



BINTULU PORT HOLDINGS BERHAD
(Company No: 199601008454(380802-T))

WHISTLEBLOWER POLICY

BINTULU PORT HOLDINGS BERHAD

GROUP

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1.0 **PURPOSE**

The purpose of this policy is intended to support BPHB Group commitment towards its core values, ethics, and governance requirement.

This policy shall be the guide for the implementation of statutory requirement pursuant to the Whistleblower Protection Act 2010 at BPHB's Group and ensure continuous improvement therein.

2.0 **POLICY**

2.1 **Introduction**

2.1.1 Whistleblowing is a specific means by which an employee or stakeholder can report or disclose through established channels, genuine concerns about improper conduct at the BPHB Group.

2.1.2 A Whistleblower can be an employee (or group of employees), board of director of BPHB or members of the public including vendors, contractors or customers who make a disclosure against an employee or Board of Director of BPHB about an actual, suspected or anticipated improper conduct within BPHB Group.

2.2 **Objective.**

2.2.1 This policy is to provide a formal avenue for all employees of BPHB Group and members of the public to disclose any confidential information related to improper conduct in line with the procedures as provided for under this policy;

2.2.2 To enable Management and Board of Directors to be informed at an early stage about improper conduct of its employees or directors and may enable the Company to remedy any wrongdoings before serious damage(s), losses or implications are caused or raised;

2.2.3 To reassure employees that they will be protected from Detrimental Action such as punishment of unfair dismissal or treatment for disclosing concerns in good faith in accordance with this procedure (to provide protection for employees and members of the public who report such allegations);

2.2.4 To help develop a culture of openness, accountability and integrity among all employees of BPHB Group;

2.2.5 Encourages directors and employees to maintain high ethical standards;

2.2.6 To provide a confidential and effective means for reporting suspected violations of the law. Hence, it may enhance the level of trust placed in the Company; and;

2.2.7 To protect like a shield for individuals who report suspected violations from retaliation in any form.

3.0 SCOPE OF THE POLICY

- 3.1 This policy is designed to facilitate employees and members of the public to disclose any improper conduct (disciplinary action or criminal offence) through internal channel of BPHB Group. Such improper conduct include the following:-
- a. Fraud, e.g. incorrect financial reporting;
 - b. Corruption;
 - c. Bribery or blackmail;
 - d. Criminal offences such as theft or embezzlement;
 - e. Failure to comply with a legal or regulatory obligation;
 - f. Endangerment of the life and safety of individuals;
 - g. Sexual harassment; and
 - h. Concealment of any or a combination of the above.
- 3.2 The above list is not exhaustive and includes any act or omissions, which if proven, will constitute an act of improper conduct under General Code of Conduct and Disciplinary Policy of BPHB or any criminal offence under relevant legislations in force.
- 3.3 This policy is not to invalidate the Grievance Procedure and /or the Disciplinary Action Process and Procedures but to compliment and provide more avenues for employees and members of the public to disclose improper conduct committed or about to be committed by the directors or employees of the BPHB's Group.

4.0 APPLICABILITY OF THE POLICY

Subject to the requirement of applicable local jurisdiction, this policy applies to all directors and employees of BPHB Group and its subsidiaries. This policy is also applicable to members of the public including Consultants, Vendors, Contractors, Sub-contractors, external agencies or any third parties with a business relationship with BPHB's Group of Companies where relevant.

5.0 PROCEDURE IN MAKING A DISCLOSURE

All disclosures are to be channelled in accordance with the procedures as provided under the Whistleblower Procedure.

6.0 PROTECTION TO WHISTLEBLOWER

A whistleblower shall, upon making the confidential disclosure through internal channel of BPHB's Group, shall be given the following protections:-

6.1 Protection of confidential information

The Whistleblower's identity, identity of the alleged offender and the nature of improper conduct shall be kept confidential.

6.2 Protection against detrimental action

BPHB will not retaliate against employees or stakeholders or any person related to or associated with the Whistleblower who discloses any improper conduct, even if the investigation later reveals that no improper conduct was proven.

6.3 Revocation of protection

The Company reserves the right to revoke the Whistleblower's protection due to any of the following reasons:-

- a. the Whistleblower took part in the improper conduct;
- b. the Whistleblower wilfully disclosed a false statement of which he knows or believes to be false or did not believe to be true;
- c. the disclosure is frivolous or vexatious;
- d. the disclosure was made with malicious intent and/or is not made in good faith; and
- e. the Whistleblower breaches his/her obligations of confidentiality under this Policy.

7.0 **ANONYMOUS WHISTLEBLOWER**

7.1 Any anonymous disclosure is not encouraged as it will cause hardship in obtaining further information for the purposes of investigation.

7.2 Any employees or members of the public who wishes to report an improper conduct is required to disclose his identity to the Company in order for the Company to accord the necessary protection to him.

7.3 However, the Company reserves its right to investigate into any anonymous disclosure after having considered the following factors:-

- i. the seriousness of the matter reported;
- ii. the credibility of the matter reported; and
- iii. the likelihood of confirming the matter reported.

8.0 **NOTIFICATION**

Upon the completion of the whistleblowing process and procedures, the Whistleblower will be accorded the privilege to be notified on the outcome of the disclosure as required under the Whistleblower Protection Act 2010.

9.0 **REVISION OF WHISTLEBLOWER POLICY**

Notwithstanding the above, the Management may make recommendation to the Audit Committee for any revisions with regards to Whistleblower Policy from time to time in accordance with the changes in law, policies and objectives of the BPHB's Group.