

**LSK MANAGEMENT SERVICES SDN BHD**

**Anti-Bribery and Corruption Policy**

<b>&lt;&lt; LSK Management Services Sdn Bhd&gt;&gt; ANTI-BRIBERY AND CORRUPTION POLICY</b>	Policy #	S17A
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**1. INTRODUCTION**

The anti-bribery and corruption policy provide guidance to employees on how to recognize and deal with improper solicitation, bribery and any other corruption activities and issues that may arise in the course of business.

The policy is intended to provide employees with a basic introduction on how to avoid and combat bribery and corruption in furtherance of the Company’s commitment to lawful and ethical behavior at all times.

The anti-bribery and corruption policy apply to all employees and directors (executive and non-executive) under **LSK Management Services Sdn Bhd** and including their immediate family members and relatives. Additionally, the policy extends to all contractors, subcontractors, consultants, representatives including agents, franchisees and any other external parties performing work or services for or on behalf of **LSK Management Services Sdn Bhd** (the “employees and associates”).

An electronic version of this Policy and Guidelines is available at [www.lskmgnt.com.my](http://www.lskmgnt.com.my).

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**2. SCOPE**

This policy is applicable to **LSK Management Services Sdn Bhd**, its controlled organisations, business associates acting **LSK Management Services Sdn Bhd** behalf, the Board of Directors and all **LSK Management Services Sdn Bhd** personnel.

Joint-venture companies in which **LSK Management Services Sdn Bhd** is non-controlling or co-venture and associated companies are encouraged to adopt these or similar principles. External Providers are also expected to comply with this policy in relation to all work conducted with **LSK Management Services Sdn Bhd** or **LSK Management Services Sdn Bhd** behalf.

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**3. RECOGNITION OF LOCAL AND INTERNATIONAL LEGISLATION**

**LSK Management Services Sdn Bhd** is committed to conducting its business ethically and in compliance with all applicable laws and regulations in the countries where it does business.

These laws include but are not limited to the Malaysian Penal Code (revised 1977) (and its amendments), the Malaysian Anti-Corruption Commission Act 2009 (revised 2018) and its amendments, the Companies Act 2016, the US Foreign Corrupt Practices Act 1977 (amended 1998), Anti-Money Laundering And Anti-Terrorism Financing Act and the UK Bribery Act 2010. These laws prohibit bribery and acts of corruption, and mandate that companies establish and maintain accurate books and records and sufficient internal controls.

In cases where there is a conflict between mandatory laws and the principles contained in this and other policies, the law shall prevail.

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**4. GIFT, ENTERTAINMENT, CORPORATE HOSPITALITY EVENTS AND DONATION & SPONSORSHIP**

**4.1 Gift**

“Gift” includes money, goods or services given whether as a mark of building good relationships or appreciation or otherwise. The terms could also refer to favors, advantages and preferential treatments as well as any form of entertainment provided to the recipient even if the giver is absent from the entertainment.

**4.2 Corporate Gift**

“Corporate Gift” means something given from one organisation to another organization or individual. 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, with the implicit or explicit approval of all parties involved. Corporate gifts normally bear the Company name and logo/ Examples of corporate gifts include items such as diaries, table calendars, pens, notepads and plaques.

**4.3 “No Gift” Policy**

**LSK Management Services Sdn Bhd** has adopted a ‘No Gift’ Policy whereby, subject only to specified exceptions, all employees and associates acting for or on behalf of **LSK Management Services Sdn Bhd** are prohibited from, directly or indirectly receiving and/or providing gifts.

It is the responsibility of employees and directors to inform external parties involved in any business dealing with **LSK Management Services Sdn Bhd** that our company practices a ‘No Gift Policy’ and to request the external party for their understanding and attentiveness for and adherence to this policy.

**4.3a Exceptions To The “No Gift” Policy**

- Gifts are limited, customary and lawful under the circumstances
- Such Gifts do not have or are perceived to have (by either the

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- giver or the receiver), any effect on actions or decisions
- There must be no expectation of any specific favour or improper advantages from the intended recipients
  - The independent business judgement of the intended recipients must not be affected
  - There must not be any corrupt/criminal intent involved
  - The giving out of the gift and hospitality must be done in an open and transparent manner
  - Gifts from **LSK Management Services Sdn Bhd** to external company or individuals in relation to their company's official functions, events and celebrations (e.g. flowers for new company opening or door gifts offered to all guests attending events)
  - Gifts from **LSK Management Services Sdn Bhd** to employees and directors in relation to an internally recognized company function and trip, event and celebration (e.g. company dinner and trip or recognition of an employee's service to the company)
  - Nominated employees, employees on duty and directors who are eligible to participate in **LSK Management Services Sdn Bhd** inspection trips and/or incentive tours (local or overseas) and the expenses are sponsored by the company.
  - Hotel accommodation in conjunction with the company events and trips whereby the expenses are fully sponsored by the company.
  - Marketing token gifts of nominal value bearing the company logo (e.g. t-shirts, pens, diaries and other promotional items) that are given out to members of the public, customers, partners and key stakeholders attending events such as training, conferences, meetings, tradeshow and like and deemed as part of the company's brand awareness or promotional activities.
  - Gifts to external parties who have no business relations and / or dealings with **LSK Management Services Sdn Bhd** (e.g. monetary gifts or gifts in-kind to charity organizations)
  - Monetary gifts such as "Ang-pow" red packets with amount equivalent to Ringgit Malaysia **RM300.00** or less received from customers or business associates during festive occasions (e.g. Chinese New Year, Hari Raya Aidilfitri and Deepavali) in accordance with tradition is acceptable and no declaration is

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needed.

- For any non-monetary gifts (e.g. hamper, souvenir, discount rebate, dining or shopping voucher) received during festive occasions with value equivalent to Ringgit Malaysia **RM300.00** or less is acceptable and no declaration is needed.
- However, for those received that are of value equivalent to above Ringgit Malaysia **RM300.00** the receiving employee or director must declare and handover the gifts to the **Compliance Officer**. The **Compliance Officer** will then determine the treatment of gifts as to whether to:
  - a) Donate the gift to charity organization; or
  - b) Return the gift to the donor; or
  - c) Share with other employees within the Company; or
  - d) Retain it for departmental display; or
  - e) Permit it to be retained by the employee.
- For any non-monetary gifts received of value more than Ringgit Malaysia **RM300.00**, the employees or directors must declare to the **Compliance Officer** accordingly. After declaration is made, the receiving employee or director may retain the gift provided such are deemed by the **Compliance Officer** not to compromise business judgement.

#### **4.3b Do's and Don'ts**

- **DO's**
  - **LSK Management Services Sdn Bhd** employees and directors must inform third parties involved in business dealings with **LSK Management Services Sdn Bhd** that the Company practices a “No Gift Policy” and to request the aforementioned parties to respect and adhere with the Company Policy

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- **LSK Management Services Sdn Bhd** employees and directors are prohibited from accepting or providing gifts to third parties unless it falls under the general exceptions provided as stated in paragraph 4.3a
  - **LSK Management Services Sdn Bhd's Compliance Officer** must exercise proper care and judgement when handling gift activities and apply the general principles in determining the appropriateness of the gift, in particular when dealing with public officials and public agencies/bodies as strict rules apply
  - Employees are required to submit the Declaration Form to his/her **Compliance Officer** who will then decide whether to approve the acceptance of the gift or require the gift to be returned
- **DON'Ts**
    - Any gift of cash or cash equivalent. Cash equivalent could be in the form of vouchers, discounts, coupons, shares and commission etc
    - Any gifts involving parties engaged in a tender or competitive bidding exercise
    - Any gifts that comes with a direct/indirect suggestion, hint, understanding or implication that in return for the gift, some expected or desirable outcome is requires
    - Any gift that would be illegal or in breach of local or foreign bribery and corruption laws
    - Any gift which is lavish or excessive e.g. valued above the maximum threshold permitted by the Company or may adversely affect the reputation of **LSK Management Services Sdn Bhd** .

**4.4  
Entertainment**

“Entertainment” may include meals, tickets to movies, musicals, social and any events where the giver is present at the function with the recipient with all appearances for the purpose to foster good business relationships.

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#### **4.4a Circumstances When Entertainment May Be Provided**

**LSK Management Services Sdn Bhd** recognises that providing modest entertainment is a legitimate way of building business relationships and as such a common practice within the business environment to foster good business relationships with external clients. As such, **eligible employees are allowed to entertain external clients through a reasonable act of hospitality as part of business networking as well as a measure of goodwill towards the recipients.**

- All employees are required to comply with the policies and procedures of your Human Resource Department, and maintain expenses within the limits of your entitlement, when carrying out entertainment activities.
- Any entertainment activities that would involve public officials shall require the prior approval of the Head of Department in consultation with the legal department.

#### **4.4b Circumstances When Entertainment Cannot Be Provided**

- Employees and directors are strictly prohibited from providing or offering to provide entertainment with a view to improperly cause undue influence on any party in exchange for some future benefit or result. Any acts of this nature, whether provided directly or indirectly through an intermediary, may be construed as an act of bribery and contrary to the general values and principles of the **LSK Management Services Sdn Bhd.**

#### **4.4c Circumstances When Entertainment May Be Accepted**

- **LSK Management Services Sdn Bhd** recognizes that the occasional acceptance of a reasonable entertainment provided by the external parties in the normal course of business is important to foster good business relationships.
- It is important for employees and directors to **exercise proper care and judgment before accepting entertainment offered or provided by a third party.** This is not only to safeguard the

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Company's reputation, but also to protect employees and directors from allegations of impropriety or undue influence.

- Accepting entertainment such as occasional business meals and attending events as part of usual business networking where the giver is present is acceptable and does not need to be reported. However, if the giver is absent, it is treated as a "Gift" and it must be declared to the Human Resource Department.
- All employees and directors are required to comply with the policies and procedures of your Human Resource Department in relation to receiving entertainment from third parties.

#### **4.4d Circumstances When Entertainment Cannot Be Accepted**

- All employees and directors shall not solicit any form of entertainment from anyone in connection with work and business related.
- All employees and directors shall not propose to external parties (e.g. vendors, customers or any business associates) to provide or sponsor entertainment for any events and staff function for any company under the **LSK Management Services Sdn Bhd**.
- Any entertainment activities that would be illegal or in breach of local or foreign bribery laws
- Any entertainment activities that would be perceived as extravagant, lavish or excessive or may adversely affect the reputation of **LSK Management Services Sdn Bhd**.
- Any entertainment activity that is sexually oriented or may otherwise tarnish the reputation of **LSK Management Services Sdn Bhd**. It is important for employees and directors to exercise proper care and judgement before accepting any entertainments offered or provided by external parties. If an employee feels that the level and value of the entertainment to be provided is likely to be beyond accepted business practices, they should seek guidance from the **Compliance Officer** so as to determine whether it is appropriate to accept such entertainment.

If the department head approves the acceptance of the entertainment, it

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must be declared to **Compliance Officer** accordingly.

#### 4.5 Hospitality

“Hospitality” means the considerate care of guests, which may include refreshments, accommodation and entertainment at a restaurant, hotel, club, resort, convention, concert, sporting event or other venue such as Company offices, with or without the personal presence of the host. Provision of travel may also be included, as may other services such as provision of guides, attendants and escorts; use of facilities such as a spa, gift course or ski resort with equipment included.

Personnel must not offer or give any hospitality:

- Which could be regarded as illegal or improper, or which violates the recipient’s policies; or
- to any public employee or government officials or representatives, or politicians or political parties; or
- which exceeds Ringgit Malaysia **RM300.00** in value for each hospitality event (not to exceed a total value of Ringgit Malaysia **RM1,000.00**) in any financial year), unless approved in writing by a Resolution in writing of the Directors of the Company,
- if it is in cash; or
- if there is any suggestion that a return favour will be expected or implied.

Personnel may not accept any hospitality from our business partners if:

- It exceeds Ringgit Malaysia **RM300.00** in value for each hospitality event (not to exceed a total of Ringgit Malaysia **RM1,000.00** in any financial year), unless approved in writing by a Resolution in writing of the Directors of the Company; or
- if it is in cash; or
- if there is any suggestion that a return favour will be expected or implied.

The test to be applied is whether in all the circumstances the hospitality is reasonable and justifiable. The intention behind the hospitality should always be considered.

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**4.6 Corporate Hospitality Event**

“Corporate Hospitality” generally refers to corporate events or activities by an organization which involves the employees and external parties (e.g. customers, potential customers, contractors, external companies, etc.) for the benefit of the organization.

A decision to provide and receive a corporate hospitality event with any parties must be solely based on business considerations, free from bias and in the best interest of the **LSK Management Services Sdn Bhd**.

**4.6a The Giving of Corporate Hospitality**

The giving of corporate hospitality is not prohibited, if the following requirements are met:

- It is not done with the intention of influencing a Third Party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits;
- it complies with law;
- it does not include cash or a cash equivalent;
- taking into account the reason for the corporate hospitality, it is of an appropriate type in the applicable country/region and given at an appropriate time;
- it is given openly, not secretly; and
- Corporate hospitality should not be offered to Public Officials, without the prior approval of the Chief Executive Officer (“CEO”) or the Chief Compliance Officer (“CCO”).

The giving of corporate hospitality in the following situations is strictly prohibited:

- it provides an advantage to another person if offered; or
- it is given with the intention of inducing the person to perform a relevant

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function improperly; or

- there is knowledge that acceptance of the advantage would in itself be improper performance

#### **4.6b The Receiving of Corporate Hospitality**

- As a general principle, **LSK Management Services Sdn Bhd** strictly prohibits employees and directors from soliciting corporate hospitality nor are they allowed to accept hospitality that is excessive, inappropriate, illegal or given in response to, in anticipation of, or to influence a favourable business decision, particularly from parties engaged in a tender or competitive bidding exercise (for e.g. contractors, vendors, suppliers etc.).
- However, **LSK Management Services Sdn Bhd** recognises that the occasional acceptance of an appropriate level of hospitality given in the normal course of business is usually a legitimate contribution to building good business relationships. It is important for employees and directors to exercise proper care and judgement before accepting the hospitality. This is not only to safeguard the Company's reputation, but also to protect employees and directors from allegations of impropriety or undue influence.
- If you have any doubts on the appropriateness of a corporate hospitality offered by an external party for e.g. a contractor or supplier, you should either decline the offer or consult your Head of Department.
- The acceptance of corporate hospitality is permitted if the corporate hospitality accepted from an external party is legitimate, modest and not lavish or excessive or extraordinary in nature.
- The acceptance of corporate hospitality is strictly prohibited in the following situations:
  - Corporate hospitality offered by parties currently engaged in a **LSK Management Services Sdn Bhd** tender or competitive bidding exercise.
  - Corporate hospitality offered that comes with a direct/indirect suggestion, hint, understanding or implication that in return for the corporate hospitality provided some expected or desirable outcome is required ("quid pro quo").
  - Any corporate hospitality activities that would be illegal or in

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breach of local or foreign bribery laws.

- Corporate hospitality which is lavish or excessive or may adversely affect the reputation of **LSK Management Services Sdn Bhd**.
- Any corporate hospitality activities that are sexually oriented or may otherwise tarnish the reputation of **LSK Management Services Sdn Bhd**.

#### **4.7 Donation & Sponsorship**

“Donation & Sponsorship” means charitable contributions and sponsorship payments made to support the community. Examples include sponsorship of educational events, supporting NGOs, and other social causes.

Requests for sponsorship and charitable donations can sometimes mask corrupt activity. No charitable donations should be made if these could be construed as improperly influencing another party with whom **LSK Management Services Sdn Bhd** has a business relationship.

##### **4.7a Exceptions To The “No Gift” Policy**

- Donations and sponsorships are permitted in accordance with 4.7b to ensure acceptability. However, **LSK Management Services Sdn Bhd** prohibits the giving and receiving of donations and sponsorships to influence business decisions.

##### **4.7b General Guidelines for Donations & Sponsorships**

- All donations and sponsorships request must comply with the following criteria:
  - Contributions are allowed by applicable laws.
  - Obtain all necessary internal and external authorisations.
  - Be made to establish entities having adequate organisational structures to guarantee proper administration of the funds
  - Accurately stated in the Company’s accounting books and

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records.

- Not to be used as a means to cover up an undue payment or bribery.

#### **4.7c Specific Guidelines for Donations & Sponsorships**

- **Donations**

- All donations of any kind must be transparent.
- In any instance of charitable giving there must be an accurate receipt or letter of acknowledgement for any donation.

- **Sponsorships**

- Check and ensure that a sponsorship should:
  - Be objective and should not be based solely on personal preference of the company's directors, officers, and employees.
  - Conduct due diligence, especially pertaining to the public activity and background of potential beneficiaries.

#### **4.7d Red Flags to look out for:**

- The proposed recipient/organisation has affiliations with a Public Official or their relatives are involved
- The contribution is made on behalf of a Public Official
- There is a risk of a perceived improper advantage for **LSK Management Services Sdn Bhd**
- The proposed recipient is based in a high risk country, the request comes from a high risk country or the activity takes place in a high risk country
  - Corruption Perceptions Index 2019:
    - <https://www.transparency.org.nz/corruption-perceptions-index/>

#### **4.8 Proceedings**

If you find or suspect any employees or directors of **LSK Management**

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**Services Sdn Bhd** or external parties who has business relationship with the company subject to this policy has violated or about to violate this policy whether intentionally or unintentionally, you must report to the Head of Department or Human Resource Department. Under our whistleblowing policy, your identity will be protected pursuant to **S65 of the MACC Act 2009**.

**Protection of informers and information**

**65. (1)** Subject to subsection (2), where any complaint made by an officer of the Commission states that the complaint is made in consequence of information received by the officer making the complaint, the information referred to in the complaint and the identity of the person from whom such information is received shall be secret between the officer who made the complaint and the person who gave the information, and everything contained in such information, identity of the person who gave the information and all other circumstances relating to the information, including the place

where it was given, shall not be disclosed or be ordered or required to be disclosed in any civil, criminal or other proceedings in any court, tribunal or other authority.

(2) If any book, paper or other document, or any visual or sound recording, or other matter or material which is given in evidence or liable to inspection in any civil, criminal or other proceedings in any court, tribunal or other authority as are referred to in subsection (1) contains any entry or other matter in which any person who gave the information is named or described or shown, or which might lead to his discovery, the court before which the proceedings are held shall cause all such parts thereof or passages therein to be concealed from view or to be obliterated or otherwise removed so far as is necessary to protect such person from discovery.

- It is the duty of employees and parties dealing with **LSK Management Services Sdn Bhd** to report any gratification given, promised, offered, solicited, obtained or accepted or attempted to obtain or accept to MACC. Failure to report is an offence under **Section 25 Malaysian Anti Corruption Commission Act 2009**.

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### **Duty to report bribery transactions**

**25. (1)** Any person to whom any gratification is given, promised, or offered, in contravention of any provision of this Act shall report such gift, promise or offer together with the name, if known, of the person who gave, promised or offered such gratification to him to the nearest officer of the Commission or police officer.

(2) Any person who fails to comply with subsection (1) commits an offence and shall on conviction be liable to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding ten years or to both.

- You can report your suspicions by stating basic information (5W+1H) of the suspected bribery like this:
  - Who is involved?
  - When did it happen?
  - Where did it happen?
  - What wrong did the perpetrator commit?
  - Why did the wrong occur?
  - How did the wrong occur?
  - Witness or related documents (if any)
- Suitable reporting channels shall be established and maintained for receiving information regarding violations of this policy, and other matters of integrity provided in good faith by **LSK Management Services Sdn Bhd** personnel and/or external parties.
- No malicious, vindictive or baseless accusations shall be made by any employee against another employee(s). Appropriate action shall be taken against any employee making such malicious, vindictive or baseless accusations.
- Reports made in good faith, either anonymously or otherwise, shall be addressed in a timely manner and without incurring fear of reprisal regardless of the outcome of any investigation.
- Retaliation in any form against **LSK Management Services Sdn Bhd** personnel where the person has, in good faith, reported a violation or possible violation of this policy is strictly prohibited. Any **LSK Management Services Sdn Bhd** personnel found to have deliberately

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acted against the interests of a person who has in good faith reported a violation or possible violation of this policy shall be subjected to disciplinary proceedings including demotion, suspension, dismissal or other actions (including legal action) which **LSK Management Services Sdn Bhd** may pursue.

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**5. IMMUNITY/DISCLAIMER**

Directors & Employees who participate in any act that constitute the act of violation of laws, policies and procedures mentioned above which he/she reported shall not be given immunity against any investigation or disciplinary/criminal proceeding arising out of the report made. Nevertheless, in such circumstances, the fact that he/she had caused the report to be made may be taken into consideration as a mitigating factor.

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## 6. FACILITATION PAYMENT

“Facilitation Payment” refers to an unofficial payment made to secure or expedite a routine government action by a government official. Such payments are considered bribes and prohibited by the laws of Malaysian Anti-Corruption Commission Act 2009.

**LSK Management Services Sdn Bhd** prohibits facilitation payments and if any employees are in doubt about the legitimacy of a payment that you are requested to make, kindly seek advice from the Compliance department.

Identifying the difference between a legitimate request for payment in exchange for a service, and illegal request for a bribe can be difficult. The correct way to identify a facilitation payment is to ask yourself these questions:

1. Am I able to obtain an official receipt for the payment?
2. Am I being pressured to make the payment?

(If you are unable to obtain an official receipt or feel pressured into making a payment, the officer or representative may be asking you for a facilitation payment.)

If personnel is asked to make a payment on the company’s behalf, they should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. The personnel should always ask for a receipt which details the reason for the payment.

Personnel shall decline to make the payment and report to HOD 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 HOD must be notified immediately, and the payment recorded accordingly.

Only in the event that an employee’s security is at stake is it permitted to make the payment. The employee must immediately report the incident to their Head of Department to record the details and keep a record of what was spent.

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## 7. RECRUITMENT, PROMOTION AND SUPPORT OF PERSONNEL

**LSK Management Services Sdn Bhd** recognises the value of integrity in its personnel and business associates. The Company's recruitment, training, performance evaluation, remuneration, recognition and promotion for all **LSK Management Services Sdn Bhd** personnel, including management, shall be designed and regularly updated to recognize integrity.

**LSK Management Services Sdn Bhd** does not offer employment to prospective personnel in return for their having improperly favoured the Company in a previous role.

### 7a. Do's and Don'ts

- **Do's**

- Do ensure that the due process and procedure are carried out based on the approved selection criteria when recruiting new employees. This is to avoid any allegations of bribery and corruption
- Do ensure that due diligence is carried out to confirm that the candidate is the suitable person based on eligibility criteria and/or other prerequisites, rules and guidelines
- Do ensure that relevant approvals are obtained from the respective Approving Authority prior to issuance of an offer letter
- Do ensure that is the candidate to be employed has a family/household relationship to a **LSK Management Services Sdn Bhd** staff or director, it is properly recorded and is being made transparent
- Do ensure that all rights, entitlements and benefits given to the candidate are reasonable in value
- Do ensure that any "red flag" is resolved before recruiting. For example, if the candidate is a relative of a government official, you must ensure that it is not against the laws of the relevant country
- Do ensure that all documentations (including invoices and receipts) are properly recorded and kept

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- **Don'ts**

- Do not recruit an employee without undergoing the proper process and procedures set by **LSK Management Services Sdn Bhd** to ensure that there is no perception of bribery or corruption
- Do not try to circumvent any guidelines, rules or procedures when selecting new employees as it might put you and **LSK Management Services Sdn Bhd** in trouble in the event of any bribery allegation
- Do not try to conceal any information where you think that there might be a conflict of interest, If you are unsure, please consult your Head of Department, Head of OPU, HR or Legal Department
- Do not arbitrarily award rights, entitlements and benefits. The value and types of rights, entitlements and benefits must be based on the guidelines prepared by **LSK Management Services Sdn Bhd**
- Do not fail to give particular attention to any laws, guidelines or policies when a public official is involved, as some countries might impose particular requirements. Always consult your Head of Department, Head of OPU, HR or Legal Department
- Do not conceal, alter, destroy or otherwise modify any documentation

## **8. BUSINESS ASSOCIATES**

All business associates (including external providers such as consultants, advisors, and agents) acting on behalf of **LSK Management Services Sdn Bhd** are required to comply with this Policy, the **LSK Management Services Sdn Bhd's** Code of Business Ethics, and all other policies as it relates to them.

In circumstances where **LSK Management Services Sdn Bhd** retains controlling interest, such as in certain joint venture agreements, business associates are required to adhere to the Anti-Bribery Corruption Policy and **LSK Management Services Sdn Bhd's** Code of Business Ethics. Where **LSK Management Services Sdn Bhd** does not have controlling interest, associates are encouraged to comply the same.

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Due diligence should also be carried out with regards to any business associates intending to act on the **LSK Management Services Sdn Bhd's** behalf as an agent or in other respective roles, to ensure that the entity is not likely to commit an act of bribery or corruption in the course of its work with **LSK Management Services Sdn Bhd.**

The extent of the due diligence should be based on a bribery and corruption risk assessment. Due diligence may include a search through relevant databases, checking for relationships with public officials, self-declaration, and documenting the reasons for choosing one particular Business associate over another. The results of the due diligence process must be documented, retained for at least seven years and produced on request by the custodian of the process.

**LSK Management Services Sdn Bhd** shall include standard clauses in all contracts with business associates enabling the Company to terminate the contract in the event that bribery or an act or corruption has been proved to occur. Additional clauses may also be included for business associates acting on **LSK Management Services Sdn Bhd** behalf where a more than minor bribery risk has been identified.

#### **9. RESPONSIBILITIES OF LSK Management Services Sdn Bhd PERSONNEL**

All **LSK Management Services Sdn Bhd** personnel (including its directors, and directors and personnel of its controlled organisations) are required to carry out those responsibilities and obligations relating to the Company's anti-bribery and corruption stance, alongside those already in existence, which includes the following:

- A. Be familiar with applicable requirements and directives of the policy and communicate them to subordinates
- B. Promptly record all transactions and payments in **LSK Management Services Sdn Bhd's** books and records accurately and with reasonable detail
- C. Ask the Integrity and Discipline Department if any questions about this policy arise or if there is a lack of clarity about the required action in a particular situation
- D. Always raise suspicious transactions and other "red flags"

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(indicators of bribery or corruption) to immediate superiors for guidance in the next course of action

- E. Be alert to indications or evidence of possible violations of this policy
- F. Promptly report violations or suspected violations through appropriate channels
- G. Attend required anti-bribery and corruption training as required according to position
- H. Not misuse their position or **LSK Management Services Sdn Bhd's** name for personal advantage

When dealing with business associates, all **LSK Management Services Sdn Bhd** shall not:

- A. Express unexplained or unjustifiable preference for certain parties
- B. Make any attempt at dishonestly influencing their decisions by offering, promising or conferring advantage
- C. Exert improper influence to obtain benefits from them
- D. Directly or indirectly offer or make promise or corrupt payments, in cash or in kind for a specific favour or improper advantage from them

During an active or anticipated procurement or tender exercise, personnel participating in the exercise in any way whatsoever, shall not:

- A. Receive gifts or hospitality or any kind from any external party participating, planning to participate, or expected to participate, in the procurement or tender exercise
- B. Provide anything other than a corporate gift and token hospitality to any external/third party related to the exercise.
- C. Be involved in any discussions regarding business or employment opportunities, for personal benefit or for the benefit of a business associate
- D. Abuse the decision-making and other delegated powers given by the top management
- E. Bypass normal procurement or tender process and procedure

When dealing with external parties in a position to make a decision to **LSK Management Services Sdn Bhd's** benefit (such as a Government official or

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client). **LSK Management Services Sdn Bhd** personnel shall not:

- A. Offer, promise or make any attempt at dishonestly influencing the person's decision by directly or indirectly offer or make promise of corrupt payments, in cash or in kind
- B. Be involved in any discussions regarding business or employment opportunities, for their own personal benefit or for the benefit of the external party
- C. Otherwise abuse the decision-making and other delegated powers given by the top management, in order to illicitly secure an outcome which would be to the commercial advantage to themselves and/or the Company
- D. Exert improper influence to obtain personal benefits from them

**LSK Management Services Sdn Bhd's** managers have a particular responsibility to ensure that the requirements are applied and complied with within their department or function and to monitor compliance with the policy. They also must ensure that subordinates in "Exposed Positions" attend the relevant training

## **10. CONFLICTS OF INTEREST**

Conflicts of interest arise in situations where there is personal interest that could be considered to have potential interference with objectivity in performing duties or exercising judgement on behalf of the Company. All personnel should avoid situations in which personal interest could conflict with their professional obligations or duties. Personnel must not use their position, official working hours, Company's resources and assets, or information available to them for personal gain or to the Company's disadvantage.

In situations where a conflict does occur, personnel are required to declare the matter as per the Employees Handbook.

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## 11. TRAINING AND AWARENESS

**LSK Management Services Sdn Bhd** shall conduct an awareness programme for all its personnel on the Company's position regarding anti-bribery and corruption, integrity and ethics

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 to personnel who are:

- A. New to the Company
- B. Appointed to or currently holding an exposed position

Human Resources Department shall maintain records to identify which **LSK Management Services Sdn Bhd** personnel have received training, and produce, communicate and update the training schedule in conjunction with Integrity and Discipline Department.

Business associates acting on behalf of the Company shall also undergo appropriate training, where a bribery and corruption risk assessment identifies them as posing a more than minor bribery and corruption risk to the Company.

## POLICY VIOLATIONS

Adherence to this Policy and Guidelines is critical to the smooth running of the business and is for the common good of **LSK Management Services Sdn Bhd** and its employees.

**LSK Management Services Sdn Bhd** prohibits and has zero tolerance for bribery and corruption in any form. Any employee or associate found guilty of bribery and corruption shall be subject to severe disciplinary action, including dismissal of employment or termination of contact as the case may be and may also be subject to prosecution under the law of **Malaysian Anti-Corruption Commission Act 2009**.

Official dealings between **LSK Management Services Sdn Bhd** and the parties shall be terminated or discontinued if they are found offering, promising,

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giving or soliciting any bribe or gratification to **LSK Management Services Sdn Bhd** employees and reports shall be made to Malaysian Anti Corruption Commission (MACC) for investigation upon approval by **LSK Management Services Sdn Bhd** Board.

### 12.1 Implications

- A maximum fine of **10 times** the sum of gratification involved; or
- A maximum jail term of **20 years**; or
- **Both penalties** of fine and jail term.
- **s17A(2)**

(2) Any commercial organization who commits an offence under this section shall on conviction be liable to a fine of not less than ten times the sum or value of the gratification which is the subject matter of the offence, where such gratification is capable of being valued or is of pecuniary nature, or one million ringgit, whichever is the higher, or to imprisonment for a term not exceeding twenty years or to both.

### 12.2 Who is liable?

- Employee
- Director
- Controller
- Officer
- Partner; or
- A person concerned in the management of the organization's affairs.

### 12.3 Dealing with violators

When someone offers a gift or favour for your personal gratification,

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monetary or otherwise, turn down the offer politely and explain to him that the Company has a no gift policy and that he should respect that policy because recipients may be committing a jailable offence by accepting.

It is important that the personnel report to **LSK Management Services Sdn Bhd** as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they are a victim of another form of unlawful activity.

Notwithstanding the rules set here, the principle that employees and associates should be guided by is this:

“We accept goods or services of good quality without the need to have additional incentives for our own personal benefit. Any offer that in your view will compromise or influence the way you decide in a transaction for the company should not be accepted”.

**13. MONITORING AND REVIEW**

**LSK Management Services Sdn Bhd** will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

All staff are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing

This policy does not form part of any employee’s contract of employment and it may be amended at any time.

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#### 14. RED FLAGS

1. Get promises of cash payments
2. Pressure exerted for payments to be made urgently or ahead of schedule
3. Payments are being made through a company in country "B" through goods or services are supplied to different company in country "A"
4. Abnormally high commission percentage being paid to a particular agency. This may be divided into 2 accounts for the same agent, often in different jurisdictions
5. Unsanctioned private meetings with public contractors or companies hoping to tender for contracts
6. Lavish gifts being offered
7. Individual that never takes time off even if ill. Or during holidays, or insists on dealing with specific contractors him/herself
8. Making unexpected or illogical decisions when accepting projects or contracts
9. Unusually smooth process in cases where individual does not have the expected level of knowledge or expertise
10. Abusing decision process or delegated powers in specific cases
11. Agreeing to contracts not favourable to the organisation
12. Unexplained preference for certain contractors during tendering period
13. Avoidance of independent checks on tendering or contracting processes
14. Raising barriers around specific roles or departments which are key in tendering/contracting process
15. Bypassing normal procurement process and procedure
16. Invoices being agreed in excess of contract without reasonable cause
17. Missing documents or records regarding meetings or decisions
18. Company procedures or guidelines not being followed
19. The payment of or making funds available for, high value expenses or school fees etc. on behalf of others
20. Knowingly dealing with a customer or government official that has personal, business or family relationship with vendor
21. A customer or government official recommends or insists on the use of the transaction party
22. Transaction party refuses to agree to anti-corruption contractual terms, uses a shell company or other unorthodox corporate structure, insists on unusual or suspicious contracting procedures, refuses to divulge the

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- identity of its owners, or requests that its agreement be backdated or altered in some way to falsify information
23. Transaction party has a poor business reputation or has faced allegations of bribes, kickbacks. Fraud or other wrongdoing or has poor or non-existent third-party references
  24. Transaction party does not have office, staff, or qualifications adequate to perform the required services
  25. Expense or payment request is unusual, is not supported by adequate documentation, is unusually large or disproportionate to services to be rendered, does not match the terms of a governing agreement, or involves the use of cash or bearer instrument
  26. Expense or payment request is described as required to “get the business” or “make the necessary arrangements”

LSK Management Services Sdn Bhd reserves the right to amend this policy and guidelines.

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