



## **ANTI-BRIBERY AND ANTI-CORRUPTION POLICY**

### **1. Policy Statement and Objective**

- 1.1. Suntrack Development Sdn Bhd ("Suntrack") upholds the highest standards of professional integrity and ethical conduct and the same is required of every Suntrack partner, officer, employee and third parties who perform services for or on behalf of Suntrack.
- 1.2. Suntrack is committed to conducting its business, to the best of our knowledge and belief, in accordance with all applicable laws, rules and regulations and the highest ethical standards.
- 1.3. In promoting ethical business practices, Suntrack is committed to design and institute appropriate policies and procedures to support Suntrack's business operations and assists its Employees to understand their obligations in upholding corporate integrity and Suntrack's reputation.
- 1.4. The nature of Suntrack's business requires its employees to engage in business with a wide range of parties, both internal as well as external. This policy establishes the boundaries on interactions with all parties and guidance on how to act when subjected to potential acts of bribery and matters of corruption.
- 1.5. This Anti-Bribery and Anti-Corruption Policy reiterates Suntrack's commitment to full compliance by it, and its officers, directors, employees and agents with all laws relating to anti-bribery and anti-corruption in Malaysia, in particular, the Malaysian Anti-Corruption Commission Act 2009 ("MACC Act"), subsequent amendments to the Act and all guidelines issued by relevant authorities pertaining to the same.
- 1.6. The policy will be updated as the Law and Regulations changes to incorporate the latest standards in anti-bribery and corruption.
- 1.7. In cases of conflict between mandatory law and the principles contained in the Policy, the law shall prevail.
- 1.8. This Policy must be read together with relevant clauses (stated herein) in the Suntrack Human Resource Policies and Procedures Manual.

### **2. Scope**

- 2.1. The principles and obligations outlined in this policy apply to all employees of Suntrack, including senior management and to members of our Board of Directors (collectively referred to as "Suntrack personnel") and reflects the standards to which Suntrack expects its business associates, partners, agents, contractors and consultants to adhere when acting on Suntrack's behalf.



- 2.2. Suntrack personnel shall understand, adopt and adhere to the contents in the Anti-Bribery and Anti-Corruption Policy as well as other procedures and guidelines referred to herein.

### 3. Definitions

- 3.1. **Bribery** is the act of "offering, promising, giving, receiving, or soliciting of undue advantage/gratification of any value (which could be financial or non-financial), directly or indirectly, and irrespective of location(s), to/from a person in authority, in violation of applicable laws, as an inducement or reward for a person to do or not to do an act in relation to the performance of that person's duties. This also refers to undertaking the act of corruption.
- 3.2. **Business Associate** refers to an external party with whom the organization has, or plans to establish, some form of business relationship. This primarily includes clients, customers, joint venture partners, outsourcing providers, contractors, consultants, sub-contractors, suppliers, vendors, advisers, agents, distributors, representatives, intermediaries and investors.
- 3.3. **Corruption** refers to any action which would be considered as an offence of giving or receiving 'gratification' under the Act. In addition, corruption may also include acts of extortion, collusion, breach of trust, abuse of power, trading under influence, embezzlement, fraud or money laundering.
- 3.4. **Conflict of interest** refers to a situation when a person's own interests either have influence, have the potential to influence, or are perceived to influence their decision-making in Suntrack.
- 3.5. **Facilitation payment** refers to a payment or other provisions made personally to an individual in control of a process or a decision. It is given to secure or expedite a routine or administrative duty or function.
- 3.6. **Corporate gift** refers to something given from one organization to another, with the appointed representatives of each organization giving or accepting the gifts. This may include promotional items given out equally to the general public at events, trade shows, and exhibitions as part of building the company brand. The gifts are given transparently and openly, with the implicit or explicit approval of all parties involved. Corporate gifts normally bear the company brand and logo and are of nominal value, such as diaries, pens, table calendars, notepads, plaques, and festive gifts such as hampers, oranges and dates.
- 3.7. **Personal gift** is something given to one individual to another, with the intention of creating or enhancing a personal relationship. The gifts are given in a private setting, without the knowledge or approval of the company management of one or both parties. This may include cash, cash equivalents such as credit cards, electronic items, watches, luxury pens, property and vehicles, free fares, shares, interest free loans, lottery tickets, travel facilities, entertainment, club membership, jewelries, decorations, vouchers or any other valuable items.



#### **4. Anti-Bribery and Anti-Corruption Policy**

- 4.1. All forms of bribery and corruption are prohibited. Suntrack upholds a zero tolerance approach. In addition to bribery, Suntrack Personnel must not participate in any corrupt activity, such as extortion, collusion, breach of trust, abuse of power, trading under influence, embezzlement, fraud or money laundering.
- 4.2. Bribery may take the form of exchange of money, goods, services, property, privilege, employment position or preferential treatment. Suntrack Personnel shall not therefore, whether directly or indirectly, offer, give, receive or solicit any item of value, in the attempt to illicitly influence the decisions or actions of a person in a position of trust within an organization, either for the intended benefit of Suntrack or the persons involved in the transaction.
- 4.3. This Policy applies equally to its business dealings with commercial ('private sector') and Government ('public sector') entities, and includes interactions with their directors, employees, agents and other appointed representatives at all levels. Even the perception of bribery is to be avoided.
- 4.4. Suntrack Personnel will not suffer demotion, penalty or other adverse consequences for refusing to pay or receive bribes or other illicit behavior, even if such refusal may result in the company losing business or experiencing a delay in business operations.
- 4.5. Suntrack recognizes the value of integrity in its Suntrack Personnel. Suntrack's recruitment, training, performance evaluation, remuneration, recognition and promotion for all employees, shall be designed to recognize integrity.
- 4.6. Suntrack does not offer employment to prospective employees in return for previous favour/in exchange of improper favour.
- 4.7. Suntrack awards contracts and positions purely based on merit. Support letters in all forms shall not be recognized as part of the business decision-making process. Suntrack may however do random reference checks prior to awards as part of its business decision-making process.

#### **5. Gifts, Entertainment, Travel, Donations and Sponsorships**

- 5.1. Suntrack prohibits the giving and receiving of Gifts, Entertainment, Travel, Donations and Sponsorships ("GETDS") to influence business decisions.
- 5.2. Suntrack allows appropriate business related GETDS. Reasonable GETDS are acceptable provided that the following guiding Principles are observed:
  - 5.2.1. **Transparency**
    - One should be comfortable to disclose to colleagues the GETDS that is offered/received.



#### 5.2.3. **Recipients**

- One should only accept GETDS from those who will not put you in a position of conflict.

#### 5.2.3. **Ability to Influence**

- The GETDS must not be offered/accepted when there is a pending business decision.

#### 5.2.4. **Value**

- The GETDS must be modest and not be frequent as to place the recipient under obligation.

#### 5.2.5. **Purpose**

- The intention behind the GETDS must not be interpreted as to gain unmerited advantage.

5.3. Where possible, Suntrack Personnel should avoid offering and/or accepting GETDS to/from Government officials. If a gift is deemed appropriate, a Corporate Gift for a specific purpose is encouraged as opposed to a Personal Gift. GETDS must be reasonable and proportionate to the income of the Government official such that no obligation is created by the provision of the hospitality resulting is a decision to the advantage of the business. All offers and acceptance of GETDS involving Government officials must be approved by the relevant decision-makers according to the Delegated Limits of Authority (DLA).

5.4. In respect to political contributions, company funds or resources must not be used to make any direct or indirect political contributions on behalf of Suntrack without approval from the Board. Any appearance of making such contributions or expenditure to any political party, candidate or campaign, must also be avoided.

5.5. Donations in the form of charity may be permissible depending on the circumstance, but should be made directly to an official entity and be able to be disclosed publicly when required to.

5.6. Please refer to Clause 1.11.9 – Improper Gifts or Payments in the Human Resource Policies and Procedures Manual for further guidance on the matter.

## **6. Business Associates**

6.1. As part of Suntrack's commitment to combat bribery, Suntrack expects all Business Associates to refrain from bribery.

6.2. If suspicion of bribery and corruption arises in the dealings with any Business Associate, Suntrack shall seek an alternative provider for the services/goods.



- 6.3. Suntrack expects all Business Associates acting on behalf of the Group to contractually agree to refrain from bribery and corruption.
- 6.4. If Suntrack is not satisfied that bribery and corruption prevention has been upheld, due diligence shall be undertaken with regards to any Business Associate intending to act on Suntrack's behalf.
- 6.5. Suntrack shall endeavor to include clauses in all contracts enabling Suntrack to terminate any contract in which bribery or corruption has been observed.
- 6.6. The Vendor Code of Conduct provides guidance to Vendors on the required standards and code of conduct when engaging in business dealing with and for Suntrack. All vendors are expected to adhere to the VCOC and declare compliance to the VCOC via the Declaration of Interests Form.

## **7. Responsibilities of Suntrack Personnel**

- 7.1. Suntrack Personnel are responsible for understanding and complying with this Policy. In particular, the role of Employees includes the following:
  - 7.1.1. Be familiar with applicable requirements and directives of the policy and communicate them to subordinates;
  - 7.1.2. Promptly record all transactions and payments accurately and in reasonable detail;
  - 7.1.3. Always raise suspicious transactions to immediate superiors for guidance on next course of action;
  - 7.1.4. Promptly report violations or suspected violations through the appropriate channels.

## **8. Conflict of Interest**

- 8.1. Conflicts of interest arise in situation where there is a personal interest that might be considered to interfere with that person's objectivity when performing duties or exercising judgement on behalf of the company. Suntrack personnel should avoid or deal appropriately with situations in which personal interest could conflict obligations or duties. Suntrack personnel must not use their position, official working hours, company resources and assets for personal gain or the company's disadvantage.
- 8.2. In situations where confronted with such conflict, Suntrack Personnel are required to complete the QMS-HR-F21 Declaration of Interests Form (Staff).
- 8.3. Please refer to Clause 1.11.8 – Conflict of Interest in the Human Resource Policies and Procedures Manual for further guidance on the matter.



## **9. Staff Declarations**

- 9.1. All new recruits shall be briefed on the Policy and are expected to complete the Declaration of Interests Form.
- 9.2. In addition, under circumstances of suspicious behavior, allegations and/or investigations relating to bribery or corruption, the Human Resource Department reserves all the rights to request relevant Suntrack Personnel to declare information regarding assets owned as deemed necessary.

## **10. Anti-Bribery and Anti-Corruption compliance**

- 10.1. The Anti-Bribery and Anti-Corruption compliance will be placed under the purview of the Sustainability Compliance and Integrity Committee set up to look into ESG initiatives in the company.
- 10.2. The Sustainability Compliance and Integrity Committee shall, from time to time, identify bribery and corruption risks affecting the company, as part of its risk management framework. The Committee shall also review the suitability of this Policy from time to time, taking into account relevant developments in the legislature as well as evolving industry and international standards.
- 10.3. The Sustainability Compliance and Integrity Committee shall implement and effectively manage routine anti-bribery and anti-corruption measures as deemed appropriate to ring-fence the organization against possible legislative liabilities, as well as undertake ad-hoc measures deemed required based on circumstantial requirements that presents during the course of operations.
- 10.4. Suntrack is committed to continually improving its policies and procedures relating to anti-bribery and anti-corruption.

## **11. Reporting of policy violations**

- 11.1. Suntrack personnel who encounter actual or suspected violations of this Policy are required to report their concerns. Suntrack Personnel has a responsibility to ensure that suspected bribery and corruption incidents are reported promptly. The company practices an open door policy and encourages all Suntrack Personnel to share concerns and suggestions with superiors and colleagues who are able to address them in an appropriate manner.
- 11.2. Reports made in good faith shall be addressed in a timely manner and without incurring fear of reprisal regardless of the outcome of any investigation.
- 11.3. Reports can be made using the Whistleblower Reporting Form.



## **12. Discipline**

- 12.1. Suntrack regards bribery and corruption as a serious matter. Non-compliance and hindering of investigations to non-compliance may lead to disciplinary action, up to and including termination of employment. Further legal action may be taken in the event the company's interests have been harmed as a result of non-compliance.