



Subject:  
**ABMS MS ISO 37001: 2016**  
**BERNAS Anti-bribery and**  
**Corruption Policy**



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This BERNAS ABC Policy is NOT intended to provide definitive answer to all questions regarding the bribery and corruption. Rather, this policy is intended to provide group personnel with a basic introduction as to how BERNAS combats bribery and corruption in furtherance of BERNAS's commitment to lawful and ethical behavior at all times.

# BERNAS ANTI- BRIBERY & CORRUPTION POLICY

Anti-Bribery Management System

 <p><b>BERNAS</b> PADBERAS NASIONAL BERHAD</p>	<p>Subject: <b>ABMS MS ISO 37001:2016</b> <b>BERNAS Anti-bribery and</b> <b>Corruption Policy</b> Page Number : 1 – 25</p>	<p>Document Number: <b>IRM/ABMS/05: Manual Appendix 1.3</b> Effective Date: 1 August 2020</p> 
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## INTEGRITY AND RISK MANAGEMENT DEPARTMENT (IRMD)

# ABMS MANUAL

*Appendix Manual 1.3*

## BERNAS ANTI-BRIBERY AND CORRUPTION POLICY

### Control Document

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	Name	Designation	Signatory	Date
Prepared by:	Karmawaty Abu Bakar	Senior Manager IRMD		01/07/2020
Verified by:	Mohd Khusaini Harumaini	General Manager IRMD		01/07/2020
Reviewed by:	Ismail Bin Mohamed Yusoff	Managing Director BERNAS		
Approved by:	BERNAS BOD		BERNAS DCR (NO 6/2020)	21/07/2020



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## 1.0 INTRODUCTION

Padiberas Nasional Berhad and its subsidiaries (hereinafter referred to as “BERNAS”) is committed to making our company a leading national partner in the paddy and rice industry.

To increase our presence along the entire industry’s supply chain, BERNAS requires a focused, long-term approach and the need to balance risks and rewards while adhering to the highest standards of business ethics and integrity.



This BERNAS Anti-bribery and Corruption Policy (hereinafter referred to as the “ABC Policy”) elaborates upon those principles, providing guidance to personnel concerning how to deal with improper solicitation, bribery and other corrupt activities and issues that may arise in the business affairs.

BERNAS personnel’s compliance with and support for this ABC Policy is vital to BERNAS’s continued success. Failure of compliance to this policy may have severe consequences for BERNAS and may result in disciplinary action against BERNAS personnel.

## 2.0 BERNAS ANTI-BRIBERY AND CORRUPTION COMMITMENT

BERNAS is committed to conducting business dealings with ethics and integrity. This means avoiding practices of bribery and corruption of all forms in BERNAS daily operations.

BERNAS has adopted a zero-tolerance approach against all forms of bribery and corruption and takes a strong stance against such acts. BERNAS personnel will NOT suffer discrimination or disciplinary action for refusing to participate in any activity which is reasonably judged there to be involved in bribery and corruption but NOT mitigated by BERNAS.

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This ABC Policy leverages on the principles set out in the BERNAS Employee Handbook. Full compliance to both the Employee Handbook and this ABC Policy is mandatory.



### **3.0 OBJECTIVE**

This BERNAS ABC Policy is NOT intended to provide definitive answer to all questions regarding the bribery and corruption. Rather, this policy is intended to provide BERNAS personnel with a basic introduction on how BERNAS addresses bribery and corruption in furtherance of BERNAS's commitment to lawful and ethical behavior at all times.

### **4.0 SCOPE**

This BERNAS ABC Policy applies to:

- a) All BERNAS personnel
  - This BERNAS ABC Policy applies to BERNAS Board of Directors (Executive and Non- Executive), top management and its employees (permanent and on contract), regardless of their roles or positions (hereinafter referred to as "Personnel").
  - All Personnel must comply with the BERNAS ABC Policy, procedures and all applicable laws during employment with BERNAS.
  - Heads of Divisions, Departments and Units are responsible to communicate with subordinates and ensure their compliance to this ABC Policy within their respective business functions / units.
  
- b) BERNAS's Business Associates
  - This ABC Policy form a guideline on the treatment to be applied to

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BERNAS business associates, which includes joint venture & consortium partners, vendors, contractors, sub-contractors, consultants, agents, representatives, tenants and other intermediaries who are performing of works or services, for and on-behalf of BERNAS.

- All Personnel, regardless of their positions or roles, are responsible to communicate this BERNAS ABC Policy to their business associates.

c) Organisations which BERNAS has controlling interest



- This policy is applicable to organizations of which BERNAS having the controlled interest.
- BERNAS to ensure all subsidiaries implement policies and procedures which are the same, or similar to those of BERNAS.

d) All parties engaging with BERNAS

- This BERNAS ABC Policy applies to all parties that are currently engaged with BERNAS or have intentions to engage with BERNAS in the future.
- BERNAS will use its best endeavor and in good faith to require parties to understand and implement policies and procedures similar to those of BERNAS.

## 5.0 REFERENCES

- a) MS ISO 37001:2016 – Anti-bribery Management Systems
- b) National Centre for Governance, Integrity and Anti-Corruption (GIACC) - Guidelines on Adequate Procedures
- c) Malaysia Anti-Corruption Commission Act 2009
- d) Malaysia Anti-Corruption Commission Amendment Act 2018
- e) Malaysian Penal Code (revised 1977)
- f) Whistleblower Protection Act 2010
- g) Company Act 2016

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- h) Data Protection Act 709
- i) Employees' Handbook





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## 6.0 DEFINITIONS

The following definitions are included in this BERNAS ABC Policy

Term	Definition
ABMS	Anti-bribery Management System
BERNAS ABC Policy	BERNAS Anti-bribery and Corruption Policy
Bribery	<p>Bribery is defined as any action, which would be considered as an offence of giving or receiving 'gratification' under MACC Act.</p> <p>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 in position of trust within an organisation. 'Gratification' is defined in the MACC Act to mean the following:</p> <ul style="list-style-type: none"><li>(a) <i>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;</i></li><li>(b) <i>any office, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;</i></li><li>(c) <i>any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;</i></li><li>(d) <i>any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;</i></li><li>(e) <i>any forbearance to demand any money or money's worth or valuable thing;</i></li><li>(f) <i>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</i></li><li>(g) <i>any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the preceding paragraphs (a) to (f).</i></li></ul> <p>Bribery may be 'outbound', where someone acting on behalf of BERNAS attempts to influence the actions of someone external, such as a Government official or client decision-maker.</p> <p>It may also be 'inbound', where an external party is attempting to</p>



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Term	Definition
	<p>influence someone within BERNAS such as a decision-maker or someone with access to confidential information.</p> <p>Bribery and corruption are closely related. However, corruption has a wider remit. See 'Corruption' definition below.</p>
Business Associate	<p>An external party with whom the organisation has, or plans to establish, some form of business relationship. This primarily include clients, customers, joint ventures, joint venture partners, consortium partners, outsourcing providers, contractors, consultants, subcontractors, suppliers, vendors, advisers, agents, distributors, representatives, intermediaries and investors (<i>ISO 37001 definition</i>).</p>
Corruption	<p>The Transparency International definition of corruption is 'the abuse of entrusted power for personal gain.'</p> <p>For the purpose of this policy, corruption is defined primarily as any action, which would be considered as an offence of giving or receiving 'gratification' under the Malaysian Anti-Corruption Commission Act 2009 (MACCA) ('Bribery' as defined above).</p> <p>In addition, corruption may also include acts of extortion, collusion, breach of trust, abuse of power, trading under influence, embezzlement, fraud or money laundering.</p>
Corporate Gift	<p>Something given from one organisation to another, with the appointed representatives of each organisation giving and accepting the gift. Corporate gifts may also be promotional items given out equally to the general public at events, trade shows and exhibitions as a part of building the company's brand. The gifts are given transparently and openly, with the implicit or explicit approval of all parties involved. Corporate gifts normally bear the company name and logo and are of nominal value. Examples of corporate gifts include but not limited to items such as diaries, table calendars, pens, notepads, plaques, and festive gifts such as hampers, oranges and dates.</p>
Commemorative Gift	<p>Gifts which are made to memorialize event(s). Examples of commemorative gifts shall include but not limited to gifts given to visiting dignitaries or retiring Directors or Top Management or long serving employees.</p>
Donation & CSR	<p>Charitable contributions made to support the community.</p>
Directors	<p>Directors include all independent and non-independent directors, executive and non-executive directors of BERNAS and shall also include alternate or substitute directors.</p>
Exposed Position	<p>Exposed positions are positions delegated with management authorities (MDA) for approving budgets, appointment,</p>





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Term	Definition
	procurement, expenditure and payments, and having interface with third parties such as business associates and public officials, and position identified as vulnerable to bribery through a risk assessment. Such positions may include but is not limited, to any role involving 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 company has identified as vulnerable to bribery.
Integrity Officer	The person that heads the integrity function at BERNAS or named or identified as Integrity Officer by the Top Management.
Integrity Committee	A committee establish by top management to assist in addressing anti-bribery and corruption efforts in BERNAS.
Personnel	Directors and all individuals directly contracted to the company on an employment basis, including permanent and temporary employees.
Conflicts of Interest	Situations where business, financial, family, political or personal interests could interfere with the judgment of persons in carrying out their duties for the organization.
Controlled Organisation	An entity where BERNAS has more than 50% of the share ownership and has management control.
Talian Etika	A channel to disclose or raise concerns on bribery, unethical behavior, malpractice, illegal act or failure to comply with BERNAS's ABC Policy.
Top Management	A person who directs and controls the organisation at the highest level such as Managing Director, Chief Executive Officer or any other highest Executive position in the company.
Head of Stakeholder Management	The person that heads the function to liaise with stakeholders of the company or a person identified by Top Management.
HRES	Human Resource & Employee Support or any department responsible for managing resources related to employees.
IRMD	The functional unit that is primarily responsible to overseeing the implementation of Anti-bribery Management System in BERNAS.
MDA	Management Delegated Authority.

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## **7.0 ANTI-BRIBERY AND CORRUPTION POLICY**



- 7.1 All forms of bribery and corruption are prohibited. BERNAS upholds a zero-tolerance approach. In addition to bribery, personnel must NOT participate in any corrupt activities, such as extortion, collusion, breach of trust, abuse of power, trading under influence, embezzlement, fraud or money laundering.
- 7.2 This ABC Policy applies to all countries worldwide, without exception and without regard to regional customs, local practices or competitive conditions.

## **8.0 RECOGNITION OF LOCAL AND INTERNATIONAL LEGISLATION**

- 8.1 BERNAS is committed to conducting its business in ethical manner and compliance with all applicable laws and regulations in the countries where it operates.
- 8.2 These applicable laws and regulations include but are not limited to the Malaysian Penal Code (revised 1977) (and its amendments), the Malaysian Anti-Corruption Commission Act 2009 and its amendments, the Companies Act 2016.



## **9.0 GIFTS, HOSPITALITY & ENTERTAINMENT**

- 9.1 Personnel are prohibited from soliciting or asking for gifts, hospitality and entertainment from business associates or other parties engaged in business with BERNAS.
- 9.2 Under no circumstances may BERNAS personnel or their family members accept gifts in the form of cash, food hampers, gift certificates, loan repayment, commissions, coupons, discounts or any other related forms from business associates or any other parties engaged in business with

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BERNAS.

- 9.3 In situations where it is NOT possible to refuse or return a gift, or the refusal is likely to cause serious offence, BERNAS personnel shall report to HRES and immediate supervisor for decision to the treatment of the gift received.
- 9.4 The only form of allowable gifts giving to business associates and other parties engaged with BERNAS is corporate gift which is not more than RM500 per item and or commemorative gift which is not more than RM5,000 accompanied with company logo or brand.
- 9.5 BERNAS personnel may accept hospitality of business associates for providing and paying meals such as breakfast, lunch, dinner, light meals, snack, drinks, etc. provided that such hospitality are for bona fide business discussions, meetings or to foster better business relations and not an attempt to influence business decisions.
- 9.6 Hospitality should not be accepted frequently from the same party, or during specific time periods, such as tender or contract negotiations.
- 9.7 Certain BERNAS personnel are allowed to offer meals and hospitality to business associates and other parties engaged with BERNAS provided they fall within the following limited exceptions:
- a) It is related to the business and activities of BERNAS.
  - b) It is not for spouses and other non-business guests.
  - c) The cost of the meal and hospitality does NOT exceed the

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thresholds below which provides guidance as per Table below: -

**TABLE 1**

JOB GRADE	PER EVENT
SE1 – SE2	RM5,000
E12	RM2,000
E10 – E11	RM500
E9 and below	RM300

*Note: The above quantum is based on 5 people per event.*

Should the amount of hospitality exceed, it should be proportionated to the quantum in the Table above and the approval as per MDA is required.

- 9.8 BERNAS personnel may participate in normal and non-frequent business entertainment with business associates such as sporting events, etc., with the purpose of holding such entertainment activities are bona fide in nature to foster better business relations and not an attempt to influence business decision and must be approved in accordance to the limits of MDA.

## **10.0 CHARITABLE DONATIONS, SPONSORSHIPS & CORPORATE SOCIAL RESPONSIBILITIES**

- 10.1 BERNAS is committed to charitable donations, sponsorships and Corporate Social Responsibilities (CSR) for the well-being of the society and community.
- 10.2 It is however important that all charitable donations, sponsorships and CSR are made in accordance with BERNAS policies, permitted by the laws and regulations, given without the intention of influencing someone to act improperly or as a reward for having acted improperly.
- 10.3 All requests and propose for charitable donations, sponsorships and CSR must be approved by the relevant appropriate approving authorities in



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accordance to the limits of MDA.

- 10.4 It is BERNAS' policy to prohibit personnel from requesting vendors for charitable donations, sponsorships and CSR to individual, their friends or relatives without getting approval from the Top Management.

## **11.0 POLITICAL CONTRIBUTIONS**

- 11.1 BERNAS may offer monetary or in-kind political contributions to political parties, politicians or candidates for parliamentary or state seats in election provided that such provision are within the limits permissible by the laws and regulations, without the intention of influencing someone to act improperly or as a reward for having acted improperly.
- 11.2 Political contributions should NOT be frequently provided to the same recipient politician and political parties.
- 11.3 All requests from recipient political parties and politicians for political contributions must be scrutinized by Head of Stakeholder Management Division and must be approved by Top Management to ensure that it fits within BERNAS established criteria.
- 11.4 BERNAS personnel are encouraged to participate in the political election process by voting. Personnel may choose to make personal political contributions as appropriate within the limits established by law. Nevertheless, such personal political contributions will NOT be reimbursed by BERNAS.
- 11.5 BERNAS personnel, without Top Management approval, are prohibited from using their position in BERNAS to influence any business associates

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in making political contributions or giving support to politicians and parties.

## **12.0 MONEY LAUNDERING**



- 12.1 BERNAS prohibits practices related to money laundering, including dealing in the proceeds of criminal activities.
- 12.2 Money laundering involves the placement of illegally obtained money into legitimate financial systems in order that monetary proceeds derived from criminal activities are transformed into funds with an apparently legitimate sources, or when legitimate funds are used to support criminal activities, including financing terrorism.
- 12.3 To avoid violating anti-money laundering laws, BERNAS personnel are expected to always conduct due diligence on planned and ongoing relationship with business associates and third parties, to understand their business background, the origin and destination of fund and payments.
- 12.4 BERNAS personnel shall report any irregularities of fund source and suspicion of transactions in aiding illegal or terrorist activities to their head of one level up or immediate supervisor for further actions or Talian Etika.

## **13.0 FACILITATION PAYMENTS**

- 13.1 Facilitation payments are unofficial payments made to secure or expedite an action by a government official, policeman, or other person of authority, such as the issuing permit for importation, transfer of paddy or customs clearance.
- 13.2 BERNAS prohibits their personnel and business associates to make facilitation payments of any kind.

However, in the event BERNAS personnel have made a facilitation payment under situations NOT realized its legitimacy, or where the



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payment was made so as to safeguard own, another person's life or liberty, to prevent injury or to protect the assets of the company, he/she must as soon as possible make a statement of the incident and report to Talian Etika and the Head of Department or Head of Division or Integrity Officer.



- 13.3 BERNAS personnel who received requests for facilitation payment from local or foreign public official shall report the incident to their line manager, Head of Division and Integrity Officer for seeking an advice.

#### **14.0 SUPPORT LETTERS**

- 14.1 A "support letter" is a directive or decision from politician, government administration, or highly influential persons, to influence decision and request for special privileges to be given to an individual or organization for project award and application.
- 14.2 Support letters may also come in other forms, such as text messages, phone calls and e-mails.
- 14.3 BERNAS prohibit external parties from using support letters to influence its decision-making in project award or application.
- 14.4 BERNAS does NOT issue support letters for person, their family and friends, and business associates.
- 14.5 BERNAS personnel who receives support letters should NOT promise the requestor anything, and shall report to their line manager, Head of Division and Integrity Officer for further actions or Talian Etika.

#### **15.0 RECRUITMENT, PROMOTION AND EMPLOYMENT**

- 15.1 BERNAS values the cultures of ethics and integrity, and directs its attention to the roles of culture in supporting BERNAS's Anti-bribery and Corruption

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- 15.2 BERNAS's recruitment, training, incentive and appraisal, remuneration, promotion and transfer, and disciplinary processes for any personnel, top management and board members, are designed and updated regularly to uphold ethics and integrity.
- 15.3 BERNAS encourages and supports its personnel to do the right thing. When recruiting new personnel, assessment will be given to the ethical attributes of an individual.
- 15.4 BERNAS personnel are incentivized, assessed and recognized for good behavior and contributions to the anti-bribery and corruption controls.

## **16.0 BUSINESS ASSOCIATES & THIRD PARTIES**

- 16.1 All business associates acting on behalf of BERNAS are required to comply with this ABC Policy, BERNAS's Vendor Code of Conduct, and other relevant policies.
- 16.2 Where organizations of which BERNAS retains controlling interest, such as subsidiary, joint venture and consortium, these controlled organisations are required to implement this ABC Policy or implement their own anti-bribery and corruption controls.

For organisations where BERNAS do not have the controlling interest, they are encouraged to comply this ABC Policy or implement their own anti-bribery and corruption controls. They have to undergo BERNAS bribery risk assessment and due diligence exercise in order to determine the controls are in place and help to mitigate relevant bribery risk when dealing with BERNAS.

- 16.3 BERNAS avoids dealing with business associates known or reasonably suspected for corrupt practices or known or reasonably suspected to pay



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- 16.4 Due diligence and risk assessment will be conducted on planned and ongoing business associates to have confident that they are honest and can be reasonably expected to refrain from corruption.
- 16.5 Contract terms with business associates will include clauses to enable BERNAS to terminate or discontinue the contractual relationships in the event business associates have been found involved in bribery and corruption.
- 16.6 Periodic review of business associates and third-parties risk assessment and due diligence are provided to check whether anti-bribery and corruption controls are effective for the existing relationships with BERNAS to continue.

## **17.0 CONFIDENTIALITY OBLIGATIONS**

- 17.1 The business affairs and records of BERNAS, comprising operations, finance, stakeholder management, sales and marketing, corporate services, strategic business and documents comprising procedures, processes, manufacturing methods, e-mails, letters, reports, specifications, formulae, forms, licenses, agreements or other documents or files are all confidential information belonging to BERNAS.
- 17.2 This information is strictly private and confidential and shall NOT be utilised, discussed with, divulged to or disclosed to persons inside or outside BERNAS, except by persons authorised to do so.
- 17.3 BERNAS personnel shall NOT, either during or after employment with BERNAS, disclose, divulge or utilise without appropriate authorisation any such confidential information. BERNAS personnel must both during and after employment, take all reasonable precautions to keep all such

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confidential information secret.

## **18.0 FINANCIAL INTEGRITY**

18.1 BERNAS personnel must comply with all policies and procedures established to safeguard and support the integrity and accuracy of BERNAS' books, records and financial reporting. In this regard, BERNAS personnel must not:

- a) conceal, alter, destroy or otherwise modify BERNAS records or documents;
- b) intentionally make a false or misleading entry in a record, report, file or claim (including travel and entertainment expense reports); or
- c) fail to cooperate fully and truthfully with internal and external audits authorised by BERNAS.

## **19.0 RESPONSIBILITIES OF BERNAS PERSONNEL**

19.1 All BERNAS personnel (including its directors, and directors and personnel of its controlled organizations) are assigned responsibilities and obligations relating to this BERNAS ABC Policy, alongside those already in existence, which includes the following:

- a) Be familiar with applicable requirements and directives of the ABC Policy and communicate them to subordinates;
- b) Promptly record all transactions and payments accurately and in reasonable details;
- c) Stay vigilant to suspicious transactions and report to immediate superiors for guidance for the next course of action;
- d) Promptly report any attempted, suspected, and actual misconduct and violations through Talian Etika;
- e) Be cooperative and attend anti-bribery and corruption training as



required and;



- f) Not misuse his/her position in BERNAS for personal advantage.

19.2 When dealing with external parties (such as a client) on behalf of BERNAS, BERNAS personnel shall not:

- a) Offer, promise or make any attempt to dishonestly influence a person of external party's decision, by directly or indirectly offer, make or promise of corrupt payments, in cash or in kind;
- b) Be involved in any discussions regarding business or employment opportunities, for own personal benefit or for the person of external party's benefit;
- c) Abuse the decision-making and other delegated powers given by the top management, to illicitly secure an outcome which would be to the commercial advantage to themselves and/or BERNAS; and
- d) Exert improper influence to obtain personal benefits from external party.

19.3 During an active or anticipated procurement or tender exercise, BERNAS personnel participating in the exercise in any way whatsoever, shall not:

- a) Receive gifts, hospitality, entertainment or any kind from any external party participating, planning to participate, or expected to participate, in the procurement or tender exercise;
- b) Provide anything other than a corporate gift and hospitality to any external/third party related to the exercise;
- c) Be involved in any discussions regarding business or employment opportunities, for personal benefit, or for the person's benefit of business associate;
- d) Abuse the decision-making and other delegated powers given by the top management; and

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e) Bypass normal procurement or tender process and procedure.

19.4 BERNAS's Head of Division and Head of Department are allocated responsibilities to ensure that the ABMS requirements are applied and complied within their departments or functions. They must ensure their subordinates holding with 'Exposed Positions' to attend the relevant ABMS trainings.

## **20.0 DECLARING CONFLICTS OF INTEREST**

- 20.1 Conflicts of interest situations arise when personal interests interfere with the judgement of persons in carrying out their duties for BERNAS.
- 20.2 To promote an openness and transparency for managing actual, potential, or perceived conflicts of interest, BERNAS personnel shall declare any actual, potential or perceived conflicts of interest to his/her line manager and Integrity Officer, to ensure that all decisions made on behalf of BERNAS are based on an objective and fair assessment without being impacted by personal interest.
- 20.3 BERNAS may get its employees to submit Conflict of Interest declaration forms, in which employees shall be required to state all Conflict of Interest situation or to return a "no conflict" declaration.

## **21.0 STAFF DECLARATIONS**

- 21.1 All BERNAS personnel shall certify that they have read, understood and abide by this BERNAS ABC Policy. A copy of this declaration shall be documented and retained by the HRES Department throughout the duration of employment with BERNAS. Staff declaration is available in the Appendix 1 of this ABC Policy.
- 21.2 The Integrity Committee reserves the right to request information regarding



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a person's assets in the event that the person is under suspicion or implicated in any bribery and corruption-related accusation or incident.

## **22.0 ANTI-BRIBERY AND CORRUPTION COMPLIANCE FUNCTION**

22.1 Compliance function shall be done by IRMD such as:

- a) oversight the implementation of anti-bribery and corruption controls related to this policy
- b) conduct regular risk assessments to identify the bribery and corruption risks potentially affecting BERNAS.
- c) review the suitability of this policy from time to time, taking into account the latest developments in the legislation as well as the evolvement of industry and international standards

22.2 IRMD shall implement and effectively manage routine anti-bribery and anti-corruption measures as deemed appropriate to ring-fence BERNAS against possible legislative liabilities, as well as undertake ad-hoc measures deemed necessary based on circumstantial requirements arising during the course of operations. In addition, top management has also established Integrity Committee to oversee all anti-bribery and corruption initiatives undertaken by IRMD.

22.3 IRMD shall report to Integrity Committee and the Board on the adequacy and implementation of the anti-corruption program at least once a year or in the event of any material weaknesses being identified.

## **23.0 TRAINING AND AWARENESS**

23.1 An Awareness programs are planned and arranged for BERNAS personnel to periodically give a refreshment on the anti-bribery and anti-corruption measures, and to continuously promulgate ethics and integrity.

23.2 Trainings are provided on a regular basis, in accordance with level of



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bribery and corruption risks related to positions. Training shall be provided to personnel who are: -

- a) New to the company;
- b) Appointed to or currently holding an exposed position;
- c) Board and top management

23.3 Integrity Officer may recommend certain trainings be repeated for BERNAS personnel in any operating unit if deemed necessary based on circumstantial requirement.

23.4 HRES Department shall document and maintain training records in collaboration with Integrity & Risk Management Department.

## **24.0 WHISTLEBLOWING OF POLICY VIOLATIONS**



24.1 BERNAS personnel are encouraged to report any attempted, suspected, and actual misconduct such as bribery, corruption, fraud, financial impropriety, gross mismanagement, violation of this policy, violation of the BERNAS's Business Partners Code of Conduct, or weaknesses in the anti-bribery and corruption management system.

24.2 Whistleblower reporting, either anonymously or otherwise in good faith on the basis of a reasonable belief, is assured of confidentiality to the reporter identification and prohibition from retaliation by BERNAS regardless of the outcome of any investigation.

24.3 Talian Etika will be the default communication channel on addressing bribery concern. Any concerns of attempted, suspected or actual misconduct and violation should be reported to a dedicated disclosure channel which shall be communicated to the employees.

24.4 Integrity Committee shall conduct or appoint an external party to conduct an investigation to the alleged misconduct and violation of this Anti-bribery



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and Corruption policy.



- 24.5 Depending on the outcome of investigation, BERNAS may seek remedies for misconduct, bribery and corruption, apply disciplinary actions to the Personnel or Business Associate involved, or refer the violation to the enforcement authorities.

## **25.0 ABMS AUDIT AND COMPLIANCE**

- 25.1 Regular audits will be conducted to ensure BERNAS personnel in compliance to this ABC policy. Such audits may be conducted internally by the appointed auditors or by an external party.
- 25.2 Non-compliance as identified by the auditors and any risk areas identified through this and other means should be reported to the top management and Integrity Committee in a timely manner.
- 25.3 BERNAS regards act of bribery and corruption a serious matter and will apply penalties for non-compliance of this ABC policy. For BERNAS personnel, non-compliance may lead to disciplinary actions, up to and including termination of employment.
- 25.4 For business associates, non-compliance may lead to penalties including termination of contract. Further legal action may also be taken in the event that BERNAS interests have been harmed in consequence of the non-compliance by an individual or business associates.

## **26.0 CONTINUOUS IMPROVEMENT**



- 26.1 BERNAS is committed to continually improving its policies and procedures relating to ABMS. Integrity Committee endeavors to develop and improve the integrity measures which is leading to the certification of BERNAS anti-bribery and corruption procedures as adequate.
- 26.2 Regular assessments of the BERNAS ABC Policy should be carried out to

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ensure its scope, policies, procedures and controls matching the bribery and corruption risks identified by BERNAS.

## **27.0 WAIVER**

- 27.1 Any deviation or waiver from this policy must be approved either by Integrity Committee or Board of Directors.

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**APPENDIX 1: STAFF DECLARATION FORM**

Staff Declaration of Compliance Form

I, \_\_\_\_\_, hereby declare that I have read and understood BERNAS's Anti-Bribery and Corruption Policy (ABC Policy). I will abide by the requirements and provisions set out in the ABC Policy as required by my employment contract.

I am also aware that the contents of this ABC Policy may be subject to further amendments ie additions, modifications, deletions as and when deemed necessary by the Management. In the event of a dispute, doubt or misinterpretation of this ABC Policy, the decision of the Management shall be deemed final.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

