



MBI MODAL GROUP WHISTLEBLOWING POLICY

	Document	Policy
	Document Ref. No.	MBIM/0124/PO.WHISTLEBLOW (1.0)
	Version	1.0
	Original Date	
	Revision Date	N/A

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

DISCLAIMER NOTICE

This policy is the sole property of MBI Modal Sdn. Bhd ("MBI Modal") and has been prepared for the exclusive use of the management and employees of MBI Modal group of companies.

The policy is intended for internal circulation only, and disclosure of any information to any third party or unauthorised personnel is considered as an offence.

AMENDMENTS

Amendments to the policy are subject to authority limits outlined in the Limit of Authority of MBI Modal.

	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

Table of Contents

AMENDMENT RECORD	3
ABBREVIATION	5
1.0 OBJECTIVES	6
2.0 SCOPE	6
3.0 DEFINITIONS	6
4.0 DESIGNATED RECIPIENT	7
5.0 IMPROPER CONDUCT	7
6.0 COMMUNICATION CHANNEL	7
7.0 REQUIRED EVIDENCE	8
8.0 CONFIDENTIALITY AND PROTECTION	8
9.0 ASSESSMENT AND INVESTIGATION	9
10.0 MONITORING AND REVIEW OF THIS POLICY	10
11.0 REFERENCES	10
APPENDIX I - Whistleblowing Flowchart	11
APPENDIX I - Whistleblowing Form	12

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

ABBREVIATION

GCEO	: Group Chief Executive Officer
IU	: Integrity Unit
COBE	: Code of Business Ethics
BAC	: Board Audit Committee
MACC	: Malaysian Anti-Corruption Commission

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

1.0 OBJECTIVES

- 1.1 The Whistleblowing Policy ('the Policy') is intended to directly support the Core Values, Code of Business Ethics and Governance requirement. MBI Modal Sdn. Bhd. ("MBI Modal") places high value on the level of trust and integrity expected of its employees within the Group. It is an avenue to encourage and enable employees and others to raise legitimate concerns to be objectively investigated and addressed within the Group.
- 1.2 This Policy provides an alternative avenue for persons to raise concerns if the normal lines of communication are not available. Nothing in this Policy shall interfere with other established operational policies and processes of the Group.
- 1.3 The Group encourages the employees or other stakeholders to make any disclosures openly and honestly and that concerns or complaints raised will be treated fairly and properly.

2.0 SCOPE

- 2.1 This Policy applies to all directors and employees of MBI Modal Group and its Shareholders, Consultants, Vendors, Contractors, external agencies or any parties with a business relationship with the Group are encouraged to report genuine concerns about breach of a legal obligation, miscarriage of justice, danger to health, safety and environment and to cover up of any of these in the workplace.

3.0 DEFINITIONS

- 3.1 The following definitions shall apply throughout the policy unless otherwise expressly stated:
 - (a) "MBI Modal" means MBI Modal Sdn. Bhd;
 - (b) "MBI Modal Group" or "the Group" refers to MBI Modal and subsidiaries and controlled companies in general;
 - (c) The term "employee" means any person who is in the employment of the Group including but not limited to permanent, contract, executive, non-executive, secondees and individual on direct hire;
 - (d) "Whistleblowing" - this occurs when an employee/other stakeholder raises a genuine concern about dangerous or illegal activity or improper conduct that he/she is aware of through his/her work/dealing.
 - (e) "Whistleblower" - the employee or other stakeholders who disclose or reports the wrongdoing.
 - (f) "Disclosure"- something (such as information) that is made known or revealed.
 - (g) "Policy" refers to the "MBI Modal Group Whistleblowing Policy".

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

4.0 DESIGNATED RECIPIENT

4.1 In general, all disclosures pursuant to this Policy are to be made to the Designated Recipients as below:

- (a) Head, Group Compliance & Integrity, or
- (b) Designated Director

5.0 IMPROPER CONDUCT

5.1 The following shall constitute "Improper Conduct" under this Policy:

- (a) Incidents of fraud, corruption or bribery;
- (b) Conduct or activity which breaches any law or regulatory obligation;
- (c) Breach of the Group's policies, practices, procedures or other rules of conduct;
- (d) Improprieties in matters of financial reporting; and
- (e) A situation which poses a danger to health, safety or any individual or significant danger to the environment.

(Other improper conducts as provided in the Group Rules & Regulations and Disciplinary Procedures).

6.0 COMMUNICATION CHANNEL

6.1 Disclosure of Information should initially and promptly be made by the Whistleblower to one or more of the Designated Recipient.

6.2 Disclosure/report can be made to any of the following dedicated reporting channels:

- (a) Secured email address at whistleblower@mbiterengganu.com and designated director email (if any).
- (b) By writing or to meet in person with the Executive Admin and Integrity at MBIM Office at Cyberjaya, Selangor.

To ensure the completeness of the required information, whistleblower is encouraged to use the whistleblowing form (see **Appendix I**).

6.3 All disclosures made under this Policy will be dealt with in a confidential manner. Disclosures received under anonymity will not be entertained to prevent invalid malicious reporting, poison letters, exploitation and victimisation.

6.4 The Whistleblower is required to identify himself or herself and provide contact information in his/her report. This will facilitate the investigator to obtain further information, if required and communicate on results of the investigation to the Whistleblower.

6.5 The Whistleblower who wishes to withdraw his/her disclosure is required to email whistleblower@mbiterengganu.com.

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

7.0 REQUIRED EVIDENCE

- 7.1 The Whistleblower should be able to provide the disclosure in writing, information regarding the type of activity or conduct, the identity of the person(s) suspected as being involved, when it occurred and who was affected.
- 7.2 The Whistleblower must have first-hand knowledge or information of the facts, i.e. information obtained from the third party or 'hearsay' will not be entertained. However, the Whistleblower should not be discouraged from making a report because they are unsure whether there is sufficient evidence to support their allegations.

8.0 CONFIDENTIALITY AND PROTECTION

- 8.1 A Whistleblower should identify himself/herself when submitting complaint/disclosure. Upon making the disclosure in good faith:
- (a) The Whistleblower will be protected from any reprisal within the Group as a direct consequence of the disclosure. ('Reprisal' includes disciplinary action such as demotion and dismissal);
 - (b) Any form of retaliation against individuals who have reported wrongdoing or who have facilitated with the investigations is a breach of the principal obligation of all staff members to uphold the highest values and integrity; and
 - (c) The Whistleblower's identity shall be protected, i.e. kept confidential unless otherwise required by law or for purposes of any proceedings by or against the Group.
- 8.2 Protection under 8.1 above will be accorded by the Group only when the Whistleblower satisfies all the following conditions:
- (a) The disclosure is done in good faith;
 - (b) The whistleblower is aware that the information and any allegations disclosed are true;
 - (c) The whistleblower has not communicated the disclosure to any other party not related to the disclosure; and
 - (d) The disclosure made is not for personal gain or interest.
- 8.3 The Group views seriously any false, malicious or defamatory allegation. This can be considered as gross misconduct where appropriate disciplinary action may be taken by the Group.
- 8.4 Customers, contractors, subcontractors, consultants, agents, suppliers, vendors, joint venture partners, as well as members of the public who become a Whistleblower will also be protected by the Group as to his or her identity subject to satisfying all conditions in 8.2 above.

	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

9.0 ASSESSMENT AND INVESTIGATION

- 9.1 The Designated Recipient, shall assess the disclosure, including leading the investigation, and have a view if wrongdoing was indeed committed. The Designated Recipient shall report to the BAC or Board, based on his/her assessment.
- 9.2 In the case of misconduct disclosure against staff up to HOC, the Integrity Officer or Designated Director shall decide if an investigation is to be conducted or in accordance with the Group Rules & Regulations and Disciplinary Procedures.
- 9.3 Where disclosure involves the CEO, Directors or Company Secretary, the Integrity Officer or Designated Director may form an ad-hoc Board Committee to investigate, evaluate and manage the Whistleblowing case.
- 9.4 The initial process of addressing a disclosure should take not more than two weeks from the day the Designated Recipient receives the disclosure. The investigation should be completed as soon as practicable and given priority if the wrongdoing is capable of causing significant financial or reputational harm to the Group.
- 9.5 The BAC/ Board has the authority to make the following decisions, provided such decisions fall within the BAC/ Board's limits of authority.
- (a) Rejection of the disclosure;
 - (b) Directing the concerns or any part thereof for consideration under other internal procedures or disciplinary procedures, if appropriate and applicable;
 - (c) Resolution without recourse to an investigation;
 - (d) Directing investigations of the disclosure and any persons involved or implicated;
 - (e) Designating any other persons, aside from the Designated Recipient, from within or without the Group to conduct any investigation or to carry out any other process pursuant to this Policy;
 - (f) Obtaining any other assistance (for instance, external auditors or legal advice); and
 - (g) Referral to the police or any other appropriate enforcement authority.
- 9.6 The flowchart for Whistleblowing is shown under **Appendix I**.

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

10.0 MONITORING AND REVIEW OF THIS POLICY

- 10.1 The Integrity Officer shall maintain a register for all disclosures made under this Policy. All documents obtained about disclosures shall be considered "Confidential" and be stored securely under the jurisdiction of the Integrity Unit for seven years, or longer as may be decided by the BAC.
- 10.2 The Integrity Officer shall, on a quarterly basis, update the BAC and Board on statistics about the disclosures such as a number of disclosures received to date and nature of such disclosures, the status of investigations, and other relevant updates.
- 10.3 This Policy shall be reviewed to reflect any changes in relevant laws and guidelines. Any proposed changes to this Policy shall be prepared by the Integrity Officer and tabled to the BAC for approval.

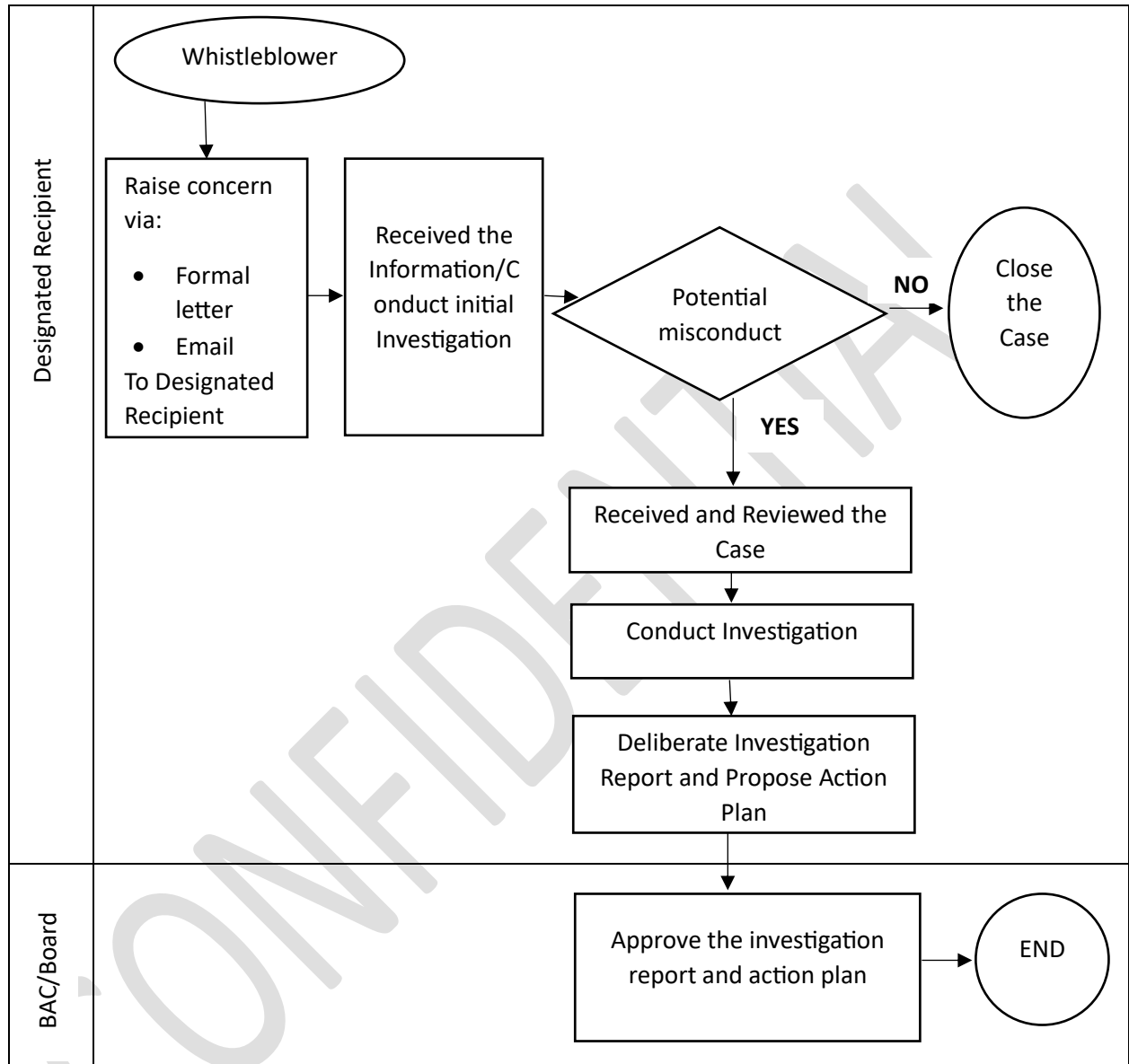
11.0 REFERENCES

- 11.1 This Policy shall be read together with any other applicable existing policies of the Group:
- (a) Group Code of Business Ethics; and
 - (b) Group Rules & Regulations and Disciplinary Procedures.

-End-

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

APPENDIX I - Whistleblowing Flowchart



 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

APPENDIX II - Whistleblowing Form

Section 1

WHISTLEBLOWING REPORT		
To		
Incident Date & Time	Date:	Time
Incident Location		
Name of alleged person/ Company/Division/Department		
Witness(es) Information (If any)		
Description /Circumstances of the alleged incident (Please use an attachment if necessary)	• What, Who, When, How, Witness • Please provide evidence to support the claim	
AFFIRMATION		
I affirm that the above disclosure is true to the best of my knowledge, information belief.		
Signature: _____		Date: _____
REPORTER'S CONTACT INFORMATION		
Name : Dept/Div/Co : Telephone No : Email :		

Note(s): It is necessary to provide your name and contact number so that we can contact you for additional information of the reported concern.

 POLICY	Document name	Whistleblowing Policy
	Document Ref. No.	MBIM/ 0124/ PO. WHISTLEBLOW (1.0)
	Original Date	
	Revision Date	N/A

Section 2

For Whistleblowing Recipient use	Complaint No.:
Received By:	Received On:
	Acknowledgement Sent On:
Investigation Required (Yes/No)? (if no, please state the reason)	
Investigation to Be Done by:	
Investigation Results:	
Action Taken/ Conclusion:	
Signed Off By:	