

## **Anti-Bribery And Corruption Policy**

This ABC Policy is intended to fulfill the requirements outlined in the Guidelines on Adequate Procedures issued by the Prime Minister's Office pursuant to Section 17A (5) of the Malaysian Anti-Corruption Commission (MACC) Act.

This ABC Policy provides an overview of EMCC's position regarding bribery and corruption. It is intended to provide information and guidance on how EMCC combats bribery and corruption. However, this Policy does not seek to provide definitive answers to all queries regarding bribery and corruption. Therefore, reference must be made to the Human Resource Department in case of any arising doubt on the scope of applicable laws.

In addition, the ABC Policy applies to all EMCC Personnel regardless of their ranks or positions. Moreover, the ABC Policy applies to all Business Associates and Third-Parties currently engaged with EMCC. If a law conflicts with a policy set out in this ABC Policy, the law shall prevail and comply.

Under the MACC Act, the "Bribery and Corruption" clause means any action which would be considered as an offence of offering, giving, promising, receiving or soliciting 'gratification' or something of value in an attempt to illicitly influence the decisions of a person with a position of trust within an organisation.

"Gratification" is defined in the MACC Act as follows:

- a) Money, donation, gift, loan, fee, reward, valuable security, property or interest in the property is the property of any description whether movable or immovable, financial benefit, or any other similar advantage;
- b) Any offence, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;
- c) Any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- d) Any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;
- e) Any forbearance to demand any money or money's worth or valuable thing;
- f) 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 "Gifts" refers to any item of value, other than Entertainment<sup>1</sup>, including but not limited to payments in any form, jewellery, food or beverage, flowers, employment and any other type of advantage or thing of value.

## Donation and Sponsorships

All EMCC Personnel are prohibited from making donations or sponsorships that could be perceived as bribes or payments to gain an improper business advantage and are to ensure that donations or sponsorships are not used as a cover for bribery or used to circumvent or avoid any of the Malaysian law on bribery and corruption. As such, EMCC will conduct due diligence to ensure that all donations to local or foreign-based charities or beneficiaries are not disguised as illegal payments to government officials and must ensure that the charity is not abused as a platform to fund illegal activities in violation of international anti-money laundering, anti-terrorism and other applicable laws. As such, all EMCC Personnel must keep a record of all donations and sponsorships made and submit it to the respective Head of Department and Human Resource Department. These records will then form part of the subject of EMCC's review and audit by the Human Resource Department.

All EMCC Personnel shall certify in writing that they have read, understood and will abide by this ABC Policy. A copy of this declaration shall be documented and retained by the Human Resource Department for the duration of the Personnel's employment.