

**SCIENTEX**<sup>®</sup>

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**SCIENTEX BERHAD**

**WHISTLEBLOWING POLICY**

# WHISTLEBLOWING POLICY

## 1.0 INTRODUCTION

At Scientex Berhad Group (hereinafter referred to as “Scientex”), our core values of honesty and integrity and dealings in a fair, transparent, and just manner require the highest standards of adherence from our people and in our interactions with our stakeholders such as directors, officers, employees, suppliers, contractors, customers, other business partners, joint-venture partners, shareholders, and members of the public, where relevant.

Scientex is committed to high standards of integrity and ethical conduct in the way we conduct our business and operations and this is reflected in the Whistleblowing Policy (“Policy”) that we seek to enforce. This Policy applies to all levels of employees and stakeholders of Scientex.

## 2.0 OBJECTIVE

The primary objective of this Policy is to provide a whistleblowing channel for all levels of employees and stakeholders to disclose any reportable and improper conduct that is taking place, has taken place and/ or may take place within Scientex. This Policy also seeks to ensure that Scientex achieves the following key objectives:

- To encourage and develop a culture of accountability and integrity within Scientex which in turn shall enhance our credibility to all stakeholders;
- To facilitate a secure and confidential platform for all employees and other stakeholders to escalate observations on any malpractices or misconduct;
- To provide reassurance that whistleblowers will be protected from detrimental action or prejudicial treatment arising from such disclosure of concerns made in good faith; and
- To serve as an early warning or precautionary measure for Scientex to take prompt action against wrongdoers for any wrongdoings committed or threatened to be committed before further damage or loss materialises.

## 3.0 WHO CAN WHISTLEBLOW

Any of the following persons can whistleblow: -

- (a) Scientex’s employees including full-time, probationary, contract and temporary staff;
- (b) Board of Directors and Management of Scientex;
- (c) Suppliers, contractors, agents and other business partners;
- (d) Joint-venture partners;
- (e) Customers;
- (f) Shareholders; and
- (g) Members of the public.

#### 4.0 WHISTLEBLOWING MATTERS

The scopes shall include but not limited to: -

- (a) Breach of applicable laws and regulations;
- (b) Breach of Scientex's Code, Policies, Procedures and Guidelines;
- (c) Bribery and corruption;
- (d) Fraud and breach of trust;
- (e) Illegal and fraudulent activities;
- (f) Insider trading;
- (g) Unfair dealing;
- (h) Misuse of information and position for personal gain;
- (i) Misappropriation of assets and funds;
- (j) Bullying, physical and mental harassment and sexual harassment;
- (k) Danger to environmental, safety and health;
- (l) Human rights violations;
- (m) Discriminatory and unjust personal and business conduct;
- (n) Serious conflict of interest without disclosure;
- (o) Improper Use or falsification of management, financial, operational and other information; and/ or
- (p) Attempts to suppress or conceal any information related to any wrongdoing with regards to any of the aforementioned matters.

#### 5.0 RESPONSIBILITIES AND REPORTING PROCEDURES

- a) All employees and stakeholders shall exercise sound discretion before reporting any whistleblowing matters.
- b) In the event that the whistleblowing matter is able to be resolved internally without having to escalate to the higher management, the superior or Head of Department shall be addressed in the first instance.
- c) For whistleblowing matter which is inappropriate and impossible to escalate through superior and/ or Head of Department, whistleblower shall report such matter directly to the following Prescribed Officer(s) (i.e., person(s) authorised to receive reports on whistleblowing matters):

Name: Mr Richard Wong Chin Mun (**Chairman of Audit Committee**)

Email: [richard@vistage.com.my](mailto:richard@vistage.com.my) (mark 'Strictly Private and Confidential to Addressee only')

and/ or

Name: Mr Tan Seong Tay (**Head of Internal Audit Department**)

Email: [sttan@scientex.com.my](mailto:sttan@scientex.com.my) (mark 'Strictly Private and Confidential to Addressee only')

and/ or

Name: Human Resource Department

Email: [hrcompliance@scientex.com.my](mailto:hrcompliance@scientex.com.my) (mark 'Strictly Private and Confidential to Addressee only')

If any of the Prescribed Officer(s) is implicated directly or indirectly within the whistleblowing report, the whistleblower may opt to omit the implicated Prescribed Officer(s) from receiving his/ her report.

For disclosure purposes, a whistleblower shall include the following details into the Whistleblower Report Form appended in this Policy:

- i) personal details of whistleblower such as name and contact details (the personal details shall be kept confidential if the whistleblower chooses not to disclose his/ her identity and in any event that there is a need to disclose the identity, consent to disclose will be sought from the whistleblower prior to the disclosure);
- ii) nature and basis of allegation of the report;
- iii) summary of the report such as who is directly and indirectly involved, how where and when did it happen, how frequent it is, what are the items or estimated amount involved, what are the evidence (documentary or others) involved;
- iv) other information in relation to the whistleblowing matter; and
- v) a declaration of good faith of the report e.g. *"I hereby declare that the report given herein is made in good faith and on a voluntary basis to the best of my knowledge. I understand and acknowledge that my personal data and the information provided herein may be retained and processed by the Company (subject to confidentiality) for investigation purposes."*

The abovementioned disclosure shall not be retracted by the whistleblower unless the retraction is for a valid reason.

## **6.0 WHISTLEBLOWING PROCEDURES**

- a) For each whistleblowing report received, it shall be reviewed and assessed by the Prescribed Officer(s) as to determine whether it is related to an improper conduct or excluded from the scope of this Policy.
- b) The Prescribed Officer(s) has the authority to decide or execute an action which include, but not limited to, the following:
  - Reject and close the report;
  - Direct the matter as reported or any part thereof for consideration under other internal procedures or disciplinary procedures, if appropriate and applicable;
  - Provide resolution without initiating further investigation;
  - Direct an investigation on the report and any persons involved or implicated;
  - Suspending the alleged wrongdoer or any other implicated person from work to facilitate any fact finding or to avoid any employee's exposure to threat or harm;
  - Obtain any other assistance or seek further consultation (for example, from external auditors or legal advisers); and
  - Refer the report to the police or any other appropriate enforcement authority.

- c) For any investigation initiated, the Prescribed Officer(s) may designate any person, from Scientex or external party, as part of an independent investigation working group, to conduct any inquiry or to carry out any other process pursuant to this. For the purpose of this Policy, the Head of Internal Audit is tasked to carry out such investigation unless there is an undue concern that conflict of interest may exist in view of the whistleblower's report.
- d) If an investigation is to be carried out, the Head of Internal Audit may recommend appropriate actions as deemed necessary, including but not limited to:
  - i) Rejection of the report;
  - ii) Designate internal expert i.e., subject matter experts to assist in the investigation;
  - iii) Make reference to external advisers;
  - iv) Widen the scope of investigation;
  - v) Form a domestic inquiry onto such person complained against; and
  - vi) Referral to police or any other appropriate enforcement authority.
- e) Upon the completion of investigation, all findings and recommended actions are compiled and reported to the Prescribed Officer(s) and Audit Committee for their deliberation. This may also include any observations on control weakness whereby proper rectification measures to mitigate the risk of such wrongdoing recurring will be recommended by the Head of Internal Audit.
- f) The Audit Committee will review and conclude with a decision on the necessary course of actions based on the details as reported. Management will then be informed on the corrective actions to be carried out and the progress of such implementation be monitored and reported up to completion.
- g) The whistleblower will be informed of the result of any investigation or action or decision taken by Scientex as soon as practicable.
- h) The investigation shall be kept strictly confidential and all the documents and information pertaining to the investigation shall be properly retained.

## **7.0 CONFIDENTIALITY AND ANONYMITY**

- a) This Policy guarantees protection to the whistleblower and that the identity of such whistleblower will be kept strictly confidential. The identity of the whistleblower shall be revealed only to the personnel in charge for investigation and on a need-to-know basis.
- b) In the event that there is a need to reveal the identity of the whistleblower, prior written consent from the whistleblower will be obtained before the information is released.
- c) All whistleblowing reports shall be treated as utmost confidential and/ or anonymous to the extent permitted by law.

## **8.0 PROTECTION TO WHISTLEBLOWERS**

- a) For each whistleblowing report received, the identity of the whistleblower will be accorded with protection of strict confidentiality unless otherwise required by law or for purposes of any proceedings by or against Scientex.
- b) Protection will be granted by Scientex only when the whistleblower satisfies all the following conditions:
  - Disclosure is done in good faith and the information provided or to be provided shall be based on honest and reasonable grounds at the material time without having any malicious intent for personal interest;
  - The whistleblower has reasonable belief that the information and any allegations disclosed are true; and
  - No means of communication or disclosure was undertaken by the whistleblower to any other party not relevant to the disclosure.
- c) A whistleblower who has acted in good faith shall be protected from unfair treatment as a result of the report, including but not limited to:
  - i) reprisal and/ or retaliation;
  - ii) disciplinary or legal action; and
  - iii) intimidation of suspension or termination of service.
- d) In addition to this Policy, whistleblower is also protected under Section 587 of the Companies Act 2016 as well as the Whistleblower Protection Act 2010.
- e) The same shall apply if the whistleblower is categorised under other stakeholders instead of an employee of Scientex.
- f) Scientex has zero tolerance against any circumstances whereby the whistleblower knowingly or recklessly makes false and malicious allegation in bad faith to discredit, humiliate or damage the reputation of another party. If such instances occur, the whistleblower may be subjected to a serious disciplinary action, including but not limited to legal action, where applicable.

## **9.0 REVIEW OF POLICY**

This Policy can be modified and amended by the Board of Directors of Scientex (“Board”) from time to time as it deems necessary. Modifications and amendments may be initiated as necessary in order to ensure compliance with laws and regulations and/ or to accommodate organisational and business developments within Scientex. The updated Policy shall be made effective upon the approval of the Board and after the same is made publicly available.

This updated Whistleblowing Policy is approved and adopted by the Board effective from 23 June 2021.

## WHISTLEBLOWER REPORT FORM

Please provide the following details for any suspected serious misconduct or any breach or suspected breach of law or regulation that may adversely impact the Company. Please note that you may be called upon to assist in the investigation, if required.

<b>Reporter's Contact Information</b> (This section may be left blank if the reporter wishes to remain anonymous)			
Name			
Contact number		Email Address	
<b>Details of Allegation</b> <i>Please describe in detail</i>			
1. What is the allegation?			
2. Who is directly/ indirectly involved?			
3. When and where did it happen? How frequent?			
4. What are the items or estimated amount involved?			
5. Is there any witness(es)?			
6. Is there any evidence that you could provide to us? (Documents, photograph, etc)			
7. Other information in relation to the whistleblowing matter:			

*I hereby declare that the report given herein is made in good faith and on a voluntary basis to the best of my knowledge. I understand and acknowledge that my personal data and the information provided herein may be retained and processed by the Company (subject to confidentiality) for investigation purpose.*

Date:

Signature: