



**BELIANEMAS SYNERGY SDN BHD**  
**(621714-W)**

# **Whistleblowing Policy & Procedure**

Version 0 (June 2020)

# TABLE OF CONTENTS



	Page
1. Overview.....	2
2. Objective.....	2
3. Scope.....	3
4. Interaction with ISO Procedure.....	4
5. Applicability.....	4
6. Requirement of Good Faith.....	4
7. Procedure in Making a Disclosure/Report.....	5
8. Anonymous Whistleblower.....	6
9. Protection To and Support For The Whistleblower.....	7
10. Response To a Disclosure/Report.....	7
11. Remedial Action.....	8
12. Notification.....	8
13. External Disclosures.....	9
14. Retention of Records.....	9
15. Circulation and Review.....	9
16. Appendix A: Whistleblowing Form.....	10

### **1. OVERVIEW**

Belianemas Synergy Sdn. Bhd. (The Company) is committed to promoting and maintaining the highest standard of integrity, openness and accountability in the execution of the Company's operations. As such, the Company aspires to conduct its affairs in an ethical, transparent and responsible manner as the business integrity of the Company is non-negotiable.

This Whistleblowing Policy ("Policy") is therefore formulated as an avenue for the Company's staff and stakeholders as well as members of the public to disclose any legitimate misgivings they may harbour regarding any improper conduct within the Company.

This Policy is to serve as a structured reporting channel and guidance for relevant disclosures. It is also a tool for preventing misconduct at the 'get-go' stage and as an early warning system for the Company to remedy any misconduct before serious damage is caused.

### **2. OBJECTIVE**

The aim of this Policy is to encourage those who have genuine serious and sensitive suspicions or concerns about any aspect of the Company's work conduct to voice those concerns at the earliest opportunity.

### 3. SCOPE

This Policy is to facilitate ‘whistleblowing’ which is the deliberate and voluntary disclosure or reporting of information which relates to suspected wrongdoing (generally a breach of a legal, statutory or regulatory requirement or unethical, immoral behaviour), based on the reasonable belief of a ‘whistleblower’ i.e. the person making the disclosure or report, through an internal channel.

The list of concerns may include, but is not limited to:

- criminal offences, unlawful and/or dishonest acts, fraud, corruption, bribery, blackmail and abuse of power;
- failure to comply with legal or regulatory obligations including negligence in carrying out work obligations;
- gross misconduct and/or mismanagement;
- general malpractice such as illegal, immoral or unethical conduct;
- serious endangerment to the health and safety of any person and to the environment;
- potential breach of the requirements in, or made under, the Malaysian Anti-Corruption Commission Act 2009, any subsequent amendments thereto, or any other applicable regulations;
- breach of any of the Company’s policies;
- breach of audit (or other applicable) regulations;
- breach of the codes of conduct of all relevant professional institutions;
- concealment of any or a combination of the above.

No employee shall use their position to prevent other employees from exercising their rights or complying with their obligations within this Policy.

### 4. INTERACTION WITH ISO PROCEDURE

This Policy is not to invalidate the ISO's complaint procedures ("ISO Procedure"), as adopted under the Company's QSH System Administration Procedures Manual.

The complaints under the purview of the ISO Procedure are those related to projects and are of an operational nature, as opposed to those within the broader scope of this Policy; the two types of complaints are to remain distinct and thus resolved separately.

In the event that a complaint which should have been made under the ISO Procedure is received under this Policy, the complaint shall be directed to the relevant Project Director who will then ensure that it will be appropriately processed and resolved according to the ISO Procedure.

If, however, a whistleblowing disclosure/report is mistakenly made under the ISO Procedure, the receiver of such shall direct it to the Whistleblowing Committee for further action.

### 5. APPLICABILITY

Subject to the requirement of applicable local jurisdiction, this Policy applies to all employees and trainees as well as stakeholders of the Group. This Policy also applies to members of the public, where relevant.

### 6. REQUIREMENT OF GOOD FAITH

Since allegations of improper conduct could result in serious personal repercussions for the alleged wrongdoer, a whistleblower must ensure that they have reasonable grounds for believing in the existence of the allegation before a disclosure or report is made and it must be made in good faith in the best interest of the Company and is not frivolous, malicious, defamatory or for personal gains.

Additionally, the whistleblower must have first-hand knowledge of the facts and hearsay will not be entertained.

### 7. PROCEDURE IN MAKING A DISCLOSURE/REPORT

All disclosures/reports are to be channelled to the Whistleblowing Committee (“Committee”) for further action and they shall perform the oversight function over the administration of this Policy.

It should be made clear while making a disclosure that it is being made within the terms of the Company’s Whistleblowing Policy. This will ensure the recipient realises this and takes the necessary action to investigate the disclosure and to protect the whistleblower’s identity.

The whistleblower is to treat any information about the investigation as confidential and the Company will do the same. While the Company cannot always guarantee the outcome sought, the concern will be dealt with as fairly and appropriately as possible.

#### The Whistleblowing Committee

The Board of Directors of Belianemas Synergy Sdn. Bhd. shall determine the number forming the Committee and appoint its members, from time to time.

The Committee members shall have the authority to:

- determine the legitimacy of the disclosure
- direct further action
- determine who should conduct the investigation i.e. whether to conduct it internally or to engage external expertise.

If the Committee member is suspected of being involved in the improper conduct, they will automatically be excluded from the entirety of the procedure.

The Committee shall meet on ad hoc basis as and when a whistleblowing report is lodged. A review of the resulting measures taken will be conducted quarterly as a method of follow-up.

## WHISTLEBLOWING POLICY

---

### Procedure

A disclosure/report should be made as soon as the whistleblower becomes aware of any information regarding improper conduct or the potential thereof. It can be made either in person or in writing to a member of the Committee. When it is made orally, the recipient shall as soon as practicable reduce it to writing.

A Whistleblowing Form is available to streamline the reporting process. The form can be found on the Company's website ([www.belianemas.com.my](http://www.belianemas.com.my)) and a dedicated e-mail address shall be the point of contact for whistleblowers ([corporate@belianemas.my](mailto:corporate@belianemas.my)). The whistleblower is required to identify themselves and to provide contact information.

Essentially, the following information is required:

- the nature of the concern and why the whistleblower believes it to be true
- the background and history of the concern (giving relevant dates)
- the identity of the alleged wrongdoer
- particulars of evidence (if any)
- particulars of witnesses (if any)

## **8. ANONYMOUS WHISTLEBLOWER**

Any anonymous disclosure will not usually be considered. A whistleblower is required to disclose their identity in order to be accorded the necessary protection.

However, the Company reserves its right and discretion to investigate into any anonymous disclosure.

### **9. PROTECTION TO AND SUPPORT FOR THE WHISTLEBLOWER**

A whistleblower will be accorded with the protection of strict confidentiality of identity, to the extent as reasonably practicable. Additionally, an employee who whistle blows internally will also be protected against any adverse, detrimental and discriminatory actions or treatment. For members of the public, the Company will endeavour to provide appropriate advice and support.

Such protection is accorded even if the investigation later reveals that the whistleblower is mistaken as to the facts and the rules and procedures involved.

However, if the whistleblower is in any way involved in the improper conduct, no such protection will apply and they may, at the discretion of the Company, be similarly investigated and dealt with appropriately considering their level of involvement.

### **10. RESPONSE TO A DISCLOSURE/REPORT**

The overriding principle for the Company will be the public interest; protection of others is paramount in all cases.

Initial enquiries will be made to determine the merits of a full investigation. The whistleblower and the alleged wrongdoer are expected to give their full cooperation in any process carried out pursuant to this Policy.

Concerns will be investigated as quickly as possible taking into consideration the degree of seriousness and complexity. An extension may occur due to any referral to an external agency.

The investigation may need to be carried out under terms of strict confidentiality i.e., by not informing the alleged wrongdoer until (or if) it becomes necessary. During the course of investigation, the whistleblower is advised not to contact the alleged wrongdoer in an effort to determine facts or demand restitution; and not to discuss the case with anyone so as to avoid jeopardising the investigation.

The whistleblower and the alleged wrongdoer will be treated fairly. The whistleblower will, where appropriate, be informed of the status of their disclosure and the alleged wrongdoer will be given an opportunity to respond to all allegations.

A final report with the recommendation of the Chairman of the Whistleblowing Committee will be tabled to the rest of the Committee who will review the report and decide on the remedial action to be taken.

### **11. REMEDIAL ACTION**

In the event that remedial action is necessary, it will be taken in order to prevent the improper conduct from continuing or occurring in the future.

Actions may also be directed to remedy any harm or loss arising from the misconduct.

If preliminary findings suggest a possible criminal offence, the Chairman of the Whistleblowing Committee may refer the report to the appropriate authorities such as the police force or the Malaysian Anti-Corruption Commission.

Where possible, the management shall institute the appropriate control measures to prevent any further improper conduct or damage to the Company.

### **12. NOTIFICATION**

Subject to legal constraints and where appropriate, the whistleblower and the alleged wrongdoer will be notified of the outcome of the investigation and/or any remedying or rectifying action taken. The notification letter will be signed off by the Chairman of the Whistleblowing Committee.

If the whistleblower is dissatisfied with the outcome of the investigation, the whistleblower may submit another detailed report explaining why this is the case and if it merits another investigation, one will then be conducted. If the Committee finds that another investigation is unwarranted, it will notify the whistleblower accordingly.

### 13. EXTERNAL DISCLOSURES

In most cases, it will not be necessary to alert anyone externally. However, some circumstances may warrant a whistleblower reporting their concerns to an external body such as a regulator. It will rarely, if ever, be appropriate to alert the media. Whistleblowers are strongly encouraged to seek advice before reporting to anyone external.

In any case, a whistleblower should not disclose information that is confidential to the Company or to anyone else, such as a client or contractor.

### 14. RETENTION OF RECORDS

The Company shall retain a copy of all disclosures, reports made and all relevant documentation. The Committee shall decide the period of retention of all these records, subject to limitations in applicable legislation.

### 15. CIRCULATION AND REVIEW

This Policy is to be circulated to all existing and new employees of the Company.

This Policy will be reviewed regularly by the Committee working together with the Audit Department.

The Company reserves the right to amend this Policy from time to time as appropriate.

Any revisions or amendments to this Policy shall be effective only upon communication to all employees accordingly.

This Whistleblowing Policy was approved by the Board of Directors on 06 June 2020.

**WHISTLE BLOWING FORM**

<b>WHISTLEBLOWING REPORT</b>		
<p><b>Attention To:</b></p> <p><b>Chairman of the Whistleblowing Committee</b>                  Belianemas Synergy Sdn. Bhd.                  Lot 3626, Block 16, KCLD,                  Taman Timberland, Lorong Rock 2,                  93200 Kuching, Sarawak, Malaysia.</p>		
Incident date & Time	Date:	Time:
Incident Location		
Name of Alleged Wrongdoer (Person / Department / Company)		
Description / Circumstances of Alleged Incident.  Who, What, Where, When, How, Evidence/Witness – as applicable.  (Please use attachment if necessary)	<u>Nature of concern and grounds for believing it to be true:</u>	
	<u>Background and history of concern (with relevant dates):</u>	
	<u>Particulars of evidence (if any):</u>	
	<u>Particulars of witnesses (if any):</u>  Name:  Contact Details:	

---

**WHISTLE BLOWING FORM**

Signature:

Name:

Department/Company:

Contact Details (phone and/or email):

Date:

*Note: It is necessary to provide your contact details in order for us to obtain any further information or to keep you apprised of the progress of your report.*