



MEIBAN ENERGY SERVICES ANTI-BRIBERY AND CORRUPTION POLICY

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1.0 Introduction

Meiban Energy Services Sdn. Bhd. (MESSB) has established the Anti-Bribery and Corruption (ABC) Policy to provide a clear and unequivocal stance on bribery and corruption. This policy serves as the foundation of an effective integrity management system, emphasizing our commitment to maintaining ethical standards.

The Anti-Bribery and Corruption Policy goes into further detail on these principles, offering guidance to our personnel on addressing improper solicitations, bribery, and other unethical activities that may arise in our business operations. It is crucial for MESSB personnel to adhere to and support this ABC Policy, as it is integral to our ongoing success. Non-compliance with this Policy may result in severe consequences for the organization, including potential disciplinary actions against personnel.

2.0 Anti-Bribery and Corruption Commitment

MESSB is dedicated to conducting its business with unwavering ethics and integrity. This commitment extends to the complete avoidance of any practices related to bribery and corruption in our daily operations.

The organization has firmly adopted a zero-tolerance stance towards all forms of bribery and corruption and is resolute in taking strong actions against such misconduct. MESSB personnel will not face discrimination or disciplinary consequences for refusing to engage in any activity that may reasonably be associated with bribery and corruption.

3.0 Objective

The objective of this Policy is to inform and guide our top management and employees regarding expected standards of behaviour, recognizing and addressing bribery and corruption. While this Policy is not exhaustive, it emphasizes the requirement for compliance with all applicable laws, rules, and regulations in the execution of their duties.

4.0 Scope

This MESSB ABC Policy applies to:

- 4.1. Top management and all personnel (permanent, contract, and interns) within MESSB, regardless of their roles.
- 4.2. MESSB business associates and other intermediaries who are performing works or services for and on behalf of MESSB.

5.0 Definition

- 5.1. Business Associates - An external party with whom the organisation has, or plans to establish, some form of business relationship. This primarily include clients, customers, outsourcing providers, contractors, consultants, subcontractors, suppliers, vendors, advisers, and agents.
- 5.2. MESSB ABC Policy – Meiban Energy Services Sdn. Bhd. Anti-bribery and Corruption Policy
- 5.3. Bribery - Act of corruptly authorising, giving, agreeing to give, promising, offering, soliciting, receiving, or agreeing to receive any gratification.
- 5.4. Corruption - Corruption can involve the giving or receiving of any gratification or reward for tasks related to one's job description.
- 5.5. Gratification - Defined as the following:
 - a) 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;
 - b) any office, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;
 - c) any payment, release, discharge or liquidation of any loan, obligation, or other liability, whether in whole or in part;
 - d) any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction, or percentage;
 - e) any forbearance to demand any money or money's worth or valuable thing;
 - f) 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
- 5.6. Money Laundering - Money laundering encompasses the process of introducing unlawfully acquired funds into legitimate financial systems to make them appear as if they originate from legal sources. It also involves using legitimate funds to support criminal activities, including terrorism financing.
- 5.7. Conflict of Interest - When a person's own interests either influence, have the potential to influence or are perceived to influence their decision making of the organization.
- 5.8. Facilitation payment - Payment or other provision made personally to an individual in control of a process or decision. It is given to secure or expedite the performance of a routine or administrative duty or function.
- 5.9. Kickbacks - An illegal payment intended as compensation for preferential treatment or any other type of improper services received.

6.0 Anti-Bribery and Corruption Policy

- 6.1. All forms of bribery and corruption related to the MESSB activities are strictly prohibited.
- 6.2. Bribery and corruption encompass anything of value, such as money, goods, services, property, privilege, employment position or preferential treatment. Employees and business associates must not, whether directly or indirectly, offer, give, receive, or solicit anything of value to unduly influence individuals in positions of trust within organizations, for the benefit of the company or individuals involved.
- 6.3. The ABC Policy applies uniformly to the company's interactions with both private and public entities, including their top management, personnel, agents, and representatives. It is essential to avoid any appearance of bribery or corruption, especially when dealing with government officials.
- 6.4. The ABC Policy is applicable worldwide, without any exceptions, and without being influenced by regional customs, local practices, or competitive conditions.
- 6.5. No employee or external party will face demotion, penalties, or adverse consequences as retaliation for refusing to engage in bribery, even if such refusal may result in the company losing business. This protection applies unless the individual participated in the violation themselves.

7.0 Recognition of Local and International Legislation

- 7.1. MESSB is dedicated to conducting its business in an ethical manner, fully adhering to all relevant laws and regulations in the regions where it operates
- 7.2. These laws encompass, but are not restricted to the Law of Malaysia, the Malaysian Anti-Corruption Commission Act 2009, the Companies Act 2016, and any other pertinent legislation within the business region. These statutes prohibit bribery and corrupt activities, and they require companies to maintain precise financial records and establish robust internal controls.
- 7.3. In situations where there is a conflict between mandatory laws and the principles outlined in this and other policies, the law will take precedence.

8.0 Gift and Hospitality

- 8.1. MESSB permits the exchange of small gifts and reasonable acts of hospitality solely as acceptable gestures to foster positive business relationships. However, MESSB employees, including top management, are strictly prohibited from requesting gifts or hospitality from any third party that holds or may hold business interests with the company.
- 8.2. Any gift-giving and/or receiving of event of hospitality must be in fulfilling the following conditions:
 - a) It is not offered with the purpose of exerting influence, whether directly or indirectly, or providing rewards to a third party in an attempt to gain an advantage through inappropriate conduct, or in exchange for favours or benefits.
 - b) It complies with all applicable laws.
 - c) It is presented on behalf of the Company, not in the name of individual Employees;
 - d) It excludes currency or any cash equivalents (e.g., gift certificates or vouchers);
 - e) It is suitable for the given situation, such as adhering to customary practices like exchanging small gifts during the New Year Festival (e.g., calendars, diaries, umbrellas);
 - f) It is an appropriate type and value, and given at an appropriate time. For example, if a business partner is engaged in a tendering process, the Employees must not give gifts and/or hospitality to that business partner;
 - g) It is exchanged transparently, without any secrecy.
- 8.3. Employees must refrain from retaining small gifts received for seasonal celebrations or traditional cultural practices and must adhere to the Company's Regulations regarding the acceptance of assets from business associates.

9.0 Charitable donations, sponsorship, and corporate social responsibility

- 9.1. MESSB is dedicated to engaging in charitable donations, sponsorships, and corporate social responsibility (CSR) activities for the betterment of society and the community.
- 9.2. Nevertheless, it is essential that all charitable donations, sponsorships, and CSR initiatives align with the company policies, comply with applicable laws and regulations, and are offered without any intention to influence improper actions or as rewards for inappropriate conduct.
- 9.3. All appeals from recipient organizations for charitable donations, sponsorships, and CSR must undergo assessment by a Plant Director (or a higher-ranking) to confirm their alignment with the company's predefined criteria.
- 9.4. It is the policy of MESSB to prohibit personnel from soliciting vendors for charitable donations, sponsorships, or CSR activities for individuals, their friends, or relatives.

10.0 Political Contributions

- 10.1. MESSB remains non-partisan and strictly prohibits any contributions to political parties, organizations, or their representatives in any form.

11.0 Money Laundering

- 11.1. MESSB strictly prohibits any involvement in money laundering practices, which encompass activities related to handling the proceeds of criminal actions.
- 11.2. To ensure compliance with anti-money laundering laws, MESSB personnel are expected to consistently perform due diligence when establishing or maintaining relationships with business associates and third parties. This includes understanding their business history, the source and destination of funds, and payment details.
- 11.3. MESSB employees are obligated to promptly report any anomalies in the source of funds or transactions that arouse suspicion of aiding illegal or terrorist activities to their immediate supervisor for further investigation and action.

12.0 Facilitation Payments and Kickbacks

- 12.1. MESSB adopts a strict policy of disallowing the use of facilitation payments in its business.
- 12.2. Personnel shall decline to make the payment and report to the top management immediately when they encounter any requests for a facilitation payment. In addition, if a payment has been made and personnel are unsure of the nature, the top management must be notified immediately, and the payment recorded accordingly.
- 12.3. MESSB expressly prohibits both the provision and acceptance of kickbacks. We acknowledge that kickbacks often involve the exchange of business favours or advantages.
- 12.4. The only circumstance in which making such a payment is allowed is when an employee's safety is in jeopardy. In this case, the employee must promptly report the incident to their top management to document the details and maintain a record of the expenditure.

13.0 Support Letters

- 13.1. MESSB bases its contract awards and employee appointments solely on merit. Consequently, any form of support letters will not be considered as a part of the business decision-making process.

14.0 Recruitment, promotion, and support of personnel

- 14.1. MESSB acknowledges the significance of integrity within its workforce and business partners. The company's recruitment, training, performance assessment, compensation, commendation, and advancement processes for all MESSB personnel, including management, will be structured, and periodically revised to acknowledge and uphold integrity.
- 14.2. MESSB does not engage in offering employment to prospective personnel as a form of improper favouritism based on their previous roles.

15.0 Business Associates and Third Parties

- 15.1. All business associates representing MESSB must adhere to this ABC Policy and other applicable policies.
- 15.2. For entities over which MESSB retains controlling interest, such as subsidiaries, they are required to implement this ABC Policy. In cases where MESSB lacks controlling interest, these entities are encouraged to comply with this ABC Policy or establish their own anti-bribery and corruption measures.
- 15.3. MESSB refrains from engaging with business associates who are known or reasonably suspected to engage in corrupt practices or known or reasonably suspected to offer bribes.
- 15.4. Thorough due diligence and risk assessments will be conducted on prospective and ongoing business associates to ensure their integrity and reasonable expectation of abstaining from corruption.
- 15.5. Contractual terms with business associates include provisions enabling the organisation to terminate or discontinue contractual relationships in case business associates are found to be involved in bribery and corruption.

16.0 Responsibility of MESSB personnel.

- 16.1. All MESSB personnel, including top management, are obligated to fulfil responsibilities and duties related to the Company's anti-bribery and corruption stance, in addition to existing ones. This includes the following:
 - a) Familiarize themselves with the applicable requirements and directives of the policy and communicate them to their subordinates;
 - b) Accurately and comprehensively record all transactions and payments in MESSB's financial records promptly;
 - c) Seek clarification from top management if any questions arise about this policy or if there is uncertainty about the required actions in specific situations;
 - d) Always report any suspicious transactions and other "red flags" (indicators of bribery or corruption) to their immediate superiors for guidance on the appropriate course of action;

- e) Maintain vigilance for signs or evidence of potential violations of this policy;
- f) Report violations or suspected violations through the designated channels promptly; and
- g) Refrain from using their position or MESSB's name for personal advantage or gain.

16.2. When engaging with business associates, MESSB personnel must refrain from:

- a) Demonstrating unexplained or unjustifiable preferences for specific parties;
- b) Attempting to dishonestly influence their decisions by providing, promising, or bestowing advantages.;
- c) Employing improper influence to gain benefits from them;
- d) Either directly or indirectly offering or pledging corrupt payments, whether in cash or in kind, to secure a particular favour or improper advantage from them.

16.3. Throughout an ongoing or anticipated procurement or tender process, MESSB personnel involved in any capacity must not:

- a) Accept gifts, hospitality, or any form of gratuity from any external party currently involved, intending to be involved, or anticipated to participate in the procurement or tender process;
- b) Offer anything beyond corporate gifts and nominal hospitality to any external or third party connected to the procurement or tender process;
- c) Engage in conversations related to personal gain or the advantage of a business associate concerning business or employment opportunities during the procurement or tender process;
- d) Misuse the decision-making authority and other delegated powers granted by top management; and
- e) Circumvent the standard procurement or tender processes and procedures.

16.4. When interacting with external parties capable of making decisions beneficial to the company (e.g., government officials or clients), personnel must refrain from:

- a) Attempting to dishonestly influence the individual's decision by providing, promising, or attempting to offer corrupt payments, either directly or indirectly, in cash or in kind.
- b) Engaging in discussions concerning business or employment opportunities for their personal gain or for the advantage of the external party;
- c) Exploiting the decision-making authority and other delegated powers granted by top management to improperly secure an outcome that would be advantageous to themselves and/or the Company; and
- d) Exerting inappropriate influence to gain personal benefits from them.

17.0 Conflict of Interest

17.1. Conflicts of interest arise when an individual or organization is involved in multiple interests, and one of these interests could potentially corrupt, or be perceived to corrupt, their motivation for an action in another interest. These conflicts can be actual, potential, or merely perceived, and they may involve financial or non-financial considerations.

17.2. It is the responsibility of every MESSB employee to prevent and manage any ethical, legal, financial, or other conflicts of interest to ensure that such conflicts, when they do arise, do not interfere with their obligations to MESSB.

17.3. MESSB expects all employees to:

- a) Avoid any situations or activities that could compromise their judgment or ability to act in the best interests of MESSB.
- b) Prevent themselves from being in positions where their personal interests' conflict or could potentially conflict with the interests or business of MESSB.
- c) Refrain from engaging in activities that could directly or indirectly benefit a competitor of MESSB.
- d) Uphold the legal standing of MESSB and avoid actions that may compromise its legality.
- e) Recognize and openly disclose any conflicts of interest.

18.0 Record Keeping

18.1. MESSB is committed to maintaining comprehensive financial records and implementing effective internal controls to substantiate the legitimate business purposes behind payments to third parties. This will be done in compliance with the established retention policy and for a duration consistent with the prevailing laws and regulations governing record-keeping.

18.2. Any gifts, hospitality, donations, sponsorships, facilitation payments, extortion, or other benefits received from or offered to third parties in the course of fulfilling duties on behalf of MESSB must be disclosed and meticulously documented in a designated register.

18.3. All accounts, invoices, memoranda, due diligence forms, and other documents and records related to interactions with third parties must be maintained with the utmost accuracy and completeness. There should be no off-book accounts used to facilitate or conceal improper payments.

19.0 Communication, Training and Awareness

- 19.1. This Policy is accessible on MESSB's website. It is imperative that all employees and third parties carrying out responsibilities for or on behalf of MESSB are promptly informed whenever substantial alterations are made to this Policy.

- 19.2. As part of the onboarding process for all new employees, training and awareness programs regarding this Policy will be included. Existing employees will receive periodic training, the frequency of which will align with the level of bribery and corruption risk associated with their respective positions.

20.0 Reporting of policy violations and whistle-blowing

- 20.1. Employees and external parties are encouraged to report or file complaints with MESSB management if they witness or possess information concerning fraud, bribery, or corruption involving any of our employees or directors with third parties.

- 20.2. All reports are treated with utmost confidentiality. Reports made in good faith, whether anonymously or not, will be addressed promptly and without any fear of retaliation, regardless of the outcome of any investigation.

- 20.3. The Company is committed to promptly notifying the Malaysia Anti-Corruption Commission for further action when necessary.

- 20.4. Retaliation in any form against MESSB personnel who have, in good faith, reported a violation or potential violation of this policy is strictly prohibited. Any MESSB personnel found to have intentionally acted against the interests of an individual who has reported a violation or potential violation of this policy in good faith will be subject to disciplinary proceedings, which may include demotion, suspension, dismissal, or other actions (including legal action) that MESSB may pursue.