



KYM HOLDINGS BHD.

Whistleblowing Policy

KYM Holdings Bhd. [Reg No.:198201004556 (84303-A)] Whistleblowing Policy	Document No.:	
	Issue No.:	01
	Rev. No.	1
	Date	01.12.2022

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1. PURPOSE

The Whistleblowing Policy is intended to provide all directors and employees of KYM Holdings Bhd ("KYM" or "Company") and its subsidiaries ("Group") a platform to raise concerns or disclose any actual, suspected or anticipated wrongdoing or malpractice ("Misconduct") that may adversely impact the Company without fear of suffering retribution and to provide a transparent and confidential process for dealing with concerns.

2. TYPES OF MISCONDUCT/WRONGDOINGS

Misconduct is generally described as any conduct by a director or an employee which if proved constitutes a criminal offence or any conduct that constitutes a wrongdoing or malpractice which includes, but not limited to the following:

1. Fraud or criminal offences;
2. Corruption or bribery;
3. Abuse of power;
4. Conflict of interest;
5. Misuse of company information
6. Misappropriation or theft of the funds, supplies or company's assets;
7. Questionable and improper accounting;
8. Improprieties/irregularities.
9. Sexual harassment;
10. Non-compliance with any provision of the Code of Conduct and Ethics, legal or regulatory requirements.

3. CONFIDENTIALITY AND ASSURANCE AGAINST RETALIATION

- 3.1 All disclosures made under this Policy will be dealt with in a confidential manner. Every effort will be made to treat the whistleblower's identity with appropriate regard for confidentiality. The Group gives the assurance that it will not reveal the identity of the whistleblower to any third party not involved in the investigation or prosecution of the matter, unless ordered to do so by a court of law, or by the regulators having jurisdiction over the matter.
- 3.2 The Company will not tolerate the harassment or victimisation of anyone raising a genuine concern. Any Employee who makes a report of Misconduct in good faith shall not be subject to unfair dismissal, victimisation, demotion, suspension, intimidation or harassment, discrimination, any action causing injury, loss or damage or any other retaliatory actions by the Company. The Company will ensure that no one will be at risk of suffering some form of retribution as a result of raising a concern, even if he/she is mistaken. The Company does not however extend this assurance to someone that maliciously raises a matter that is known to be untrue.

4. ACTING IN GOOD FAITH

- 4.1 All disclosures have to be made in good faith with reasonable belief that the information and allegation is true and not made with bad intention and not for personal gain; otherwise, disciplinary action may be taken against an employee whistle-blower.

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4.2 The element of good faith shall be deemed to be lacking when:

- (a) the person does not have personal knowledge or a factual basis for the report of Misconduct; or
- (b) where the person knew or reasonably should have known that the report or any of its contents are false; or
- (c) where the report is frivolous or vexatious; or
- (d) there are any other circumstances that indicate that the report has been made with malicious intent, ulterior motive or for personal gain.

5. WHISTLEBLOWING PROCEDURE

5.1 If any employee believes reasonably and in good faith that unethical behavior, misconduct, malpractice or illegal acts or failure to comply with regulatory requirements that is taking place / has taken place / may take place in the future, he or she should report this immediately to any of the following:-

Contact Person

- 1) Chairman of the Audit & Risk Management Committee
Mr Sharman A/L Arumugam
- 2) Company Secretary
Ms Chee Min Er

Contact Details

Level 17 KYM Tower
No. 8 Jalan PJU 7/6
Mutiarra Damansara
47800 Petaling Jaya
Selangor

Email: whistleblowing@kym.com.my

Email: me.chee@kym.com.my

Fax: 03-8703 3300

5.2 Report / Disclosure under this Policy can be made through email or mail using the attached Whistleblowing Form as per Appendix I addressed to the above persons. A copy of the form can also be downloaded from the Company's website.

5.3 This policy strongly encourages whistleblowers to put their name to any disclosures they make. However, whistleblowers may remain anonymous, if they choose to do so. Anonymous whistleblowers are encouraged to provide an email address or other contact information to facilitate proper investigation.

6. ACTION

6.1 Where the Company Secretary receives the complaint/disclosure, the complaint/disclosure shall be forwarded to the Chairman of the Audit & Risk Management Committee.

6.2 Where the Chairman of the Audit & Risk Management Committee receives the complaint/disclosure, it shall be forwarded to the Audit & Risk Management Committee to conduct a preliminary assessment within seven (7) working days from the date the complaint/disclosure is communicated to the Audit & Risk Management Committee to establish whether the complaint/disclosure has merit and can be substantiated.

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- 6.3 If the complaint/disclosure warrants an investigation, the investigation will need to be conducted promptly by the Investigator.
- 6.4 The Internal Auditor shall be the named Investigator unless the Audit & Risk Management Committee assigns / appoints another Investigator. The Audit & Risk Management Committee can hire external consultants, at the Company's expense, other than the named investigator if the need arises and as and when it deems appropriate. The Investigator must be impartial and independent of all parties concerned. The Investigator is required to report all concerns raised, the status of all pending and on-going investigations, and any action taken or to be taken as a result of the investigations, to the Audit & Risk Management Committee for deliberation.
- 6.5 The Audit & Risk Management Committee shall report to the Board of Directors on reports and findings that required their attention and approval.
- 6.6 The Board of Directors shall have the authority to make the final decision in relation to the reports and findings of the investigation, including but not limited to taking the appropriate disciplinary action(s) and/or reporting the matter to the relevant enforcement authority, where appropriate and/or taking appropriate legal action.

7. **TIMELINE**

- 7.1 In the event that an investigation is to be conducted, the Investigator shall endeavor to complete such investigation within three (3) months from the date the complaint/disclosure was made. Notwithstanding the above, where an investigation cannot be completed within three (3) months, the Chairman of the Audit & Risk Management Committee may extend the timelines of completion as reasonably required, based on the complexity of each case.
- 7.2 The whistleblower may be informed of the result of any investigation and/or any action taken by the Company in respect of the complaint/disclosure made within seven (7) working days from the date an investigation is completed and/or any action taken by the Company, subject to any extension of time that may be granted by the Chairman of the Audit & Risk Management Committee.
- 7.3 A response to a written request for the status of the investigation will be provided within seven (7) working days from the date of such written request, subject to any extension of time that may be granted by the Chairman of the Audit & Risk Management Committee. All inquiries concerning the status of the investigation from the person implicated, his attorney or representative, or the whistleblower should be made in writing and directed to the Chairman of the Audit & Risk Management Committee.

8. **REVIEW OF POLICY**

This policy is overseen by the Audit & Risk Management Committee to ensure that the policy meets the requirements of the relevant legislations in place, and remains effective for the Group. Where necessary, changes to the policy will be made, subject to the approval of the KYM Board of Directors.

This Policy was approved by the Board of Directors of KYM on 18 December 2017 and last updated on 1 December 2022.

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APPENDIX 1

WHISTLEBLOWING FORM

If you suspect or have actual knowledge of any serious malpractice, wrongdoing or impropriety that may adversely impact KYM and/or its subsidiaries, please provide the following information :

WHISTLEBLOWING REPORT		
To:		
Incident Date & Time	Date:	Time:
Incident Location		
Name of alleged person/division/department		
Description/Circumstances of alleged incident (Please use additional sheets if necessary)		
1.	What misconduct/improper activity occurred (eg. fraud, theft, conflict of interest, violation of law and briefly describe the misconduct/improper activity)?	
2.	Who committed the misconduct/improper activity?	
3.	When did it happen and when did you notice it?	

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4.	How did the subject(s) of this complaint (alleged person/department) carry out the activity?
5.	Is it ongoing? How frequently has it occurred?
6.	How did you become aware of the alleged improper activity
7.	Please list and/or attach any documents/evidence you are aware of which supports your allegation :
8.	Please provide any additional details of the incident that would be useful to investigators :
Signature : _____ Name of whistleblower : _____ Dept/Div/Co : _____ Telephone No : Office _____ Mobile _____ Email address : _____ Date : _____ : _____	

Notes :

1. Please submit this completed form via email to any of the persons set out in the KYM Whistleblower Policy ("Policy").
2. Please note that you may be called upon to assist in the investigation, if required.
3. As set out in the Policy, KYM treats all the above disclosures in the strictest confidence. The identity of the reporter will be kept confidential so long as it does not hinder or frustrate any investigation.