

ANTI- CORRUPTION AND BRIBERY POLICY

GUIDELINES FOR THIRD PARTY

MADE PURSUANT TO SECTION 17 (A) UNDER THE
MALAYSIAN ANTI-CORRUPTION COMMISSION ACT 2009

ABEX GROUP OF COMPANIES

ABEX MEDICAL SYSTEM SDN BHD
KUMPULAN ABEX SDN BHD
TECHNOLOGY MEDICAL ASSOCIATE SDN BHD
ABEX GLOBAL HEALTHCARE SDN BHD



	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	1 of 8

TABLE OF CONTENT

TABLE OF CONTENT	1
ABBREVIATION.....	2
PART 1: INTRODUCTION	3
1. OBJECTIVE	4
2. SCOPE & POLICY	5
PART 2: CORRUPTION	5
3. NO GIFT POLICY.....	5
4. CORPORATE HOSPITALITY & ENTERTAINMENT	5
5. DEALING WITH PUBLIC OFFICIAL	5
6. CORPORATE SOCIAL RESPONSIBILITY, DONATIONS & SPONSORHIP	6
7. FACILITATION PAYMENT	6
8. POLITICAL CONTRIBUTIONS	6
PART 3: TRAINING & AWARENESS	7
9. TRAINING AND AWARENESS BY THIRD PARTY.....	7
PART 4: WHISTLEBLOWING & TERMINATION.....	7
10. WHISTLEBLOWING & REPORTING CHANNEL	7
11. TERMINATION.....	7
ANNEX A - DEFINITION	8

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	2 of 8

ABBREVIATION


TERM	FULL DESCRIPTION
ABEX	Abex Group of Companies including Abex Medical System Sdn Bhd, Kumpulan Abex Sdn Bhd, Technology Medical Associate Sdn Bhd and Abex Global Healthcare Sdn Bhd.
MACC	Malaysia Anti-Corruption Commission.
ABM	ABEX Anti-Corruption and Bribery Policy and Manual.
Third party(ies)	Any individual or organization that an associate shall come in contact with in the course of work or engagement with ABEX and includes existing clients, potential clients, suppliers, distributors, third party vendors, service providers, agents, advisers, business associates and government / regulatory bodies including their advisors, representatives and officials, politicians and political parties.
Top level management	General Manager, CEO, Managing Director and above.
Whistleblowing	The act of drawing public attention, or the attention of an authority figure, to perceived wrongdoing, misconduct, unethical activity within public, private or third-sector organisations.
Whistleblower	The person who informs on a person or organization regarded as engaging in an unlawful or immoral activity.
Facilitation payment	Payments made to secure or expedite the performance by a person performing a routine or administrative duty or function.

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	3 of 8

ANTI-CORRUPTION AND BRIBERY POLICY

ABEX Group of Companies is committed to comply with all regulatory conditions and anti-bribery standard requirements by;

- ✓ Creating a bribery-free business environment and achieving the ABEX Anti-Bribery Objective
- ✓ Complying with laws and regulations against bribery and corruption practices.
- ✓ Upholding anti-bribery principles in all business dealings and interactions with external parties, including business partners, government agencies and stakeholders.
- ✓ Establish and continually improve ABEX Anti-Bribery practices.
- ✓ Upholding the values of transparency and good corporate governance within the organization.
- ✓ Establish an independent body to be responsible for Anti-Bribery compliance of the organization.
- ✓ Subjecting all employees who do not comply with this anti-bribery policy to disciplinary actions and relevant directives and guidelines and if warranted legal action based on the applicable laws.
- ✓ Establish secure information management system to ensure the confidentiality of the whistleblower's identity and the information reported; and
- ✓ Prohibit retaliation against those making reports in good faith.

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	4 of 8

PART 1: INTRODUCTION

1. OBJECTIVE

1.1. ABEX Anti-Corruption and Bribery Manual (ABM) is issued pursuant to sub-section (5) of section 17A of the Malaysian Anti-Corruption Commission Act 2009 (Act 694) (“MACC Act 2009”), as stated in the Malaysian Anti-Corruption Commission (Amendment) Act 2018 (“Amendment Act 2018”). The protection of Whistleblower made under this Manual is issued pursuant to The Whistleblower Protection Act 2010.

1.2. The provision of section 17A under the MACC Act 2009, establishes the principle of a commercial organisation’s criminal liability (corporate liability) for the corrupt practices of its employees and/ or any person(s) associated with the commercial organisation in cases where such corrupt practices are carried out for the organisation’s benefit or advantage. The commercial organisation may be liable whether or not its top level management and/or representatives had actual knowledge of the corrupt acts of its employees and/or associated persons.

1.3. ABM sets out the framework for the disclosure of any acts of receiving or giving gratification (hereafter referred to as Bribery) and the protection of the party making the disclosure (hereafter referred to as the Whistleblower) in order to develop a bribery free culture within the organization.


1.4. ABM serves as the guideline to ensure that ABEX taking the reasonable and proportionate measure so that our business is free of corruption (hereafter referred to as Bribery and further elaborated as per PART 2 of this ABM).

1.5. This Guide aims to:

- a) Promote standards of good corporate practices to ensure that our business is free of corruption.
- b) Provide a safe and confidential avenue for ABEX employees (hereafter referred to as the Employee or the Employees) and members of the public to disclose any Bribery.
- c) Reassure the Whistleblower that they are protected from reprisals for the disclosure of any Bribery made in GOOD FAITH and with SOUND JUDGEMENT to avoid baseless allegations.

1.6. ABEX means Abex Group of Companies (Abex Medical System Sdn Bhd, Kumpulan Abex Sdn Bhd, Technology Medical Associate Sdn Bhd and Abex Global Healthcare Sdn Bhd), hereafter referred to collectively as the “ABEX”, and are committed towards ensuring the highest standards of integrity, accountability and professionalism in the conduct of its businesses.

1.7. This Guide is to enhance the understanding on the standard of conduct regarding bribery and corruption, and gives additional guidance or interaction of Third party with ABEX, as set out in MACC ACT 2009 and ABEX ABM.

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	5 of 8

2. SCOPE & POLICY

2.1. ABEX is committed to ensure our policy is made publicly available, and should be appropriately communicated to all personnel and business associates.

2.2. The Policy can be seen as per Annex A of this Guide, and all Third Party are expected to fully adhere to our policy for all services provided or conducted with ABEX.

PART 2: CORRUPTION

3. NO GIFT POLICY

3.1. ABEX adopts a “No-Gift Policy” whereby all employees shall not solicit, giving or accept Any gift from any third party that may have direct or indirect business interest with ABEX at all time, with exception to Section 3.2.

3.2. The exception to the above is for token gifts or promotional items (examples but not limited to diaries, pens, umbrellas, shirts, etc.) bearing company logo.

4. CORPORATE HOSPITALITY & ENTERTAINMENT

4.1. ABEX recognizes the occasional acceptance of an appropriate level of hospitality and entertainment, however ABEX strictly prohibits employees from soliciting corporate hospitality and entertainment.


4.2. ABEX only allows acceptance of hospitality and entertainment which is non-excessive, as appropriate and legalized by the applicable Laws.

4.3. This is not only to safeguard the business reputation, but also to protect from allegations of impropriety or the perception of bribery especially when the arrangements could influence or be perceived to influence the outcome of a business decision.

4.4. However for public official please refer to [Para 12 PP 3/1998](#).

5. DEALING WITH PUBLIC OFFICIAL

5.1. “PUBLIC OFFICIAL” means any person who is a member, an officer, an employee or a servant of a public body, and includes a member of the administration, a member of Parliament, a member of a State Legislative Assembly, a judge of the High Court, Court of Appeal or Federal Court, and any person receiving any remuneration from public funds, and, where the public body is a corporation sole, includes the person who is incorporated as such.

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	6 of 8

5.2. Officer of a public body include their relative and associates as defined in Section 3 of Act 694.

5.3. In line with the Malaysia Anti-Corruption Commission Act 2009 and Para 12 PP 3/1998, ABEX at all time prohibits its employees to provide gifts or any items of any value, complimentary invitation except as per Section 3.2, corporate hospitality as per Section 4, to any public official.

6. CORPORATE SOCIAL RESPONSIBILITY, DONATIONS & SPONSORSHIP

6.1. Any CSR, donations and sponsorship activities conducted must not be used as a conduit to circumvent, avoid, or evade the laws or regulatory requirements. More importantly, it shall not be used to facilitate corruption, illegal and money laundering activities.

6.2. All CSR, donations and sponsorship requests must be carefully examined for legitimacy and not be made to improperly influence a business outcome. The recipient must be a legitimate organization and CSR donation and sponsorship must be addressed to the organization.

7. FACILITATION PAYMENT

7.1. Offering, promising or requesting facilitation payments is just as prohibited as actually paying or receiving facilitation payments. Facilitation payments need not involve cash or other financial asset, it can be any sort of advantage with the intention to influence them in their duties.

7.2. ABEX prohibits accepting or obtaining, either directly or indirectly, facilitation payments from any person for the benefit of the employee himself or for any other person. The reason underlying this prohibition is that facilitation payment is seen as a form of bribery and corruption.

7.3. No one should offer, promise, give, request, accept or receive anything which might reasonably be regarded as a facilitation payment. If the person receive a request or offered facilitation payments, he/she must immediately report to Whistleblowing channel as indicated in Section 10.

8. POLITICAL CONTRIBUTIONS

8.1. As a matter of general policy, ABEX does not make or offer monetary or in-kind political contributions to political parties, political party officials or candidates for political office.

8.2. ABEX has the right to engage and communicate its views and position on issues of public interest that have an important impact on the Company.

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	7 of 8

PART 3: TRAINING & AWARENESS

9. TRAINING AND AWARENESS

9.1. Any Third Party shall conduct its business on behalf of ABEX in compliance with this Guide, MACC ACT 2009 and the Guidelines on the Adequate Procedures published by the MACC.

9.2. As required by the laws, the Third Party shall also implement an anti-bribery-compliance training and reporting program that meets MACC ACT 2009 requirements. Additionally, ABEX may designate which Third Party personnel must undergo such training.

PART 4: WHISTLEBLOWING & TERMINATION

10. WHISTLEBLOWING & REPORTING CHANNEL


10.1. ABEX has zero-tolerance towards bribery and corruption. We encourage everyone to report (whistleblower) any improper conduct, illegal or unethical practices that lead to the breach to the MACC ACT 2009.

10.2. The whistleblower should report any suspicion to the whistleblowing committee during normal office hours to the following:

Attention:	Whistleblowing Committee
By email:	whistleblowing@abexmedical.com.my
Mailing Address:	"Private & Confidential" Whistleblowing Committee Abex Group of Companies Lot 2-6, Jalan SU/6A, Lion Industrial Park, Section 26, 40400 Shah Alam , Selangor Darul Ehsan.

11. TERMINATION

11.1. ABEX reserve the right to terminate any agreement or contract immediately with a written notice to Third Party, in the event that they are found to breach any provision of this Guide, MACC ACT 2009 and applicable laws. The Third Party party shall not be entitled, nor shall it seek, any compensation for the termination.

	ANTI- CORRUPTION AND BRIBERY POLICY	Document Ref.	ABEX/ABM/G1
		Revision No.	0
	GUIDELINES FOR THIRD PARTY	Effective Date	1 st June 2020
		Page	8 of 8

ANNEX A - DEFINITION

BRIBERY

Bribery is defined as offering, promising, giving, accepting or soliciting of an undue advantage of any value (which could be financial or non-financial), directly or indirectly, and irrespective of location(s), in violation of applicable law, as an inducement or reward for a person acting or refraining from acting in relation to the performance of that person's duties.

Gratification means:-

- a) Money, donation, gift, loan, fee, reward, valuable security, property or interest in property being property of any description whether movable or immovable, financial benefit, or any other similar advantage;
- b) Any office, dignity, employment, contract or employment or services, and agreement to give employment or render services in any capacity;
- c) Any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- d) Any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;
- e) Any forbearance to demand any money or money's worth or valuable thing;
- f) any other service or favour of any description, including protection from any penalty or disability incurred or apprehended or from any action or proceedings of any disciplinary, civil or criminal nature, whether or not already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and
- g) Any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the preceding paragraphs (a) to (f).