

# WHISTLEBLOWING POLICY

## 1. Objective

The primary objectives of this Policy is:

- a) to provide a platform for City-Link personnel and external parties to report information of any improper conduct, malpractice, illegal acts, unethical and omissions against all rules and regulations of the Company and legal requirements.
- b) to protect the whistleblower as to confidentiality, immunity from civil or criminal action and against any detrimental action being taken against them.
- c) to instill ethical practices and adopt a culture of transparency and trust within the Company and with external parties.

## 2. Scope

2.1 This Policy shall be applicable to:

- a) City-Link Express and all its associated companies, their Board of Directors and its personnel;
- b) City-Link Express and all its associated companies external parties such as Contractors, Suppliers, Agents, etc.
- c) City-Link Express and all its associated companies' customers.

2.2 Policy covers misconduct or malpractice in relation to the business operations and management of City-Link Express that which includes amongst others:-

- Fraud
- Bribery
- Abuse of power
- Conflict of interest
- Theft or embezzlement
- Corruption
- Criminal offences

- Misuse of Company's property
- Endangering the health and safety of an individual
- Non-compliance with Company rules, regulations and legal requirements

The above list is not exhaustive within this Policy and shall include any act or omissions which shall be deemed as misconduct or malpractice or of criminal offences under City-Link's Group of Companies' Employee Handbook or under any relevant legislations in force.

#### 4. References

- Whistleblower Protection Act 2010
- Board of Integrity Committee Terms of Reference
- Malaysian Anti-Corruption Commission (MACC) Act 2009
- City-Link Group of Companies Employee Handbook

#### 5. Definitions

The following definitions are included in this policy.

BOIC	Board of Integrity Committee
Bribery	<p>Bribery is defined as any action which would be considered as an offence of giving or receiving 'gratification' under the Malaysian Anti-Corruption Commission Act 2009 (MACCA).</p> <p>In practice, this means offering, giving, receiving or soliciting something of value in an attempt to illicitly influence the decisions or actions of a person a position of trust within an organization.</p> <p>'Gratification' is defined in the MACCA to mean the following:</p> <ol style="list-style-type: none"> <li>1. <i>money, donation, gift, loan, fee, reward, valuable security, property or interest in property being property of any description whether movable or immovable, financial benefit, or any other similar advantage;</i></li> <li>2. <i>any office, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;</i></li> <li>3. <i>any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;</i></li> <li>4. <i>any value consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage</i></li> </ol>

	<p>5. <i>any forbearance to demand any money or money's worth or valuable thing;</i></p> <p>6. <i>any other service 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 or not already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and</i></p> <p>7. <i>any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the preceding paragraphs (a) to (f).</i></p> <p>Bribery may be 'outbound', where someone acting on behalf of City-Link attempts to influence the actions of someone external, such as a Government official or client decision-maker.</p> <p>It may also be 'inbound', where an external party is attempting to influence someone within the City-Link such as a senior decision-maker or someone with access to confidential information.</p>
Corporate Gift	<p>Something given from one organization to another, with the representatives of each organization giving and accepting the gift. Corporate gifts may also be promotional items given out equally to the general public at events, trade shows and exhibitions as a part of building the company's brand. The gifts are given transparently and openly. Corporate gifts normally bear the company name and logo. Examples of corporate gifts include items such as diaries, table calendars, pens, notepads, plaques and festive gifts such as hampers, oranges and dates.</p>
Personal Gift	<p>Something given from one individual to another, with the intention of creating or enhancing a personal relationship. The gifts are given in a private setting, without the knowledge or approval of the company management of one or both parties. Personal gifts may include cash, cash equivalents such as credit cards, bitcoin or savings accounts, electronic items, watches, luxury pens, property, vehicles, free fares, shares, interest free loans, lottery tickets, travel facilities, entertainment, services, club memberships, any forms of discount or commission, jewels, decorations, souvenirs, vouchers or any other valuable items.</p>
Retaliation	<p>One or more of the following:</p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Withholding of payment that is due and payable under a contract.</li> <li>3. Refusal to enter into a subsequent contract.</li> <li>4. Action causing injury, loss or damage.</li> </ol>

	<p>5. Intimidation or harassment.</p> <p>6. A threat to take any of the actions above.</p>
Stakeholders	Individuals or groups concerned with, or affected by company policy and practice, including, but not limited to, personnel, customers, government bodies and parties, investors, joint venture partners, communities where City-Link has interests, suppliers, contractors
City-Link Personnel	All individuals directly contracted to the company and its controlled organizations on an employment basis, including permanent and temporary employees and directors.
Whistleblower	A person who discloses information on a person or organization engaged in or suspected of being involved in malpractice.
Whistleblowing	Disclosure by a person, usually company personnel, to those within the company in a position of authority and/or appointed to receive such disclosures, or a Government authority, or the media, of attempted, suspected and actual malpractice.

**6. Policy**

**6.1 Reporting Channel & Investigation**

- a) The Company shall make available the reporting of misconduct or malpractice through designated secure channels, available to both internal and external parties.
- b) City-Link Personnel may wish to report their concerns to their manager, HR, or other trusted person in authority. In such a case, where the report can be substantiated or the matter is of a serious nature, the person receiving the information should recommend the discloser to lodge a report with the Board of Integrity Committee (BOIC) who will assist them in this matter.
- c) Reports to the BOIC may be lodged via the following channels:
  - i. Email to the BOIC
  - ii. Letter
- d) Reports may be lodged in Bahasa Malaysia (BM) or English. Any Report submitted in other languages may be translated by BOIC for processing purposes.
- e) Company will not accept report received from anonymous sources. Disclosers are expected to provide their personal information, including name, contact phone number and/or e-mail to allow for follow up, obtain further information if necessary and keep the Discloser informed. The BOIC reserves the right to close anonymous reports without further action being taken.

- f) All whistleblowing reports received will be channeled to BOIC for processing.
- g) All reports lodged through the whistle blowing channels shall be assessed and investigated in a fair and proper manner.
- h) BOIC may decide to close cases which lack material evidence, particularly where the report originated from an anonymous source and further information cannot be obtained.
- i) If there is sufficient evidence that a corruption incident has occurred and contact details are provided, the discloser may be advised to report the incident directly to the MACC to secure official discloser protection.
- j) Once sufficient information has been secured through City-Link's investigation showing that a corruption incident occurred, the matter should be reported to the MACC.

## **6.2 Protection to Whistleblower**

- a) The identity of all disclosers shall be protected by all means possible.
- b) Only the Chairperson and BOIC members are authorized to access full details (including information on discloser's identify) of the discloser's report.
- c) In the event that the report makes reference to any of BOIC member, the implicated person shall not have access to the report. In this instance or where otherwise necessary, the Chairperson shall appoint another member to replace as a member.
- d) Unless the discloser agrees otherwise in writing, all further reports will exclude personal details of the discloser. If it is necessary to include reference to the discloser, a pseudonym unrelated to the discloser, must be used. E.g. 'Mr X' or 'Ms M'.
- e) Anyone who reveals the identity of a discloser without prior agreement from the discloser will be subject to disciplinary measures, including, but not limited to, the termination or removal from BOIC. The exception is where the information is demanded by a Government enforcement body or similar authority under the conditions of a warrant.

## **6.3 Assurances and protection against retaliation**

- a) The discloser shall receive no retaliation for a report that was provided in good faith, i.e. was not done primarily with malice to damage another person or the organization. Such protection is accorded even if the investigation later revealed that the whistleblower is mistaken regarding the facts, rules and procedures involved.
- b) Anyone who retaliates against a discloser will be subjected to disciplinary action, which may include termination of employment, demotion, or other legal redress.
- c) A discloser or any person related to, or associated with, the discloser, who fears, or has suffered detrimental action as a result of their whistleblowing action may:
  - i. Report the incident(s) to the BOIC Chairperson.
  - ii. Request for transfer of employment to another location. The request should be made in writing to the BOIC Chairperson.
- d) Provided the request is reasonable and justified, the BOIC Chairperson shall authorize the transfer at the earliest opportunity.

#### **6.4 Report on incidents to internal and external parties**

- a) No personal details of the discloser must be revealed in any report, unless prior written permission is given by the discloser. If it is necessary to include reference to the discloser, a pseudonym unrelated to the discloser must be used. E.g. 'Mr X' or 'Ms M'.
- b) Reports may be provided to the following parties, and must be in hard copy only:
  - i. Board of Integrity Committee
  - ii. Personnel involved in disciplinary hearing proceedings related to the case
  - iii. Any other party agreed with prior written approval by the BOIC Chairperson.
- c) Reports are only to be compiled by BOIC Secretary and checked by the BOIC Chairperson prior to printing and distribution to ensure no personal details are revealed.
- d) Reports to Government authorities are only to be made by the BOIC.

#### **6.5 Information storage**

- a) All electronically stored information must be password protected with access restricted on a strictly need-to-know basis.
- b) All hard copies must be stored in a secure location with access restricted on a strictly need-to-know basis.
- c) Only the BOIC shall have access to information containing the details of the discloser.

## **6.6 Anonymous and False or Malicious Report**

The company will take disciplinary action against any discloser who knowingly makes a false report. Disciplinary actions may include termination of employment, demotion, or other legal redress.

## **6.7 Prohibition on Reporting**

City-Link Personnel should utilize the internal reporting channels established by City-Link to lodge reports regarding issues of concern. It would be inappropriate to disclose their concerns to an external party unless internal procedures of the company has been followed to a full extent. However, City-Link recognizes that on occasion there may be an exceptionally serious issue which warrants reporting to an external body. This disclosure must be made in good faith, not malicious, and not made for the purpose of personal gain.

## **6.8 Obstruction of Investigations**

Any person who impedes or obstructs an investigation of a whistleblowing report shall be subject to disciplinary action, which may include termination of employment, demotion, or other legal redress.

## **6.9 Timescales for processing of reports**

The BOIC will ensure that the investigation are undertaken as quickly as possible without effecting the quality and depth of those investigations when processing reports of complaints.

## **6.10 Providing updates to the discloser**

Where the contact details of discloser are provided, BOIC shall update the discloser on the progress of the case from time to time.

#### **6.11 Incidents of corruption with evidence**

- a) The BOIC shall decide whether or not to forward reports received to the MACC. Reports which include the items below should be submitted to the MACC:
  - i. Material evidence of an incident of bribery or corruption
  - ii. Specific details of the transaction(s)
  - iii. Names of specific individuals
  - iv. Other information considered substantial by the BOIC.
- b) All reporting to the MACC must be done at the earliest opportunity once the materiality of the case is proven.
- c) The BOIC Chairperson may also choose to forward unsubstantiated reports to the MACC.

#### **6.12 Further Information**

Further information, including advice on what to do if faced with a concern or situation which could involve malpractice, can be obtained by contacting BOIC or the company's website.

### **7. Precedence of policy**

In reference to the protection of the identity of the discloser, this Whistleblowing Policy shall take precedence over previous company policies and/or guidelines which would otherwise entitle City-Link personnel and Board of Directors access to this information.

### **8. Sanctions for non-compliance**

City-Link will apply sanctions in the event of any violations of this policy. For City-Link Personnel, non-compliance may lead to disciplinary action, up to and including termination of employment. Further legal action may also be taken in the event that City-Link's interests have been affected for non-compliance by internal or external parties.

### **9. Waiver**

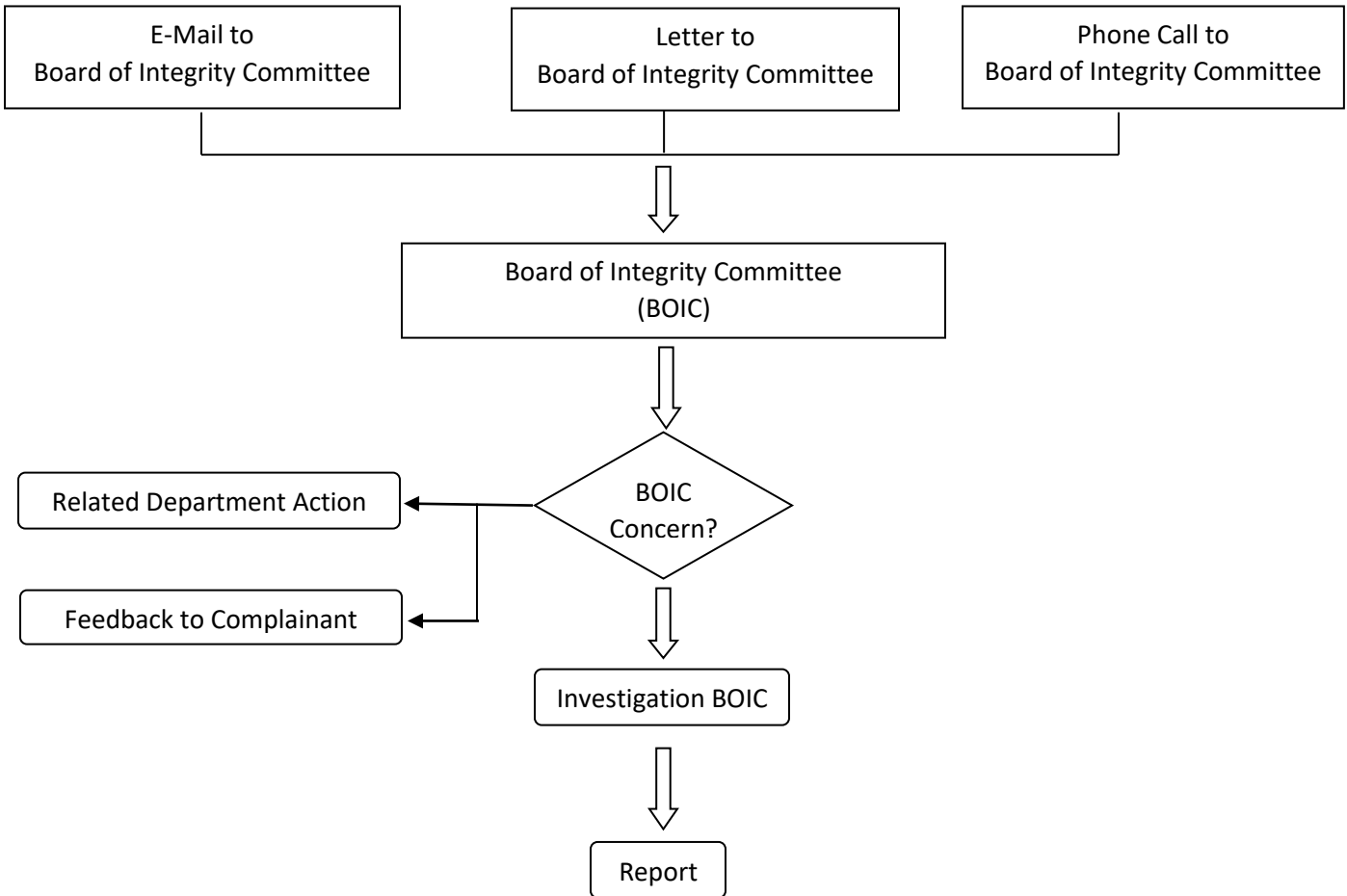


Any deviation or waiver from this policy must be approved by the BOIC.

**10. Review**

The BOIC will review the suitability of this policy from time to time, in accordance with its terms of reference.

## Whistleblowing Reporting Flow



## COMPLAINTS CHANNELS

1)



Email: [boic\\_complaints@citylinkexpress.com.my](mailto:boic_complaints@citylinkexpress.com.my)

2)



Board of Integrity Committee  
c/o Legal & Compliance Dept.  
Wisma City-Link No. 3A, Jalan Akitek U1/22,  
Seksyen U1, Hicom-Glenmarie Industrial Park,  
40150 Shah Alam, Selangor.

3) Online Submission Complaint Form ([http://www.citylinkexpress.com.my/complaint\\_form.aspx](http://www.citylinkexpress.com.my/complaint_form.aspx))