



# WHISTLEBLOWING POLICY & PROCEDURES

This Document is a property of SK Kaken (M) Sdn Bhd.  
The content of this Document is the proprietary of SK Kaken (M) Sdn Bhd.

# GLOSSARY

ABC	Anti-Bribery and Corruption
BOD	Board of Directors. This includes all independent and non-independent directors, executive and non-executive directors.
Business Associates	External party (e.g., Counterparties and Business Partners) with whom SK Kaken (M) Sdn Bhd has, or plans to establish, some form of business relationship. This includes clients, customers, joint ventures, joint venture partners, consortium partners, outsourcing providers, contractors, consultants, subcontractors, suppliers, vendors, advisers, agents, distributors, representatives, intermediaries and investors, as defined by ISO 37001 - Anti-Bribery Management Systems.
Company	SK Kaken (M) Sdn Bhd
Confidential Information	Any information that is by its nature confidential or sensitive and/or not generally available to the public and, in this Policy, include: a) Information about the identity, rank, position or other personal details of a Whistleblower; or b) a person against whom a Whistleblower has made a disclosure; or c) information disclosed by a Whistleblower; or d) information that, if disclosed, may cause detriment to any person.
Conflict of Interest	When a person's personal interests either influence or could potentially influenced or are perceived to have influence on their decision making.
Employee	A person employed by SK Kaken (M) Sdn Bhd This includes those who are permanent, on probation, employed on contract, on a temporary basis, on secondment, or retain or appointed by SK Kaken (M) Sdn Bhd for a fixed or indefinite term to perform any function for SK Kaken (M) Sdn Bhd (including interns and apprentices).
IGU	Integrity & Governance Unit
Independent Party	An independent third party appointed by the Audit Committee to conduct any investigation in respect of any report of Improper Conduct
MACC	Malaysian Anti-Corruption Commission
Management	Refers to any individual/group/committee which has authority to make decision on certain issues/ areas
MC	Management Committee
Operation Director ("OD")	The Director managing the day-to-day operation of SK Kaken (M) Sdn Bhd

# TABLE OF CONTENT

<b>CONTENT</b>	<b>PAGE</b>
<b>INTRODUCTION</b> A. POLICY STATEMENT B. PURPOSE C. POLICY APPLICABILITY	3
<b>PART I: WHISTLEBLOWING</b> 1. DEFINITION OF WHISTLEBLOWING 2. WHISTLEBLOWER 3. LODGING A REPORT 4. ANONYMOUS REPORTS	6
<b>PART II: SAFEGUARDS</b> 1. REQUIREMENT OF GOOD FAITH 2. PROTECTION AGAINST DETRIMENTAL ACTION 3. PROTECTION OF CONFIDENTIAL INFORMATION 4. WHEN PROTECTION MAY NOT BE AVAILABLE	9
<b>PART III: INVESTIGATION</b> 1. LOG OF REPORTS OF IMPROPER CONDUCT 2. MANAGING A WHISTLEBLOWER REPORT 3. PRELIMINARY INVESTIGATION 4. FULL INVESTIGATION 5. FINDINGS OF INVESTIGATION 6. CORRECTIVE ACTION 7. DISCIPLINARY ACTION	12
<b>APPENDIX I: WHISTLEBLOWING FORM</b>	16
<b>APPENDIX II: SAMPLES OF DISCLOSURE</b>	18

# INTRODUCTION

## A. POLICY STATEMENT

- i. SK Kaken (M) Sdn Bhd is committed to the highest standard of integrity, fairness and accountability in the conduct of its business and operations. SK Kaken (M) Sdn Bhd aspires to conduct its affairs in an ethical, responsible and transparent manner.
- ii. In recognising and to uphold the aforesaid values, this Whistleblowing Policy and Procedure is a framework for reporting of concerns about irregularities within the company's operations and to avert possible risks of loss or reputation damage to the company. It encourages and facilitates employees and related external parties to disclose genuine concerns of Improper Conduct within the company, whilst protecting the person making such disclosures from any reprisal action.

## B. PURPOSE OF THE POLICY

- i. The Whistleblowing Policy and Procedure (hereafter referred to as "the Policy") is intended to:
  - a) Establish an avenue to enable the employees or related external parties to raise any concern or improper conduct in a responsible and effective manner prior to seeking resolution outside of SK Kaken (M) Sdn Bhd.
  - b) Encourage employees or related external parties to disclose any concern or improper conduct at the earliest opportunity without fear of retaliation.
  - c) Provide a transparent and confidential process in managing the disclosures reported by employees or external parties.
  - d) Ensure disclosures of improper conduct is managed in an appropriate and timely manner.
  - e) Inculcate a culture of openness, honesty, accountability and integrity in SK Kaken (M) Sdn Bhd.

## C. POLICY APPLICABILITY

- i. The Policy is applicable to all members of the Board, all employees, external parties that are associated with SK Kaken (M) Sdn Bhd, such as existing and potential clients/customers, agents, bankers, consultants, contractors, suppliers, joint venture partners, solicitors, vendors and others.
- ii. The provisions in this Policy comply with the Whistleblower Protection Act 2010, Companies Act 2016, Malaysian Anti-Corruption Commission (MACC) Act 2009 and all applicable laws and regulations in the country where the Company operates. If there is

a conflict between mandatory laws and the principles in this Policy and related policies, the laws shall prevail.

- iii. This Policy does not cover:
  - a) Customers' complaints about the Company's products and services;
  - b) Personal grievances concerning an individual's terms and conditions of employment.
  
- iv. The Policy should be read together with the Anti-Bribery & Corruption Policy and Handbook, SKKC Handbook, Compliance Manual and other relevant internal policies that forms a holistic framework on integrity, ethics and fraud prevention for SK Kaken (M) Sdn Bhd. Provisions in this Policy shall be reviewed and amended whenever necessary to ensure its effective implementation.

# PART I: WHISTLEBLOWING

## 1. DEFINITION OF WHISTLEBLOWING

- 1.1. Whistleblowing is defined as the deliberate, voluntary disclosure or reporting of individual or organisational malpractice by a person who has or had privileged access to data, events or information about an actual, suspected or anticipated Improper Conduct within the organisation or by an organisation that is within its ability to control.
- 1.2. An Improper conduct is generally described as any conduct by an employee which if proven constitutes a criminal offence or any conduct that constitutes a wrongdoing or malpractice and may include, but not limited to any of the following:
- The breach of any law, regulation or rule that is applicable to the Company and breaches of policies and procedures.
  - Any act that is likely to cause significant financial loss or costs to the Company including any intentional misrepresentation of the Company's financial statements.
  - Any criminal act, including but not limited to criminal breach of trust, extortion and sabotage.
  - Any breach of ethics as described in the Code of Conduct or conflict of interest and/or any fraudulent act including those described in the ABC Policy and Handbook, and other relevant documents. Examples of such acts include forgery, theft, any form of corruption (including accepting and giving bribes), unauthorised disclosure of the Company's confidential information and abuse of power for personal gain.
  - Any Major Misconduct as described in the SKKC Handbook.
  - Any other action that would cause significant harm to the Company or to any person(s).
  - Any act that causes damage to environment;
  - Improprieties of tender and procurement activities;
  - Failure to comply with legal and statutory obligations.
  - Sexual harassment as guided in the SKKC Handbook.
  - Miscarriage of justice to an employee or business associates
  - Deliberately endangering the health and safety of employees and external parties
  - Abuse of power and position for personal gain or causes detriment to SK Kaken (M) Sdn Bhd.
  - Discrimination against race, religion, gender, or disability.
  - Withholding information or unauthorised disclosure of information that adversely impact SK Kaken (M) Sdn Bhd's operations or tarnish its reputation.
  - The deliberate concealment any of the above.

- 1.3. The improper conduct may involve any of the Board of Directors, SK Kaken (M) Sdn Bhd's employees and/or business associates/third parties.

## 2. WHISTLEBLOWER

- 2.1. The disclosure can be reported by a whistleblower, whom can be;
  - a) SK Kaken (M) Sdn Bhd's employees
  - b) SK Kaken (M) Sdn Bhd's potential or existing customers/ clients
  - c) external parties providing services to SK Kaken (M) Sdn Bhd such as agents, bankers, consultants, contractors, suppliers, joint venture partners, solicitors, vendors and others.

## 3. LODGING A REPORT

- 3.1. The Board, employees and external parties are advised and urged to report an Improper Conduct as soon as he/she discovers the commission or an intended commission of an Improper Conduct or if he/she is instructed to participate in any Improper Conduct. If an Employee becomes directly involved in the Improper Conduct, the protection under this Policy may not be available to that Employee.

- 3.2. There are two ways of reporting or raising a disclosure on any Improper Conduct;
  - a) To fill-in the Whistleblowing Form (**Appendix I**) and email to [whistleblowing@skk.com.my](mailto:whistleblowing@skk.com.my); OR
  - b) Written letters/ complaints in a sealed envelope marked "CONFIDENTIAL" addressed to Chairman of Management Committee at Suite 13.01, Level 13, Centrepoint South, The Boulevard, Mid Valley City, Lingkaran Syed Putra, 59200 Kuala Lumpur.

Additionally, the whistleblower should state his/her name, contact details, department/ company name in the form, email or letter, as disclosure expressed anonymously is much less credible, but will nevertheless be considered. However, an anonymous disclosure may result in the Whistleblower not being conferred protection under the Whistleblower Protection Act 2010.

- 3.3. Whistleblowers are advised to provide sufficient details which include the following:
  - a) a description of the Improper Conduct and the people/parties who are involved;
  - b) a background of the incident, including the relevant dates and location of occurrence;
  - c) how the Improper Conduct was detected;
  - d) reason(s) why the Whistleblower is particularly concerned about this (e.g. it may result in

- loss of the company's assets/funds); and
- e) particulars or production of documentary evidence and witnesses, if any.
  - f) The Whistleblower shall keep the tone neutral and based on matter of facts, rather than being outraged, threatening, or harsh.
- 3.4. The Whistleblower must have first-hand knowledge of the information or facts of the concern or improper conduct, and not obtained from a third party or based on "hearsay". However, the whistleblower should not be discouraged from making a disclosure if he is unsure whether there is sufficient evidence to support the allegation.
- 3.5. Although the Whistleblower is not expected to prove beyond reasonable doubt the truth of the disclosure, the Whistleblower shall need to demonstrate that there are reasonable grounds for his / her concern and provide sufficient information for the Company to take appropriate steps. Nonetheless, the whistleblower should not endanger his/her own safety in order to obtain additional facts or evidence.
- 3.6. The Whistleblower shall not attempt to personally conduct any investigation, interview or interrogation related to the matter being disclosed.
- 3.7. An example of a good disclosure is enclosed as **Appendix 2(a)**; while example of disclosure based on hearsay with no documentary evidence furnished are appended as **Appendix 2(b)**.
- 3.8. If an employee is in doubt whether to report the concern or improper conduct, they should seek advice from Head of Human Resources ("HR"), Head of Integrity & Governance Unit ("IGU"), or Chairman of Management Committee ("MC"). The Employee, however, should refrain from discussing the matter with an external party.

#### 4. ANONYMOUS REPORTS

- 4.1. Anonymous reports are not encouraged as any follow up to ascertain the facts or to obtain further information for investigation purposes would be very difficult. Nonetheless, SK Kaken (M) Sdn Bhd reserves its right to investigate into any anonymous disclosure. However, any anonymous disclosure with inadequate information and no supporting document(s) will not be entertained.
- 4.2. Although the Company is not expected to address any anonymous allegations, the Company may, however, consider investigating an anonymous allegation after having considered the following:
- a) the seriousness of the disclosure;
  - b) the credibility of the disclosure;
  - c) the adequacy of information provided by the Whistleblower; and
  - d) the likelihood of confirming the disclosure from credible sources.



## PART II: SAFEGUARDS

### 1. REQUIREMENT OF GOOD FAITH

- 1.1. Since an allegation of Improper Conduct may result in serious personal repercussions for the person who has allegedly committed an Improper Conduct, any whistleblower who intends to lodge any report of Improper Conduct shall ensure that the report of Improper Conduct is made in good faith.
- 1.2. The whistleblower making an allegation of Improper Conduct must have reasonable and probable grounds before reporting such Improper Conduct and must undertake such reporting in good faith, for the best interest of the Company and not for personal gain or motivation.
- 1.3. The element of good faith shall be deemed to be lacking when:
  - a) the whistleblower does not have personal knowledge or a factual basis for the report of Improper Conduct; or
  - b) the whistleblower knew or reasonably should have known that the report or any of its contents are false; or
  - c) where the report is frivolous or vexatious; or
  - d) there are any other circumstances that indicate that the report has been made with malicious intent, ulterior motive or for personal gain.
- 1.4. Any person who has not acted in good faith shall not be entitled to any protection under this Policy as per Part II (Section 2 and Section 3).
- 1.5. In addition, an Employee who makes allegations or reports that are proven to have been made without good faith may be subjected to disciplinary action (which may include suspension or termination of employment or contract). In the case of customers, suppliers, subcontractors or consultants, the continuity of business relationship shall be reviewed.

### 2. PROTECTION AGAINST DETRIMENTAL ACTION

- 2.1. Any Whistleblower who makes a report of Improper Conduct in good faith shall not be subject to unfair dismissal, victimisation, demotion, suspension, intimidation or harassment, discrimination, any action causing injury, loss or damage or any other retaliatory action, including threats to take any of the aforementioned actions (“Detrimental Action”) by the Company.

- 2.2. Any report of Improper Conduct made in good faith, even if it is not subsequently confirmed by an investigation shall be eligible for protection under this Policy.
- 2.3. Any whistleblower who makes a report of Improper Conduct in good faith and who considers that he/she has been the victim of retaliation/ Detrimental Action or has good reason to believe or fear that he/she is exposed to the risk of retaliation as a result of his/her reporting any Improper Conduct shall report the matter to the Head of IGU and request that protective measures be adopted.
- 2.4. An Employee who takes any Detrimental Action against any Whistleblower who has made a report of Improper Conduct in good faith shall be subjected to disciplinary action (which may include suspension or termination of employment or contract).
- 2.5. If the deed of retaliation against the Whistleblower is severe, SK Kaken (M) Sdn Bhd will assure the enforcement authorities will be also notified accordingly (subject to severity of the case/ management committee's decision/ cases related to corruption) so that individuals who require protection under the MACC Act 2009 (Act 694) and Whistleblower Protection Act 2010 (Act 711) will receive protection.

### **3. PROTECTION OF CONFIDENTIAL INFORMATION**

- 3.1. Any person having knowledge of a report of Improper Conduct shall make all reasonable efforts to maintain the confidentiality of the Confidential Information, in particular the identity of the Whistleblower.
- 3.2. However, there may be circumstances, during the course of the investigation where it is necessary to disclose the identity of the Whistleblower. If such circumstances exist, the Head of IGU or the Independent Party involved in investigations shall endeavour to inform the Whistleblower that his/her identity is likely to be disclosed and to obtain his/her consent for the said disclosure.
- 3.3. In order not to jeopardise any investigation, the Whistleblower shall make all reasonable efforts to maintain the confidentiality of the Confidential Information, in particular the fact that a report has been filed, the nature of the Improper Conduct and the identity of the person(s) who has allegedly committed the Improper Conduct.
- 3.4. Any person who obtains any Confidential Information in the course of any investigation of an allegation of Improper Conduct shall not disclose any part of the Confidential Information.
- 3.5. Divulging of confidential information in relation to the disclosure or its investigation should be on a "need to know" basis.

#### 4. WHEN PROTECTION MAY NOT BE AVAILABLE

- 4.1. An Employee who has lodged a report may not avail him/herself to the protection against Detrimental Action mentioned in Part II (Section 2 and Section 3) above in the following circumstances:
- a) If the report of Improper Conduct is not made in good faith; or
  - b) If the whistleblower wilfully made in the disclosure a material statement which he/she knew or believed to be false or did not believe to be true.
  - c) If the Whistleblower him/herself has participated in the Improper Conduct reported;  
or
  - d) The report of Improper Conduct is made solely or substantially with the motive of avoiding dismissal or other disciplinary action; or
  - e) If the whistleblower, in the course of making the disclosure or providing further information, commits an offence under the Whistleblower Protection Act 2010 and/or Personal Data Protection Act 2010.
  - f) The Whistleblower breaches his/her obligations of confidentiality under this Policy.
- 4.2. Any Employee who has been found to have participated in an Improper Conduct may be subjected to disciplinary action. Notwithstanding, the Management Committee may, at its discretion, on a case-by-case basis decide to grant amnesty or consider leniency for the Employee. However, the Company has no power to provide any immunity from criminal prosecution. The Company also does not have any power to grant any protection from Detrimental Action to a Whistleblower who is not an Employee.

## **PART III: INVESTIGATION**

### **1. LOG OF REPORTS OF IMPROPER CONDUCT**

- 1.1. All reports of Improper Conduct, findings of investigations, corrective actions and monitoring shall be centralised and logged in a log or register administered and monitored by the Head of IGU. The Head of IGU may assign a designated officer to manage the log. The Management Committee shall be informed of any new reports of Improper Conduct and may request to review the log at any time.
- 1.2. The Operation Director (“OD”) shall be kept informed of any new reports of Improper Conduct reported where the OD is not implicated (to the extent possible, without disclosure of identity of the Whistleblower and the person who allegedly committed that Improper Conduct) so that any interim corrective measure (if applicable) regarding any Improper Conduct can be taken immediately.
- 1.3. After receiving a report of Improper Conduct, the Head of IGU or the designated officer shall log the whistleblower case in the register.

### **2. MANAGING A WHISTLEBLOWER REPORT**

- 2.1. Upon receiving a Whistleblower report, the Head of IGU shall review and evaluate the Whistleblower’s disclosure and decide on the next course of action as soon as possible. An acknowledgement of receipt of the report/ disclosure shall be provided to the Whistleblower within three (3) working days.
- 2.2. The Whistleblower shall also be informed of the following:
  - a) Not to contact the suspected Employee(s) in an effort to determine facts or demand restitution; and
  - b) Not to discuss the case, facts, suspicions or allegations with anyone except with the Investigating Team.
- 2.3. If the allegation is on any Employee, he/she shall automatically be recused and excluded from participating in the investigation and decision-making process pertaining to the allegation.

### **3. PRELIMINARY INVESTIGATION**

- 3.1. An independent Investigating Team shall be formed to conduct a preliminary investigation to determine the severity of the Whistleblower’s report on the alleged misconduct, and to determine whether there are merits to initiate a full investigation. The Investigating Team shall endeavour to complete the preliminary investigation within two (2) weeks).

- 3.2. The findings of the preliminary investigation and recommendation shall be referred to the Chairman of the MC for a decision on whether to close the case or to proceed to a full investigation of the allegations. The Chairman of the MC may consult with the members of the Management Committee or convene a Management Committee meeting prior to making a decision.
- 3.3. Upon review of the findings of the preliminary investigation, the Chairman of the MC may:
- a) instruct the matter to be closed if the preliminary findings clearly indicate that the disclosure cannot be substantiated/ proven unfounded; or
  - b) instruct the Head of IGU to commence a full investigation in the event the preliminary findings clearly indicate suspicious circumstance. The Chairman of the MC may delegate the oversight of the investigation and review of results of the investigation to the OD; or
  - c) refer the matter to the full Management Committee to determine the next course of action in cases where the OD or the Head of IGU is involved. The Management Committee may select other personnel (having due regard to suitable seniority and any circumstances that may give rise to conflicts of interest) or an Independent Party to investigate the allegations; or
  - d) in cases where the preliminary findings disclose a possible criminal offence, consult with the Management Committee and/or legal advisors (internal and/or external) to decide if the matter should be referred to the relevant authorities, such as the Police or the Malaysian Anti-Corruption Commission (“MACC”) for further action. All disclosures involving corruption must be reported to MACC. Notwithstanding the above reporting, MACC should be informed on the need to provide protection to the whistleblower as allocated under the Whistleblower Protection Act 2010 (Act 711) and MACC Act 2009 (Act 694); or
  - e) Suspend the alleged wrongdoer or any implicated individual(s) from work in accordance with the company’s Policies and SOPs to facilitate any fact-finding or to avoid any employee’s exposure to a threat or harm.
  - f) determine any other course of action that the Chairman of the MC deems fit having regard to the circumstances of the matter reported and the fairness of the conduct of any investigation.
- 3.4. All deliberations, decisions made and justifications of actions to be taken must be documented.
- 3.5. The Head of IGU shall inform the Whistleblower of the decision made, whether the matter is closed, any actions taken or to be taken within ten (10) working days of receiving his/her report. In the event a full investigation is required, the Head of IGU shall inform the Whistleblower of the conduct of a full investigation and the Whistleblower shall give his/her full cooperation during the conduct of the investigation.

#### 4. FULL INVESTIGATION

- 4.1. In the event a full investigation is to be conducted, the Head of IGU and/or designated officers and/or any other persons identified by the Management Committee (“Investigating Team”) shall conduct the investigation and endeavour to complete such investigation within two (2) months. Any extension of the time required for the completion of the investigation shall be subject to the Management Committee’s approval.
- 4.2. In the event a full investigation is to be conducted on a report of Improper Conduct by the OD or the Head of IGU, and the Management Committee decides to appoint an external Independent Party to conduct or to assist in conducting the investigation, the terms of appointment of the said external Independent Party shall be approved by the Management Committee.
- 4.3. The Investigating Team shall maintain objectivity, impartiality and fairness throughout the detailed investigation process and conduct their activities competently and with the highest levels of integrity. In particular, the Investigating Team shall perform its duties independently, free from improper influence and fear of retaliation.
- 4.4. Throughout the investigation process:
  - a) All Employees are expected to provide full cooperation and necessary assistance to the Investigating Team. There should not be any attempt to deliberately destroy, alter or remove any documentary information or any evidence.
  - b) The Investigating Team shall meet with the Employee(s) under investigation to ascertain facts of his/her involvement in the Improper Conduct or to clear him/her of suspicion.
- 4.5. The Investigating Team may schedule meetings with other person(s) suspected to have been involved or to have any knowledge of the alleged Improper Conduct. All such meetings shall be conducted confidentially, and all matters discussed shall be properly documented by the Investigating Team.
- 4.6. All records of disclosure, information, documents, statements, evidence and reports relating to the investigation of an Improper Conduct shall be managed in compliance with the provision of the Personal Data Protection Act 2010 and other applicable laws.
- 4.7. All the above preliminary and/ or detailed investigation processes, and minutes of meetings shall be properly reported and documented. Whenever possible, a softcopy of all hardcopy documents is to be made for Internal Audit’s safekeeping.

#### 5. FINDINGS OF INVESTIGATION

- 5.1. Upon the conclusion of a full investigation, save for when the OD or the Head of IGU is implicated, the investigation report shall be reviewed by the OD. The OD shall then determine whether the allegation could be substantiated or not. In the event the allegation is substantiated, the OD will identify and recommend the corrective action(s) to be taken to mitigate the risks of such Improper Conduct from recurring and

recommend if disciplinary action is to be taken against the wrongdoer. A final report together with the recommendation of the OD will be tabled to the Management Committee. The Management Committee will review the final report and decide on the corrective action to be taken and/or the disciplinary action to be taken (if any).

- 5.2. Upon the conclusion of an investigation in a case where the OD or the Head of IGU is implicated, the Management Committee shall review the investigation report. The Management Committee shall then determine whether the allegation could be substantiated or not. In the event the allegation could be substantiated, the Management Committee will identify and recommend the corrective action to be taken to mitigate the risks of such Improper Conduct from recurring and recommend if disciplinary action is to be taken against the wrongdoer. A final report together with the recommendations of the Management Committee will be tabled to the Board of Directors. The Board of Directors will review the final report and decide on the corrective action to be taken and/or the disciplinary action to be taken (if any).
- 5.3. Subject to any prohibition in law or any legal requirements, the Head of IGU will inform the Whistleblower that the investigation has been completed and the findings have been presented to the Management Committee or the Board of Directors as the case may be. As the findings are confidential, the details of the findings will not be disclosed to the Whistleblower.
- 5.4. All documents and evidence should be kept for 7 years, or until the case is closed, if the matter is brought to court.

## **6. CORRECTIVE ACTION**

- 6.1. The Management shall carry out the decisions of the Management Committee in relation to the findings of the investigation on the allegation against the implicated Employee.
- 6.2. Where applicable, the Management shall establish the appropriate controls to prevent any further wrongdoings or damage to the Company.

## **7. DISCIPLINARY ACTION**

- 7.1. Any disciplinary action against an Employee, the OD or Head of IGU shall be carried out in accordance with the procedures for disciplinary action stipulated in the Human Resources Policy.

**APPENDIX 1 – WHISTLEBLOWING FORM**

<b>PERSONAL PARTICULARS OF WHISTLEBLOWER</b>			
<b>Name</b>			
<b>NRIC No</b>			
<b>Correspondence Address</b>			
<b>Phone No.</b>			
<b>Email Address</b>			
<b>Designation/ Occupation</b>			
<b>Preferred Method of Communication</b>	<input type="checkbox"/> Email	<input type="checkbox"/> Phone	<input type="checkbox"/> Mail
<b>INFORMATION ON EMPLOYEE(S) INVOLVED IN IMPROPER CONDUCT</b>			
<b>Name of Employee 1:</b>			
<b>Designation/ Position:</b>			
<b>How do you know this Employee:</b>			
<b>Name of Employee 2:</b>			
<b>Designation/ Position:</b>			
<b>How do you know this Employee:</b>			
<b>Name of Employee 3:</b>			
<b>Designation/ Position:</b>			
<b>How do you know this Employee:</b>			
<b>Name of Employee 4:</b>			
<b>Designation/ Position:</b>			
<b>How do you know this Employee:</b>			



**DETAILS OF IMPROPER CONDUCT**

**Date:**

**Time:**

**Location:**

**Incident/Details of Allegation:**

**How Incident Was Detected:**

**Evidence Available:**

**Concern and/or Potential Impact of Allegation:**

**Declaration:**

I hereby declare that the information provided herein is true to the best of my knowledge, information and belief and I have made this disclosure voluntarily.

I hereby agree that the information provided herein to be used and processed for investigation purposes and further agree that the information provided herein may be forwarded to a department / authority / enforcement agency for purposes of investigation.

**Signature:**

**Name:**

**Date:**

## APPENDIX 2(a) – SAMPLE OF GOOD DISCLOSURE

PERSONAL PARTICULARS OF WHISTLEBLOWER			
<b>Name</b>	Muthu A/L Praveen		
<b>NRIC No</b>	850220-10-####		
<b>Correspondence Address</b>	Lev 10, Menara GHI, Jalan Alphabet 3, 52000, Kuala Lumpur		
<b>Phone No.</b>	012-2345678		
<b>Email Address</b>	muthu@abc.com.my		
<b>Designation/ Occupation</b>	Director of ABC Sdn Bhd		
<b>Preferred Method of Communication</b>	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Phone	<input type="checkbox"/> Mail
INFORMATION ON EMPLOYEE(S) INVOLVED IN IMPROPER CONDUCT			
<b>Name of Employee 1:</b> Ali bin Hassan			
<b>Designation/ Position:</b> Senior Sales Manager			
<b>How do you know this Employee:</b> He is the person involved in the XYZ project that my company is bidding.			
DETAILS OF IMPROPER CONDUCT			
<b>Date:</b> 2 September 2022			
<b>Time:</b> 5.45 p.m.			
<b>Location:</b> Unknown			
<b>Incident/Details of Allegation:</b>			
I received a phone call on Friday, 2 September 2022 at around 5.45 p.m. from En Ali bin Hassan who informed me that he has received my tender for XYZ Project. To ensure my company secures the contract, he has requested a commission fee of 3% of the Contract amount. The first half of the amount of RM15k is to be paid by Friday, 16 September 2022, and the balance within 7 days after signing the Contract.			

The RM15k is to be banked in a Maybank account under his wife, Pn. Azlina bearing number 1144 #### ####. Initially, I had ignored En Ali's request. However, on 19 September 2022, En Ali whatsapp-ed me at 10 am to notify me that the decision to select the contractors is still pending. He informed me that if I bank in the money by 23 September 2022, my company will secure the contract.

**How Incident Was Detected:**

By phone call and whatsapp message.

**Evidence Available:**

Phone record and whatsapp screenshots as attached.

**Concern and/or Potential Impact of Allegation:**

Bribery and corruption which is illegal. I am an honest businessman who do not believe in giving money to secure any contract. Hence, I am informing [Company name] to investigate the matter.

**Declaration:**

I hereby declare that the information provided herein is true to the best of my knowledge, information and belief and I have made this disclosure voluntarily.

I hereby agree that the information provided herein to be used and processed for investigation purposes and further agree that the information provided herein may be forwarded to a department / authority / enforcement agency for purposes of investigation.

**Signature:**



**Name:** Muthu A/L Praveen

**Date:** 30 September 2022

APPENDIX 2(b) – SAMPLE OF DISCLOSURE BASED ON “HEARSAY”

PERSONAL PARTICULARS OF WHISTLEBLOWER			
<b>Name</b>	Kevin Lee		
<b>NRIC No</b>	830925-14-####		
<b>Correspondence Address</b>	Lev 8, JK Towers, Jalan Gamma 2, 50500, Kuala Lumpur		
<b>Phone No.</b>	017-8765432		
<b>Email Address</b>	Kevin@JK.com.my		
<b>Designation/ Occupation</b>	Professional painter at JK Sdn Bhd		
<b>Preferred Method of Communication</b>	<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Phone	<input type="checkbox"/> Mail
INFORMATION ON EMPLOYEE(S) INVOLVED IN IMPROPER CONDUCT			
<b>Name of Employee 1:</b> Chong Wai Hoong			
<b>Designation/ Position:</b> Project Manager			
<b>How do you know this Employee:</b> I do not know him directly, but I heard about him from my friend.			
DETAILS OF IMPROPER CONDUCT			
<b>Date:</b> Unknown			
<b>Time:</b> Unknown			
<b>Location:</b> Unknown			
<b>Incident/Details of Allegation:</b>			
I heard from my friend, Lisa, who heard from her husband who went out with Mr Chong Wai Hoong, that Mr Chong had received an indirect kickback for one of the projects he was in charged.			

**How Incident Was Detected:**

Heard from a friend.

**Evidence Available:**

No evidence

**Concern and/or Potential Impact of Allegation:**

Possible kickbacks which may be illegal.

**Declaration:**

I hereby declare that the information provided herein is true to the best of my knowledge, information and belief and I have made this disclosure voluntarily.

I hereby agree that the information provided herein to be used and processed for investigation purposes and further agree that the information provided herein may be forwarded to a department / authority / enforcement agency for purposes of investigation.

**Signature:**

*Kevin*

**Name:** Kevin Lee

**Date:** 12 April 2022