



EITA RESOURCES BERHAD

Company No. 199601026396 (398748-T)
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www.eita.com.my

Date :
To : EITA GROUP OF COMPANIES' BUSINESS ASSOCIATE

MEMORANDUM FOR ADOPTION OF EITA GROUP ANTI-BRIBERY AND ANTI-CORRUPTION POLICY

On 1st June 2020, the Malaysian Government enforces the Corporate Liability provision under the new Section 17A of the Malaysian Anti-Corruption Commission (MACC) (Amendment) Act 2018.

The EITA Group (hereby refer to “EITA Resources Berhad” and / or its subsidiaries) upholds all laws relevant to countering bribery and corruption in all the jurisdictions in which the EITA Group operates and does not tolerate any form of bribery and corruption.

In line with this, we would like to attach a copy of EITA Anti-Bribery and Anti-Corruption Policy for your understanding and compliance. We would request that your esteemed organization refrains from offering any kind of gratification to EITA employees, which may be interpreted as the improper influence of business decisions.

We wish to advise that any non-compliance with our policy may result in action being taken against our business associates and employee, which will include reporting the matter to the Malaysian Anti-Corruption Commission (MACC) as imposed by the law for further action.

In the event you are approached by any of our employees soliciting any forms of gratification, **please report this matter to the undersigned at jslim@eita.com.my or to our Internal Audit at hyso@sterlingbizgroup.com immediately.**

We thank you for your kind support and cooperation with regard to the enforcement of abovementioned Policy. Please acknowledge your support by returning a signed copy of this letter to us in one (1) week time.

Yours faithfully
EITA RESOURCES BERHAD

LIM JOO SWEE
Group Managing Director

Acknowledged & Accepted by:

Company Name:
Name:
Position:
Date:
Company Chop:



EITA RESOURCES BERHAD
[199601026396 (398748-T)]

ANTI-BRIBERY AND ANTI-CORRUPTION POLICY

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1. INTRODUCTION

EITA Group of Companies (“EITA” or The Company) valued its longstanding reputation for ethical behaviour and integrity. Central to these values and the company’s image and reputation, EITA does not tolerate any form of bribery and corruption.

The EITA Anti-Bribery and Anti-Corruption Policy applied to all Employees (whether temporary, contract basis or permanent), Directors and Business Associate for EITA and all subsidiaries and joint ventures operations within the EITA Group (collectively “the Parties”).

The Business Associate include but not limited to current or prospective customers, contractors, subcontractors, suppliers, vendors, joint venture, outsourcing providers, consultants, advisers, agents, distributors or representatives.

2. COMPLIANCE

The Parties are expected to carry out their duties with the utmost integrity, grounded on sound moral and ethical principles.

EITA exercises due-diligence before engaging with a Business Associate and ensure that Business Associate understand and comply this Anti-Bribery and Anti-Corruption Policy. All Business Associates will receive written communication about this Policy which is also made public on our website.

We conduct our procurement practices in a fair and transparent manner and will perform the necessary background check when engaging prospective contractors and suppliers. We will avoid dealing with prospective contractors and suppliers known with a reputation for corruption and / or paying bribes.

We expect our Business Associate to comply with this Policy when conducting business with EITA.

3. ANTI-CORRUPTION

Definition

- **Bribery** is an act of committing a bribe which occurs when one person offers, pays, seeks or accepts a payment, gift, favour or a financial or other advantage from another to influence a business outcome improperly, to induce or reward improper conduct or to gain any commercial, contractual, regulatory or personal advantage. It can be direct or indirect through Third Parties.
- **Corruption** is the act of giving or receiving of any gratification or reward in the form of cash or in-kind of high value for performing a task in relation to his/her job description.

In accordance to Malaysian Anti-Corruption Act 2009 (MACC Act 2009), the Four (4) main offences stipulated in the Act are:

1. Soliciting/Receiving Gratification (Bribe) [section 16 & 17(a) MACC Act 2009]
2. Offering/Giving Gratification (Bribe) [section 17(b) MACC Act 2009]
3. Intending to Deceive (False Claim) [Section 18 MACC Act 2009]
4. Using Office or Position for Gratification (Bribe) (Abuse of Power/Position) [Section 23 MACC Act 2009]

EITA will not condone or tolerate the offering, making or authorizing of any payment or Thing of values to an individual to secure an improper advantage.

3.1 Facilitation Payments & Kickbacks

1. Definitions:
 - **Facilitation Payment:** An act of bribery to gain undue advantage, whereby a bribe is given to person(s) for the purpose of facilitating, expediting, by-passing, approving and/or in carrying out certain tasks or actions.
 - **Kickback:** An act of bribery to gain an undue advantage, whereby the undue advantage in the form of bribe is 'kicked backed' to the person(s) who provided the undue advantage.
2. Facilitation payments and kickbacks are illegal. The Policy prohibits facilitation payments or kickbacks of any kind.
3. The Parties are strictly prohibited from making facilitation payments and accept kickbacks. The Parties should report any situations involving such payments.

3.2 Giving and Accepting Gifts, Invitations & Hospitality

1. Definition:
 - **Gifts, Invitations & Hospitality:** Gifts, customary tokens of appreciation, meals, entertainment, invitations, hospitality
2. The policy prohibits abnormal and inappropriate gifts, invitations and/or hospitality given to or accepted from Business Associate with the intention to gain undue advantage, or in explicit or implicit exchange of favours or benefits.
3. This policy does not prohibit normal and appropriate gifts, invitations and/or hospitality given to or accepted from Business Associate which are perceived as business norms to foster good business relationship. The Gifts and Hospitality Guideline set out what is the permissible giving or accepting gifts to or from Third Parties. For further guidance, please refer to the [Gifts and Hospitality Guidelines](#) (to click on hyperlink).
4. Government or Public Official may have strict rule preventing them from accepting gifts. Employees are required to exercise extra caution in respect of gifts involving public officials and must comply with the rules.
5. Employees must comply with the guideline when giving or accepting gifts, invitation or hospitality to ensure EITA do not breached the anti-corruption laws to protect the reputation of EITA.
6. The Company appreciates that the practice of giving business gifts, invitations and hospitality varies between countries and regions and what may be normal and appropriate in one region may not be in another. The test to be applied is whether in all the circumstances the gift, invitations and/or hospitality is reasonable, justifiable and is proportionate. The intention behind the gift should always be considered.
7. Any acceptance of gifts, invitations and hospitality beyond the business norms, Employee shall declare to HR. HR shall be responsible to keep proper records of these items.

3.3 Charitable Donation & Sponsorship

Charitable Donations and Sponsorships in the form of cash and in kind are permitted pursuant to EITA CSR initiatives to help the local community for welfare development, disaster relief and any other socially beneficial purposes. The charitable donation and sponsorship must comply to laws. However, the Company prohibits the giving and accepting of donations and sponsorships to influence business decisions.

3.4 Red Flags

Red flags are scenarios that may have the perceived intent of bribery and corruption. Below is a list of possible red flags that may arise in the day-to-day operations with other individuals and businesses. Employees must cooperate with EITA to ensure and monitor compliance with anti-corruption act.

1. A Third Party has a reputation for paying bribes, or requiring that bribes are paid to them.
2. A Third Party engages in facilitation payments due to 'special relationship' with Public Officials or business associates.
3. A Third Party engages in, or has been accused of engaging in, improper business practices, such as kickbacks.
4. Company has been invoiced for a commission or fee payment that appears large given the service stated to have been provided;
5. Employee given gifts, invitations and/or hospitality in employee's name and not in the name of the Company. This includes cash or a cash equivalent (such as gift certificates or vouchers);
6. Employee is offered gifts, invitations and/or hospitality of an inappropriate type and value by Third Party, and given at an inappropriate time (e.g. during a tender process);
7. Employee is offered gifts, invitations and/or hospitality by Third Party secretly and not openly.
8. A Third-Party refuse to put terms agreed in writing.
9. A Third-Party refuse to divulge adequate information during due diligence procedure.
10. A Third Party presents invoice that appears to be non-standard or customized.
11. A Third Party insists on receiving a commission or fee payment before committing to sign up to a contract with the Company, or carrying out a government function or process for the Company.
12. 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.
13. A Third-Party request that payment is made to a country or geographic location different from where the Third Party resides or conducts business.

14. A Third-Party request an unexpected additional fee or commission to 'facilitate' a service.
15. A Third-Party demands inappropriate gifts, invitations and/or hospitality before commencing or continuing contractual negotiations or provision of services.
16. A Third-Party request that a payment is made to 'overlook' potential legal violations.
17. A Third-Party request that the employee provides employment or some other advantage to a friend or relative.
18. A Third-Party request that the employee makes a political contribution or donation to the party or charity of their choice before agreeing to undertake a business relationship with the Company.
19. 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.

While this is not an exhaustive list, these scenarios are indicators of potential noncompliance with anti-bribery and anti-corruption Act. The presence of one of these factors does not automatically require reporting, but if suspicious activity persists, Employee should report the issue.

4.0 ORGANIZATIONAL RESPONSIBILITY

All Employees shall note that it is a criminal offence to commit acts of bribery and corruption. The Company will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which the Company operates.

Employee in doubt as to whether a potential act could give rise to bribery and corruption concerns, the matter should be referred immediately to HR department and/or respective company Managing Director and/or Group Managing Director.

All employees have the responsibility to read, understand and comply with this policy and all employees are required to sign a Letter of Undertaking in abiding to EITA Anti-Bribery and Anti-Corruption policy. All Employees are also required to sign Conflict of Interest Declaration to avoid possible conflict of interest between interest of company and private interests.

EITA shall conduct awareness program for all Employees regarding anti-bribery and anti-corruption Policy. All new employees will be briefed about this Policy as part of their orientation program. Regular training will be provided in accordance with the level of bribery and corruption risk related to the position.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for misconduct.

Employees who refuse to take part in bribery or corruption, or report in good faith under this policy their suspicion that an actual or potential bribery or other corruption offence has taken place or may take place in the future will be protected from detrimental treatment/retaliation. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavorable treatment connected with raising a concern.

The Company has a Whistleblowing Policy in place which provides avenues for all employees and members of the public to raise concerns or disclose any improper conduct within the Company and to take appropriate actions to resolve them effectively.

The established channels for whistle blowing reporting are as follows:

- a. Any concern or/and violation should be reported to the Group Managing Director ("GMD").

The channel of reporting to the GMD is as follows:

By Email: jslim@eita.com.my

By Mail: **Strictly Confidential**

EITA Resources Berhad
Lot 4, Block A, Jalan SS13/7, Subang Jaya Industrial Estate,
47500 Subang Jaya, Selangor
Attention: The Group Managing Director

- b. If for any reason, it is believed that reporting to management is a concern or not possible or appropriate, then the concern should be reported to the Chairperson of Audit Committee.

The channel of reporting to the Chairperson of Audit Committee is as follows:

By Email: Serena@eita.com.my

By Mail: **Strictly Confidential**

EITA Resources Berhad
Lot 4, Block A, Jalan SS13/7, Subang Jaya Industrial Estate,
47500 Subang Jaya, Selangor
Attention: The Chairperson of Audit Committee

Group Finance will constantly monitor the Compliance of this Policy, and internal audits will be conducted at regular intervals and as and when deemed necessary.

Any questions concerning this Policy and related requirements may be addressed to the Group Human Resource by email at eitahr@eita.com.my. Directors may raise any questions concerning this Policy to the Company Secretary/ Secretarial Department.

This Policy (Version No. 2) was reviewed and approved by the Board of Directors of the Company on 22 November 2023.

DISCLAIMER

EITA reserves the right to amend this policy from time to time.