



# ECKEM HOLDINGS BERHAD

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# **Whistleblowing Policy**

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## 1.0 Policy Statement

The Eckem group of companies (“Eckem” or “The Company”) strives to conduct its business with integrity, competence and professionalism while achieving the highest level of effectiveness and excellence. Hence, it is important that the Company is alerted of any actual or potential improper conduct which compromises these aspirations.

As part of good corporate governance, Eckem has established a whistle blowing policy that sets out avenues for legitimate concerns to be objectively investigated and addressed. Individuals will be able to raise concerns about illegal, unethical or questionable practices in confidence and without the risk of reprisal.

Generally, a whistleblower is an insider of an organisation (e.g., employee, partner or vendor) who reports improper conduct that has occurred within that same organisation. In an effort to encourage whistleblowers to come forward with information on any alleged improper conduct, the Whistleblower Protection Act 2010 provides safe avenues for them to make disclosures of such alleged improper conduct (whistleblowing) to the relevant authorities in good faith, by protecting their identities, providing them with immunity from civil and criminal proceedings and protecting them from detrimental action.

The whistleblowing policy has been put in place to:

- Encourage employees, partners or managers to disclose such information or behaviour;
- Protect complainants from reprisal;
- Treat all parties to an investigation in a fair and equitable manner;
- Ensure confidentiality as much as possible; and
- Take corrective and disciplinary action if wrongdoing is discovered.

## **2.0 Purpose**

The purpose of this whistleblowing policy is to encourage whistleblowers to come forward with information on any alleged inappropriate, unethical or unlawful behaviour and practices by the management or employees. It includes how employees, customers and investors are treated. Eckem encourages and will support whistleblowers who report illegal practices or individuals who violate the Company's policies.

## **3.0 Disclosure of “improper conduct”**

Disclosure may be made to Eckem if it relates to an improper conduct committed or about to be committed, involving:

- criminal offences by the Company's officers, employees and directors including fraud, corruption or abuse of power;
- misuse of the Company's funds or assets;
- gross mismanagement or dereliction of duties.
- bullying and harassment;
- unauthorised alteration or manipulation of computer files;
- failure to comply with the provisions of the laws and regulations administered by the Company by any person;
- assisting a person to commit any of the above instances of improper conduct;
- detrimental action taken against whistleblowers or persons closely associated with whistleblowers;
- breach of the Company's Code of Ethics by its officers and employees; and
- danger to the health, safety or well-being of employees and/or the general public.

It is advisable for a potential whistleblower to consider whether the alleged improper conduct to be disclosed to Eckem falls within any of the above, prior to making the disclosure. The potential whistleblower should also consider whether the intended disclosure is specifically prohibited by any written law such as the Official Secrets Act 1972. In this regard, potential whistleblowers may wish to seek legal advice from our Legal Counsel or a legal practitioner before making the disclosure to the Company.

## 4.0 How to whistleblow?

- 4.1** Anyone has the right to whistle blow. This Policy applies to all matters involving the Eckem’s employees (including former employees and irrespective of nature of employment status), customers and any other stakeholders/persons providing services to the Group, including consultants, vendors, independent contractors, external agencies and/or any other party with a business relationship with Eckem.
- 4.2** Eckem takes whistle blowing seriously and your concern matters to us, so we would like to hear from you if any of your disclosure is related to improper practices occurring within Eckem. Any disclosure can be made to any of the relevant Designated Persons through the communication channels as set out in the table below:

Designated Person	Name	Email Address	Letter
Chairman		whistleblower@eckem.com	Sealed letter with indicative label such as “to be opened by <b>David Tan</b> only”, addressed to
Any member of Eckem’s Board of Directors		whistleblower@eckem.com	[Chairman, Board of Directors, Eckem Bhd - 3, Jalan Anggerik Mokara 31/60, Kota Kemuning, 40460 Shah Alam, Selangor

**4.3** Alternatively, whistleblowers may report using the Disclosure Form as per Appendix 1.

**4.4** Whistleblowers are advised to make their disclosures in writing and to provide sufficient details which include the following:

- the type or description of improper conduct;
- the name of individuals who have committed or are involved in the improper conduct; and
- the 'how', 'what', and 'where' in relation to the improper conduct including supporting documents or evidence, if any.

Whistleblowers are encouraged to provide their identities or contact details to facilitate the Company to clarify or obtain further information for purposes of further investigation into the improper conduct. Any person who elects to remain anonymous is advised that no whistleblower's protection will be accorded and Eckem's ability to investigate the alleged improper conduct is limited to the extent of the contents of the report received by Eckem.

Whistleblowers will be informed by the Designated Person of the outcome of the investigation and action taken, if any. If the outcome results in a proven case of wrongdoing/malpractice and confirms the allegations, disciplinary action shall be instituted against the relevant employee(s) in accordance with the Company's policy.

## **5.0 Whistleblower Protection**

Eckem is committed to provide the whistleblower's protection as outlined under the Whistleblower Protection Act 2010. All disclosed information, including the identity of the whistleblower shall be treated with strict confidentiality. All personnel, directly or indirectly working relative to a whistleblowing case, shall strictly protect the identity of the whistleblower and witnesses from unauthorized disclosure before, during and after an investigation.

The following protections will be accorded to a whistleblower who makes a disclosure of improper conduct to the Company in good faith:

- confidentiality of identity;
- immunity from civil and criminal liability for the disclosure made; and
- protection from detrimental action.

There may be certain circumstances where the identity of the whistleblower may need to be revealed on a “need to know” basis (e.g., requirement to testify in court). If such a situation arises, Eckem shall discuss with and seek consent from the whistleblower first before proceeding with the case.

## **6.0 Exclusion from Protection**

Potential whistleblowers are also reminded that there may be instances wherein their protection would be revoked or excluded. The whistleblower’s protection does not extend to the following disclosures and will be revoked by Eckem pursuant to section 11 of the Whistleblower Protection Act 2010:

- where the disclosures of improper conduct which are -
  - o frivolous or vexatious;
  - o known to the whistleblower to be false or untrue; or
  - o made solely or substantially to avoid dismissal or other disciplinary action;
- where the whistleblower has participated in the improper conduct so disclosed;
- where the whistleblower commits an offence under the Whistleblower Protection Act 2010; or
- where the disclosures of improper conduct which contain information specifically prohibited from being disclosed under any written law such as the Official Secrets Act 1972.

Any person who makes a disclosure of improper conduct to Eckem, knowing or believing that any material statements in the disclosure is false or untrue commits a criminal offence under the Whistleblower Protection Act 2010.

## **7.0 Responsibility of Whistleblower**

The responsibilities of the whistleblower are as follows:

- a) Whistleblower makes the disclosure in good faith;
- b) Whistleblower reasonably believes that the information and allegations are substantially true; and
- c) Whistleblower is not acting for personal gain. If the case involves the complainant's personal interests, it must be disclosed at the outset.

## **8.0 Investigation**

All relevant cases, including suspicious but unproven cases will be reviewed and analysed by a competent person designated by Eckem. In some cases, this may involve an investigation by the Company's Legal Counsel, HR Manager or a legal adviser. All investigations will be kept confidential to the extent possible. Appropriate corrective action will be taken, if necessary, and the findings will be communicated to the whistleblower and his or her supervisor.

**END**

