



CODE OF CONDUCT

AwanBiru Technology Berhad (Awantec)

Last Revision : 16 December 2020



1. PURPOSE OF THE CODE OF CONDUCT

This Code of Conduct (“the Code”) contains policies and guidelines relating to the standards and ethics that all employees are expected to observe and obey in the course of their employment in the Company. The Code is intended to maintain discipline and order in the workplace. It also sets out the circumstances in which such employees would be deemed to have breached the Code and the actions that can be taken against them if they do so.

By its nature as a general company policy, Awantec reserves the right to amend or delete any policy wholly or partly as and when deemed necessary.

2. DEFINITION OF WORDS

Company	Means AwanBiru Technology Berhad (Awantec) and its group of companies.
Confidential Information	Means any information regarding the Company, its business or other matter which: - <ol style="list-style-type: none"> (a) the Company reasonably believes that the release of the information will be injurious to it or advantageous to its trade rivals; (b) the Company reasonably believes that the information is not already made public; and (c) the above two (2) criteria are to be judged in the light of usage and practice in the industry in question.
Employee	Means a person under the employment of the Company including permanent and contract employment. Where an employee is employed under a contract, the terms and conditions of his contract shall apply where they differ from the policies in this Code.
HRD	Means Human Resource Department of the Company in which the relevant employee is under employ.
Prohibited Substances	Means alcoholic beverages, controlled substances, and dangerous drugs except for those made available to an employee under a doctor’s prescription.
Relatives	Means Parents, brothers, sisters, grandparents, parents-in-law of the relevant employee.
Spouse	Means an employee’s first legal wife or husband.

All reference of the masculine gender shall include the feminine gender



unless otherwise expressly stated. All words importing the singular number shall include the plural number and vice versa.

3. PROFESSIONAL CONDUCT

All employees shall observe and adhere to the highest standard of professional conduct. They should, in all respects and at all times, conduct themselves with integrity, honesty, propriety and decorum and must not under any circumstances, commit any act or omission that would bring damage to the Company, its property, reputation or general interests. As the Company uphold integrity and honesty as part of employee's conduct, the employee is expected to maintain integrity and honesty at the highest level at all time.

Employees are expected to have respect and tolerance for cultures and religions other than those of their own whether locally or overseas and shall conduct themselves in accordance with accepted standards of behavior.

The Company does not tolerate any form of abusive or coercive behavior whether verbal or otherwise, physical violence or sexual harassment among its employees.

4. ATTENDANCE/ PUNCTUALITY

All employees are required to observe and adhered to the following: -

- (a) to observe the stipulated working hours of the Company;
- (b) if an employee is unable to commence work on time on any particular working day, the employee must notify his immediate supervisor by telephone and/or e-mail at the earliest opportunity and in any event no later than 12.00 p.m. on that particular day. It is not acceptable to leave a message or voice mail on a supervisor's voicemail except for in the event of extreme emergencies; and
- (c) in accordance to the Employment Act. 1955, that an employee shall be deemed to have broken his contract of service with the Company if he has been continuously absent from work for more than two (2) consecutive working days without prior leave of absence from the Company, unless he has reasonable excuse for such absence and has informed or attempted to inform the Company of such excuse prior to or at the earliest opportunity during such absence.

5. DRESS CODE

All employees must be suitably and decently attired and groomed during office working hours. They are expected to maintain a dignified appearance and be neat, presentable and tidy at all times at the workplace. Those who are in contact with clients are to dress in a business oriented manner.



6. PROHIBITED SUBSTANCES

- (a) It is the Company's policy that the unauthorized consumption, possession, distribution, purchase or sale of any Prohibited Substances is prohibited within the Company's premises.
- (b) Employees shall not report for work or carry out their duties in the course of their employment under the influence of any Prohibited Substances.
- (c) If an employee is taking medication which renders him unable to carry out his duties in a manner that will jeopardize the safety of himself and/or the other employees, he must inform his relevant supervisor or the Human Resource Manager accordingly.
- (d) The consumption of legally prescribed psychoactive drugs is permitted for the treatment of identified illnesses, subject to prior written approval of the authorized management of the Company.
- (e) To ensure the adherence to this Code, the Company may from time to time conduct random test for the usage of Prohibited Substances. Any employee who tested positive for any Prohibited Substances are considered to have committed an act of misconduct which may render him liable for disciplinary action, including termination.
- (f) The HRD shall be responsible for determining the details of such misconduct or problem and the appropriate action to be taken against the said employee, which may include, without limitation, reprimand, suspension or dismissal. The HRD may, if it considers appropriate in the circumstances, submit a report of such misconduct to the management together with its recommendation of the appropriate disciplinary action to be taken against the said employee.

7. CODE OF ETHICS

An employee covered under this Code, in the course of his employment with the Company shall:-

- (a) at all times faithfully and diligently perform such duties and accept such responsibilities as may from time to time be assigned to the employee by the Company;
- (b) to undertake and comply with all orders and directions given to the employee by the Company and to faithfully observe all the rules, regulations, procedures, practices and policies of the Company, whether express or implied;
- (c) not at any time during the continuance of his employment with the Company to engage directly or indirectly in any other business or occupation whatsoever whether as principal, agent, servant, broker or otherwise or to engage in any activity to the detriment, whether direct or indirect, of the Company's interests. This restriction will not apply to any shares that he may acquire or hold in any quoted public company



- (d) not at any time be guilty of any act or conduct causing or calculated to cause damage to the Company, its property or its reputation and at all times conduct himself with propriety and decorum; and
- (e) not at any time during the continuance of or after the termination of his employment with the Company except by the direction or with the express approval of the Company, divulge either directly or indirectly to any person or company, knowledge or information which he may acquire during the course of or incidental to his employment by the Company or any business or property or transaction or policies in which the Company may be or may have been concerned or interested.
- (f) The Company does not encourage marriage between employees within the Company. In the event of a marriage between employees of the Company within the same department, one partner from the marriage may be transferred to another job function, location or company or resign from the service of the Company. The Management shall decide on the transfer, if necessary, on a case to case basis.

8. CONFIDENTIALITY

- (a) An employee must keep in confidential during and after his employment all information that he obtained about the business and affairs of the Company and its affiliates, or clients or customers of the Company and its affiliates. He must not, without written prior consent of the Company, communicate with or disclose to any representative of the media, any information of any nature whatsoever relating to the Company, its client of customers.
- (b) Any document or material provided to him by the Company or its affiliates is the Company's property and must not be removed, passed on or copied or disclosed to third parties except upon prior written consent by the Company. The employee shall agree that if requested to do so by the Company, he will enter into such further confidentiality agreements with the Company or its affiliates as the Company may reasonably require.
- (c) If he is found to be in breach of this confidentiality requirement, the Company reserves the right to take disciplinary action against him, including, at the discretion of the Company, the termination of his employment.
- (d) He agrees that all records and properties of the Company and its affiliates and its clients in his custody or control shall be immediately surrendered to the Company, at the request of the Company during the employee's employment period, and immediately upon the termination of his employment with the Company for any reason, whether or not requested by the Company.



9. INVENTIONS AND COPYRIGHTS

- (a) Any materials, drawings or inventions developed by him while in the employment of the Company, remain the intellectual property of the Company. Any invention, discovery, improvement, or design, including materials and drawings that the employee invented/ created while in the employment of the Company and in connection with its business, will be the property of the Company. On leaving the Company, the employee may not remove any documents, proprietary methodology, printed materials, computer disks or other materials gained in the course of his employment.
- (b) The employee shall agree to immediately provide the Company all relevant information and do whatever is necessary to enable the Company to obtain any letters patent, design registration or copyright it might require without any special or extra payment to the employee

10. THIRD PARTY INTELLECTUAL PROPERTY

The employee must comply with all laws, regulations and contractual obligations regarding the valid intellectual property rights of other parties, including patents, copyrights, trade secrets and other proprietary information. You may not knowingly infringe on the protected intellectual property rights of other parties.

11. INSUBORDINATION AND INEFFICIENCY

An employee shall not commit any act of willful refusal, insubordination or disobedience of any lawful and reasonable instruction of his superior including refusal to perform work assign, being inefficient and deliberately slowing down of work causing the quality *and/or* the quantity of work to be adversely affected.

12. PUBLICATIONS OF MATERIALS

Employees are not permitted to publish or distribute in any written or printed form, articles, books, periodicals, leaflets, brochures etc. containing information relating to the Company without prior written approval of the Company.

13. SOCIAL MEDIA USAGE

Employees are allowed to associate themselves with the company when posting but they must clearly brand their online posts as personal and purely their own. The company should not be held liable for any repercussions the employees' content may generate.



Content pertaining to sensitive and confidential company's information should not be shared to the outside online community. Divulging information like the company's design plans, internal operations and legal matters are prohibited.

Proper copyright and reference laws should be observed by employees when posting online.

Dishonourable content such as racial, ethnic, sexual, religious, and physical disability slurs are not tolerated.

Employees are not allowed to disclose information that are financial, operational and legal in nature, as well as any information that pertains to clients and customers or any related human resources issues.

14. CONFLICT OF INTEREST

- (a) An employee cannot during his employment with the Company, engage directly or indirectly in any other business or occupation whether as principal, agent, servant or broker while still in the employ of the Company.
- (b) He is also not permitted to engage in any activity, which can be detrimental, directly or indirectly, to the Interest of the Company.
- (c) He must seek prior written approval from the Company if he intends to hold directorship(s) in the same Company.
- (d) An employee is not allowed to participate in or influence the purchase of goods and services from any company or person in which or through which that employee has or will obtain a direct or indirect interest or benefit.
- (e) Upon receipt of the Code, all employees must declare all such interests as described to the Management for conflict of Interests and particular attention must be paid to the notes thereto, which explain the types of interests that must be declared.
- (f) Any proposal made by any employee for an unsolicited offer to purchase any or all of the equity interests of any of the Companies in the Group will be viewed as an event which may give rise to a conflict of Interest if such employee continues employment with the Group. Accordingly, such employee shall tender his resignation immediately.

15. BRIBES, GIFTS AND ENTERTAINMENT

Gifts offered by employees of different companies vary widely. They can range from widely distributed advertising novelties of nominal value, which you may or accept, to bribes which you unquestionably may not give or accept.

Gifts include not only material goods, also services, promotion premiums and discounts.



The followings are the Company's general guidelines on giving and receiving gifts and business amenities. Under these guidelines, senior management may also approve giving or receiving higher value gifts and business amenities provided the gifts and business amenities are not prohibited by law or know client business practice.

(a) Business Amenities

The employee **may** give or accept customary business amenities, such as meals and entertainment, provided the expenses involved are kept at a reasonable level and are not prohibited by law or known client business practice.

(b) Receiving Gifts

Neither the employee nor any member of his family may solicit or accept from a supplier or client money or a gift that could influence or could reasonably give the appearance of influencing the Company's business relationship with that supplier or client. However, unless the Company has specified to the contrary, he may accept promotional premiums and discounts offer by transportation companies, hotels, auto rental agencies, and restaurants if they are based upon membership in bonus programs for individuals and are offered to travelers generally. Furthermore, the employee may accept a gift of nominal value, such as advertising novelty, when it is customarily offered to others having a similar relationship with the supplier or client. If the employee has any doubts about particular situation, he should consult the management.

In the event the employee offered a gift which has more than a nominal value or which is not customarily offered to others or money, or if either arrives at the employee's home or office, he shall inform the management immediately. Appropriate arrangements will be made to return or dispose of what has been received.

(c) The employee may not give money or any other gift to an executive, official or employee or any supplier, client or any other organization if doing so would influence or could reasonably give the appearance of influencing the organization relationship with the Company. The employee may, however, provide a gift of a nominal value, such as the Company's advertising novelty, if it is not prohibited by law or the clients' known business partners.

(d) Relationship with Government Employees

Acceptable practices in the commercial business environments, such as providing education, transportation meals, entertainment, or other things of value, may be entirely unacceptable, and may even violate certain federal, state, local and foreign laws and regulation, when the Company is dealing with government employees or those who act on the government behalf. Thus, the employee must be aware of, and adhere to, the relevant laws and regulations governing relations between government employees, clients and suppliers in every state the Company conducts its business.



As a matter of general policy, the Company does not make or offer monetary or in-kind political contributions to political parties, political party officials or candidates for political office.

Employees are prohibited from paying for non-business travel and hospitality for any government official or his/her family/household members without permission from the Chief Executive Officer in consultation with the legal department. If approval is obtained for the employee to provide gift, entertainment or corporate hospitality to public officials, the employee must ensure that the gift, entertainment or corporate hospitality is not excessive and lavish, and must commensurate with the official designation of the public official and not his personal capacity. Please seek guidance from HR or the Legal Department prior to providing any gift, entertainment, or corporate hospitality to public officials.

A 'government or public official' is defined so as to include, without limitation, candidates for public office, officials of any political party, and officials of state-owned enterprises.

16. SEXUAL HARRASMENT

- (a) The act of sexual harassment, unsolicited and unwarranted sexual overtures and advances will be treated as misconduct. It is important to highlight that sexual harassment refers to sexual conduct which unwanted or unwelcomed to the recipient. It is also a sexual conduct which is imposed on and unsolicited or unreciprocated by the recipient.
- (b) For the purpose of this Code, "sexual harassment" shall mean any of the following: -
 - Any unwelcomed behavior of a sexual nature in the form of verbal, non-verbal, visual, psychological, or physical harassment: -
 - (i) that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on the employee's employment; or
 - (ii) that might, on reasonable grounds, be perceived by the recipient as an offence or humiliation, or a threat to the employee's well-being.
- (c) Sexual harassment can happen between individuals of different sexes or of the same sex.
- (d) Sexual Harassment may be divided into two categories, namely sexual coercion, and sexual annoyance.
 - (i) Sexual Coercion

Sexual coercion is sexual harassment that results in some direct



consequence to the victim's employment. An example of sexual harassment of this coercive kind is where a superior, who has power over salary and promotion, attempts to coerce a subordinate to grant sexual favours. If the subordinate accedes to the superior's sexual solicitation, job benefits will follow. Conversely, if the subordinate refuses, job benefits are denied.

(ii) Sexual Annoyance

Sexual annoyance, the second type of sexual harassment is sexually-related conduct that is offensive, hostile, or intimidating to the recipient, but nonetheless has no direct link to any job benefit. However, the annoying conduct creates a bothersome working environment which the recipient has to tolerate in order to continue working. Sexual harassment by an employee against a co-employee falls into this category. Similarly, harassment by a Company's client against an employee falls into this category.

(iii) Sexual harassment in the workplace includes any employment-related sexual harassment occurring outside the workplace as a result of employment responsibilities or employment-related sexual harassment may take place include, but are not limited to the followings: -

- (a) at work-related social functions;
- (b) in the course of work assignment outside the workplace;
- (c) at work-related conferences or training sessions;
- (d) during work-related travel;
- (e) over the phone; and
- (f) through electronic media.

17. DISCIPLINARY ACTION

- (a) Any employee who commits misconduct or a breach of rules established by the Company, shall be subject to disciplinary action,
- (b) Misconduct in employment can be broadly dealt with under three (3) headings namely: -
 - (i) misconduct relating to duty such as carelessness, fraud, dishonest, lying, misappropriation, insubordination etc.;
 - (ii) misconduct relating to discipline such as fighting, assault, quarrel, gambling, damage to Company property, drug abuse etc.; and



- (iii) misconduct relating to morality such as committing an indecent act, sexual advancement, pornography, keeping or distributing indecent or pornographic literature at the workplace, etc.

Appendix 1 provides a list of some common acts of misconduct.

- (c) A panel appointed at the discretion of the Company shall conduct all inquiries, the inquiry panel shall not include a member(s) whose presence may affect the impartiality of the panel in its conduct of the proceedings and its recommendations,

The proceedings of an inquiry shall be duly recorded by the panel for submission to the HR Manager or to the appropriate higher authority for decision, The Company may suspend an employee on half pay for a period of not exceeding two (2) weeks pending an inquiry. However, the Company has the implied right to suspend the staff beyond the period of 2 weeks, if necessary and the staff will be paid full wages for the duration of the extended period of suspension.

18. ACTION BY THE COMPANY

- (a) All disciplinary actions taken by the Company shall comply with the Company's established procedures and current legislation. Where there is any conflict between the two, current legislation shall prevail.
- (b) Head of Departments may issue written warnings on the advice of the HRD. All written warnings shall be recorded in the employee's personal file. In the event where three (3) warning letters for a similar offence have been issued within a period of twelve (12) months, the employee shall be subject to an inquiry to determine further disciplinary action.

19. SUMMARY DISMISSAL

The Company reserves the right to dismiss an employee after due inquiry for misconduct including but not limited to dishonesty, insubordination, gross neglect of duty, bankruptcy, and criminal conviction, within reasonable time after the misconduct in question whereby the employee is entitled to only the payment of proportionate amount of salary earned.

This right is in addition to and does not prejudice its other rights under law.

20. RIGHT OF APPEAL

An employee who has been imposed a disciplinary action shall have the right to appeal in writing within thirty (30) days of the announcement of the decision.

21. GRIEVANCE PROCEDURE



- (a) Grievance procedures can help to resolve a wide variety of problem faced by employee in the workplace. Some of the more common issue include: -
- (i) lack of proper implementation of terms and conditions of employment;
 - (ii) health and safety;
 - (iii) new working practices;
 - (iv) organisational change;
 - (v) equal opportunities; and
 - (vi) sexual or moral harassment.
- (b) The Company strives to establish policies, guidelines, and day-to-day practices to ensure mutual trust and respect. Clear and open channels of communication in both directions between employees and supervisors are paramount to positive employee relations. Hence, when there is any form of dissatisfaction/discontent arising from work related issues which the employee feels has not been resolved fairly or equitably, the employee concerned may address the grievances according to the following procedures: -

Stage 1:

The employee must give notice of grief to his immediate supervisor. Notice of grievance must be given to his immediate supervisor within six (6) working days from the actual date of the incident causing the grievance. Where grievance affects two or more employees answering to the same supervisor, the employee may nominate a spokesperson to put their case. The immediate supervisor must try to resolve the grievance consulting where necessary with the HR Manager and higher levels of management as appropriate. The grievance raised must be resolved within ten (10) working days from the date of receipt of the notice.

Stage 2:

If the grievance is not resolved, the immediate supervisor will refer it to the staff's Department Head or Business Head. Discussion must be held amongst the aggrieved employee, his immediate supervisor, and the Department Head/Business Head. The issue must be resolved within the next six (6) working days.

Stage 3:

At this level if the grievance remains unresolved to the satisfaction of the employee, the Department Head/ Business Head must refer the matter to the HR Manager. Discussion should be attended by aggrieved employee, his immediate supervisor, Department Head/Business Head and HR Manager. The matter must be settled within the next six (6) working days.

Stage 4:

At this stage, if the grievance remains unresolved, the HR Manager must prepare a full written report of the grievance and submit to the Chief Executive Officer or Grievance Panel of which the members will appointed by the Chief Executive Officer.



Time limit to conclude on the decision at this stage is six (6) working days (start from the date report submit by HR Manager to Chief Executive Officer). The employee may appeal on the decision. However, the final decision on the appeal lies in the hands of the Chief Executive Officer.

This is the recommended process for any employee grievance. However, the Company recognise that there are times when an employee must circumvent one or more levels in the process. For those times they are welcome to inform Human Resource Department direct.

22. TERMINATION OF SERVICES

- (a) Notice of termination of service shall be made in writing and in accordance with the Company's Terms and Conditions.
- (b) In lieu of such notice, the employee or the Company shall pay a sum equivalent to the salary for the notice period required.
- (c) An employee shall surrender all Company documents, files, vehicles, keys, and other Company property in his possession upon his termination of service in the Company.
- (d) The employee shall reimburse the Company the value of the replacement cost for any item(s) or the Company property that is lost or destroyed while under his custody.
- (e) The employee shall settle all outstanding liabilities and obligations with the Company before any monies due to him are to be released.

23. DISCLOSURE DUTIES

- (a) If an employee finds or suspects that another person subjected under this Code may have committed or may be about to commit any breach of any of his terms and conditions of service or of this Code, or to violate the Company's policies or applicable law, whether deliberately or through inadvertence, the employee must forthwith report the same, in writing, to the Head of Department or the HRD.
- (b) If the report is made in good faith, belief, without malicious intent, that a breach or violation as aforesaid may have occurred or may be about to occur, the employee will not be penalized or subject to any form of victimization or retaliatory action notwithstanding that, after investigation, it is shown that he was mistaken. Any form of reprisal by a person subject to this Code against another person who in good faith and without malicious intent has made a report or disclosure as stated above is forbidden and will itself be regarded as serious misconduct rendering the person engaged in the reprisal liable for disciplinary action. This includes blatant actions, such as firing, transferring, demoting or publicly attacking someone, and more subtle retaliation, such as avoiding someone, leaving him out of professional or social



activities, and so on.

APPENDIX 1

It is the policy of the Company, to establish disciplinary guidelines for the purpose of regulating an orderly business environment in the Company. The purpose of this policy is to express that the company views certain acts by the employees very seriously especially if these could jeopardize the Company's image, create discord amongst employees, and / or endanger employees' interest.

RULES AND REGULATIONS

An employee may be dismissed without notice or payment in lieu thereof, in the case of the employee committing a further offence after receiving a final warning or committing a grave offence and being charged for any serious offence and / or major misconduct.

Below are some examples of conduct, which are considered to be serious offences and major misconduct, as just cause for Immediate Dismissal: -

- (a) Wilful insubordination or disobediences whether alone or in combination with others, to any lawful and reasonable order of a superior or customers of the Company.
- (b) Theft, fraud or dishonesty including attempted theft, attempted fraud or attempted dishonesty in connection with the Company's business or property, of the Company's customers, or fellow staff's belongings.
- (c) Submission of forged or unauthentic documents required for employment or presenting a forged medical certificate or official documents to defraud the Company.
- (d) Falsifying company records or documents, whether for financial gain or otherwise.
- (e) Unexcused/unexplained absence from duty for two (2) or more consecutive working days without prior approval.
- (f) Conviction of a crime or detention by the authorities even though released on bail for an indefinite period, for an alleged criminal offence awaiting prosecution from a court of law.
- (g) Gambling or card playing of any form, lottery, or any game of chance whether for money or not, within the Company's premises at any time.
- (h) Attempting to gain a commission, profit, money, gifts, kickbacks and / or receiving any form of compensation or gratifications from external parties, directly or indirectly by using one's position.
- (i) Riotous or disorderly behaviour of fighting anywhere within the Company's premises at any time, amongst staff or customers.
- (j) Violence, abusing, assaulting, or threatening to assault or to do any injury to other staff, or superiors, within the Company's premises at any time, or to Company's customers.



- (k) Sleeping whilst on duty.
- (l) Repeatedly leaving the workplace during working hours without permission or overstaying approved leave without sufficient grounds or satisfying explanations or without informing or attempting to inform the Company of the excuse for such absence.
- (m) Failure to perform work assignments without justifiable reasons or willfully slowing down the work or inciting others to do so.
- (n) Possession of, use or attempt to bring into the company premises, alcoholic beverages, illegal drugs or substance, weapons, firearms, or explosive materials.
- (o) Reporting for work under the influence of intoxication or drugs; drinking alcoholic beverages; using drugs or having possession of these items whether on the Company premises or during working time.
- (p) Immoral, immature, or indecent conduct; soliciting persons for immoral purposes; or the aiding and/or abetting of any of the above.
- (q) Willful and deliberate destruction of property belonging to the Company, customers or fellow staff and all act of vandalism.
- (r) Refusal to accept any communication served either in accordance with the Law, the Code or in the interest of discipline.
- (s) Collection of money or distribution of pictures, literature, leaflets or posting notices within the Company premises without the prior sanction in writing of the Management.
- (t) Permitting or assisting unauthorized person/s to enter or to have access to restricted areas within the Company premises.
- (u) Participating directly or indirectly in any business or enterprise which is related directly or indirectly to any of the business of the Company, whether in competition or not.
- (v) Poor attendance records, tardiness, and no improvements despite verbal/written warnings. This also applies to attendance at training and meetings.

Below are some examples of conduct, which are considered to be offences and misconduct, as just cause for remedial action which could range from verbal or written warning, down-grading, suspension from work without pay to immediate dismissal: -

- (a) Consistent low efficiency due to unsatisfactory work performance.
- (b) Unauthorized presence or loitering at company premises when off duty or on leave.
- (c) Leaving the work area while on duty, without notifying the immediate supervisor.



- (d) Unexcused/unexplained lateness or leaving duties before schedule without prior approval from the Management.
- (e) Failure to comply with any periodically scheduled examination or training required by the company or the government.
- (f) Conducting personal business during working hours.
- (g) Willful and deliberate display of obscene pictures, photos, or film within the Company's premises.
- (h) Deliberately releasing confidential information and / or copying company documents, manuals, diskettes, computer files to others without approval.
- (i) Using the Company's computer or e-mail system for non-work-related matters.
- (j) Taking part in any illegal activity, anti-government activities or in any activity prejudicial to the maintenance of law and order.



“WHISTLEBLOWING” POLICY

(Making a Disclosure in the Employee, Company and Public Interest)

Introduction

Awantec Group (‘the Company’) is committed to highest standards of openness, probity and accountability within the Company via support of Human Capital Management Department.

An Important aspect of accountability and transparency is a mechanism to enable staff and other members of the Company to voice concern in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer’s affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organization then this information should be disclosed internally without fear of reprisal, and there should be arrangements to enable this to be done independently of line management (although in relatively minor instance the line manager would be the appropriate person to be told)

Act 711 – Whistleblower Protection Act 2010

Our Malaysian Whistleblower Act 2010, which came into effect in 15 December 2010, gives legal protection to employees against being dismissed or penalized by their employers as a result of publicly disclosing certain serious concerns. The Company has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concern.

It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the Company nor should it be used to reconsider any matter which has already been addressed under harassment, complaint, disciplinary or other procedures. Once the “whistleblowing” procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside the Company.

Scope of Policy

This policy is designed to enable employee of the Company to raise concern internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This policy is intended to cover concern which are in the public interest and may at least initially be investigated separately but might then lead to the invocation of other procedures e.g., disciplinary. These concerns could include:



- Financial malpractice or impropriety or fraud
- Failure to comply with a legal obligation or Statutes
- Endangerment of an individual's health & safety or the environment
- Criminal activity/offences
- Improper conduct or unethical behaviour
- Corruption, bribery, or blackmail
- Miscarriage of justice
- Attempt to conceal of any; or
- a combination of the above

Safeguards

i. Protection

This policy is designed to offer protection to those employees of the Company who disclose such concerns provided the disclosure is made:

- in good faith
- in the reasonable belief to the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person. It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegation could give rise to legal action on the part of the persons complained about.

ii. Confidentiality

The Company will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

iii. Anonymous Allegations

This policy encourages individuals to put their names to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of the Company.

In exercising this discretion, the factors to be considered will include:



- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

iv. Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

Procedures for Making a Disclosure / Complain

Concern should be raised with the employees to notify his / her department head and then the head of department to notify CEO, COO, CFO and Head, Human Resources Department as listed below (table 1): -

Person in Charge ("PIC") of Report	Authorization Level	Telephone, Fax & Email	Priority of
CEO	All Issue (Management Committee Member)	Tel: 8689 7000, Fax 8689 7009, Email: abuhasan@awantec.com.my	*Yes / high
COO (Investigation Officer)	All Issue (Management Committee Member)	Tel: 8689 7000, Fax 8689 7009, Email: baldesh@awantec.com.my	*Yes / high
CFO (Investigation Officer)	All Issue (Management Committee Member)	Tel: 8689 7000, Fax 8689 7009, Email: abdrahim@awantec.com.my	*Yes / high
Head, HRD	All Issue (Management Committee Member)	Tel: 8689 7000, Fax 8689 7009, Email: yasmin@awantec.com.my	*Yes / high

Table 1 * Independent from Board of Directors

However, if for some reason the employee does not feel comfortable to report through his / her head of department, then the employee has the right to bypass all his / her head of department and take his/her concern directly to **CEO, COO, CFO or Head HRD.**



Code of Conduct / Whistleblowing Policy
Strictly Confidential

Upon receive the issue, the Management Committee Members namely CEO, COO, CFO or Head, HRD will distribute / channel to the following PIC for investigation as following details below (table 2) (if related):

Person in Charge Cases	Authorization Level	Telephone, Fax & Email	Priority Issue
CFO / COO / Internal Auditors	All issue of Financial / Audit	Tel: 8689 7000, Fax 8689 7009, Email: abdrahim@awantec.com.my Tel: 8689 7000, Fax 8689 7009, Email: baldesh@awantec.com.my	Subject to Management Committee Member approval
COO / Company's Appointed Lawyers.	Company legal matters	Tel: 8689 7000, Fax 8689 7009, Email: baldesh@awantec.com.my	Subject to Management Committee Member approval
HRD	Risk and fraud matters	Tel: 8689 7000, Fax 8689 7009, Email: yasmin@awantec.com.my	Subject to Management Committee Member approval
Table 2 *PIC must investigate and to complete reports within 14 days			



The Management Committee Member will raise up all the issue from the employee and will notify within 14 days to the Board of Directors as listed below subject to priority of the cases (table 3):-

Report	Authorization Level	Priority of Issue
Mr Chan Wan Siew Interim Chairman/ Senior Independent Non- Executive Director	All issue Committee Board Member	*Yes
Ramanathan A/L Sathiamutty Chairman, Risk Management Committee Independent Non-Executive Director	All issue Committee Board member	*Yes
Professor Emeritus Dato' Dr Hassan bin Said Independent Non-Executive Director	All issue Committee Board Member	*Yes
Ginny Yeow Independent Non-Executive Director	All issue Committee Board Member	*Yes
Hafidah Aman Binti Hashim Independent Non-Executive Director	All issue Committee Board Member	*Yes
Table 3	* Independent from the management	



Should there any issue involving the Management Committee Members (table 1) or any of PIC of Investigation (table 2), the complaint will be made directly Chairman of the Board of Directors or / and Chairman of Risk and Audit Committee.

Concerns / complain are to be raised in writing. The employee is invited to set out the background and history of the concern, giving name(s), date(s), and place(s) where possible, and the reasons why they are concerned / complain about the situation. If the employee does not feel able to put his/her concerns / complain in writing, he/she can telephone, email, or meet Human Resource Department as per listed in table 1. The employee's concerns could also be expressed anonymously, and this choice would be respected.

The complainant will be kept informed of the final outcome of investigation, subject to relevancies. All responses to the complainant will be in writing and sent to his/her where the employee has provided all his/her personal data.

On receipt of a concern, complaint of malpractice will be investigated by the Management Committee Members. If the complaints are against the Management Committee members or are in any way related to the actions of the Management Committee Members, the complaint will be passed by Management Committee Members to the Committee Board member for referral. The Chairman will nominate an appropriate Investigating Officer.

- In the case of a complaint, which is any connected with but not against the Management Committee Members, the Management Committee Members will nominate a Investigation Assistant (Table 2) to assist the Human Resource Department (Table 1).
- The complainant has the right to bypass their line management structure or head of department and take their complaint direct to Management Committee Members. The Management Committee Members has the right to refer the complaint back to line management or head of department if he/she feels that their line management or head of department without any conflict of interest can more appropriately investigate the complaint.

Should none of the above routes be suitable or acceptable to the complainant, then the complainant may approach one of the Board of directors. Management Committee Members can advise the complainant on the implication of the legislation and possible internal and external avenues of complaint open to them.

If there is evidence of criminal activity or breach of trust, then the Management Committee Members / Investigating Officer will inform the police. The Company will ensure that any internal investigation does not hinder a formal police investigation.

Timescales

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The Management Committee Members and Human Resource Department should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations, subject to one (1) month duration for investigation and compiling the evidence.

The Management Committee Members/Human Resource Department, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed, subject to relevancies. If the investigation is a prolonged one, the Management Committee Members / Human Resource Department should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent directly, subject to relevancies.

Investigating Procedure

The Management Committee Members / Investigating Officer should follow these steps:

- Full details and clarifications of the complaint should be obtained
- The investigating officer should inform the member of staff against whom the complaint is made soon as is practically possible. The member of staff will be informed of their right to be accompanied by other representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider the involvement of the Company auditors, appointed lawyers and the Police at this stage and should consult with the Chairman/CEO.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- A judgement concerning the complaint and validity of the complaint will be made by the Management Committee Members / investigating officer. The judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Chief Executive Officer or Chairman of the Board of Directors as appropriate.
- The Chief Executive Officer / Chairman will decide what action to take. If the complaint is shown to be justified, then they will invoke the disciplinary action or other appropriate Company procedures
- The complainant should be kept informed of the progress of the investigation and if appropriate of the final outcome.
- If appropriate, a copy of the outcomes will be passed to the Company



Auditors or Audit Committee to enable a review of the procedures.

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Chief Executive Officer / Chairman, or one of the designated persons described above.

If the investigation finds the allegations unsubstantiated and all internal procedure have been exhausted, but the complainant is not satisfied with the outcome of the investigation, the Company recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons or where justified, elsewhere.