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Advance Synergy Berhad
Group Anti-Bribery and Anti-Corruption Policy



ADVANCE SYNERGY BERHAD

Company No.: 192001000024 (1225-D)

Group Anti-Bribery and Anti-Corruption Policy

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1. PURPOSE

- 1.1 This **Group Anti-Bribery and Anti-Corruption Policy** (hereinafter referred to as this “Policy”) has been developed as part of the Advance Synergy Berhad Group (hereinafter referred to as the “Group”, “Our”, “We” or “Us”) Policy which has been designed to safeguard its Entity, Board of Directors, Management and Employees and to align with the requirements set out in the Group’s direction of high integrity principles.
- 1.2 This Policy provides a source of information and guidance for those working for the Group. It helps them recognise and deal with corrupt gratification, as well as understand their responsibilities.

2. DEFINITIONS & INTERPRETATION

The Group will categorise the following terms to be relevant and applicable in this Policy for reference:

“**Bribery**” means any action which would be considered as an offence of giving or receiving ‘gratification’ under the Malaysian Anti-Corruption Commission Act 2009 (“MACCA”). In practice, this means offering, giving, receiving or soliciting something of value in an attempt to illicitly influence the decisions or actions of a person who is in a position of trust within an organisation.

“**Business Associates**” means an external party with whom the organisation has, or plans to establish, some form of the business relationship. This primarily includes Counterparties and Business Partners i.e. clients, customers, joint ventures, joint venture partners, consortium partners, outsourcing providers, contractors, consultants, subcontractors, suppliers, vendors, advisers, agents, distributors, representatives, intermediaries and investors.

“**Corporate Gift**” means something given from one organisation to another, with the appointed representatives of each organisation giving and accepting the gift. The gifts are given transparently and openly, with the implicit or explicit approval of all parties involved. Corporate gifts normally bear the Group/Company name and logo.

“**Corruption**” means the act of soliciting, giving, promising to give, offering, accepting or receiving gratification, directly or indirectly, to/from a person in authority either in the form of money, services, favours, positions or valuable goods as an inducement or reward to or not to do an act in relation to the person’s principal affairs or function.

“**Directors**” includes all independent and non-independent directors, executive and non-executive directors of the Group and shall also include alternate or substitute directors.

“**Entity**” means the corporation of the Advance Synergy Berhad and its subsidiary companies.

“**Employees**” means all individuals directly contracted to the Group on an employment basis, including permanent and temporary employees.

“**Exposed Position**” means a staff position identified as vulnerable to bribery and corruption. Such positions may include any role involving but not limited to: procurement or contract management; financial approvals; human resource; relations with government officials or government departments; sales; positions where negotiation with an external party is required; or other positions which the Group has identified as vulnerable to bribery and corruption.

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“**Gratification**” is defined in Section 3 of the MACCA and includes money, donation, gift, loan, fee, reward, valuable security, property or interest in property, employment, appointment, release, forbearance, undertaking, promise, rebate, discount, services employment or contract of employment or services and agreement to give employment or render services in any capacity. The provision or receipt of gratification is not an offence unless it is done corruptly.

“**Group**” means Advance Synergy Berhad and its subsidiary companies.

“**MACCA**” means Malaysian Anti-Corruption Commission Act 2009 (Act 694) and Malaysian Anti-Corruption Commission (Amendment) Act 2018 (Act A1567) and including any amendment thereof.

“**Management**” means the management of Advance Synergy Berhad or its subsidiary companies.

“**Personnel**” means Directors and all individuals directly contracted to the Group on an employment and a non-employment basis.

“**Policy**” means this Anti-Bribery and Anti-Corruption policy, including any subsequent revisions and supplemental guidelines.

“**Whistleblowing Committee**” means the whistleblowing committee of the Group. Please refer to the Group Anti-Bribery and Anti-Corruption Framework for more details on the Whistleblowing Committee.

Interpretation

In the interpretation of this Policy, unless the context requires otherwise, the following shall apply:

- (a) Gender - words of one gender include the other gender, and words denoting natural persons include corporations and firms and all such words are to be construed interchangeably in that manner;
- (b) Reference to legislation - a reference to any Acts is deemed to include references to any subsequent amendments, consolidation or replacement of the Acts;
- (c) Singular and Plural -words importing the singular also include the plural and vice versa where the context requires;
- (d) Where any word or phrase is given a defined meaning, any other grammatical form of that word or phrase has a corresponding meaning;
- (e) Capitalised terms used herein and not otherwise defined herein shall have the meanings assigned to them in this Policy, unless the context shall otherwise require; and
- (f) Any schedules, appendices executed as supplemental to this Agreement, issued by the Group from time to time shall through incorporation by reference, form and be construed as part of this Policy.

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3. LAWS AND POLICIES

3.1 Malaysian Anti-Corruption Commission Act 2009 (amended in 2018)

The MACCA was enacted for the establishment of the Malaysian Anti-Corruption Commission, to make further and better provisions for the prevention of corruption and for matters necessary thereto and connected therewith.

3.2 Whistleblower Protection Act 2010 (“WPA 2010”)

The WPA 2010 was passed by Parliament in June 2010 and was brought into force on 15 December 2010 to promote disclosure of information about any corruption or other misconduct.

3.2 The Group’s Policies

The Policy should be read in conjunction with the following policies:

- a. The Group’s Anti-Bribery and Anti-Corruption Framework;
- b. The Group’s Whistleblowing Policy;
- c. The Group’s Personal Data Protection and Privacy Policy; and
- d. Staff/Employee Handbook.

4. POLICY STATEMENT

4.1 Bribery and corruption in all its forms as it relates to the Group’s activities is strictly prohibited. The Group takes a **zero-tolerance** approach to bribery and corruption, and are committed to acting professionally, fairly and with integrity in all business dealings and relationships wherever the Group operates.

4.2 The Anti-Bribery and Anti-Corruption statement applies equally to its business dealings with commercial (‘private sector’) and government (‘public sector’) entities, and includes their directors, personnel, agents and other appointed representatives. Even the possible appearance of bribery or corruption is to be avoided, in particular when dealing with government officials.

4.3 The Anti-Bribery and Anti-Corruption statement applies to all countries worldwide, without exception and without regard to regional customs, local practices or competitive conditions. The Group shall constantly uphold all laws relating to bribery and corruption in all the jurisdictions where we operate. We are bound by the laws of Malaysia, in particular the MACCA, pertaining to our conduct both at home and abroad. *Kindly refer to **Appendix 1** hereto for the material and substantial clauses under the MACCA.*

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- 4.4 The Group recognises that acts of corrupt gratification are punishable by way of pecuniary fines and/or jail sentences, as the case may be, upon conviction. If any entity in the Group or person associated with it is found to have taken part in bribery or corrupt activities to benefit the Group, we may be subjected to a monetary fine of not less than 10 times the sum or value of the corrupt gratification, and/or the officers concerned jailed not exceeding 20 years, upon conviction under the MACCA. There may well be other associated charges brought against the Group and/or its officers under other legislations in Malaysia or in the countries in which the alleged offence is committed. All these may lead to serious damage to our reputation. It is with this in mind that we remain committed to preventing acts of corrupt gratification in our businesses, and we take our legal responsibilities seriously.
- 4.5 Any written contractual agreements will require an anti-bribery and anti-corruption clause to be inserted towards the end of the corresponding document stating full compliance to the Group's Anti-bribery and Anti-Corruption Policy. *Kindly refer to **Appendix 2** hereto for the Group's Anti-Bribery and Anti-Corruption Standard Clause.*

5. SCOPE

- 5.1 This Policy applies and is prescribed to be adopted to the Group and its controlled organisations, Business Associates acting on the Group's behalf, the Board of Directors and including all Employees (whether temporary, contract-basis or permanent), consultants, advisers, contractors, trainees, seconded staff, casual workers, agency staff, volunteers, interns, agents, sponsors or any other person or persons associated with the Group or its Personnel, no matter where they are located (within or outside of Malaysia). The definition of such persons associated with the Group accords with Section 17A of the MACCA. This Policy also applies to Officers, Trustees, Board, and/or Committee members of companies in the Group at any level.
- 5.2 In the context of this Policy, third party refers to any individual or organisation our Group meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies – this includes their advisers, consultants, representatives and officials, politicians and public parties.
- 5.3 Any arrangements the Group makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with minimum standards and procedures relating to anti-bribery and corruption.

6. GUIDELINES ON SPECIFIED ACTIVITES

The Group is dedicated and committed to upholding the Five (5) core principles/values (T.R.U.S.T) in its business activities in order to preserve its integrity, honesty, law-abiding and the highest standard of compliance at all levels and departments of the Group. Employees and Personnel may refer to the Group's Anti-Bribery and Anti-Corruption Framework for clarity and better understanding.

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A. Conflict of Interest

1. A conflict of interest exists when the personal interest of the Employees or Personnel (and/or the interests of one or more of their close family) is likely to influence the decision of the said Employee, and consequently interfere with the Group interests. The existence of a conflict of interest may affect the judgement of the Employees or Personnel who finds him/herself in such a situation and influence his/her decisions.

For the avoidance of doubt, interest shall include but not limited to directorship, shareholding and/or any interest direct or indirect that could be considered to have potential interference with objectivity in performing duties or decisions.

2. In any case, Employees or Personnel with a family member working in the Group and/or the company (including not limited to limited liability partnership, partnership, sole proprietorship) which has dealings with the Group shall declare such relationship to the Human Resources Department. For the purpose of this Policy, family members are defined as spouse, domestic partner, daughter, son, parent, grandparent, grandchild, sister, brother, mother-in-law or father-in-law, close relatives such as aunts, uncles, cousins, or relative by marriage. In the event when Employees and/or Personnel are unsure about a potential conflict, they should fully disclose the circumstances in writing to the Human Resources Department.

Declaration of conflicts of interest

3. In order to avoid issues of probity relating to the Employees or Personnel, all real or potential situations of conflict of interest must be immediately reported to the Human Resources Department.
4. Human Resources Department shall play a major role in regard to this matter. At the beginning of employment, all Employees and/or Personnel must complete and sign a declaration of conflict of interest which will be kept in their personal file. Any change in the personal situation of an Employee with regard to the Group that may lead to a conflict of interest must also be immediately reported to the Human Resources Department. This declaration shall be made mandatory to all Employees. The Human Resources Department should keep a record of any circumstances of actual or potential conflicts of interest.

B. Gifts, Political Contributions, Donations and Sponsorships

1. The Group accepts normal and appropriate gestures of hospitality and goodwill (whether given to or received by Business Associates) so long as the giving or receiving of the gifts meets the following conditions stated in item 2 below.
2. Any gift-giving or receiving must fulfil the following conditions, failing which approval from the Chief Executive Officer (“CEO”) and/or the Managing Director and/or the Management of the company must be sought: -
 - a. It is in compliance with local laws, rules and regulations;

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- b. For festive seasons, the value of gift shall be in accordance with the limits of threshold, frequency and approval mandate as determined by the Group. Under no circumstances may the Employees and/or Personnel accept or give gifts in the form of cash or cash equivalent, including gift certificates, loans, commissions, coupons (except for hotel stay coupons issued by the Group), discounts or any other related forms;
- c. Corporate gifts are allowed if they are part of the promotional materials for the business and shall be in accordance with the limits of threshold, frequency and approval mandate as determined by the Group;
- d. They do not have or are perceived to have (by either the giver or the receiver), any effect on actions or decisions;
- e. There must be no expectation of any specific favour or improper advantages from the intended recipients;
- f. The independent business judgment of the intended recipients must not be affected;
- g. There must not be any corrupt/criminal intent involved; and
- h. The giving out of the gift and hospitality must be done in an open and transparent manner.

Subject to the foregoing, any gift-giving or receiving must be recorded and explained, in a proper and timely manner, in the company's records (e.g. gifts log/declaration, accounting records - the expense report).

3. If the Employee or Personnel family members receive a gift off-site from a Business Associates or other parties engaged in business with the Group, the Employee or Personnel must refuse and report the incident to the Head of Department and/or the CEO and/or the Managing Director. In the event of uncertainty, the Employee or Personnel shall consult with the Compliance Office for advice or make a declaration.
4. In respect of political contributions, funds or resources of the Group must not be used to make any direct or indirect political contributions on behalf of the Group. Any appearance of making such contributions or expenditure to any political party, candidate or campaign, must also be avoided.
5. Donations and/or sponsorships in the form of charity is permissible but should be made directly to an official entity and be able to be disclosed publicly when required to.

C. Hospitality, Entertainment and Travel

1. Hospitality includes meals, invitations to events, functions or other social gatherings in connection with matters related to the business of the Group.

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2. Hospitality, entertainment or other similar expenses are not permitted if:
 - a. it might influence the outcome of a business transaction, whatever the value of the expense, or a reasonable individual could interpret it that way;
 - b. for the purpose of facilitating or expediting any decision to award new business, to renew existing business or to take any other action; or
 - c. given for personal benefit, friendship, personal acquaintances or family purposes.
3. All hospitality, entertainment and travel made must be legal and ethical under local laws and practices, and that such expenses incurred shall be in accordance with the limits of threshold, frequency and approval mandate as determined by the Group. Under no circumstances may the Employees and/or Personnel accept or give any expenses in the form of cash or cash equivalent, including gift certificates, loans, commissions, coupons (except for hotel stay coupons issued the Group), discounts or any other related forms.
4. Further, entertainment events attended must always be ethically acceptable and not against applicable law and the Group policy. For example, so-called “adult entertainment” events and events at venues such as massage parlours or the like are not acceptable, nor is any event that would insult a person’s race, religion, or sex.
5. Any travel arrangements for government officials, business partners or customers must be pre-approved. Reasonable meeting, travel or accommodation expenses are permitted if:
 - a. a bona fide business expense (i.e. within the normal scope of the business);
 - b. related to the promotion, demonstration or explanation of products or needed for the performance of a contract; and
 - c. only for persons directly related to the business (e.g. not spouses, relatives, etc.).
6. The CEO and/or the Management of the company must approve travel arrangements that could be deemed excessive. For the avoidance of doubt, excessive means the amount that exceeds the limits of threshold, frequency and approved mandate set by the Group.
7. Payments for all hospitality and entertainment must be made directly by the Group to the service provider. Detailed and itemised receipts of such expenses must be submitted with the appropriate method for payment or reimbursement.
8. A log of all entertainment received and given by the Employees and/or Personnel must be maintained which includes:
 - a. the attendees by full name;
 - b. attendees position in the Group or other company;
 - c. location/type of venue;

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- d. purpose of the meeting, and
 - e. the cost per attendee (estimated if not known).
9. All gifts, entertainment, hospitality and travel shall be made in accordance with the local laws and practices, and that such expenses incurred are made in accordance with the Group's approval mandate. All requests, approvals, entertainment logs and expenses of the Group must be filed and maintained for review by the Management.

D. Facilitation payments

- 1. Facilitation payments are defined as “any facilitating payment or expediting payment to a foreign official, political party, or party official the purpose of which is to expedite or to secure the performance of a routine governmental action.”
- 2. The Group adopts a strict stance that disallows facilitation payments. Employees and Personnel shall decline to make the payment and report to the Group Legal and Compliance Unit immediately when they encounter any requests for a facilitation payment.

7. RECRUITMENT OF EMPLOYEES

- 7.1 The Group recognises the value of integrity in its Employees/Personnel and Business Associates.
- 7.2 The recruitment of Employees should be based on approved selection criteria to ensure that only the most qualified and suitable individuals are employed. This is crucial to ensure that no element of corruption is involved in the hiring of Employees. In line with this, proper background checks should be conducted in order to ensure that the potential Employee has not been convicted in any bribery or corruption cases nationally or internationally. More detailed background checks should be taken when hiring Employees that would be responsible in management positions, as they would be tasked with decision making obligations.
- 7.3 The Group does not offer employment to prospective Employee in return for their having improperly favoured the Group in a previous role.

8. BUSINESS ASSOCIATES

- 8.1 All Business Associates acting on behalf of the Group are required to comply with this Policy and all other related policies in accordance with **Appendix 2** hereto.
- 8.2 In circumstances where the Group retains controlling interest, such as in certain joint venture agreements, Business Associates are required to adhere to this Policy. Where the Group does not have controlling interest, Business Associates are encouraged to comply the same.
- 8.3 Due diligence should also be carried out with regards to any Business Associates intending to act on the Group's behalf as an agent or in other representative roles, to ensure that the entity is not likely to commit an act of bribery or corruption in the course of its work with the Group.

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- 8.4 The extent of the due diligence should be based on a Bribery and Corruption risk assessment. Due diligence may include a search through relevant databases, checking for relationships with public officials, self-declaration, and documenting the reasons for choosing one particular Business Associate over another. The results of the due diligence process must be documented, retained for at least seven years and produced on request by the custodian of the process.

9. RECORD KEEPING

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as customers, suppliers and business contracts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept “off-book” to facilitate or conceal improper payments and/or receipts of payments. The Group shall keep detailed and accurate financial and other records, and shall have appropriate internal controls in place to act as evidence for all payments made. The Group shall also declare and keep a written record of the amount and reason for gifts, entertainment, hospitality and travel accepted and given, including donations, sponsorships and expenses of similar nature by whatever name called, and understand that such expenses are subject to managerial review.

10. MONITORING, REVIEW AND ENFORCEMENT OF THIS POLICY

- 10.1 The Group’s Compliance Officer is responsible for monitoring the adequacy and operating effectiveness of this Policy and shall review its implementation on a regular basis, including assessing its suitability, adequacy and effectiveness. Internal control systems and procedures designed to prevent acts of corrupt gratification are subject to regular audits (at least once every 3 years) to ensure that they are effective in practice.
- 10.2 Any need for improvements shall be applied immediately. Employees and/or Personnel are encouraged to offer their feedback on this Policy if they have any suggestions on how it may be improved. Feedback of this nature should be addressed to the Compliance Officer.
- 10.3 This Policy does not form part of an Employee’s contract of employment and the Group may amend it at any time so as to improve its effectiveness at combatting bribery and corruption.

11. TRAINING AND COMMUNICATION

- 11.1 The Group shall provide its Employees, Personnel and Business Associates with adequate (in line with requirements set by Malaysian Anti-Corruption Commission and/or any other regulatory bodies) training to ensure their thorough understanding of the Group’s Anti-Bribery and Anti-Corruption position, especially in relation to their role within or outside the commercial organisation which shall cover the Group’s Anti-Bribery and Anti-Corruption Framework, Anti-Bribery and Corruption Management System (if any), MACCA or other requirements [e.g. the Malaysian Code on Corporate Governance, Bursa’s Listing Requirements, Companies Act 2016 (Act 777), and so forth] and their duty to comply.
- 11.2 This Policy and other related anti-bribery and anti-corruption policies and procedures shall be made publicly available and should be appropriately communicated to all Employees, Personnel and Business Associates through the Group’s internal and external communication channels, as appropriate.

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12. REPORTING PROCEDURES

How to make a report/disclosure?

- 12.1 If Employees or Personnel suspect that there is an instance of bribery or corrupt activity occurring in relation to the Group, Employees or Personnel can make a report of their concern/complaint at the earliest opportunity so that corrective action can be taken as soon as possible. If they are uncertain about whether a certain action or behaviour could be considered bribery or corruption, they should speak to their Head of Department, the Compliance Officer, the Chief Executive Officer or the Managing Director.

*Please refer to “RED FLAG” scenarios as set out in **Appendix 3** hereto.*

- 12.2 The Group shall, via the Compliance Officer, familiarise all Employees and Personnel with its whistleblowing policy and procedures so that Employees and Personnel can vocalise their concerns swiftly and confidentially.

Protection

- 12.3 If Employees or Personnel refuse to accept or offer a bribe or Employees or Personnel report a concern relating to potential act(s) of bribery or corruption, the Group understands that Employees or Personnel may feel worried about potential repercussions. The Group will support anyone who raises concerns in good faith under this Policy, even if the investigation finds that he/she was mistaken.
- 12.4 The Group will ensure that **no one suffers any detrimental action/treatment** as a result of refusing to accept or offer a bribe or other corrupt activities or because they reported a genuine concern relating to potential act(s) of bribery or corruption in good faith, based on reasonable grounds and in accordance with the procedures in this Policy and the Group Whistleblowing Policy.

13. EMPLOYEE RESPONSIBILITIES

- 13.1 The Group takes corruption and bribery very seriously. Any violation of this Policy will be regarded as serious matter by the Group and is likely to result in disciplinary action, including termination, consistent with local law.
- 13.2 All Employees and Personnel shall ensure all their subordinates under their control are equally responsible for the prevention, detection and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this Policy.
- 13.3 If Employees and/or Personnel have reasons to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this Policy, he/she must notify the Compliance Officer and/or the Whistleblowing Committee.

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14.0 STAFF DECLARATIONS

- 14.1 All the Employees and Personnel shall certify in writing that they have read, have understood and will abide by this Policy, the Group's Anti-Bribery and Anti-Corruption Framework, the Group's Whistleblowing Policy and any other related policies. A copy of this declaration shall be documented and retained by the Human Resources Department for the duration of the Employee and/or Personnel's employment. *A sample declaration can be found in the Appendix 4 hereto.*
- 14.2 The Group's Management reserves the right to request information regarding an employee's assets in the event that the person is implicated in any bribery and corruption-related accusation or incident.

15. REVIEW OF THIS POLICY

- 15.1 The Board or the Legal and Compliance Unit can modify/update/amend this Policy unilaterally at any time without notice. Modification/amendment may be necessary, among other reasons, to maintain compliance with laws and regulation and/or accommodate organisational changes within the Group.
- 15.2 This Policy was approved by the Board of Directors of Advance Synergy Berhad on 28 April, 2020.

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APPENDIX 1

SUMMARY INFORMATION OF ANTI-BRIBERY AND ANTI-CORRUPTION CLAUSES UNDER THE MACCA.

Section 16 – Offence of Accepting Gratification

Any person who corruptly solicits or receives or gives any gratification for himself or for any other person as an inducement doing or forbearing to do anything in respect of any matter commits an offence.

Section 17 – Offence of Giving or Accepting Gratification by Agent

Any person being an agent corruptly accepts or obtains or gives or offers any gratification as an inducement for doing or forbearing to do any act in relation to his principal's affairs commits an offence.

Section 17A – Corporate Liability

Any director, controller, officer, partner or manager of a commercial organisation to be personally liable for the same offence if the commercial organisation is found liable, unless the relevant individual can prove that the offence was committed without his or her consent, and that he or she had exercised the requisite due diligence to prevent the commission of the offence.

Section 18 – Offence of Intending to Deceive Principal by Agent

Any person commits an offence if he gives to an agent or being an agent uses with intent to deceive his principal any receipt, account or other document which contains any statement which is false in material particulars with intent to mislead the principal.

Section 20 - Offence procuring withdrawal of tender

Any person with intent to obtain from any public body a contract for performing any work offers any gratification to any person who has made a tender for the contract as an inducement for his withdrawing the tender or anyone solicits or accepts any gratification as an inducement for his withdrawing a tender made by him for such contract, commits an offence under MACCA.

Section 21 - Bribery of officer of public body

Any person who offers to an officer of the public body or being an officer of the public body solicits or accepts any gratification as a reward for:

- a. The officer voting or abstaining from voting at any meeting of the public body in favour or against any measure, resolution or question submitted to the public body;
- b. The officer performing or abstaining from performing or aiding in procuring, expediting, delaying, hindering or preventing the performance of any official act;
- c. The officer aiding in procuring or preventing the passing of any vote or the granting of any contract or advantage in favour of any person; or
- d. The officer showing or forbearing to show any favour or disfavour in his capacity as such officer, commits an offence.

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Section 23 – Offence of Using Office or Position for Gratification

Any officer of the public body commits an offence when he uses his office or position for gratification when he makes any decision or takes any action whether for himself, his relative or associate in relation to any matter in which such officer or any relative or his associate, has interest whether directly or indirectly.

Section 24 - Penalty for offences under sections 16, 17, 18, 20, 21, 22 and 23

Under Section 24 of the MACCA, any person who commits an offence under sections 16, 17, 18, 20, 21 and 23 shall on conviction be liable to:

- Imprisonment for a term not exceeding 20 years; and
- A fine of not less than five times the sum or value of the gratification which is the subject matter of the offence.

As for Section 17A of the MACCA any commercial organisation who commits an offence under this section shall on conviction be liable to a fine of not less than **ten times the sum or value of the gratification** which is the subject matter of the offence, where such gratification is capable of being valued or is of pecuniary nature, or one million ringgit, whichever is the higher, or to **imprisonment for a term not exceeding twenty years or to both**.

Section 25 – Duty to report bribery transactions

Any person to whom gratification is given, promised or offer shall report such gift, promise or offer and any person who fail to report commits an offence and shall on conviction be liable to a fine not exceeding RM 100,000.00 or imprisonment for a term not exceeding 10 years.

Section 26 – Dealing in relation to corrupt property

Any person who enters into any dealing (e.g. uses, holds, receives or conceals) any property of the corrupt person commits an offence under this act.

Note:

Prior to the Malaysian Anti-Corruption Commission (Amendment) Act 2018, the MACCA only focused on the prosecution of individuals involved in corruption. Section 17A was enacted to enable companies involved in corruption activities to be subjected accordingly to legal action and persons associated with the organisations will be deemed to commit the corresponding offence unless it can be proven that adequate measures have been put in place.

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APPENDIX 2

THE GROUP'S ANTI-BRIBERY AND ANTI-CORRUPTION STANDARD CLAUSE

“(Company Name:)(Company No.)(including its respective directors, officers, managers, employees, independent contractors, representatives, agents and other persons acting on its behalf) acknowledges that it has been made aware of Advance Synergy Berhad (Company No.:192001000024 (1225-D)) (hereinafter referred to as “**ASB**”) Group Anti-Bribery and Anti-Corruption Policy (hereinafter referred to as the “**ABAC Policy**”) which is made available at ASB’s website and shall comply with the ABAC Policy, all other related policies and procedures and any applicable anti-bribery and anti-corruption laws of the territory in which the Parties conducts their business activities including but not restricted to Malaysian Anti-Corruption Act 2009 (Act 694) and shall use all reasonable endeavours to ensure that all other parties associated with (Company Name:)(Company No.) involved in performing the works and/or services under this Contract/Agreement do the same.

Without limiting the foregoing, (Company Name:)(Company No.) shall not make or receive any gratification [as defined in the Malaysian Anti-Corruption Act 2009 (Act 694)] or other improper payment or allow any such to be made or received on its behalf and will implement and maintain adequate procedures to ensure that such bribes or payments are not made or received directly or indirectly on its behalf.”

Reference No.	ASB/GABCP/001	Rev. No.	New
Effective Date	28/04/2020	Rev. Date	-



APPENDIX 3

IDENTIFYING “RED FLAG” SCENARIOS

If an Employee and/or Personnel encounters any of these red flags while working for the Group, he/she must report them promptly.

- a) Become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- b) Learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a “special relationship” with foreign government officials;
- c) A third party insists on receiving a commission or fee payment before committing to sign up a contract with us, or carrying out a government function or process for us;
- d) A third party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- e) A third party requests payment to be made to a country or geographic location different from where the third party resides or conducts business;
- f) A third party requests an unexpected additional fee or commission to “facilitate” any services;
- g) A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- h) A third party requests that a payment to be made to “overlook” potential legal violations;
- i) Receive an invoice from a third party that appears to be non-standard or customised;
- j) A third party insists on the use of side letters or refuses to put terms agreed in writing;
- k) Notice that the Group has been issued with an invoice for a commission or fee payment which appears larger than service stated to have been provided;
- l) A third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or know to us; or
- m) Been offered an unusually generous gift or offered lavish hospitality by a third party.

Reference No.	ASB/GABCP/001	Rev. No.	New
Effective Date	28/04/2020	Rev. Date	-



Advance Synergy Berhad
Group Anti-Bribery and Anti-Corruption Policy

APPENDIX 4

SAMPLE OF STAFF DECLARATION FORM

	ADVANCE SYNERGY BERHAD Company No.: 192001000024 (1225-D)
	Group Anti-Bribery and Anti-Corruption Policy Staff Declaration Form
Name NRIC No.	
Designation	
Department	
Date Joined	
Declaration	<p>i. I hereby declare that I have read and understood this Group Anti-Bribery and Anti-Corruption Policy;</p> <p>ii. I will abide by the requirements and provisions set out in this Policy, as required by my employment contract as well as all applicable laws and regulations in relation to anti-bribery and anti-corruption and shall comply with the anti-corruption principles promoted by Malaysian Anti-Corruption Commission; and</p> <p>iii. I am fully informed of the Group Anti-Bribery and Anti-Corruption Framework and the Group Whistleblowing Policy and Procedures and the channels which are available to me as an avenue to report any misconducts or wrongdoings.</p>
Signature	<p>.....</p> <p>Name: Contact: Date:</p>