
	<b>ANTI-BRIBERY AND CORRUPTION POLICIES AND PROCEDURES</b>  <b>INTRODUCTION</b>	<b>ABCPP</b>	
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Perdana Petroleum Berhad (“PPB” or “the Company”) and its subsidiaries (collectively “PPB Group” or “the Group”) are committed to conduct its business with integrity. In line with this commitment, the Company has developed its Anti-Bribery and Corruption Policies and Procedures (“ABCPP” or “Policy”), and this Policy shall complement with the core principles set out in the Code of Conduct and Code of Ethics, as included in the Group Employee Handbook and Board Charter.

This Policy is intended to help the Group and persons associated with the Group to understand the implications of the new Section 17A that has been incorporated into the Malaysian Anti-Corruption Commission Act 2009, that will come into effect in 1<sup>st</sup> June 2020, pertaining to offences committed by commercial organisations and persons associated therewith; and to provide guidance on how to implement adequate procedures as a defence against the risks of corruption prosecution and potential hefty fines. The definition of commercial organisations and persons associated is very wide and will impact any companies and business entities incorporated in Malaysia, including partnerships. Persons associated include directors, partners, top management, employees and consultants.

The Human Resource and Admin Manager is the custodian of this Policy and is responsible for the interpretation and administration of the Policy. Any revision to the Policy shall be amended by reference to each discrete section with the exception of sample documents, which may be updated as and when necessary to fulfil job requirements. Revision or changes to the Policy shall be executed in compliance with the Group’s existing requirements and its obsolete section should be retrieved from the manual holders.

	<b>ANTI-BRIBERY AND CORRUPTION POLICIES AND PROCEDURES</b>  <b>POLICY STATEMENT</b>	<b>ABCPP</b>	
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## POLICY STATEMENT

Perdana Petroleum Berhad' ("PPB" or "the Company") and its subsidiaries (collectively herein defined as "PPB Group" or "the Group") has adopted a **ZERO TOLERANCE** policy against all forms of bribery and corruption, whether active or passive. The Group is committed to the highest ethical standards and integrity in the conduct of its businesses and operations.

Through the adoption of Anti-Bribery and Corruption Policies and Procedures ("ABCPP" or "Policy"), the Group is confident in the implementation of adequate procedures as a defence against the risks of corporate liability particularly on corruption prosecution and potential hefty fines.


In addition, the Group is of the view that it is vital to strengthen tone from the top and reboot organisational culture and mindsets to zero tolerance of bribery and corruption. Awareness trainings are to be provided to all of the Directors, Employees, and Crews, to enable them to comprehend and comply with this Policy in full.

The Group also upholds all applicable laws in countering bribery and corruption, shall observe the changes to the relevant laws from time to time and make amendments to the Policy where necessary.

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## 1. OBJECTIVES

- i) Set out responsibilities of Directors, Employees, Crews and Business Associates in observing and upholding the Group's position on zero tolerance in all forms of bribery and corruption;
- ii) Provide guidelines and information to Directors, Employees, Crews and Business Associates in dealing with acts of potential and/or actual bribery and corruption; and
- iii) Ensure the Group has adequate procedures in place to prevent and detect potential and/or actual bribery and corruption.

## 2. SCOPES


- i) This Policy is applicable to the Group, including all Directors, Employees and Crews.
- ii) The Group expects the Business Associates and other parties providing goods and/or services to or on behalf of the Group in any capacity to also comply with all applicable provisions of this Policy, in the course of providing goods and/or services to PPB Group.
- iii) This Policy is intended to supplement all applicable local laws, regulations and other internal policies and is not intended to substitute any local or international laws and regulations.

## 3. REFERENCES


- PPB Group Risk Management Framework and Policies;
- Employee Handbook;
- Board Charter
- Procurement Policies and Procedures;
- Chartering Policies and Procedures;
- Whistleblowing Policy, including Whistleblowing Form and Whistleblowing Frequently Asked Questions ("FAQ")

## 4. DEFINITIONS

- **Bribery** is a form of corruption where a person offers or gives, solicits or receives benefits which may be in the form of gifts, entertainment or corporate hospitality with the intention or knowledge that the benefit will be used to induce someone to perform a dishonest act.
- **Business Associate** includes but is not limited to clients, customers, joint ventures, joint venture partners, consortium partners, outsourcing providers, contractors, consultants, sub-contractors, suppliers, vendors, advisors, agents, distributors, representatives, intermediaries and investors, as defined in the ISO 37001: Anti-Bribery Management Systems.


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- **Conflict of Interest** arises when a person's own interests either influence, have the potential to influence, or are perceived to influence the objectivity in performing duties or function which affect the Group.
- **Corruption** generally means the act of soliciting or receiving; or offering or giving any gratification for the purpose of improperly influencing a business decision in relation to a dealing or secure an advantage in the transaction.
- **Donation** means cash, goods or services given as a gift for charity, humanitarian aid, or to benefit a cause.
- **Entertainment / Corporate Hospitality** means an event or activity held for the employees, clients or stakeholders and meals, drinks, lodging, travel or other expenses incurred in order to create or enhance a business relationship.
- **Facilitation Payment** means payments made to secure or expedite the performance by a person performing a routine or administrative duty, function or responsibility. It can be cash or other financial assets, including any sort of advantage with the intention to influence them in their duties or function.
- **Gifts** means something given from one individual to another with the intention to create or enhance a personal relationship, which may include cash, cash equivalents, any other forms of discount or commission or any other valuable items.
- **Gratification** is defined in the MACC Act 2009 to mean the following:
  - i) Money, donation, gift, loan, fee, reward, valuable security, property or interest in property, whether movable or immovable, financial benefit, or any other similar advantage;
  - ii) Any office, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;
  - iii) Any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
  - iv) Any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;
  - v) Any forbearance to demand any money or money's worth or valuable thing;
  - vi) Any other service of favour for 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 of duty; and

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vii) Any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the preceding paragraphs (i) to (vi).

- **Policy** means this Anti-Bribery and Corruption Policies and Procedures.
- **Public Official** means governments, government agencies, regulatory bodies, statutory bodies and any of its officials, either local or foreign.


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## 5. DETAIL POLICIES AND PROCEDURES

### PART 1: GIFTS, ENTERTAINMENT AND CORPORATE HOSPITALITY

#### Receiving Gifts

- i) In general principle, the Group has adopted a “No Gift” Policy whereby, the Group’s Directors, Employees, Crews are prohibited from, directly or indirectly, receiving gifts in order to avoid potential conflict of interest.
- ii) It is the responsibility of Directors, Employees and Crews to inform all Business Associates that the Group practises a “No Gift” Policy and to request the Business Associates’ understanding of and adherence with this Policy.
- iii) The Group’s Employee Handbook, General Code of Ethics in Section 20.8, however stipulated that where it is customary to receive gift from external parties, the Directors, Employees and Crews shall be permitted to accept such gifts of nominal value up to the limit of RM100, provided that such gifts or favours are not extended and/or accepted for the purpose or with the intention of:
  - Influencing any present or future act or decision by the receiving employee.
  - Inducing such employee to perform or omit any act in violation of his proper duties and responsibilities.
  - Inducing such employee to use or direct any other person to use his influence with a government, or any of its representatives, divisions or agencies to affect or influence any act or decision of any such government, representative, division or agency and in any or all of the above cases, for the purposes of expediting, benefiting, prejudicing or affecting in any way whatsoever whether directly or indirectly the business dealings or relationship of the gift giver with the Group.
- iv) If the acceptance of gift with nominal value up to the limit of RM100 may cause potential conflict of interest situation, the gift must be politely returned with explanation notes about the Group’s “No Gift” Policy.
- v) In circumstances whereby refusing the gift is likely to offend and/or sever the business relationship with the external parties including Business Associates, the receiving of the gift shall be subjected to the following procedures:
  - Declare and record all gifts to be accepted to the reporting Head of Department or Executive Director, if the value of the gift exceeding the monetary value of RM100 through the use of Declaration Form for Gifts, Entertainment and Corporate Hospitality; and
  - Such reporting Head of Department or Executive Director shall decide whether to approve the acceptance of the gift or require it to be returned.
- vi) Should the reporting Head of Department or Executive Director disapprove the acceptance of the gift due to conflict of interest situation, the gift must be politely returned with explanation notes about the Group’s “No Gift” Policy.

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vii) In the event the reporting Head of Department or Executive Director approves the acceptance of the gift, he / she must determine the subsequent treatment of the gift, such as the following:

- Donate the gifts for charity purposes; or
- Hold for Departmental display; or
- Share among other Employees / Crews in the Department; or
- Permit to be retained by the Employee / Crew.

### **Providing Gifts**

i) Directors, Employees and Crews are not allowed to provide gifts to external parties including Business Associates, in order to avoid potential conflict of interest.

### **Exceptions to “No Gift” Policy**

i) Although the Group practices a “No Gift” Policy generally, there are certain exceptions to the general rule whereby the receiving and provision of gifts are permitted in following situations:

- Corporate gift i.e. token gifts of nominal value bearing a Company’s logo e.g. pens, diaries, calendars, door gift and etc. that are given out equally to the members of the public or Business Associates deemed as part of the Company’s brand building or promotional activities; and
- Gifts from PPB Group to external institutions or individuals in relation to the company’s official functions or events, for example, door gift to be distributed during the Group’s Annual General Meetings.


### **Receiving Entertainment and Corporate Hospitality**

i) With reference to the Group’s Employee Handbook, Section 20.9, Directors, Employees and Crews shall not accept any form of gratuitous entertainment or corporate hospitality from any of the Group’s Business Associates or any party with whom the Group has or may have business dealings with, in order to avoid potential conflict of interest.

ii) However, under very limited circumstances, whereby refusing the entertainment and/or corporate hospitality is likely to offend and/or sever the business relationship with the external parties including Business Associates, the acceptance of the entertainment and/or corporate hospitality is subject to the following procedures:

- Prior verbal approval must be obtained from the reporting Head of Department or any one Executive Director;
- Declare all entertainment and/or corporate hospitality accepted to the reporting Head of Department or Executive Director in formal record through the use of Declaration Form for Gifts, Entertainment and Corporate Hospitality; and
- Such reporting Head of Department or Executive Director shall acknowledge the acceptance of the entertainment and/or corporate hospitality.




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- iii) The Directors, Employees and Crews must be able to exercise proper care and judgement before accepting the entertainment and/or corporate hospitality from a third-party including Business Associates to avoid allegations of bribery and corruption. This is not only to safeguard the PPB Group's reputation, but also to protect employees and directors from any potential allegations of impropriety or undue influence.

#### **Providing Entertainment and Corporate Hospitality**

- i) PPB Group, as a business entity, recognised that providing modest entertainment and/or corporate hospitality is a legitimate way to foster and build good business relationships with its Business Associates. Accordingly, eligible employees are allowed to claim job-related entertainment and/or corporate hospitality, provided the claims must be verified by the Head of Department and approved accordingly as per the Group Employee Handbook.
- ii) The Directors, Employees and Crews are strictly prohibited in providing or offering entertainment and/or corporate hospitality with the intention of:
- Inducing the recipient to award a contract to the Group (even if in the end the Group is not awarded with the contract);
  - Obtaining advantageous treatment (for example, on tax, customs, permits, licenses and/or etc.) that would not otherwise be available to the Group; or
  - Circumventing or causing non-enforcement of certain laws or regulations applicable to the Group.

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## **PART 2: CHARITABLE DONATIONS AND CORPORATE SOCIAL RESPONSIBILITIES (“CSR”)**

- i) Charitable donations made by the Group to charities or community projects are required to be made in good faith and in strict compliance with this Policy, the Group’s General Code of Conduct and other applicable internal policies and procedures.
- ii) Any charitable donation or contribution for corporate social responsibilities to be made by the Group shall obtain prior written approval from any one (1) Executive Director; and the charitable donation or contribution should be made directly to an official entity and it must be able to be disclosed to the public where necessary.

## **PART 3: FACILITATION PAYMENTS**

- i) The Group strictly disallows and prohibits offering, promising, paying, requesting, accepting or receiving facilitation payments, either directly or indirectly. In this respect, all the Business Associates must be informed of this policy and they must undertake not to do the same prior to establishing any business relationship with the Group.
- ii) All Employees and Crews are required to notify their reporting Head of Department or Executive Director, of any requests for facilitation payment.
- iii) Any individual with any suspicion, concerns or queries regarding a payment made on behalf of the Group that may be perceived to be a facilitation payment, he or she should report to the Group via the whistleblowing channel.
- iv) In view of the Group prioritising the safety, security and life of its Employees and Crews at all times, a facilitation payment may be permitted under exceptional circumstances:
  - The safety and/or life of an Employee or Crew is at stake and the immediate available recourse to protect or secure the safety and/or life of such Employee or Crew is to make a facilitation payment; and
  - Prior approval must be obtained from the Executive Director to make such facilitation payment.

Making facilitation payment in such a situation for no other purposes than securing the safety and/or protecting the life of an Employee or Crew is the only exception which can be used as a defence when faced with allegations of bribery and corruption.


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#### **PART 4: POLITICAL CONTRIBUTIONS**

- i) The fund or resources of the Group must not be contributed, either directly or indirectly, to any political party, candidate or campaign.
- ii) The Group may, in very limited circumstances, make political contributions in countries where such contributions are permitted under applicable laws. Such political contributions, if made, must be approved by at least two (2) Executive Directors.
- iii) Any political contribution made must be permissible under applicable laws and must not be made with any promise or expectation of favourable treatment in return. In addition, it must be accurately reflected in the Group's accounting records with adequate supporting documents.
- iv) The Directors, Employees, Crews and Business Associates are not restricted to make personal political contributions in their own capacity, as appropriate within the limits set under the applicable laws. However, they must make clear of their individual political views and/or actions are personal and not reflective of the Group.
- v) The Group must not reimburse any personal political contribution to the Directors, Employees, Crews and Business Associates.

#### **PART 5: DEALING WITH PUBLIC OFFICIALS**

- i) The Group is committed to conduct business with public officials in a fair, transparent and ethical manner.
- ii) The Directors, Employees, Crews and Business Associates are required to exercise caution in dealing with public officials and ensure strict compliance with this Policy to avoid perception or allegations of bribery and corruption.
- iii) The Directors, Employees, Crews and Business Associates must not or attempt to exert / exercise improper or illegal influence to any public officials, either directly or indirectly.
- iv) Any improper or secret payments, by the Group or its Business Associates, including facilitation payments to any public officials is strictly prohibited.


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## **PART 6: DEALING WITH BUSINESS ASSOCIATES**

- i) All Business Associates must be made aware of this Policy and it is the Group's responsibility to ensure their compliance with this Policy. The Group shall encourage all its Business Associates to submit an Anti-Bribery and Corruption Declaration or confirmation in similar terms prior to establishing any business relationship with PPB Group.
- ii) Due diligence must be conducted to assess the integrity of prospective Business Associates, either on a regular or one-off basis, which shall be guided by both the existing Group's Procurement Policies and Procedures and Chartering Policies and Procedures.
- iii) The responsible employee or Executive and/or Head of Department is expected to collect and review documentation from the prospective Business Associates to understand their business and background; and also to ensure that these Business Associates are involved in lawful business activities. Such due diligence documentations shall be retained by the Group accordingly.
- iv) Business dealings with any potential Business Associates, reasonably suspected of engaging in bribery and corruption or any other improper business practices, should not be entered into unless those suspicions are investigated and resolved prior to the dealing.
- v) The responsible employee or Executive and/or Head of Department is required to continue to be aware of and periodically monitor the performance and business practice of Business Associates to ensure on-going compliance with this Policy.
- vi) The Group shall include clauses in all business contracts and/or official letter of appointment with Business Associates to enable the Group to terminate a particular business contract in the event a particular Business Associate is proven to be engaged in an act of breach of this Policy.

## **PART 7: RECRUITMENT OF EMPLOYEES / CREWS**

- i) The Group provides equal opportunity for any qualified and competent individual to be employed by the Company or subsidiaries from various multicultural and multiracial background.
- ii) The recruitment of Employees and Crews is based on an approved selection criteria to ensure that only the most qualified and suitable individuals are employed, and is vital to ensure that no element of bribery and corruption is involved in the recruitment of Employees and Crews.
- iii) In line with this, due diligence and background checking should be conducted, as far as possible, to ensure where a potential Employee or Crew has not been convicted in any offences including bribery and corruption.
- iv) Detailed due diligence background checking shall be undertaken, for example independent search from reliable agencies etc., when recruiting Employees in management positions with responsibility of decision-making under delegated authority and powers.


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## **PART 8: KEEPING A FORMAL RECORD**

- i) The Group must keep formal financial records and have appropriate internal controls in place to provide evidence on valid business reasons for making any payment to third parties, including Business Associates.
- ii) All Executive Directors, Employees and Crews must ensure all expenses claims relating to gifts, entertainment or corporate hospitality, if any, incurred for the benefit of external third parties including Business Associates are submitted in accordance with the Employee Handbook. The basis / reasons for such expenses claims must be clearly justified and recorded.
- iii) All documents, accounts, and records relating to dealings with the external parties including Business Associates, such as, Business Contracts, Invoices, Official Receipts etc. must be maintained with full accuracy and completeness. No account is kept “off-book” to facilitate or conceal improper payments.
- iv) All Executive Directors, Employees and Crews must declare in writing of all gifts, entertainment, corporate hospitality or any other benefit offered to or accepted by them, to their reporting Head of Department or Executive Director (subject to certain monetary value as specified under Part 1 of this Policy); and such declaration must be documented in Declaration Form for Gifts, Entertainment and Corporate Hospitality for onwards submission to the Human Resource and Admin Department.

## **PART 9: DECLARATIONS BY DIRECTORS, EMPLOYEES AND CREWS**

- i) All Directors, Employees and Crews shall certify in writing that they have read, understood and agreed to abide by this Policy at all times. A copy of this declaration shall be documented and retained by the Human Resource and Admin Department.
- ii) The Group reserves the right to request a Director, an Employee or a Crew to declare information on his or her assets in the event that such Director, Employee or Crew, is suspected to be implicated, in any bribery and corruption-related accusation or incident.


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## **PART 10: TRAINING AND COMMUNICATION**

- i) The Group shall conduct awareness trainings for all Directors, Employees and Crews to introduce and refresh awareness of the Policy, and to promulgate ethical conduct and integrity continuously.
- ii) Training shall be provided on a regular basis, in accordance with the level of bribery and corruption risk related to the position. Training should be provided by Human Resource and Admin Department to:
  - New Directors, Employees and Crews; and
  - Directors and Employees newly appointed to or transferred to a management position with responsibility of decision making under delegated authority and powers.
- iii) Human Resource and Admin Department shall maintain records to identify Directors, Employees and Crews who have received the aforesaid awareness training.
- iv) The Group's approach of zero-tolerance to bribery and corruption must be communicated to all Business Associates at the outset of the business relationship with them and as appropriate thereafter.
- v) This Policy shall be published on PPB's website at all times. Business Associates may be asked to refer to this Policy which has been made available on the Company website. Alternatively, a copy of this Policy shall be shared to all Business Associates at the outset of the business relationship.

## **PART 11: MONITORING AND REVIEW**

- i) The Group recognises that anti-bribery and corruption programme is a continuous process, thus a systematic review and monitoring process is vital to ensure its objectives are being met.
- ii) The Audit and Risk Management Committee is responsible to oversee the compliance with this Policy and review the effectiveness of internal control systems through the assistance from the Group's Internal Auditors; and in countering bribery and corruption practices. Regular review in the form of periodical internal audits shall be carried out by the independent auditors to ensure the Group's compliance to this Policy.
- iii) In addition, the Group shall conduct periodical risk assessment to identify, evaluate, monitor and manage bribery and corruption risks, as guided by the Group's Risk Management Framework and Policies; and the risk assessment shall be performed on a half-yearly basis, as a minimum requirement.


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## **PART 12: WHISTLEBLOWING CHANNEL**

- i) The Group aims to achieve a high standard of transparency, integrity and accountability in the conduct of its business and operations. PPB Group takes a serious view of any actual or perceived bribery and/or corruption in good faith, belief, without malicious intent, that a breach or violation as aforesaid may have occurred or may about to occur.
- ii) Thus, the Group provides an avenue for all employees of the Group and stakeholders i.e. suppliers, customers, shareholders or members of the public (collectively referred to as “whistle-blowers”) to report or disclose any improper conduct within or pertaining to the Group. Whistle-blower will be accorded protection of confidentiality as outlined in section 10 of PPB’s Whistleblowing Policy.
- iii) Please refer to the Group’s Whistleblowing Policy, together with Whistleblowing Form and Whistleblowing Frequently Asked Questions (“FAQ”) which has been published on the PPB’s website, for more details.

## **PART 13: SANCTIONS FOR NON-COMPLIANCES**


- i) Any Director, Employee or Crew who breaches this Policy shall be subject to disciplinary proceedings according to the Group Employee Handbook, and the Group reserves its right to terminate such Employee’s employment with the Group in the event such Director, Employee or Crew is found to have committed an act of breach of this Policy.
- ii) Legal proceedings may be initiated against a Director, Employee or Crew in the event the Group’s interests, reputations or standing have been affected as a result of such Employee’s non-compliance to the Policy.
- iii) Should reports be lodged against a Director, an Employee or a Crew or former Director, former Employee or former Crew who has been found to have committed an act of breach of this Policy, the Group shall provide full cooperation to enforcement authorities to facilitate further action by such enforcement authorities against such Director, Employee or a Crew or former Director, former Employee or former Crew.
- iv) Non-compliance with the Policy by Business Associates will result in blacklisting and termination of business contract, without prejudice to the right to initiate legal proceedings against them where the Group’s interests, reputations or standing have been affected by an act of breach of the Policy by the Business Associates.

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#### **PART 14: DAWN RAID**

- i) Dawn raid is an unannounced visit from regulators or enforcement agencies e.g. Malaysia Anti-Corruption Commission (“MACC”) in relation to an investigation where there is suspected infringement of an Act or a wrongdoing under the Act.
- ii) In the event of a dawn raid, the Group shall cooperate with the regulators or enforcement agencies. The Group Executive Directors must be informed of such a dawn raid, and coordinate with the respective Head of Departments to ensure effective and efficient cooperation / response is given for the investigation.
- iii) External training on the handling and managing of dawn raid, if any, shall be arranged and attended by the Group Executive Directors and/or the relevant Head of Departments to ensure effective response in dealing with a dawn raid and the impacts arising from the raid on the day-to-day business and reputation of the Group is minimized.



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## 6. REVIEW AND REVISION

The Group is committed to continually enhancing, improving and strengthening the Policy. The implementation of the Policy and its effectiveness shall be reviewed periodically or as at when there are major changes in the MACC Act 2009 or any other applicable laws and regulations, with identified improvements to be implemented as soon as possible.