



ENER TECH SOLUTIONS SDN BHD

ANTI-BRIBERY AND CORRUPTION POLICY ("ABC POLICY")

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Anti-Bribery and Corruption Policy

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GLOSSARY



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Anti-Bribery and Corruption Policy

This glossary includes the definitions used in this document.

ABC Policy	This Anti-Bribery and Corruption Policy.
Bribery and Corruption	Any actions which would be considered an offence of giving or receiving 'gratification' under the Malaysian Anti-Corruption Commission Act 2009 (MACC), which in practice means offering, giving, receiving or soliciting something of value in an attempt to illicitly influence the decisions or actions of a person who is in a position of trust within an organization, and may either be (a) 'outbound', where someone acting on behalf of Ener Tech Solutions Sdn Bhd attempts to influence the actions of a party, including government officials or decision makers, or (b) 'inbound', where an external party is attempting to influence an Employee, notably a Director or any Employee with access to confidential information of any kind or otherwise.
ABC Compliance Team	Person(s) with responsibility and authority for the operation of Ener Tech Solutions Sdn Bhd's ABC Policy
Business Associates	An external party with which or whom Ener Tech Solutions Sdn Bhd has, or intends to establish a business relationship, which includes advisors, agents, clients, sub-contractors, consultants, consortium partners, joint venture partners, intermediaries, investors, representatives, service providers, suppliers and any associates, bodies or entities formed by law, whenever located.
Conflict of Interest	When a person's own interests either influence, have the potential to influence or are perceived to influence their decision making which affects Ener Tech Solutions Sdn Bhd.
Corporate Gift	Something given by one organization to another, with the appointed representatives of each organization giving and accepting such gift, and may take the form of promotional items given out equally to the general public at events, trade shows, and exhibitions as a part of building the Company's brand, with such gifts given transparently and openly with the express or implied approval of all parties involved, as well as normally bearing Ener Tech Solutions Sdn Bhd's name and logo, such as diaries, table calendars, stationery and plaques.
Corporate Liability	Section 17 (A) of the Malaysian Anti-Corruption Commission (Amendment) Act 2018 that was newly enacted introducing corporate liability for corruption where directors and senior management of an organization will be held personally liable for acts of corruption committed by its employees and/or any person(s) associated with the organization in cases where such corrupt practices are carried out for the benefit or advantage of the organization.
Directors	All directors in Ener Tech Solutions Sdn Bhd, including independent, non-independent, executive, non-executive and alternate, wherever located.
Donation and Sponsorship	Charitable contributions and sponsorship payments made for



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	charitable, communal, educational, and social causes and purposes.
Employee	All employees of Ener Tech Solutions Sdn Bhd.
Exposed Position	A staff position identified as vulnerable to Bribery and Corruption through a risk assessment, including without limitations, position involving procurement, contract management, financial approvals, human capital, relation with government departments, sales, positions where negotiations with external parties is required such other positions which Ener Tech Solutions Sdn Bhd has identified or identifies from time to time as vulnerable to Bribery and Corruption
Facilitation Payment	Payments made to secure or expedite the performance of a person performing a duty, function, or responsibility of any kind, and include cash, payments in kind and financial and non-financial advantages with the intention of influencing them in the performance of their duty, function for responsibility
Governing Body	A committee consisting of 3 Directors responsible to review and make decisions to benefit the integrity of Ener Tech Solutions Sdn Bhd's ABC Policy.
Gratification	Is defined in the MACC (as defined hereafter) to mean the following: - a) money, donation, gift, loan, fee, reward, valuable security, property, or interest in property being property of any description whether moveable or immovable, financial benefit, or any other similar advantage. b) any office, 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 wholly 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 services 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 already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and g) any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the proceeding paragraphs (a) to (f).
Hospitality	The considerate care of Business Associates, which may include food and beverages, refreshments, accommodation, transportation/travel and entertainment at restaurant, hotels, clubs, resorts, and other similar facilities, including leisure, sporting and healthcare activities or services of any kind.
Integrity Program	A systematic program that strengthens and enhances the anti-bribery



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	and corruption framework and integrity of the organization which includes policies, procedures, training, communication, monitoring and enforcement.
MACC	The Malaysian Anti-Corruption Commission established under MACCA as an independent, transparent, and professional body to manage Malaysia's anti-corruption efforts effectively and efficiently.
Managing Director	The Managing Director of Ener Tech Solutions Sdn Bhd.
Organization	Ener Tech Solutions Sdn Bhd

PRINCIPLE I: TOP LEVEL COMMITMENT

1.1 Commitment

Both the board of directors and management of the Organization take the primary responsibilities for the establishment and effectiveness of Integrity Program.

1.2 Requirement

1.2.1 This ABC Policy is founded on the Organization's culture of doing business in the right way, to honour and deliver than has been promised. Accordingly, the Organization has implemented inter alia the following:

- a) establishing, maintaining, and periodically reviewing Integrity Program by setting out clear guidelines and objectives that adequately address corruption risks;
- b) promoting a culture of integrity within the Organization;
- c) conducting corruption risks assessments at least once half-yearly, and in addition, on an ad-hoc basis when instructed by the Organization's Board and Management and/or Governing Body;
- d) communicating the Organization's ABC Policies and commitments to anti-corruption both internally and externally;
- e) encouraging the use of reporting/whistleblowing channels in relation to real or suspected incidences, or inadequacies in the Integrity Program;
- f) assigning and adequately resourcing for competent person(s) to be responsible for anti-corruption compliance, including rendering of advise and guidance;
- g) ensuring clear lines of authority of person(s) responsible for Integrity Program reporting to the Governing Body, the Organization's Board and Management; and
- h) ensuring that the results of any audits, reviews or risk assessment, control measures and performance are reported to the Governing Body.

1.2.2 The Organization's Board and management has appointed three of its directors to act as members in the Governing Body responsible for the operational management of the Integrity Program. Their roles and responsibilities are detailed in Appendix I of ABC Policy Document.

1.2.3 Two personnel from the Management Team are appointed as members in the ABC Compliance Team to assist the Governing Body to oversee the implementation of the Organization's Policy. Their roles and responsibilities are detailed in Appendix II of this ABC Policy Document.

PRINCIPLE II: BRIBERY AND CORRUPTION RISK ASSESSMENT



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2.1 Objectives

The objective of bribery and corruption risk assessment are:

- a) to identify, assess and rank critical corruption risks in the Organization that has the potential influence over the operations and management of the Organization using the established risk management framework and methodologies; and
- b) to identify controls and/or to mitigate the corruption risks.

2.2 Approach

- a) The bribery and corruption risk assessment forms the basis of the Integrity Program.
- b) The bribery and corruption risk assessment are to be conducted based on the Organization's risk management framework and methodologies and should include:
 - i. risk objectives;
 - ii. risk ratings;
 - iii. controls in place to mitigate the bribery and corruption risks; and
 - iv. action plan(s) which can further mitigate the bribery and corruption risks.
- c) The Organization shall conduct its bribery and corruption risk assessment at least once half-yearly, and in addition, on an ad-hoc basis when instructed by the Organization's Board and Management and the Governing Body, this is to identify the bribery and corruption risks affecting the Organization's businesses, to set anti-bribery and corruption objectives, and to assess the adequacy and effectiveness of the existing controls to achieve those objectives.

Reference document: Business Risk Register

PRINCIPLE III: UNDERTAKE CONTROL MEASURES

3.1 The ABC Policy

Corruption may occur in two forms: 'outbound' and 'inbound'.

Corruption may be 'outbound', where someone acting on behalf of the Organization attempts to influence the actions of someone external, such as government official or client's decision maker. For example, the act of offering a bribe for a project by the Employee to the relevant authorities in a tender exercise.

It may also be 'inbound', where a third party is attempting to influence any personnel within the Organization such as a senior decision-maker or someone with access to confidential information. An example would be a situation where a sub-contractor offers a bribe to an Employee who is also a member of a tender-committee to gain an advantage in a tendering process.

Corruption may also include cash or cash equivalent (vouchers, coupons, shares, etc.), loans, donations, hospitality (meals, entertainment, travel, accommodation, recreational activities, etc.), offers of employment, goods, services, release of confidential information or anything that could be considered to have value, provided illicitly in the expectation that the third party will receive something of value in return.

3.1.1 Commitment to Anti-Corruption



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- a) All forms of corruption relating to the business activities of the Organization are prohibited.
- b) Corruption may take the form of anything of value, such as money, goods, services, property, privilege, employment position or preferential treatment.
- c) The Organization's Board and Management, the Employees and Business Associates shall not therefore, whether directly or indirectly, offer, give, receive, or solicit any item of value, in the attempt to illicitly influence the decisions or action of a person(s) in a position of trust within the Organization, either for the intended benefit of the Organization or the person(s) involved on the transaction.
- d) This ABC Policy applies equally to its business dealings with commercial and government entities.
- e) The Organization is committed to conducting business ethically and in full compliance with anti-corruption laws and regulations in all the countries it operates in.
- f) The Organization shall conduct regular anti-bribery and corruption risk assessments to identify the corruption risks affecting the businesses, set anti-corruption objectives, and assess the effectiveness of the controls in achieving those objectives.
- g) No Employees or any third parties will suffer demotion, penalty, and other adverse consequences in retaliation for refusing to pay or receive bribes or participate on other illicit behaviour.

3.1.2 Responsibilities of Employees

- a) The employees are required to carry out their responsibilities and obligations as set out in this ABC Policy as follows:
 - i. be familiar with applicable requirements and directives of this ABC Policy, and understand and communicate same to their team members;
 - ii. seek the advice of the Governing Body or ABC Compliance Team should any questions about this ABC Policy arise or lack of clarity the required action in a particular situation;
 - iii. always raise suspicious transactions and other "red flags" (indicators of corruption) to immediate superiors or the ABC Compliance Team directly for guidance on the next course of action;
 - iv. be alert to indications or evidence of possible violations of this ABC Policy;
 - v. sign a personal Code of Conduct upon acceptance of employment and thereafter once every 3 years;
 - vi. shall declare their conflict of interest, actual, potential or perceived, as and when the same arises;
 - vii. promptly report violations or suspected violations through appropriate channels set out in 3.3 below;
 - viii. attending training(s) on integrity as required by the Governing Body, the Organization's Board or Management; and
 - ix. not misuse the position of the Organization's name for personal advantage(s).
- b) When dealing with the Organization's Business Associates, the Employee shall not:
 - i. expressed unexplained or unjustifiable preference for certain parties;
 - ii. exert improper influence to obtain benefits from any third parties; and
 - iii. directly or indirectly demand or accept any form of corrupt payments for any third parties, in cash or in kind, for a specific favour or improper advantage.



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- c) When dealing with any third parties in a position to make a decision to the benefit of the Organization, the Employees shall not:
 - i. offer, promise or make any attempt at dishonestly influencing the person's decision by directly or indirectly offering or making a promise of corrupt payment, in cash or in kind;
 - ii. be involved in any illicitly discussions regarding business or employment opportunities, to secure an advantage in business; and
 - iii. otherwise misuse the resources, decision making authority and other delegated powers given by the Organization, to illicitly secure an outcome which would present a commercial advantage to themselves and/or the Organization.
- d) The respective Directors and Heads of Department are responsible for ensuring that the policies and procedures of the Organization are adequately communicated and complied within their business divisions and that subordinates in position which have been identified as exposed to corruption risks attend the relevant training(s).
- e) The respective Directors and Heads of Department are also required to communicate to the Organization's Business Associates, the Organization's position and commitment in conducting business with integrity, ethics and avoid any form of corruption.

3.1.3 Code of Conduct

- a) Employees of Ener Tech are required to sign an Employee's Code of Conduct, upon joining and every three years thereafter. A copy of the integrity declaration shall be documented and retained by the Organization's Executive Department for the duration of the Employee's employment.
- b) The Governing Body reserves the right to request information regarding an Employee's assets in the event that the person is implicated in any corruption related allegations, investigations, court proceedings and incidents.
- c) The Organization's Business Associates shall sign the Business Code of Conduct to confirm their agreements to the ABC Policy.

Reference document: ET/ABCP/FORM-1: Employee's Code of Conduct
ET/ABCP/FORM-2: Supplier / Sub-contractor Code of Conduct

3.1.4 Ener Tech Solutions Sdn Bhd's Human Resource

The Executive Department recognises the value of integrity in its Employees which value is the key consideration in its recruitment, training, performance evaluation, remuneration, recognition, and promotion for all Employees.

3.1.5 Auditing the Integrity Program

- a) The Governing Body will undertake periodic review on the ABC Policy and its implementation, which findings will be used to improve the existing anti-bribery and corruption controls within the Organization.
- b) The results of the audit, including any evaluations of the integrity program and opportunities for improvement, shall be reported to the Organization's Board and Management.
- c) The Governing Body will continue to develop, update, and disseminate communication materials relevant to the ABC Policy, and to conduct training and workshop for the employees as an when necessary.



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3.1.6 Sanctions for Acts of Corruption

- a) Organization's Board and Management regards corruption as a matter of serious misconduct and will apply disciplinary actions in the event of acts of corruption being identified, up to and including terminating of employment.
- b) Acts of corruption committed by the Organization's Business Associates may lead to penalties including termination of contract(s).
- c) The Organization may initiate legal action(s) in the event that the rights, benefits, interests, and reputation of the Organization have been harmed by the results of acts of corruption of individuals and organizations.

3.2 Due Diligence

3.2.1 Introduction

A due diligence is an important-gathering exercise aimed at ensuring that any corruption risks brought about by relevant parties are identified, so that the Organization's Board and Management can take necessary actions to mitigate the risk should it decide to proceed or continue with the business relationship(s).

3.2.2 Ener Tech Solutions Sdn Bhd's Commitment

Due diligence or other background check may be conducted on the Employees and Business Associates, senior public officials or any third parties whom the Organization deal with, when they are perceived as having corruption risk, to protect business from those risks.

3.2.3 Conducting Due Diligence

- a) The level and extent of due diligence shall be determined based on the level of corruption risks identified and shall be proportionate to the value of conducting the due diligence check. The heads of the business divisions will decide the extent of the due diligence required on the relevant party, subject to the basic requirements set by Governing Body being complied with.
- b) Due diligence may be conducted in a variety of ways, including but not limited to:
 - i. background checks;
 - ii. document verification;
 - iii. interviews;
 - iv. questionnaires;
 - v. web searches;
 - vi. check against government, judicial, and international database;
 - vii. checking through screening tools/solutions (includes CTOS, ROC);
 - viii. checking publicly available debarment lists of organizations that are restricted or prohibited from contracting with public or government entities kept by national or local governments or multilateral institutions, such as the World Bank; and
 - ix. check via third party due diligence service provider.

Reference document: ET/DOC/EVE: Existing Vendor Evaluation Form
ET/DOC/NVE: New Vendor Evaluation Form
ET/DOC/ST: Staff Transfer Form
ETS/DOC/COSM: BOSM Form



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ET/ABCP/FORM-3: Interview Assessment Form

3.3 Reporting Concerns (Whistleblowing)

- a) Any employee who, during their activities relating to their employment at the Organization, any third party who encounters actual or suspected violation of this ABC Policy are required to report their concerns using the available reporting channels. Reports made in good faith shall be addressed in a timely manner and without incurring fear of reprisal regardless of the outcome of any investigation. Disclosure should contain as much specific information as possible to allow for proper assessment of the nature and extent of the concerns.
- b) The whistleblowing channels may be used to report any potential or actual incidents of corruption, as well as other forms of serious misconduct or violation including, but not limited to:
 - Bribery and corruption;
 - Embezzlement;
 - Falsification of documents;
 - Unauthorized transactions;
 - Undisclosed conflict of interest;
 - Criminal offences; and
 - Non-compliance with the ABC Policy.
- c) The channel should not be used for personal grievances concerning an individual's terms and conditions of employment, or other aspects of working relationships such as bullying, harassment or disciplinary matters. Such complain should be dealt under the existing procedure of the employment handbook of the Organization.
- d) Whistleblowers are expected to disclose, at an absolute minimum, some means to contact them for the relevant parties to be able to conduct follow-up, obtain further information if necessary and keep the whistleblower informed.
- e) Retaliation in any form against an Employee where the person has reported a violation or possible violation of this ABC Policy is strictly prohibited. The same ABC Policy applies to third parties who have reported a violation or possible of this ABC Policy.

3.3.1 Reporting Channels

- a) Whistleblowing by Ener Tech's Employees and third parties may be made to Governing Body through the designated reporting channels as follow:
 - i. via email (**leett@enertech.com.my**)
 - ii. via letter addressed to:
Managing Director,
Ener Tech Solutions Sdn Bhd
- b) The Employees may also choose to report their concerns to their direct supervisor, or some other trusted person.
- c) The Whistleblowing Flowchart and Bribery Investigation Flowchart are annexed hereto as Appendix III and Appendix IV.



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3.3.2 Managing Whistleblowing Report

- a) All reports received shall be recorded in a secure system, with highly restricted access which ensure the confidentiality of the whistleblower's identity and information reported. Only members of the Governing Body (2 persons at any time) shall have full access to the original whistleblower's report including information of the identity of the whistleblower.
- b) The Governing Body will brief the Organization's Board on the findings of material whistleblowing reports, if any.

3.3.3 Reporting to Government Authorities

The Employees and the Organization's Business Associates are encouraged to utilise the whistleblowing channels to lodge report of any potential or actual incidents of corruption. The practice of directly lodging police reports or to the MACC by the Employees without first having exhausted the procedures and processes set out in this ABC Policy is not encouraged.

3.3.4 Assurance and Protection against Retaliation

- a) The Organization provides assurance that the whistleblowers will not suffer any form of retaliation, retribution, victimization or detriment, for reports that are provided in good faith (i.e. was not done with malicious intent in order to damage any person(s) or organization).
- b) Retaliation means one or more of the following:
 - i. Interference with the lawful employment or livelihood of a person, including discrimination, discharge, demotion, suspension, disadvantage, termination, or adverse treatment in relation to the complainant's employment, career, profession, trade or business or the taking of disciplinary action;
 - ii. withholding of payment that is due or payable under a contract;
 - iii. refusal to enter into a subsequent contract;
 - iv. action causing injury, loss or damage;
 - v. intimidation or harassment, and
 - vi. a threat to take any of the above actions.
- c) If the whistleblower is required to give evidence in criminal or disciplinary proceedings, the Organization will arrange for the whistleblower to receive legal advice and legal support throughout the process.
- d) If the whistleblower can prove that they have been subjected to retribution, victimization, or detriment because of using this ABC Policy, disciplinary action will be taken against the perpetrator.
- e) Anyone who reveals the identity of the whistleblower may without prior agreement of the whistleblower, unless required by the court order, may be subjected to disciplinary measures in accordance with the procedures set out in the employment book of the Organization.

3.4 Policy of Conflict Interest

3.4.1 Definition of Conflict of Interest

- a) A conflict of interest arises when a person's own interest either influences, has the potential to influence, or is perceived to influence their decision making. The conflict of interest may broadly be defined to cover:
 - i. actual conflict of interest (the person faces a real, existing conflict)



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- ii. potential conflict of interest (the person is in or could be in a situation that may result in a conflict, but this has not fully materialised); and
 - iii. perceived conflict of interest (the person is in or could be in a situation that may appear to be a conflict, even if this is not the case).
- b) Conflict of interest may also arise when the person's decision-making could be affected by a Closely Related Person.

Reference document: ET/ABCP/FORM-1: Employee's Code of Conduct
ET/ABCP/FORM-2: Supplier / Sub-contractor Code of Conduct

3.4.2 The Policy

The Organization's Board and Management, the Employees and Business Associates and/or any third party dealing with the Organization must declare their conflict of interest, actual, potential, or perceived, as and when the same arises.

3.4.3 Ener Tech Solutions Sdn Bhd's Board and Management/Employee

- a) The Organization's Board and Management as well as the staff should take the necessary steps to understand what a conflict of interest is, avoid such conflict where possible and declare them if they do arise.
- b) The Organization's Board and Management and the Employees are fully responsible for the information declared.
- c) If in doubt about circumstances that might create a conflict of interest, the employee should consult their direct supervisor, ABC Compliance Function Team or Governing Body.
- d) Declaration of conflict of interest shall be made during the onboarding process, on a scheduled basis as well as when a conflict arises.
- e) Addressing such conflict of interest is the responsibility of the Heads of Department, Directors or the Managing Director of the Organization who will evaluate and decide whether to retain or remove the Employee from the area of conflict or implement other mitigating actions to reduce the risks posed by areas.
- f) Before embarking on an active or anticipated procurement or tender exercise, the Organization's Board and Management and the Employees participating in the procurement/tender exercise are expected to declare any conflict-of-interest declaration.
- g) In the event a conflict emerges during the process, the Employee must either abstain from participating or seek written clearance from their direct supervisor or Heads of Department, and from the Governing Body. Such clearance must be entered into the register.
- h) Once disclosure has been made, the conflict of interest is to be addressed so that the risk the conflict presents is effectively mitigated. Specifically, the Organization expects the Employee's direct supervisor, Heads of Department, and the Governing Body to:



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- i. treat the information disclosed by the person confidentially and without bias. Disclosure should be commended for their declaration and not panelised for the additional work the disclosure may create for the direct supervisor(s) and team(s);
- ii. fairly evaluate the conflict-of-interest situation, including the risks to the business interests and reputation of the Organization;
- iii. seek guidance, if needed, from their own direct supervisor or the Governing Body and ABC Compliance Function Team;
- iv. make pragmatic decision to address the conflict of interest. This should be done in such a way that any risks to the Organization is minimized, the ongoing operation of the department or project is not necessarily disrupted, and the personal interest of the discloser is protected as far as possible; and
- v. communicate the decision and its reasoning to the discloser and follow up to ensure the discloser understands and complies with it.

3.5 Policy and procedures for Gifts, Entertainment, Hospitality and Travel

3.5.1 Introduction

The Organization's Board and Management, the Employees and Business Associates and/or any third party dealing with the Organization shall not offer, give, receive, or solicit any item of value, to influence the decisions or actions of a person in a position of trust within any organization.

3.5.2 Receiving Gifts from Third Parties

- a) Under no circumstances should the Employees solicit personal gifts or free services from any third party.
- b) Under no circumstances may any Employee or the member of the Organization's Board accepts gifts in any form of large amount of cash or cash equivalent or in any other form, including but not limited to:
 - i. cash, commission, cheques, loans, credit cards in any currency;
 - ii. shares, equity interest in any registered company;
 - iii. lottery tickets;
 - iv. personal discounts, coupons or gift vouchers exchangeable for cash or goods;
 - v. personal event tickets (concerts);
 - vi. awards or prize of any monetary value
 - vii. rewards point cards or any retailer;
 - viii. club membership, personal sponsorship; and
 - ix. all other gifts of significant value from business associates.
- c) Any type of gift which might be considered to compromise good judgement must be politely declined.

3.5.3 Gifts/Hospitality and Travel

- a) Hospitality means the considerate care of guests, which may include provision of meals, travel or transportation and accommodation. This may include services such as provision of guides, attendants, and escorts.
- b) The practice of giving and receiving reasonable and proportionate hospitality is acceptable. However, the Employees are prohibited from receiving and giving hospitality where this may have a significant influence or bearing on the person performing their duties impartially.



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3.6 Policy on Donations and Sponsorship

The Organization allows donations and sponsorships permitted by the laws and regulations in the countries which it operates in. All donation and sponsorship requests are subject to proper existing procedures

3.6.1 Political/Charitable Donations and Sponsorships

- a) In principle, the Organization does not make any financial or in-kind contribution to political parties, political party officials or candidates for political office.
- b) If political contribution is made, it must be allowed under the relevant laws and regulations in the countries the Organization operates in and the same must be made without expectation or promise of favourable treatment towards the Organization.
- c) Any political donation must be made to an official bank account where the person or party resides. No offshore payments are allowed.
- d) Good faith payments to a government entity required by a contract or law are permitted, provided they are made to the official bank account of the government entity concerned.
- e) Use of the Organization's facilities, equipment, and resources by political parties is not permitted except by prior written approval of the Organization's Board and Management.

Reference document: ET/ABCP/FORM-1: Employee's Code of Conduct
ET/ABCP/FORM-2: Supplier / Sub-contractor Code of Conduct

3.7 Policy of Facilitation Payments

3.7.1 Introduction

- a) Facilitation payment is a small bribe, also called 'facilitating', 'speed', or 'grease' payment; made to secure or expedite the performance of a routine or necessary action to which the payer has legal or other entitlement.
- b) Facilitation payments are classified as acts of corruption under the MACC and are illegal. Therefore, request for facilitation must be refused.
- c) The Organization prohibits either giving, offering, or promising of facilitation payments of all kinds. Employees are strictly prohibited from receiving or requesting such payments whether in cash or in kind.

3.8 Policy on Financial Controls

- a) Financial controls are the management systems and processes implemented by the organization to manage its financial transactions properly and to record these transactions accurately, completely and in a timely manner.
- b) The Organization requires the necessary financial controls to secure its financial transactions are properly processed and recorded to prevent the occurrence of corruption.
- c) The Organization requires the separation of duties, so that the same person cannot both initiate and approve a payment.



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- d) The Organization required a tiered levels of authority for payment approval. In practice, this means that larger transactions require senior management approval.
- e) Cash is often used as a vehicle for corruption due to the difficulty of tracking when and how it is employed. Therefore, the Organization requires that the use of cash in daily operations be restricted to the minimum, with a full record of receipts maintained for all cash payment.
- f) In General, the Employees' reimbursements for expenditure on behalf of the Organization shall only be made upon production of official receipts. Handwritten receipts are to be avoided wherever possible.
- g) The categorization and description of all payments and transactions shall be accurately and clearly recorded in the Organization's accounts, in line with existing applicable legislations and internal controls.
- h) The Organization shall carry out periodic financial audits at regular intervals. The reviews shall be carried out by an independent person or an organization, in line with existing legislations, by-laws, financial reporting standards and internal controls.

3.9 Policy on Non-Financial Controls

- a) Non-financial controls are the management systems and processes implemented by the Organization to ensure that the procurement, operational, commercial, and other non-financial aspect of business activities are being properly managed.
- b) The Organization is committed to implementing the necessary non-financial controls to mitigate any corruption risks that may arise through the procurement process.
- c) Where possible and reasonable, the Organization should award contracts through a competitive process.
- d) The Organization holds a policy of separation of duties, such that whenever practical, the operational Employees/departments ordering goods and services are kept separate from Employees/department conducting procurement and/or making payment.

Reference document: Business Risk Register
ET/ABCP/FORM-2: Supplier / Sub-contractor Code of Conduct
ET/DOC/EVE: Existing Vendor Evaluation Form
ET/DOC/NVE: New Vendor Evaluation Form
ET/DOC/ST: Staff Transfer Form
ETS/DOC/BOSM: BOSM Form
ET/ABCP/FORM-3: Interview Assessment Form

3.10 Policy of Document Control and Record Keeping

- a) It is important for the Organization to maintain records on the controls for the adequate procedures.
- b) The control of updating or revising the ABC Policy shall be approved by Governing Body.
- c) System generated document and records as follow complying with the ABC Policy shall be maintained as per Filing Index stated in the Procedure for Document and Record Control:
 - i. the Code of Conduct signed by the Organization's Business Associates;
 - ii. the due diligence report;
 - iii. the conflict-of-interest declarations (Employee's Code of Conduct).



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Such registers shall be requisitioned and reviewed by Governing Body during their half-yearly review.

- d) The Organization's Governing Body has overall responsibility for the document control and record keeping of anti-corruption related policies.

Reference document: ET/SOP/DR/01: Document and Record Control
ET/SOP/QC/01: Control of IMS document

PRINCIPLE IV: SYSTEMATIC REVIEW, MONITORING AND ENFORCEMENT

4. Policy and procedures on Monitoring, Reviewing and Enforcing the Anti-Corruption Initiatives

- a) The Organization recognises that incidents of corruption related to the business operations would have a severe detrimental effect on reputation, status and wellbeing of the Organization's Board and Management. The Organization is therefore committed to assessing the performance, efficiency, and effectiveness of the Integrity Program in depth and ensuring enforcement of this ABC Policy.

Reference document: ET/SOP/MA/06: Internal Audit

- b) The Governing Body with the assistant of ABC Compliance Team shall conduct half-yearly review of the ABC Policy to ensure its adequacy and effectiveness in protecting the Organization from corruption risks, and to encourage legal and regulatory compliance. Results of reviews shall be maintained. The review input shall be as follow:
- i. follow-up actions from previous review;
 - ii. changes to internal and external issues that are relevant to ABC Policy;
 - iii. information on the performance and effectiveness of ABC Policy:
 - nonconformities and corrective actions;
 - achievement of ABC objectives;
 - audit results;
 - bribery investigations;
 - nature and extent of bribery and corruption risks faced by Ener Tech Solutions Sdn Bhd;
 - iv. adequacy of resources;
 - v. effectiveness of action to address bribery & corruption risks;
 - vi. opportunities for improvement

PRINCIPLE V: TRAINING AND COMMUNICATION

5.1 Introduction

The Organization develop and disseminates internal and external training and communications relevant to its anti-corruption management system, in proportion to its operation, covering the following area:

- a) the ABC Policy;
- b) training;
- c) whistleblowing channel; and
- d) consequences of non-compliance.



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5.2 Communication Policy

- a) The Governing Body will ensure that communications regarding the Integrity Program are conducted both internally and externally to the Employees and the Organization's Business Associates.
- b) Communication channels may include but not limited to:
 - i. messages on Ener Tech's intranet and website;
 - ii. emails and posters;
 - iii. Code of ethics & business conduct or employment handbook of Ener Tech;
- c) Communications shall be conducted when there are new policies and procedures or new updated made.
- d) Communications may be done in English or Bahasa Malaysia or other languages as decided by the Governing Body.

5.3 Training Policy

The Organization shall conduct adequate training for all Employees to ensure understanding of the Organization's Integrity position, especially in relation to their role within or outside the Organization. The Organization conducts training on a variety of formats, including but not limited to corporate training program, intranet or web-based program.

Reference document: ET/SOP/RM/01: Staff Planning



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APPENDIX I: ROLES AND RESPONSIBILITIES OF GOVERNING BODY

- 1.0 The following are the main roles and responsibilities of the Governing Body collectively relating to the Integrity Program:
- a) plan, establish, implement and maintain a corruption risk-based monitoring program, which covers the scope, frequency and methods for review;
 - b) to rely on the internal audit of the Organization to carry out internal audit(s), in relation to the anti-bribery and corruption measures;
 - c) conduct periodic evaluations and improvements on the policies and procedures for the Organization in relation to corruption;
 - d) consider an external audit by a qualified and independent third party at least once in every three years to obtain assurance that Ener Tech is operating in compliance with its policies and procedures in relation to corruption;
 - e) monitor the performance of Ener Tech's Board and Management, the Employees and Business Associates in relation to the ABC Policy and its procedures to ensure their understanding and compliance with their respective roles and functions; and
 - f) recommend disciplinary proceedings against any members of the Organization's Board and Management and the Employees who are found to have violated the ABC Policy.
- 2.0 The results of review and audits shall be reported to the Organization's Board and Management.
- 3.0 The Governing Body shall meet on a half-yearly basis or additional (based on needs).
- 4.0 The Governing Body in carrying out its roles and responsibilities, has the following rights:
- a) full and unrestricted access to any information, records, properties and personnel of the Organization;
 - b) direct communication channels with the person(s) carrying out the internal audit function or activity;
 - c) entitle to obtain independent professional or other advice, and to invite experts from within or external to the Organization with relevant experience and expertise to attend Governing Body Review Meetings (if required) to brief the committee;
 - d) convene meeting with third parties (including auditors and enforcement bodies) without the presence of the Organization's Board and Management, whenever deemed necessary.



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APPENDIX II: ROLES AND RESPONSIBILITIES OF ABC COMPLIANCE TEAM

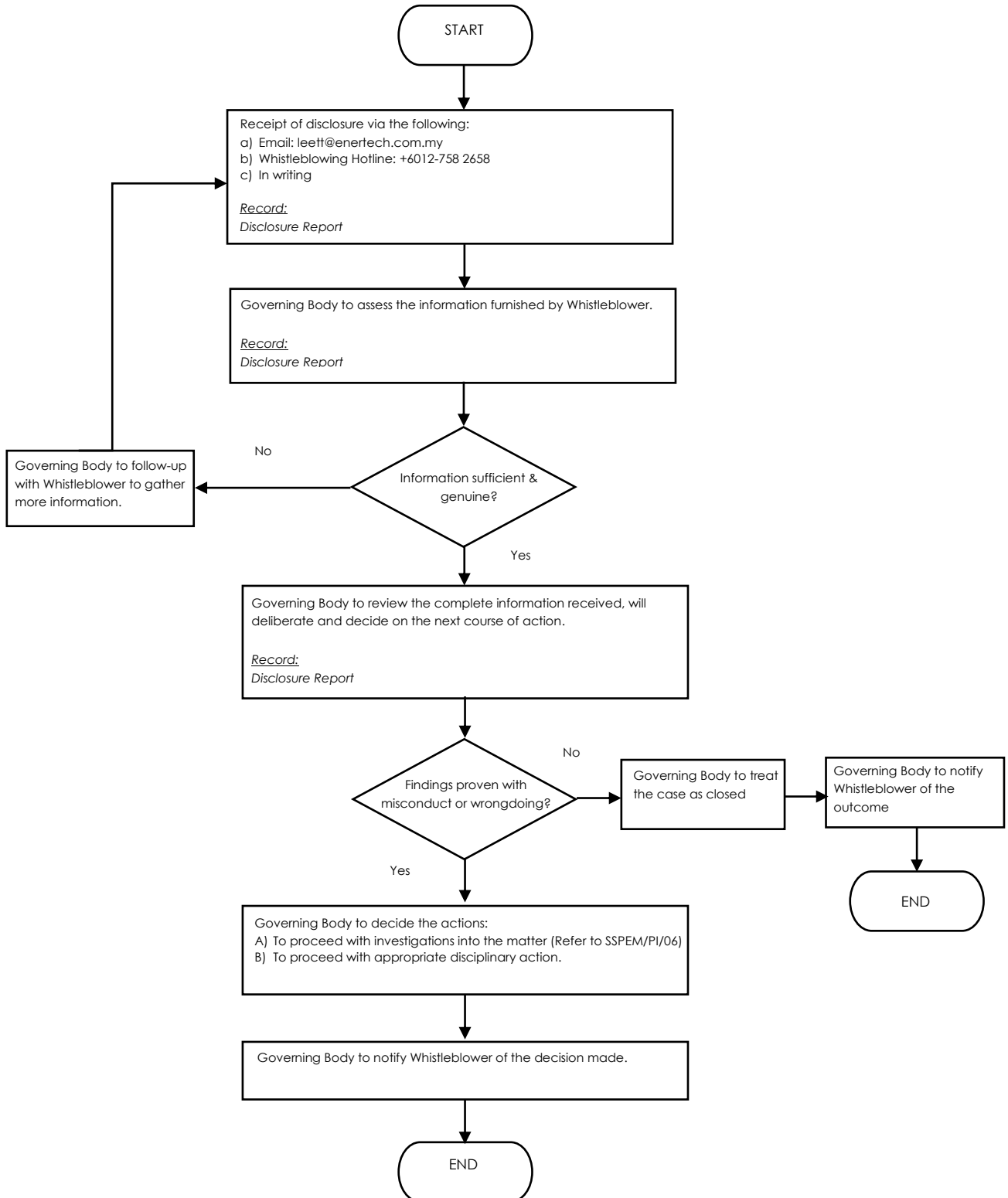
- 1.0 Lead or participate in the Anti-Bribery and Corruption Risk Assessment;
- 2.0 Oversee the development and implementation of policies, procedures and controls to address identified risks
- 3.0 Communicate within the company the importance of ethics and compliance
- 4.0 Provide guidance to Employees and Business Associates;
- 5.0 Coordinate with all departments and project with Ener Tech to ensure the Integrity Program is operationalized
- 6.0 Lead in developing and participate with HR Department in implementing anti-bribery and corruption trainings
- 7.0 Lead or coordinate investigations



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APPENDIX III: WHISTLEBLOWING FLOWCHART





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APPENDIX IV: BRIBERY INVESTIGATION FLOWCHART

