



INTEGRITY KIT

For HeiTech's Business Associates
Version 3.0



CERTIFIED TO ISO 37001:2016
CERT. NO.: ABMS 00182

HeiTech is certified organization under MS ISO 37001:2016 Anti-Bribery Management System (ABMS)



HeiTech

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1 Purpose

The purpose of this Integrity Kit is to demonstrate and communicate HeiTech's commitment towards good governance, integrity, sustainability, promote transparency and an ethical code of conduct in our operations and business activities.

It is essential for HeiTech's business associates to read, understand and comply to HeiTech's Policy. This Integrity Kit will serve as guideline in dealing and business conduct with HeiTech. The prevention, detection and reporting of bribery and other forms of corruption is the responsibility of all parties that include entities that HeiTech is servicing as well as entities that provide support and services to HeiTech.

2 HeiTech's Commitment

The purpose of this Integrity Kit is to demonstrate our effort and to communicate HeiTech's commitment towards good governance, integrity, sustainability, promote transparency and an ethical code of conduct in our operations and business activities. This Integrity Kit will also serve as guideline in dealing and business conduct with HeiTech. The expectation is our business associates share the same commitment and to uphold our values and ethical standards.

The prevention, detection and reporting of bribery and other forms of corruption is the responsibility of all parties that include entities that we are servicing and entities provide support and services to HeiTech.

HeiTech Anti-Bribery & Corruption initiatives also demonstrate its commitment towards achieving the United Nations Sustainable Development Goals to fight against corruption, increase transparency, tackle illicit financial flows and improve access to information.



16 PEACE, JUSTICE AND
STRONG INSTITUTIONS



3 HeiTech's Policies

HeiTech has developed the following policies which are applicable to HeiTech's employees and business associates:

- 1 Anti-Bribery and Corruption Policy ("ABCP")
- 2 Whistleblowing Policy and Guidelines

The above policies can be viewed and downloaded from HeiTech's website, www.heitech.com.my

Corporate Liability and Legal Implications

What is Bribery/Corruption by definition?

Bribery

Under the Malaysian Anti-Corruption Commissions Act, “gratification” or commonly called “bribery” means offering, giving, receiving or soliciting something of value (for example money or information) in an attempt to illicitly influence the decisions or actions of a person with a position of trust within an organisation.

Corruption

Transparency International (TI) describes “corruption” as an act of abuse of the entrusted power for personal gain. However, corruption has a broader definition than bribery. In general, corruption is a form of dishonesty or criminal offense undertaken by a person or organisation entrusted with a position of authority, to acquire illicit benefit or abuse power for one's private gain.

Activities can be considered as bribery (non exhaustive)

- i** 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
- ii** 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
- iii** 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 3rd party to commit any of the acts or take any part in the actions identified in **i ii iii** above.

What is Section 17A MACC Act?

The new section 17A which was introduced into the Malaysian Anti-Corruption Commission Act 2009 (“MACC Act”) in May 2018 (Amendment 2018) provides for corporate criminal liability for corruption offences as well as for personal liability of persons involved in the management of a commercial organisation which came into effect on 1 June 2020.

17A Offence by Commercial Organisation:

1 A commercial organisation commits an offence if a person associated with the commercial organisation corruptly gives, agrees to give, promise or offer to any person any gratification whether for the benefit of that person or another person with intent:

a → to obtain or retain business for the commercial organisation; or

b → to obtain or retain an advantage in the conduct of business for the commercial organisation.

2 Any commercial organisation who commits an offence under this section shall on conviction be liable to a fine of not less than ten (10) times the sum of value of the gratification which is the subject matter of the offence, where such gratification is capable of being valued or is of pecuniary nature, or one million ringgit, whichever is the higher, or to imprisonment for a term not exceeding twenty (20) years or to both.

Who is “person associated”?

“Person associated” refers to a director, controller, partner, employee or any other person who performs services for or on behalf of a commercial organisation.

Anti-Bribery & Corruption Policy (ABCP)

Objective

The ABCP 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, guidelines, prevention, disclosure and guide on how to handle potential bribery and corruption practices that may arise in HeiTech.

HeiTech's 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.

Applicability of the Policy

This policy applies to all employees of HeiTech, consultants, business associates and HeiTech's controlling 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 HeiTech.

In the event any policy as set out in this ABCP conflicts with any law or act, you shall comply with the law or act and you should notify our Governance & Integrity Department at:



03-8601 3355



integrity@heitech.com.my

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Gift, Meals, Entertainment & Hospitality

The exchange of business courtesies, such as gifts, meals, entertainment and hospitality are a well-established practice which, when used appropriately, can help strengthen existing relationships, foster new opportunities, and convey respect and appreciation to and from business partners and associates.

What you need to know?

- HeiTech policy does not prohibit normal and appropriate hospitality (given and received) to or from business associates. Ensure they are reasonable and appropriate under circumstances.
- Gifts during festive season (Ramadhan, Hari Raya, Chinese New Year, Deepavali, etc) are normally allowed and must be reasonable in terms of value and appropriate under circumstances.
- The first rule is to refuse outright the gift/ entertainment/hospitality offered.
- Gifts of symbolic value, such as souvenirs, shields, trophies and statues that are inscribed in recognition of a business relationship, or with the logo or crest, can be accepted.

The FIVE criteria

The gifts, meals, entertainment and hospitality PROVIDED TO or RECEIVED from Public Officials, commercial clients, business associates/partners and other third parties must always meet the **5 Criteria** as follows:

- 1 For proper purpose and not intended to secure an improper advantage or otherwise inappropriately influence the recipient.
- 2 Permitted by law.
- 3 Permitted by HeiTech Policies.
- 4 Permitted by the giver's policies.
- 5 Reasonable in value and appropriate under the circumstances.

There are other factors that need to be put into careful consideration when applying the 5 CRITERIA above, among others:

- There is an on-going sales pitch, tender or bid process, or active opportunity;
- The recipient is a decision-maker or influencer regarding a current or potential sales pitch, tender or bid process, or active opportunity;
- The entertainment venue has the potential to create a reputational concern, or a negative impression for HeiTech or its employees. For example, entertainment at strips clubs or in gambling venues is not considered appropriate; and
- A gift or entertainment provided to a spouse, family member or guest is generally considered inappropriate.

Accepting personal gift by HeiTech employee from any 3rd parties

HeiTech's employees are limited to accepting personal gifts from third parties with an equivalent value of not more than RM100.00 per gift or multiple gifts in one year from the same party totalling not more than RM300.00. Accepting of multiple gifts within a short period of time from the same third party is discouraged since this may be perceived as compromising your objectivity and judgment.

HeiTech's employees **MUST NOT** accept gifts of cash or cash equivalents, such as gift certificate, vouchers, and/or reload pin, under any circumstances.

Do's and Don'ts

DO's

- Read and understand HeiTech gifting policy.
- Always be sensitive to recipient own rules on gifting.
- Ensure they are reasonable and appropriate under circumstances and comply with HeiTech policy.
- Observe the 5 criteria as per gifting guideline.
- Be careful when there is an on-going sales pitch, tender or bid process, or active opportunity with the recipient's organisation.

DON'Ts

- Give or accept cash or cash equivalents as a gift.
- Give or accept excessive or lavish gifts, meals, entertainment and hospitality.
- Provide entertainment at a venue that create reputational concern such as SPA, Strips Club, Gambling, etc.
- Promise or offer to provide gifts, meals or entertainment with a view to improperly cause influence.
- Provide personal gift to HeiTech employee of a value more than RM100.00.

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Corporate Social Responsibility (CSR)

HeiTech may be involved in organising and sponsoring activities in conjunction with sustainability efforts under CSR. Our Policy does not prohibit donations and sponsorship if it is reasonable, appropriate, and in compliance with our policy and applicable laws and regulations.

All CSR activities are to be directed and managed by the Strategic and Corporate Communication Department (SCC). Request by any institution or body or any external parties shall be via official request to SCC for processing and approval by authorised personnel. On certain occasions, SCC to conduct due diligence exercise on the requestor and recipients to ensure its legitimacy.

It is HeiTech policy that contribution to be given directly to the beneficiaries. Our policy prohibit channelling the contribution via agent, 3rd party or unrelated individual. No donation or contribution shall be made, which may, or may not be perceived to breach any applicable laws and regulations.

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Offset Activities

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

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

9 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 do not need to involve cash or other financial assets; 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.

10 Due Diligence

A due diligence exercise shall be conducted on personnel, business associates, projects and major business initiatives, in particular where there is significant exposure to bribery and corruption risk. Based on the due diligence results, HeiTech may either proceed, decline, suspend or terminate relationships with personnel, 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 are not limited to:

- Deploying survey questionnaires
- Declaration form
- Corruption risk assessment
- Audit exercise
- Conducting web searches
- Reviewing external databases and screening tools/solutions (e.g. CTOS, CCRIS, Company Search with ROC etc.)
- Engagement of third-party due diligence service providers

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Anti-Money Laundering

It is HeiTech policy and of its subsidiary companies to prohibit involvement in money laundering, terrorism financing and providing proceeds from unlawful activities, which include, and are not limited to the following activities:

- Payments made in currencies that differ from invoices;
- Payment 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.

A reasonable due diligence exercise will be carried out on HeiTech's Business Associates as and when required. You may be requested to provide certain information during the exercise.

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Support and Authorisation Letters

It is the norm in business activities that HeiTech may sometimes request or obtain support or authorisation letters from suppliers, vendors or business partners. However, any business decisions to be made by HeiTech shall be based on merit and prudence. If support or authorisation letters are received as part of the submission of documents, HeiTech shall evaluate such documents, including support or authorisation letters on the same basis of merit and prudence, and shall not be unduly influenced by such support or authorisation letters.

Similarly, HeiTech may need to issue support or authorisation letters to certain parties as part of its normal business operations. Such support or authorisation letters shall be issued by authorised persons and shall be factual and true and reflect the competency/capability of the said party.

Whistleblowing Policy & Guidelines

Purpose

HeiTech Whistleblowing Policy is established to protect the values of transparency, integrity, impartiality and accountability in where HeiTech conducts its businesses and affairs. Employees and any 3rd parties are encouraged to blow the whistle, in good faith, on any such potential violations or concerns according to the process established in this Policy. HeiTech recognises that all employees and our business associates have an important role to play in achieving this goal.

Governing

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 parties raising such potential violations or concerns; and
- Establish procedures for the retention of records and reports.

Applicability of the Policy

The policy shall be applicable to all HeiTech's employees including Board of Directors, Senior Management, HeiTech's controlling entities and any other individuals who have established a relationship with HeiTech including, but are not limited to, agents, consultants, contractors, vendors, suppliers, and service providers.

What can be reported?

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; and
- p** Any action which is intended to conceal any of the above

Confidentiality and Privacy

HeiTech is committed to protecting the privacy of the persons involved to the fullest extent possible and in accordance with applicable laws and regulations. HeiTech shall take all necessary measures to ensure that the identity and personal information of the Whistleblower shall be protected at all time and kept confidential. Upon making the disclosure in good faith, the Whistleblower will be protected from any reprisal and/or detrimental action as a direct consequence of his or her disclosure