

## NAIM GROUP ADOPTS ZERO-TOLERANCE POLICY AGAINST ALL FORMS OF BRIBERY & CORRUPTION

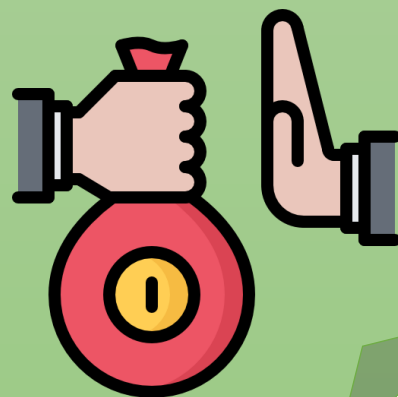
In light of the implementation of section 17A of the Malaysian Anti-Corruption Commission Act 2009 which comes into effect on 1st June 2020, the Group has adopted a zero-tolerance policy against all forms of bribery and corruption. The Group's Anti-Bribery & Corruption Policy ("Policy") gives examples of various forms of bribery and provides a guide as to how to handle such situations.

Section 17A expands the coverage of MACC Act 2009 from "Persons" to "Commercial Organisations" and persons associated with the Commercial Organisation to fight against bribery and corruption.

All persons associated with NAIM, which includes the employees, directors, third-parties and others who have dealings with NAIM, whatever their relationship with NAIM may be called are required to understand the Corporate Liability Provision, its impact and put in place adequate procedures for anti-bribery and corruption as a defence against Corporate Liability.

You should refer to the Guidelines on Adequate Procedures published on the Governance, Integrity and Anti-Corruption Centre website to understand the principles of T.R.U.S.T. used in the implementation of our anti-bribery and corruption programme.

Kindly acknowledge on the last page once you have read and understood the Corporate Liability Provision and the T.R.U.S.T. principles in the anti-bribery and corruption policy and programme.



# CORPORATE LIABILITY PROVISION

## Corporate Liability

Under **Section 17A**, a commercial organization commits an offence if a **person associated with the commercial organization corruptly gives, agrees to give, promises or offers to any person any gratification** whether for the benefit of that person or another person with intent –

- (a) to obtain or retain business for the commercial organization; or
- (b) to obtain or retain an advantage in the conduct of business for the commercial organization.



## Person(s) Liable

Where an offence is committed by a commercial organization, a person –


- (a) who is its **director, controller, officer or partner**; or
- (b) who is concerned in the management of its affairs,

at the time of the commission of the offence, is deemed to have committed that offence, unless that person proves that the offence was committed without his consent or connivance and that he exercised due diligence to prevent the commission of the offence as he ought to have exercised, having regard to the nature of his function in that capacity and to the circumstances.





Any commercial organization who commits an offence under this section shall, on conviction, be liable to a fine of **not less than ten times the sum or value of the gratification** which is the subject matter of the offence, where such gratification is capable of being valued or is of pecuniary nature, or **one million ringgit, whichever is the higher, or to imprisonment for a term not exceeding twenty years or to both.**



Having **“adequate procedures”** in place to prevent its “associated person” from undertaking an offensive conduct under Section 17A is a defence for the commercial organization. NAIM advocates for all third-parties who have dealings with us to understand and proactively implement Adequate Procedures based on the **T.R.U.S.T. principles.**

## Penalty

## Defence

## The Principles of T.R.U.S.T.

**T**

**Top Level  
Commitment**

- Commitment is driven from the top
- Policies and procedures to handle various forms of bribery
- Promotes the integrity value and practices the highest standard of integrity and ethics
- Complies with all applicable laws at all times

**R**

**Risk  
Assessment**

- Perform risk assessment based on the adopted risk management framework
- Conduct risk assessment to identify areas of concern and perform internal control mapping

**U**

**Undertake Control  
Measures**

- Establish and implement policies and procedures on anti-bribery & corruption
- Establish reporting channels
- Conduct due diligence on third parties

**S**

**Systematic Review,  
Monitoring and  
Enforcement**

- Perform regular audits to assess the effectiveness of the policy and programme and ensure compliance with the policy and programme
- Establish compliance unit to oversee the implementation of the anti-bribery & corruption policy and programme

**T**

**Training &  
Communication**

- Communicate the anti-bribery and corruption policy and programme to personnel and third-parties
- Conduct anti-bribery and corruption trainings to personnel and third-parties



Please read and understand the **Guidelines on Adequate Procedures** from the Governance, Integrity & Anti-Corruption (GIACC) website at [www.giacc.jpdm.gov.my](http://www.giacc.jpdm.gov.my) or by scanning this QR Code.



# Acknowledgement & Acceptance

I/We have read understand and agree to the Corporate Liability provision under Section 17A of the Malaysia Anti-Corruption Commission Act 2009, its impacts to NAIM Group and/or the Company and how to implement adequate procedures following the T.R.U.S.T. principles in the Guidelines on Adequate Procedures.

*\*Please strike out whichever column that is not applicable.*

\*I, ..... IC/Passport No. ...., employee/director of NAIM Group hereby agree to the above.

Signature

Witnessed by

.....  
Name:

Designation:

Date:

.....  
Name:

Designation<sup>1</sup>:

Date:

*Instructions:*

1. Print this Acknowledgement & Acceptance form.
2. Fill in the relevant information. Scan and email back to the signed copy [gp.compliance.inquiry@naim.com.my](mailto:gp.compliance.inquiry@naim.com.my).

\*I/We, ..... (the "Company") IC/Passport/Company/BNR No. ...., hereby agree to the above.

Authorised Signatory

Witnessed by

.....  
Name:

Designation:

Date:

.....  
Name:

Designation:

Date:

Company Stamp/Chop

*Instructions:*

1. Print this Acknowledgement & Acceptance form.
2. It shall be signed by an owner, a director, MD, CEO or authorised signatory of your organisation.
3. Fill in the relevant information. Scan and email back the signed copy to [gp.compliance.inquiry@naim.com.my](mailto:gp.compliance.inquiry@naim.com.my).

<sup>1</sup> Witness to be either HoD, immediate superior, director, Compliance Officer, HR personnel