

# Samchem Whistleblowing Policy

## 1. Introduction

Samchem Group of Companies encourages its employees to speak up and report at the earliest opportunity and in an appropriate way any conduct in violation of the rules and regulations as set out in the Company's handbook (as amended and updated from time to time) and any laws, regulations or rules applicable to the Samchem Group of Companies ("Illegal or Improper Conduct").

## 2. Objective

This Policy is designed to:

- a) support the company's values;
- b) ensure that alleged Illegal or Improper Conduct within Samchem Group of Companies can be addressed appropriately;
- c) protect Samchem Group of Companies and its employees from the results and effects of Illegal or Improper Conduct;
- d) ensure employees can raise concerns without fear of reprisals and to safeguard such person's confidentiality;
- e) provide a transparent and confidential process for dealing with concerns.

## 3. Scope

This policy applies to all employees of Samchem Group of Companies and its subsidiaries who has a reasonable belief that an employee of Samchem Group of Companies has engaged, is engaging or is preparing to engage in any Illegal or Improper Conduct within Samchem Group of Companies.

## 4. Definition

In this Policy, unless the context otherwise requires the following words and expressions shall have the following meanings:

- a) "Whistleblowing" means any disclosure or reporting by employees of Samchem Group of Companies in anonymous or non-anonymous form regardless of the channel of communication relating to actual, suspected or anticipated Illegal or Improper Conduct.
- b) "Whistleblower" means an employee who makes a disclosure to Samchem Group of Companies in anonymous or non-anonymous form regardless of the channel of communication relating to possible Illegal or Improper Conduct.

## 5. Examples of Illegal or Improper Conduct

Examples of Illegal or Improper Conduct shall include but not limited to:-

- a) fraud or theft;
- b) corruption, bribery, gifts;
- c) breach of competition laws of Malaysia and related regulations;
- d) financial irregularities or breaches of accounting or tax provisions including but not limited to falsification and/or manipulation of Samchem Group of Companies' business and/or financial records;
- e) any kind of discrimination and sexual harassment;
- f) act or omission jeopardising the health and safety of the Samchem Group of Companies' employees or the public;

- g) any other action that would cause significant harm to the Samchem Group of Companies' or to any other person(s);
- h) concealment of any, or a combination, of the above.

## **6. Whistleblowing Communication**

Employees of the Samchem Group of Companies may raise concerns or complaints anonymously or non-anonymously. However, the Management will have the right to decide whether or not to investigate any anonymous complaint received.

## **7. Reporting Procedure**

If any employee believes reasonable and in good faith that any person in Samchem Group of Companies has engaged, is engaging or is preparing to engage in any Illegal and Improper Conduct, he/she may make a disclosure of the Illegal and Improper Conduct through Whistleblowing Communication Channel or other company communication channels.

### **a) Whistleblowing Communication Channel ("WCC")**

The following channels are available to Samchem Group of Companies' employees for communicating whistleblowing concerns:

- i. Employee's direct line manager;
- ii. Senior management member of Samchem Group of Companies;
- iii. Head of Operations Department;
- iv. Head of Human Resources Department Or
- v. Any member of the Audit Committee.

### **b) Whistleblower Policy Communication Report ("WPCR")**

- i. The related party from WCC is to complete Whistleblower Policy Communication Report ("WPCR") which is to be submitted to the Head of Operations Department.
- ii. All disclosures will be treated fairly and properly, and will be addressed in an appropriate and timely manner and given due sensitivity.

### **c) Investigation**

- i. Upon receiving the WPCR, the Head of Operations Department will review and perform the necessary investigation.
- ii. All investigations must be conducted in an objective manner and all evidence shall be examined.
- iii. A summary of the investigations are to be submitted to the Audit Committee.

### **d) Safeguard**

- i. Samchem may not disclose Whistleblower's identity without prior consent unless required under Clause 9.
- ii. Samchem may carry out a dialogue with Whistleblower as to whether and how the matter can progress further where the matter cannot be resolved without revealing the identity of Whistleblower (i.e. if the evidence is required in court).

### **e) Submission**

- i. A report of the investigation findings will be then submitted to the HR Department as part of the HR Discipline Process.
- ii. The Whistleblower and the alleged wrongdoer will be treated fairly and shall not be subject to unfair dismissal, discrimination, victimisation, intimidation or action causing injury or damage.
- iii. The Whistleblower will be informed of the status of his disclosure and the alleged wrongdoer will be given an opportunity to respond to all allegations at an appropriate time.

#### **8. Acting in good faith**

All WPCR have to be made in good faith with reasonable belief that the information and allegation is true and not frivolous or malicious and not for personal gain. Otherwise, disciplinary action may be taken against the Whistleblower. Any person that has not acted in good faith shall not be entitled to protection under this Policy.

#### **9. Confidentiality and Anonymity**

- a) Any person having knowledge of the WPCR shall make all reasonable efforts to maintain and protect the confidentiality of the Confidential Information, including the identity and personal information of the Whistleblower; and
- b) However, there may be circumstances during the course of the investigation or where required by law where it is necessary to disclose the identity of the Whistleblower. In such circumstances, the consent of the Whistleblower shall be sought for the disclosure and the personal information, including the identity of the Whistleblower and the alleged wrongdoer shall only be revealed on a 'need-to-know' basis.
- c) The Whistleblower shall make all reasonable efforts to maintain the confidentiality of the Confidential Information, including the fact that a report has been filed, nature of the Improper Conduct and the identity of the person(s) who have allegedly committed the Illegal and Improper Conduct.

#### **10. Protection**

Upon making a disclosure in good faith, based on reasonable grounds and in accordance with the procedure pursuant to this Policy:

- a) Samchem Group of Companies will not tolerate any retaliation whatsoever against Whistleblower who reports possible concerns under the Samchem Whistleblowing Policies in good faith;
- b) If the Whistleblower reasonably believes that he is being subjected to reprisal, including harassment and victimisation, as a consequence of whistleblowing, he may consult or report to WCC;
- c) Any employee who has engaged in retaliation will be subject to the appropriate disciplinary action.