID :

*Note: To ensure a better understanding of the declaration made by the employee, a translation in Bahasa Malaysia is available at the back page of this form. In the event certain provisions were not correctly translated or contradict, the English version is absolute and final.*



## HEITECH PADU BERHAD EMPLOYEE DECLARATION FORM

Kepada : Jabatan Sumber Manusia  
HeiTech Padu Berhad

Saya,.....dengan ini mengakui bahawa HeiTech Padu Berhad (“HeiTech”) telah menyediakan Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech secara atas talian di portal MyHR,. Ia adalah tugas dan tanggungjawab saya sebagai Warga HeiTech untuk membaca, memahami dan mengamalkan peruntukan yang ditetapkan dalam Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech.

Saya akan melaksanakan segala tugas dan tanggungjawab yang diberikan kepada saya dengan penuh integriti. Saya dengan ini, mengakui, memahami dan mematuhi piawaian moral dan etika yang diterima pakai oleh HeiTech seperti yang dinyatakan dalam Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech. Saya berjanji bahawa saya akan sentiasa mematuhi peruntukan dalam Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech. Jika atas sebab-sebab tertentu saya tidak mematuhi mana-mana peruntukan dalam Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech, saya tidak akan menyatakan kejahatan atau kurang pemahaman sebagai pertahanan diri saya. Saya juga bersetuju bahawa Syarikat mempunyai hak mutlak untuk mengambil apa-apa tindakan yang difikirkannya patut atas ketidakpatuhan saya terhadap syarat-syarat yang dinyatakan dalam Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech.

Saya dengan ini mengesahkan bahawa saya memahami sepenuhnya dan bersetuju bahawa Pengurusan HeiTech mempunyai hak dan budibicara mutlak untuk meminda, sebagaimana yang difikirkan sesuai, kandungan dalam Dasar Anti Rasuah dan Korupsi dan Kod Etika Kelakuan Perniagaan HeiTech.

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Tarikh :

Nama :  
(Huruf besar)

ID Kakitangan :

*Nota: Untuk memastikan pemahaman yang lebih baik mengenai perisytiharan yang dibuat oleh pekerja, terjemahan dalam Bahasa Malaysia seperti di atas telah disediakan. Namun demikian, sekiranya peruntukan tertentu tidak diterjemahkan atau bertentangan maksud, maka versi Bahasa Inggeris adalah mutlak dan muktamad.*