

WHISTLE-BLOWING POLICY

SCOPE OF APPLICATION

This policy applies to all members of the Board of Directors and employees of Kulim (Malaysia) Berhad and its Group of Companies ("Kulim") and third parties.

This policy covers any information or complaints received related to an "improper conduct", committed or about to be committed. This policy does not replace Kulim's existing policy for handling employee grievances which will continue to be handled by the Human Resource Division.

PERSPECTIVE OF POLICY

Whistle-blowing is defined as disclosure of suspected or instances of improper conduct by stakeholders and any member of Kulim's employees. The disclosure made by an individual is known as the 'informant' or 'whistle-blower'.

Kulim assures that all the information and identity of the informant or whistle-blower will be processed confidentially and securely. Any person who makes or receives a disclosure of improper conduct or obtains confidential information in the course of the investigation into such disclosure shall not disclose the confidential information or any part thereof.

The Whistleblower Protection Act 2010 provides a safe avenue for them to make disclosures of such alleged improper conduct (whistle-blowing) to the relevant authorities in good faith, by protecting their identities, providing them immunity from civil and criminal proceedings, and protecting them from detrimental action.

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1. IMPROPER CONDUCT

Improper Conduct is defined as conduct or action which is unlawful and/or in breach of Kulim's Code of Business Ethics (COBE), rules, regulations, guidelines, policies and procedures, both written and implied.

Examples of Improper Conduct :

- A. The offence of accepting gratification
 - i. Accepts, obtains, agrees to accept or attempts to obtain, from any person in any form of gratification for personal interest or on behalf of others that related to official matters of Kulim.
- B. The offence of giving gratification
 - i. Gives or agrees to give or offers to any person whether for benefit of that person or of another person that related to official matters of Kulim.
- C. The offence of intending to deceive principal
 - i. Forgery or alteration of a cheque, bank draft, or any other financial document
 - ii. The impropriety of tender and procurement activities
 - iii. Questionable or improper accounting
 - iv. Submit and certify any claim contained false details
- D. The offence of using office or position for gratification
 - i. Abuse of power or authority
 - ii. Actions or omissions which are considered to be against the interest of Kulim
 - iii. Conflict of interest
 - iv. Misuse or abuse of Kulim properties or resources or confidential information

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- E. Allowing or assisting a person to commit any of the above instances of improper conduct.
- F. Detrimental action taken against informant or whistleblower or persons closely associated with them.

These examples are not exhaustive and any matter raised under this policy will be reviewed and considered appropriately.

2. DETAILS OF IMPROPER CONDUCT AND SUPPORTING EVIDENCE

- 2.1 Disclosures of improper conduct must be made with sufficient details and supported by documentary evidences and/or information of parties who are able to confirm or support the disclosures, wherever practicable.
- 2.2 Disclosure of information with the intention to deceive, envy or any intention that contrary to the principles of law, regulations and the interest of Kulim will not be entertained.

3. ANONYMOUS COMPLAINTS WITHOUT ADDRESS OR CONTACT

This policy encourages informant or whistle-blowers to disclose their identity or how they can be contacted. Anonymous information will be entertained and considered for an action subject to the decision of the Whistle-blowing Committee. Among the matters that will be considered are:

- i. The seriousness of the content of the disclosed information;
- ii. The level of the improper conduct contained in the information; and
- iii. The extent to which such information can be acted upon subject to the available sources, documents and witnesses.

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4. PROTECTION FROM RETALIATION

- 4.1 Kulim assures that no action will be taken against any informant or whistle-blower on conditions that the information provided is in good faith and has no element of malicious intent;
- 4.2 Kulim views retaliation or reprisal against the informant or whistle-blower seriously. Kulim provides assurance that all disclosures are protected with confidentiality and he/she would be protected against retaliation in any form under this policy.
- 4.3 Disciplinary action may be taken or a police report can be made against any employees or any person who is involved in making a disclosure in bad faith or with the intention to tarnish the image of Kulim.
- 4.4 Employees or any person who wants to disclose or report any improper conduct is free to lodge a report to any enforcement agency if they choose to do so.
- 4.5 Employees or any person who discloses improper conduct to any enforcement agency shall be protected under the Whistleblower Protection Act 2010.
- 4.6 The informant or whistle-blower should have the option of accessing to independent legal and technical advice and individual or group, as well as the option of a third-party mediator.

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5. IMMUNITY FROM PROTECTION

The protection given to an informant or whistle-blower however, does not include immunity from any investigations, disciplinary or other actions arising from any personal wrongdoings, acts of misconduct, or nonperformance on his part.

6. NOTIFICATION TO THE WHISTLE-BLOWER

Upon the receiving of the complaints, completion of the whistle-blowing process and other related processes and procedures, the informant or whistle-blower will be notified of the outcome. Such notification, however, may be limited to the status and/or selected information due to confidentiality.

7. WHISTLE-BLOWING CHANNELS

7.1 Any improper conduct that is discovered or genuinely suspected shall be reported immediately to:

- i) Whistle-Blowing E-Mail: whistleblowing@kulim.com.my
- ii) Whistle-Blowing E-Form: <http://kulim.com.my/whistleblowing>
- iii) Write a report:

Chairman
Board of Kulim (Malaysia) Berhad
Level 11, Menara KOMTAR
Johor Bahru City Centre
80000 Johor Bahru
Johor
Mail : Mark Strictly Confidential

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iv) Write a report:

Chairman
Board of Audit And Risk Committee (BARC)
Kulim (Malaysia) Berhad
Level 11, Menara KOMTAR
Johor Bahru City Centre
80000 Johor Bahru
Johor
Mail : Mark Strictly Confidential

v) Write a report or telephone or personally meet:

Head of Integrity Unit
Kulim (Malaysia) Berhad
K.B 705 Ulu Tiram Estate
80990 Johor Bahru
Johor
Mail : Mark Strictly Confidential
Telephone: 07-863 1900
(Office Hours: 8.00 am to 5.30 pm / Sunday to Thursday)