



The HCK Group

HCK CAPITAL GROUP BERHAD

**Anti-Bribery and Anti-Corruption
Policy**

Revision History

Version	Effective Date
1	29 May 2020

1. Introduction

HCK Capital Group Berhad and its subsidiaries and associated companies (collectively “HCK Capital Group”) is committed to conduct its businesses and operations ethically, with integrity and in accordance with the applicable laws (including the Malaysian Anti-Corruption Commission Act 2009 and all amendments made from time to time (collectively “MACCA”).

2. Objective

This Policy is to provide HCK Capital Group’s overall position on bribery and corruption as well as setting out the responsibilities to comply with laws against bribery and corruption.

3. Scope

This Policy applies to HCK Capital Group, all its employees (collectively the “Employees”), directors (collectively “Directors”) (whether full time, part-time, contract or temporary) and Third-party affiliates (as defined below). Third-party affiliates refer to any individual or organization who perform services for or on behalf of HCK Capital Group which includes but not limited to suppliers, contractors, agents, consultants, distributors and advisers.

4. Anti-Bribery & Anti-Corruption

4.1 HCK Capital Group does not tolerate bribery or corruption in any form, or any acts made in connection to the bribery or corruption. Bribery and corruption in all its forms is prohibited.

4.2 Bribery and corruption means any action which would be considered as an offence of giving or receiving ‘gratification’ under the MACCA. “Gratification” is defined in MACCA to mean :

- (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 of 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 a 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).

4.3 A bribe could involve:

- (a) The direct or indirect promise, offer, authorisation or provision of anything of value;
- (b) The offer or receipt of any kickback, loan, fee commission, reward, or other advantage; or
- (c) The giving of contributions or donations designed or stipulated to influence the recipient to act in the giver’s favour.

The purpose of a bribe is often to obtain, retain or “facilitate” business, where the person receiving the bribe is, or maybe, in a position to provide that kind of business advantage to the party offering the bribe.

- 4.4 The anti-bribery and anti-corruption statement applies equally to HCK Capital Group’s business dealings with private sector and the government (public sector) entities including their directors, employees and other representatives.
- 4.5 All Employees, Directors and Third-party affiliates, when dealing with external parties (whether from the private sector or public sector) shall not offer, promise or make any attempt at dishonestly influencing the person’s decision by offering or making promise of corrupt payments, in cash or in kind or in order to illicitly secure an outcome which would be to the commercial advantage to themselves and/or HCK Capital Group.

5. Gifts, Benefits & Entertainment

- 5.1 This Policy does not prohibit normal business hospitality, so long as it is reasonable and justifiable. The intention behind any gift, entertainment or hospitality should always be considered and nothing should be specifically expected or demanded in return.
- 5.2 All Employees, Directors and/or Third-party affiliates shall exercise proper care and judgement in respect of giving or receiving any gifts, benefits and/or entertainment and are debarred from accepting or receiving gifts, benefits and/or entertainment from a third party or stakeholder of HCK Capital Group that might create a sense of obligation and compromise their professional judgement or create appearance of doing so.

6. Facilitation Payment and Kickbacks

HCK Capital Group does not accept facilitation payment or kickbacks being made or accepted. All Employees, Directors and Third-party affiliates must avoid any activity that might lead to facilitation payment or kickbacks. Facilitation payment refers to the giving, promising to give, or offering e.g. a payment, loan, reward, gift or entertainment to any third party to secure or expedite the performance of a routine procedure.

7. Third-party affiliates and Procurement Process

- 7.1 HCK Capital Group adheres to the system of internal control on supplier selection and bidding process is open to all qualified bidders.
- 7.2 Employees must communicate this Policy to all Third-party affiliates at the outset of the Third-party affiliates’ engagement and at suitable intervals and shall ensure that engagement of Third-party affiliates shall be subject to this Policy.
- 7.3 Appropriate assessment is conducted to ensure the business and background of the potential business partners are free from bribery elements or conflict of interest prior to the procurement process.

8. Charitable Contribution, Donation and Sponsorship

Charitable contribution, donation and sponsorship are acceptable, whether of in-kind services, knowledge, time, or direct financial contributions provided that it must be made in good faith and are not used to conceal bribery or corruption. No contribution, donation or sponsorship shall be made which may be perceived to be a breach of this Policy or any applicable laws in relation to anti-corruption or anti-bribery.

9. Responsibilities

- 9.1 The Board of Directors of HCK Capital Group Berhad has oversight of this Policy.
- 9.2 The prevention, detection and reporting of bribery and corruption is the responsibility of all.
- 9.3 Any violation of this Policy will be regarded as a serious matter and will result in appropriate actions against Directors, disciplinary action against the Employees (including warning, demotion or immediate dismissal), suspending or terminating of contracts with the Third-party affiliates.
- 9.4 All Employees, Directors and Third-party affiliates must promptly report any violation or suspected violations of this Policy or any improper business practices through HCK Capital Group’s whistleblowing channel.
- 9.5 An Employee, Director or Third-party affiliate will be accountable individually whether he pays a bribes himself or whether he authorizes, assists or conspires with someone else to violate this Policy and/or any laws in relation to anti-corruption or anti-bribery. Punishment for violating the law is against him and may include imprisonment and monetary fines which will not be paid by HCK Capital Group.
- 9.6 This Policy is not intended to be exhaustive. In particular, the Employees shall comply with all HCK Capital Group’s policies including the HCK Capital Group Employee Handbook.

10. Record Keeping

- 10.1 It is important to maintain and keep proper financial records and have appropriate internal controls in place which will evidence, substantiate and justify the business reason for making payment to, and receiving payment from, third parties and that such payment is not linked to corrupt or unethical conduct.
- 10.2 HCK Capital Group must ensure all expense claims relating to gifts or entertainment made to third parties are submitted in accordance with HCK Capital Group’s reimbursement procedures and/or applicable policy and specifically record the reason for such expenditure. All the parties shall further ensure that all expense claims shall comply with the terms and conditions of this Policy.

11. Communication and Training

- 11.1 Awareness programme of this Policy will be carried out for all Employees.
- 11.2 Training will be provided in accordance with the level of bribery and corruption risk related to the position of the Employees.

12. Review

This Policy will be reviewed and assessed from time to time (and where necessary to be amended) to ensure its scope, policies, procedures and controls in place address the bribery and corruption risks of HCK Capital Group.
