



**KITACON**

**ANTI-BRIBERY AND ANTI-CORRUPTION POLICY**

*Second Revision*  
*29 March 2023*



## **ANTI-BRIBERY AND ANTI-CORRUPTION POLICY**

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### **1. INTRODUCTION AND PURPOSE**

Kumpulan Kitacon Berhad and its subsidiary (collectively “KITACON”) are committed to conducting our business with integrity, trustworthiness and accountability. The Management of KITACON continually promotes a culture of integrity within KITACON and stresses the importance of zero-tolerance approach to bribery and corruption in our actions and decisions, both internally and externally.

The purpose of this Anti-Bribery and Anti-Corruption Policy is to provide guidance to Directors and Employees concerning how to deal with bribery, corruption and any related issues that may arise in the course of business.

### **2. DEFINITION OF BRIBERY AND CORRUPTION**

Bribery is the offering, promising, giving, accepting or soliciting of an advantage as an inducement for action which is illegal, unethical or a breach of trust. A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage and can take the form of gifts, loans, fees, rewards or other advantages. Corruption is the abuse of entrusted power for private gain.

### **3. POLICY STATEMENT**

KITACON is committed to acting professionally, fairly and with integrity in all business dealings and relationships. We are committed to:

- Conduct business in an ethical and honest manner;
- Implement and enforce systems that ensure bribery and corruption is prevented; and
- Take all necessary measures to ensure that our businesses do not participate in corrupt activities and to implement adequate procedures effectively to comply with the provisions of MACC Act 2009 and Section 17A of the MACC (Amendment) Act 2018.

### **4. APPLICABILITY**

This policy is applicable to KITACON, its controlled organisations, business associates acting on KITACON’s behalf, the Board of Directors and all KITACON personnel.

Each Employee has a duty to read and understand the Policy. Violation of any of the Policy’s provisions may result in disciplinary action, including termination of employment.



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### **5. GUIDANCE ON COMMON FORMS OF BRIBERY AND CORRUPTION**

#### **5.1 Gifts and Hospitality**

- 5.1.1 KITACON has adopted a “No gifts” policy. It is the responsibility of employees and Directors to inform external parties involved in any business dealing with KITACON that the Company practices a “No Gifts Policy”.
- 5.1.2 Receiving gifts – Employees are expected to immediately report the gifts received in the Gift or Benefit Activity Reporting Form which is available from our Human Resource Department.
- 5.1.3. If the Head of Department (“HOD”) approves the acceptance of the gift, he/she must also determine the treatment of the gift whether to:
  - a. Donate the gift to charity; or
  - b. Hold it for department display; or
  - c. Share with other employees in the department; or
  - d. Permit it to be retained by the employee(s).
- 5.1.4. Providing gifts – The only form of gift-giving allowed to external parties is a corporate gift and they must fulfil the following conditions: -
  - a. They are limited, customary and lawful under the circumstances;
  - b. They do not have or are perceived to have (by either the giver or the receiver), any effect on actions or decisions;
  - c. There must be no expectations of any specific favour or improper advantages from the intended recipients;
  - d. The independent business judgement of the intended recipients must not be affected;
  - e. There must not be any corrupt / criminal intent involved;
  - f. The giving out of the gift and hospitality must be done in an open and transparent manner; and
  - g. Employees are not allowed to provide gifts to third parties with the exception of the Directors.

#### **5.2 Donations and Sponsorship including Political Donations**

- 5.2.1. Charitable support and donations are acceptable, whether in-kind services, knowledge, time or direct financial contributions. However, all employees of KITACON have to ensure that such provision does not conceal any form of bribery and have to adhere to the following conditions:
  - a. Ensure such contributions are allowed by law;
  - b. Obtain prior approval from the Chief Operating Officer or Directors; and
  - c. Ensure it is adequately stated in the company’s accounting books and records.
- 5.2.2. Employees are expected to immediately report the donation or sponsorship in the Gift or Benefit Activity Reporting Form.



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### **5.3 Third Parties and Agencies**

All third parties, including agents, suppliers and business associates should be made aware of this Policy and the arrangements with them shall be subject to clear contractual terms, including specific provisions requiring them to comply with minimum standards and procedures relating to bribery and corruption.

### **5.4 Conflicts of Interest**

- 5.4.1 Conflicts of interest arise when there is personal interest that can be considered to have potential interference with the employee's objectivity in performing their duties or exercising judgement for or on behalf of KITACON. Employees must avoid situations in which their personal interest would conflict with their duties and responsibilities. Employees must not use their position, official working hours, KITACON's resources and assets, or information available to them for personal gain or to KITACON's disadvantage.
- 5.4.2 In situations where conflict of interest arises, employees are required to immediately declare the matter to their superiors or the HOD.

## **6. RECORD KEEPING**

It is important that proper and complete records be maintained of all payments made. Employees must declare all hospitality or gifts accepted or offered, and submit details to the person in-charge who is assigned by the respective Division/Department for recording into a register which will be subject to internal audit review.

Employees must also ensure that all expense claims relating to hospitality, gifts or expenses incurred to third parties are approved by the Head of Division/Department and must specifically record the reason for such expenditure.

## **7. COMPLIANCE TO THE POLICY**

Failure to comply with this Policy may result in severe consequences. Violation of this Policy may also constitute a criminal offence under the MACC Act. If it appears in the opinion of the Board that any director, officer, employee, consultant or contractor of KITACON may have violated such laws, then KITACON may refer the matter to the appropriate regulatory authorities, which could lead to civil or criminal charges for KITACON and/or the responsible person.



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### **8. COMPLIANCE TO THE LAW**

KITACON will comply with all applicable laws, rules and regulations of the government. Directors and employees are expected to understand and comply with the Malaysian Anti-Corruption Commission Act 2009 (including any amendment thereof).

KITACON reserves the right to report any actions or activities that are suspected of being criminal in nature to the police or other relevant authorities.

### **9. STAFF DECLARATION**

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

KITACON reserves the right to request information regarding an employee's assets in the event that the person is implicated in any bribery and/or corruption-related accusations or incidents.

### **10. TRAINING AND AWARENESS**

10.1 KITACON's Human Resources Department shall conduct an awareness programme for all its personnel on KITACON's position regarding anti-bribery and anti-corruption, integrity and ethics. Training should be provided to personnel who are:

- a. new to KITACON;
- b. appointed to or currently holding an exposed position.

10.2 KITACON's Human Resources Department shall maintain records to identify which KITACON employees have received training, and produce, communicate and update the training schedule in conjunction with this Policy.

### **11. REPORTING OF VIOLATIONS OF THE POLICY**

Any employee who knows of, or suspects, a violation of the Policy, is encouraged to whistle-blow or report their concerns through the mechanism set out under KITACON's Whistle-Blowing Policy.

No individual will be discriminated against and/or suffer any sort or manner of retaliation for raising genuine concerns or report in good faith on violations or suspected violations of the Policy. All reports will be treated as confidential.



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### **12. AUDIT AND COMPLIANCE**

Regular audits shall be conducted to ensure compliance to this Policy. Such audits may be conducted internally by KITACON or by an external party. Audit documentation should include performance improvement action plans.

### **13. REVIEW OF THE POLICY**

This Policy will be updated, amended or revised from time to time to ensure its adequacy in implementation and enforcements.

*(This Policy was approved and adopted by the Board on 18 April 2023)*