

WHISTLEBLOWING POLICIES AND PROCEDURES

1. PURPOSE

The main purpose of this document is to outline a procedure to:

- (a) provide a platform for legitimate concerns related to bribery activities to be raised or reported, investigated and where necessary, appropriate action to be taken to resolve such issues promptly and effectively within the Organisation.
- (b) protect a complainant or whistleblower (collectively referred to as “Whistleblower”) from any form of harassment, reprisal, or retaliation as a direct consequence of him or her reporting any legitimate concerns under this procedure. The protection accorded is to encourage a Whistleblower to report such legitimate concerns whilst removing any fear or risk or disclosure of his or her identity.

2. SCOPE

The procedure applies to activities undertaken by the Organisation (including entities over which it has control), to all levels of employees, and any person associated with the Organisation as well as stakeholders.

3. DEFINITION

- 3.1 Whistleblowing is generally taken to mean the disclosure of insider knowledge by an employee or stakeholder of any attempted/ suspected/ actual:
 - (a) bribery; or
 - (b) violation of or exploitation of weakness in the Anti-Bribery Management System within the Organisation; or
 - (c) other forms of misconduct including fraud, financial irregularity, serious breaches of the Employees Code of Conduct and Ethics, non-compliance with laws and regulations or company policies, illegal, unethical, or questionable practices etc (“Misconduct”).
- 3.2 Whistleblower is a person who tells someone of higher authority or reports through formal channels (e.g., the Whistleblowing Committee) about corrupt / bribery activities and other forms of Misconduct.
- 3.3 A person is deemed associated with the Organisation if he or she is a director, partner or employee of the Organisation or he or she is a person who performs services for or on behalf of the Organisation.

4. RESPONSIBILITY

The Whistleblowing Committee is responsible for the administration and investigation of reports of attempted/ suspected/ actual bribery or violation of anti-bribery controls or other forms of Misconduct received from Whistleblowers.

5. POLICY STATEMENT

- 5.1 All reports of attempted/ suspected/ actual bribery or violation of anti-bribery controls may be directed to the Whistleblowing Committee for assessment and investigation.
- 5.2 All information obtained from a Whistleblower along with his or her identity shall be treated as strictly confidential at all times and not to be disclosed to other parties other than to the person empowered to investigate the case as provided hereinafter or any other person strictly on a need-to-know basis.
- 5.3 A Whistleblower who lodges a legitimate concern will be protected, provided that it was made in good faith and that he or she is not later proved to have acted maliciously, vexatiously, or frivolously or the report or complaint is manifestly untrue, or he or she acted for personal gain or personal interest.
- 5.4 The Organisation views any allegation of harassment, reprisal or retaliation in any form or manner against an employee reporting a genuine legitimate concern very seriously and will treat such action as gross misconduct, which if proven after due inquiry, may lead to disciplinary action and/or dismissal of the perpetrator(s) and/or other actions as may be deemed appropriate.
- 5.5 The Organisation views any party leaking the Whistleblower's identity and confidential information as a serious breach of protocol and will treat such action as gross misconduct, which if proven after due inquiry, may lead to disciplinary action and/or dismissal of the perpetrator(s) and/or other actions as may be deemed appropriate.

6. PROCEDURES

6.1 Employees

- (a) If any employee has reasonable ground(s) for believing that bribery activity has occurred or is occurring in the Organisation, the employee has the responsibility to verbally report or verbally disclose it in a timely manner to higher authority (e.g., his or her immediate superior generally) for speedy resolution, if possible.
- (b) Otherwise, the initiator or his/ her immediate superior may raise a formal report directly to the Whistleblowing Committee at ***we_hear@lgb.com.my***
- (c) The recipients of the email will be restricted and channelled directly to members of the Whistleblowing Committee only.

6.2 Other Stakeholders

For stakeholders other than employees of the Organisation, they may raise a formal report directly to the Whistleblowing Committee at the email address stated above.

6.3 Filing Formal Report

- (a) Where a written report is furnished to the Whistleblowing Committee, it should be sealed in an envelope and marked ***“Strictly Private & Confidential & to be Opened by Addressee only”***.
- (b) A hardcopy of the report to the Whistleblowing Committee can be addressed or hand delivered to:

The Whistleblowing Committee
LGB Group,
Level 18, Menara LGB,
1 Jalan Wan Kadir,

Taman Tun Dr. Ismail,
60000 Kuala Lumpur.

- (c) A Whistleblower who submits a formal report (including allegations or complaints) to the Whistleblowing Committee shall include the following information:
 - (i) Name, designation and company/division/department/unit and telephone contact number.
 - (ii) Specific description of the incident/case.
 - (iii) The name of the individual(s) and entity involved.
 - (iv) Documentary evidence, if any, to support the report.
 - (v) Particulars and contact numbers of witnesses, if any.
- (d) Anonymous reports are not encouraged, but they may be considered at the discretion of the Whistleblowing Committee.

6.4 Investigation

- (a) All reports made must be acknowledged by the Whistleblowing Committee and immediately thereafter a preliminary investigation must be initiated within five (5) working days to determine the validity of the report and whether it merits further investigation or not.
- (b) As a guide, the person empowered to undertake the investigating should:
 - (i) be independent and uninvolved in the issue (e.g., another appropriate manager or an appropriate third party);
 - (ii) be given appropriate authority, resources and access by top level management to enable the investigation to be effectively carried out;
 - (iii) possess legal and/or technical knowledge in the issue concerned (if applicable);
 - (iv) preferably have had training or prior experience in conducting an investigation.
- (c) In delegating the responsibilities, the Whistleblowing Committee will ensure that the designated person(s): -
 - (i) is not conflicted;
 - (ii) is not involved in the allegation/complaint filed by the Whistleblower; and
 - (iii) undertakes not to disclose the Whistleblower's identity and confidential information to any other party without prior written permission from the Whistleblowing Committee.
- (d) The investigation should promptly establish the facts and collect all necessary evidence by appropriate means, which may include the following:
 - (i) making enquiries to establish the facts;

- (ii) collecting together all relevant documents and other evidence;
 - (iii) obtaining witness evidence;
 - (iv) where possible and reasonable, requesting reports on the issue to be made in writing and signed by the individuals making them.
- (e) The investigation should be completed within twenty (20) working days. Any further extension shall be justified and approved by the Whistleblowing Committee.

6.5 Follow-Up Action

- (a) Once the investigation is completed, the Organisation must implement appropriate follow-up action(s). Depending on the circumstances and severity of the issue, reasonable and proportionate follow-up action(s) could include one or more of the following:
- (i) terminating, withdrawing from, or modifying the Organisation's involvement;
 - (ii) repaying or reclaiming any improper benefit obtained;
 - (iii) disciplining responsible personnel (which, depending on the severity of the issue, could range from a warning for a minor offence to dismissal for a serious offence);
 - (iv) reporting the matter to the appropriate authorities;
 - (v) taking action to avoid or deal with any possible consequent legal offences (e.g., false accounting which may occur where a bribe is falsely described in the accounts, a tax offence where a bribe is wrongly deducted from income, or money-laundering where the proceeds of a crime are dealt with);
 - (vi) review and improve on the Anti-Bribery Management System; and
 - (vii) the Organisation may also take disciplinary action if any employee:
 - (a) knowingly makes false or misleading reports about another person; or
 - (b) acts in a retaliatory, discriminatory, or otherwise adverse manner towards a person, as a result of that person making a genuine report or providing assistance in a relevant inquiry; or
 - (c) intentionally hinders or impedes a formal investigation, or fails to assist the investigator(s) in the investigation; or
 - (d) knowingly condones attempted/ actual fraud, bribery, or corrupt conduct within their areas of responsibility.
- (b) The Whistleblowing Committee shall keep the Whistleblower informed in writing on the progress of the investigation (including the outcome of the preliminary investigation to establish a case for further investigation referred to above) and the conclusion arrived therefrom as soon as a decision is made.

7.0 THE WHISTLEBLOWING COMMITTEE

The duties and responsibilities of the Whistleblowing Committee are stated in their own written Terms of Reference.