



A Member of  **MMC** Group

**GAS MALAYSIA BERHAD
GROUP OF COMPANIES**

**ANTI-BRIBERY AND ANTI-CORRUPTION
POLICY AND FRAMEWORK**

(Revision No. 2)

GAS MALAYSIA BERHAD GROUP OF COMPANIES

ANTI-BRIBERY AND ANTI-CORRUPTION POLICY AND FRAMEWORK



A Member of  MMC Group

NOTE

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The Companies reserves the right to review, amend or update this Policy from time to time.

For any enquiries, please contact the Integrity and Governance Department.

This revised policy was approved by the Board of Directors of Gas Malaysia Berhad on 12th May 2022.

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GAS MALAYSIA BERHAD GROUP OF COMPANIES
ANTI-BRIBERY AND ANTI-CORRUPTION POLICY AND FRAMEWORK

Anti-Bribery and Anti-Corruption Policy and Framework

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GAS MALAYSIA BERHAD GROUP OF COMPANIES

ANTI-BRIBERY AND ANTI-CORRUPTION POLICY AND FRAMEWORK

AMENDMENT PAGE

Revision No.	Date	Description of Change	Reason for Change	Page No.
0	13 February 2020	Initial release of document	Nil	Nil
1	5 February 2021	Inclusion of Integrity and Governance functions and structure.	Changes of ABAC Compliance Function Department from Health Safety Environment Quality and Performance Enhancement Department to Integrity and Governance Department.	11
		ABAC Risk Management Structure.	Incorporation of Integrity and Governance Department in ABAC Risk Management Structure.	14
2	12 May 2022	ABAC Policy Statement	Update and include the Gas Malaysia's core values.	8
		Revise the IGU core functions	To add clarity on IGU functions as outlined in detail under the Guideline for the Management of Integrity and Governance Unit.	12 to 13
		Amendment of the reporting structure for the disclosure of the improper conduct by the whistleblower to be aligned with the approved Whistleblower Policy.	To align and consistency with the approved Whistleblower Policy.	20

1.0 INTRODUCTION

The Malaysian Anti-Corruption Commission Act 2009 ("MACC Act" or the "Act") which came into force on 1 January 2009 was aimed as a catalyst to improve corruption prevention in Malaysia. In 2018, MACC (Amendment) Act 2018 has been gazetted and the principle of commercial organisation's criminal liability (corporate liability) was introduced in Section 17A of the Act. The Malaysian Anti-Corruption Commission has stated that the corporate liability provision of the MACC Act will be in force as of 1 June 2020.

Maintaining a workplace culture with strong ethics and integrity is part of a competent governance framework and is fundamental to good organisational performance toward creating a business environment that is fair, transparent and free from bribery and corruption. These principles of governance are embedded in Gas Malaysia Berhad Group of Companies ("GMB Group" or "the Companies") core value E.A.G.L.E (Environment & Safety, Accountability, Goal Oriented, Leadership and Excellence).

The GMB Group Anti-Bribery and Anti-Corruption Policy & Framework ("GMB Group ABAC Policy" or the "Policy") is designed as a foundation for GMB Group to establish, implement, maintain, review and improve an anti-bribery and anti-corruption system to support the Companies' four strategic objectives:

- i. Maximise shareholder value;
- ii. Provide excellent service to stakeholders;
- iii. Lead in value innovation; and
- iv. Become the preferred employer.

Pursuant to Guidelines on Adequate Procedures issued by the Government, the GMB Group ABAC Policy has been designed to provide the Companies with a framework to establish the necessary measures to prevent the occurrence of corrupt practices in relation to our business activities. GMB Group encourage the use of the Companies whistleblowing channel to raise concerns in relation to real or suspected corruption incidents (please refer to GMB Whistleblower Policy).

The GMB Group ABAC Policy is link to other Companies policies, guidelines and procedures and it seeks to ensure that the Companies' employees, businesses and anyone acting for and on behalf of the Companies comply with applicable laws and the provisions of this Policy.

2.0 DEFINITIONS

“**Bribery**” is defined in Appendix 1 of this Policy.

“**Business Partner**” refers to a third party with which any of the company within the Group of Companies has a business arrangement, such as a joint venture (either incorporated or contractual) or a partnership. These include third parties, other than the suppliers that the relevant company enters into relationships with in order to satisfy local content requirements or regulations.

“**Corruption**” is defined in Appendix 1 of this Policy.

“**Disciplinary Offence**” means any action or omission which constitutes a breach of discipline in the Companies as provided by law or the Companies’ code of conduct, code of ethics, policies and/or a contract of employment, as the case maybe.

“**Gratification**” is defined in Appendix 1 of this Policy.

“**Governing Body**” refers to GMB Board of Directors or equivalent body.

“**Improper Conduct**” is any conduct which if proved, constitutes a Disciplinary Offence or a criminal offence. The definition is further defined in the Gas Malaysia Berhad’s Whistleblowing Policy.

“**IGD**” refers to Integrity & Governance Department of GMB Group.

“**GMB**” or the “**Company**” refers to Gas Malaysia Berhad.

“**GMB Group**” or “**Companies**” refers collectively to Gas Malaysia Berhad, its subsidiaries (including operating companies) and associate companies.

“**Personnel**” refers to the Company directors, executives, employees, temporary staff or workers, and interns.

“**Top Management**” refers to the Group Chief Executive Officer, Head of Companies and Head of Departments.

“**Whistleblower**” means any person who makes a disclosure of Improper Conduct in accordance with Gas Malaysia Berhad’s Whistleblowing Policy.

Under this GMB Group ABAC Policy, words in the singular includes the plural and words in the plural includes the singular.

3.0 OBJECTIVES

The objectives of the GMB Group ABAC Policy are to:

- i. implement an Anti-Bribery and Anti-Corruption management for the Companies.
- ii. determine and provide the resources needed to establish, implement, maintain and ensure continuous improvement of the Anti-Bribery and Anti-Corruption management.
- iii. enhance the current controls of the Companies bribery and corruption risks.
- iv. eliminate any form of bribery and corruption or prevent the occurrence and potential recurrence of bribery or corruption within the Companies.
- v. to provide a defence against corporate liability as introduced by the MACC (Amendment) Act 2018.

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4.0 ANTI-BRIBERY AND ANTI-CORRUPTION POLICY STATEMENT

GMB Group is committed to conduct business ethically and in full compliance with all applicable laws and regulations in every jurisdiction that GMB Group operates. Based on GMB Group Code of Ethics (“COE”) and Employee Handbook, GMB Group shall treat every client, business partner, authority and members of the public with integrity, responsibility, accountability, respect and courtesy.

Every Personnel of GMB Group including any agent, person or entity engaged under a contract for service or engaged by GMB Group for any business-related activity formally and informally should maintain the values of integrity, honesty and professionalism at the highest level at all times during his/her employment/engagement under GMB Group or when representing GMB Group in business transactions with third parties.

In essence, GMB Group is fully committed to:

- adopting a zero-tolerance approach to any form of corruption.
- creating human capital with high ethical value and integrity.
- acting in a fair, ethical and honest manner with all our employees and business associates.
- upholding all applicable laws where GMB Group operates.

This Anti-Bribery and Anti-Corruption Policy Statement is complementary to and is to be read together with the following but not limited to:

- GMB Group Board Charter;
- GMB Group Code of Ethics;
- GMB Group Anti-Bribery and Anti-Corruption Policy and Framework;
- GMB Group Treasury Policy;
- GMB Group Employee Handbook;
- GMB Group Whistleblower Policy;
- GMB Group Contract Documents;
- Procurement Procedures;
- Limits of Authority for GMB Group;
- GMB Group Enterprise Risk Management Policy and Framework;
- GMB Group Related Party Transaction Policies and Procedures; and
- All other relevant GMB Group policies, frameworks, procedures, standards, rules and regulations.

This Anti-Bribery and Anti-Corruption Policy Statement demonstrates GMB’s Group commitment towards having a strong culture of high ethical practice among its Personnel and embedding values comprising **Environment & Safety, Accountability, Goal Oriented, Leadership and Excellence (E.A.G.L.E)** in all business practices.

Ahmad Hashimi bin Abdul Manap
Group Chief Executive Officer
Gas Malaysia Berhad

Approval Date: 12 May 2022

5.0 SCOPE

GMB Group ABAC Policy is applicable to every Personnel, any agent, person or entity engaged under a contract for service or engaged by GMB Group for any business-related activity formally and informally.

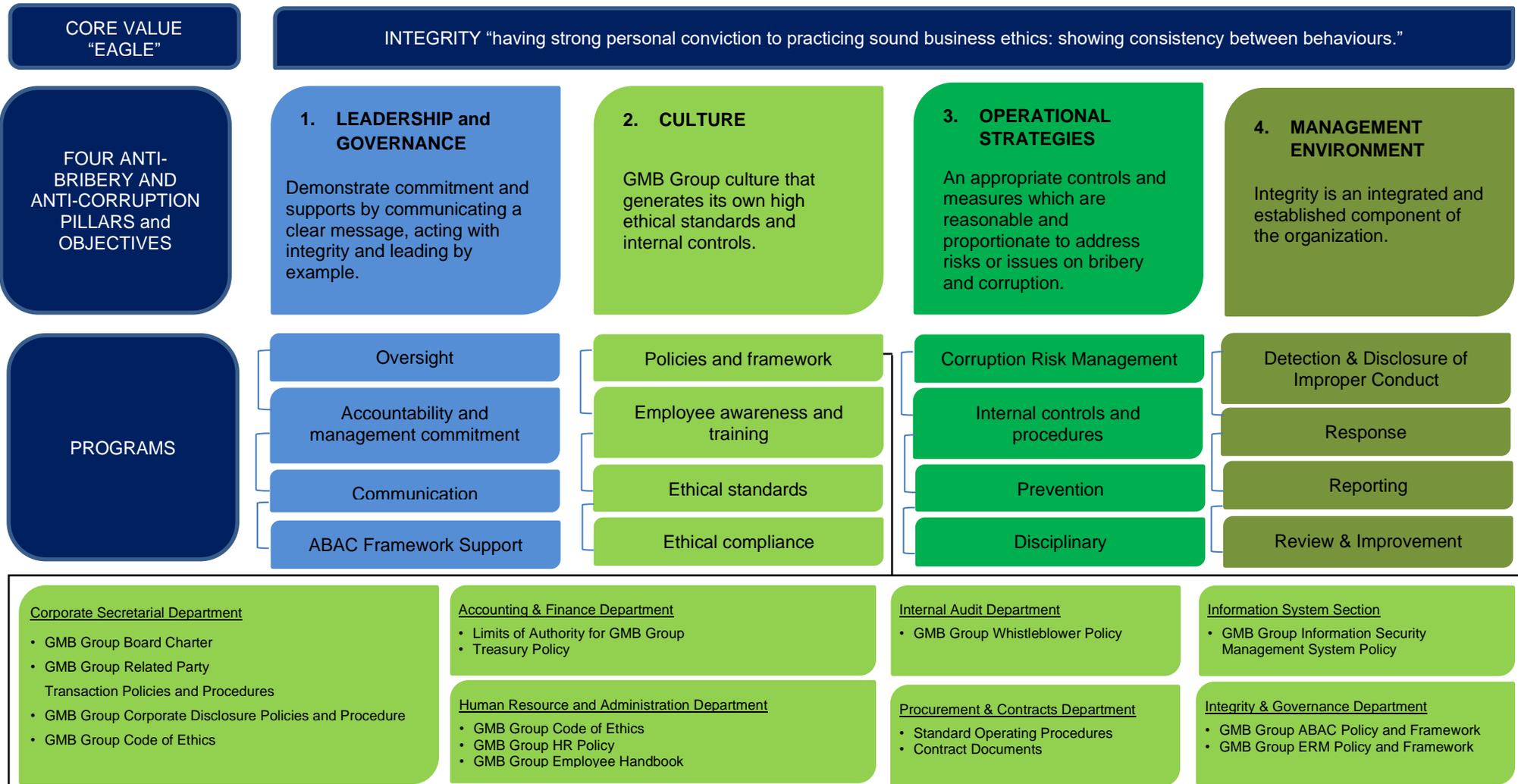
Joint-venture companies in which GMB Group is a non-controlling member and associated, companies are encouraged to adopt the policy or ensure that similar principles and standards are in place.

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6.0 GMB GROUP ANTI-BRIBERY AND ANTI-CORRUPTION FRAMEWORK

GMB Group adopts ISO 37001:2016 Anti-Bribery Management Systems which specifies a series of measures to assist organizations to prevent, detect and resolve instances involving bribery and corruption. **Figure 1** below provides an overview of the GMB Group Anti-Bribery and Anti-Corruption Framework:

Figure 1: GMB Group Anti-Bribery and Anti-Corruption Framework



6.1 Leadership and Governance

6.1.1 Oversight – Governing Body

The Governing Body is responsible for establishing, governing, maintaining and reviewing the contents and operation of the GMB Group ABAC Policy. The Governing Body shall exercise discretion and reasonable oversight with respect to the adequacy, communication, effectiveness and implementation of the GMB Group ABAC Policy.

6.1.2 Accountability and management commitment – Top Management

The Top Management is accountable towards the implementation of the GMB Group ABAC Policy. In this respect, the Top Management's responsibilities include the following:

- Implementing the GMB Group ABAC-Policy to all level of organisation within the Company and set the right “tone at the top”.
- Deploying adequate resources and assigned to person(s) who have the appropriate competence towards the effective implementation and operation of the GMB Group ABAC Policy.
- Review the anti-bribery and anti-corruption implementation program and propose for improvement as and when necessary.
- Putting in place the appropriate controls and contingency measures which are reasonable and proportionate, in order to address risks and issues on bribery and corruption.
- Providing ABAC awareness training to its employees and communicate the program.
- Ensuring overall oversight and assurance on compliance with the GMB Group ABAC Policy.

6.1.3 Communication

The GMB Group ABAC Policy shall be made available to all Personnel within the Companies including business partners. To this end, the GMB Group ABAC Policy shall be published throughout the relevant companies' internal and external communication channel.

6.1.4 ABAC Framework Support

i. Integrity and Governance Department (“IGD”)

The IGD as the custodian of the GMB Group ABAC Policy shall take the reasonable and proportionate measures to ensure the implementation of the GMB Group ABAC Policy and programme throughout the Group. This shall include but not limited to:

(a) Integrity Strengthening

- Plan, implement, and coordinate integrity strengthening programs to enhance the practice of integrity in the organisation.
- Providing advice, guidance and communicate to personnel on the GMB Group ABAC Policy and issues relating to bribery and corruption.
- Providing adequate and appropriate anti-bribery and anti-corruption training and awareness to personnel.
- Reporting on the performance of the GMB Group ABAC Policy to the Governing Body and Top Management at planned interval.
- Prepare articles/inputs for integrity strengthening for publication and promotion to staff.

(b) Governance

- Update the GMB Group ABAC Policy to reflect relevant new changes as and when necessary.
- Conduct checks and research on policies, systems and work procedures and to suggest improvements.
- Coordinate the improvement of the organisation’s relevant procedures and systems.

ii. Internal Audit Department (“IAD”)

IAD is the custodian of the GMB Group Whistleblower Policy and shall manage the overall system, process, and implementation of the Whistleblowing Policy. IAD shall monitor and evaluate the performance, efficiency and effectiveness of the GMB Group ABAC Policy and programme.

IAD core functions under the ABAC Policy are:

(a) Complaints Management

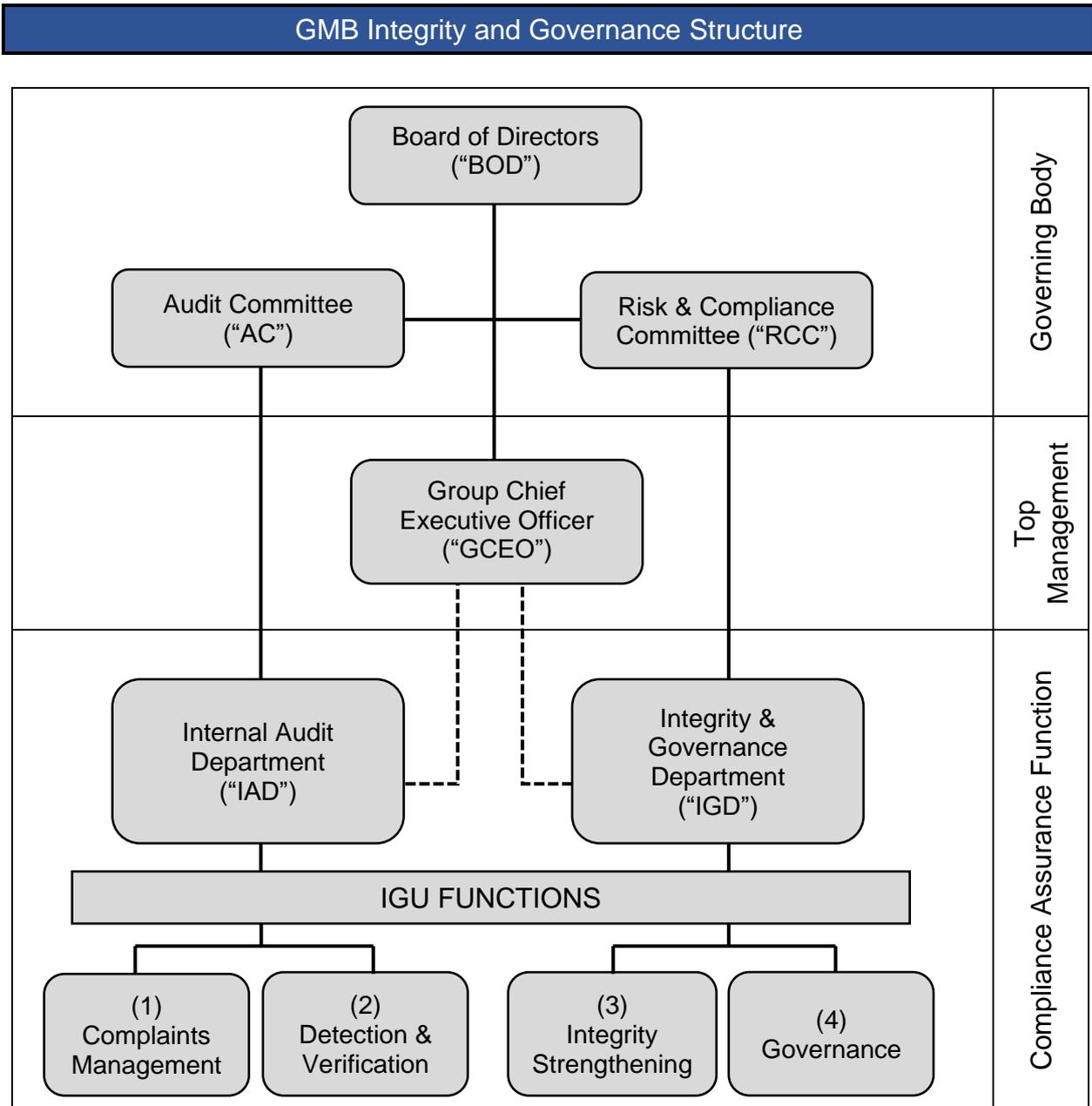
- Supervise, monitor, and manage the receiving of information / complaints through GMB Whistleblower channel on improper conducts, bribery and corruption in an appropriate and timely manner.
- Ensure action is taken on information / complaint on bribery and corruption.
- Ensure information / complaint related to administration or not related to Integrity and Governance Unit matters are forwarded to the relevant department in the organisation.
- Prepare Complaints Statistics Reports periodically for monitoring purposes and to provide the report to IGD on bribery and corruption matters.

(b) Detection and Verification

- Detecting and verifying information / complaints related to on improper conducts, bribery and corruption in the organisation.
- Facilitate due and fair investigation process, any person who discovers or suspects an Improper Conduct within the Company, should not attempt to conduct investigations personally or interrogate any suspect.
- Prepare a report (“Assessment Report”) within seven (7) working days from the date the disclosure was made to the Audit Committee Chairman informing the results of the assessment and recommend either to ignore the disclosure or to take further action and to provide the same report to IGD on bribery and corruption matters.

The overall Anti-Bribery and Anti-Corruption Governance Structure is shown in Figure 2.

Figure 2: GMB Integrity and Governance Structure



IAD as the custodian of the Whistleblower Policy, responsible to forward any report related to integrity and governance raised through the Whistleblowing notification to IGD for reporting to RCC/BOD and/or authority.

6.2 Culture

6.2.1 Policies and framework

The current GMB Group's sets of policies and framework provide a foundation to support the culture of good corporate governance and integrity throughout the Companies. This includes but not to limited to:

- **GMB Group Board Charter** sets out the Board's strategic intent and outlines the Board's role and functions, composition, operation and processes, division of responsibilities between Board and Management.
- **GMB Group Code of Ethics ("COE") and Employee Handbook** outlines the Companies' commitment to appropriate and ethical practices. It sets out the principles, practices and standards of personal and corporate behaviour. All Directors are required to comply with the COE while all GMB Group of Companies employees are required to comply with both COE and Employee Handbook. Failure to comply with the COE and Employee Handbook is a serious breach, and appropriate action will be taken for its non-compliance.

The GMB Group Code of Ethics and Employee Handbook among other describes broad guidelines on the companies' and employees' ethical practices on the followings:

- i. Employee's responsibilities;
 - ii. Business practices and professionalism;
 - iii. Conflict of interests;
 - iv. External directorships;
 - v. Entertainment of customers;
 - vi. Political, social or professional bodies or external activities;
 - vii. Insider trading;
 - viii. Confidentiality on Companies' data, disclosure and price-sensitive Information;
 - ix. Working environment;
 - x. Violation; and
 - xi. Procedure guideline.
- **GMB Group Whistleblower Policy** provides an avenue for employees and third parties to make good-faith disclosure and report instances of unethical, unlawful or undesirable conduct without fear of reprisal. The identity of the whistleblower and the concerns raised are treated with utmost confidentiality.

- **GMB Group Procurement Procedures** outline the process of acquiring supplies or goods and services to fulfil GMB Group's strategic and operational needs, which require co-ordination of multiple discipline across the end procurement value chain, pre-procurement, procurement and post-procurement.

6.2.2 Employee awareness and training

The GMB Group ABAC Policy aims to safeguard the Companies' core values by informing employees of the obligations, duties and commitments within their roles, the risks of corruption in their work and any changing circumstances which may be relevant to the employees. The awareness and training programmes shall be periodically updated as and when necessary to reflect relevant new information.

6.2.3 Ethical standards and compliance

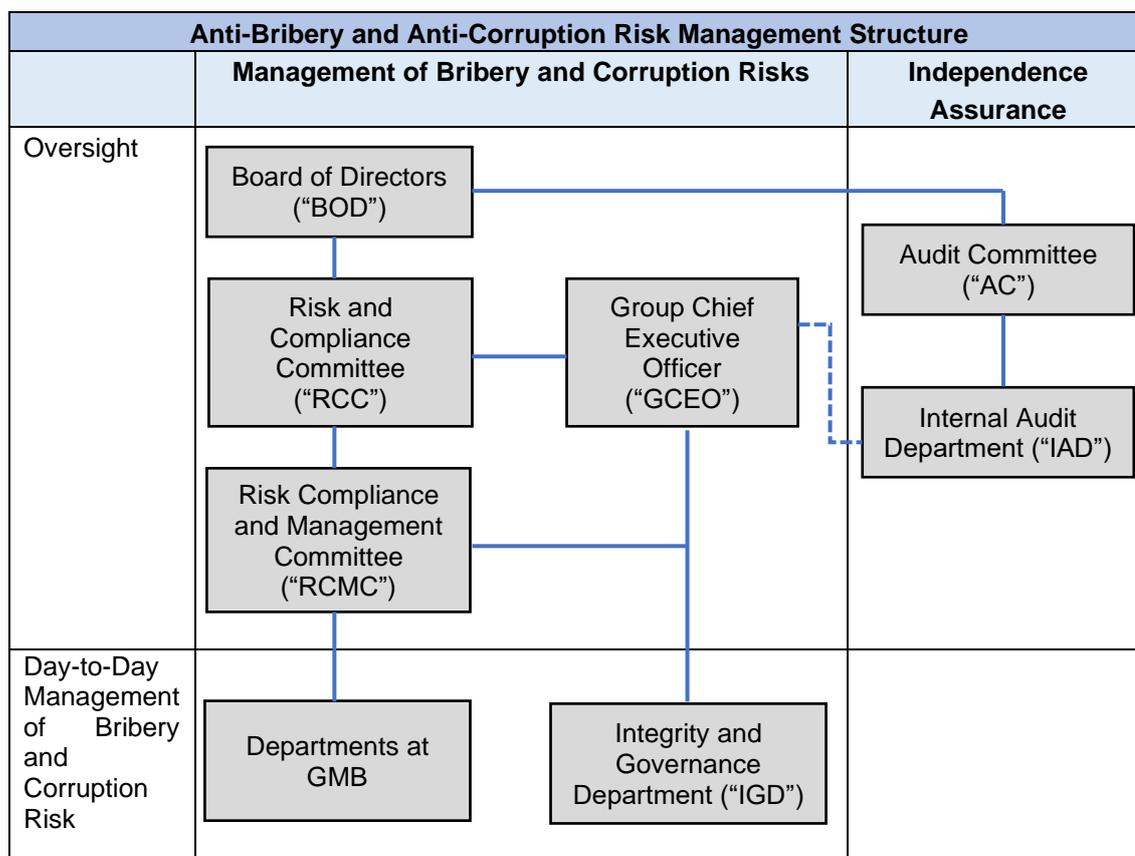
Every Personnel within the Companies' is expected to understand and comply with the relevant Companies' policies and standards. Every Personnel are responsible to ensure that their personal and business conduct demonstrates honesty, integrity, leadership, professionalism, loyalty, responsibility and trustworthiness towards fellow employees, customers, business partners, authorities and the public.

6.3 Operational Strategies

6.3.1 Corruption Risk Management ("CRM").

Bribery and corruption risks identification and assessment are part of the wider GMB Group Enterprise Risk Management Policy and Framework. Corruption risk management process helps the Companies to identify structural weakness that may facilitate bribery or corruption and provide a framework for all staff to take part in identifying risk factors and treatments and embeds bribery and corruption prevention within a well-established governance framework (refer Figure 3).

Figure 3: Anti-Bribery and Anti-Corruption Risk Management Structure



The Companies should conduct bribery and corruption risk assessments periodically and when there is a change in law or circumstance of the business to identify, analyse, assess and prioritise the internal and external corruption risks of the Companies’.

Where bribery and corruption risk assessment ratings are “MEDIUM” and above, the assessment shall include the nature and extend of bribery and corruption risk in relation to the transactions and this shall include due diligence to obtain sufficient information to assess the risk. The risk assessment for bribery and corruption shall be incorporated into the existing Enterprise Risk Management processes and system.

On a quarterly basis, the Top Management will assess and update the bribery and corruption risk information via the Enterprise Risk Management System, i.e., Q-Radar System.

For the purpose of the half yearly reporting to the GMB’s Group Board of Directors, the Integrity and Governance Department should only extract from the system the risks that are rated as “HIGH” and above (as per GMB’s Group established enterprise risk rating).

The risks are then compiled into the GMB Group Enterprise Risk Management half yearly report and submitted to the Risk and Compliance Committee (RCC). The RCC is requested if deem fit, to approved and recommend to the Board on the updates of the GMB Group Enterprise Risk Management Report for the half yearly.

The Board then noted the reports so that they are aware of major bribery and corruption risks within the Group and ensure that appropriate actions are taken by the management to mitigate the risks.

Type of corruption and an act of corruption is further defined in **Appendix 1**.

6.3.2 Internal controls and procedures

The Companies has strict internal controls to restrict and prevent any instances of bribery and corruption. There are clear and documented policies in respect of activities that may be vulnerable to bribery and corruption or in kind:

- **GMB Group Procurement Procedures** outlines the key principles on conducting procurement process and activities to support fair competition, wide participation and good governance in compliance with the relevant laws, regulations and terms and conditions which protects both GMB Group and its vendors. The established due diligence process shall take placed to any relevant entity or personnel (such as agents, vendors, contractors, suppliers and consultants) prior to entering any formalised relationships with the Companies’.
- **HR Procedures** defines the procedures relating to human resource functions governing operations and handling other related matters in achieving the organization’s objectives. It also establishes the procedure and serves as a guideline for GMB Group employees to maintain good and professional conduct in a congenial working environment. The established due diligence process shall take placed to any personnel prior to entering any formalised relationships with the Companies’.
- **Corporate Disclosure Policies and Procedure (“CDPP”)** is based on the Best Practices in Corporate Disclosure 2004 and Corporate Disclosure Guide 2012 issued by Bursa Malaysia to ensure the timely dissemination of material information to our shareholders and investors and to protect and maintain secrecy and confidentiality of the Companies’.

- **Related Party Transactions Policies and Procedure** provide an avenue for employees to understand the policies and procedures that need to be adhered to in identifying and treating Related Party Transactions to ensure compliance with the Main Market Listing Requirements of Bursa Malaysia Securities Berhad (“Listing Requirements”) and other applicable laws.
- **Limits of Authority (“LOA”)** identifies the various persons/authorities responsible for various business transactions including matters that require Board approval. It sets out a clear line of accountability and responsibility of the relevant persons/authorities to facilitate decision making and approval at the appropriate level in the organization’s hierarchy.
- **Contracts Documents, Letter of Awards and Purchase Orders** sets forth the principles and standards of conduct that GMB Group expects Vendors to adhere to in their provision of works, supplies and services to GMB Group.
- Clear role and responsibilities of each job position.

Internal Audit Reviews, which are undertaken according to Internal Audit Plan, provides independent assurance on the adequacy, existence and effectiveness of the governance, risk management and control processes.

6.3.3 Prevention

Preventive measures shall be taken with the aim to identify and resolve weaknesses in practices, systems and work procedures and continue to increase the level of efficiency by eliminating opportunities for bribery and corruption or in kind.

6.3.4 Disciplinary action

The Companies has a clear framework to deal with instances where employees are not in compliance with the code of conduct as stipulated in the GMB Group Employee Handbook. It seeks to ensure prompt, consistent and fair treatment for all employees and to assist in enabling both the employee and the Companies’ to be clear about the expectations of both parties.

The Companies’ have the rights to take disciplinary action against any employee found to have committed a breach of the Companies’ policies and procedures.

Further to disciplinary actions taken by the Companies', any employee who commits an act of bribery or corruption risks violating the MACC Act 2009 and shall on conviction, be liable to penalty as stipulated under the Act (refer to **Appendix 2: Penalties for Bribery and Corruption**).

6.4 Management Environment

6.4.1 Detection and disclosure of improper conduct, response and report

The Companies shall not tolerate any improper conduct by any employee, any agent, person or entity engaged under a contract for service or engaged by GMB Group which can lead to any act of corruption as outlined under *the Appendices* to the Policy herein and/or under any applicable laws.

An Improper Conduct includes committing any act of corruption as outlined under *the Appendices* to the Policy herein and/or under any applicable laws.

The success of the Companies' anti-bribery and anti-corruption measures depends on all personnel, including any person or entity engaged by the Companies', adhering to the Companies' Policy & Framework. In this respect, all relevant parties are under an obligation to report or disclose any improper conduct, including acts of corruption, in accordance with the procedures set out in the Policy to enable the Companies to take prompt action to investigate the reports and take further actions.

The Companies shall provide a transparent and secure disclosure process upon discovery of any improper conduct to ensure anonymity of the Whistle-blower without compromising the confidentiality of the report or security of the Whistle-blower.

Any improper conduct that is discovered or genuinely suspected by the Whistle-blower shall be reported:

- i. In writing to the Head of Internal Audit (Appointed Officer) and shall be marked as 'Confidential'.
- ii. Disclosures of Improper Conduct may also be reported directly to the Audit Committee Chairman via a sealed envelope marked 'Confidential' or via electronic e-mail to gmbwbreport@gmail.com.
- iii. If the Improper Conduct involves the Appointed Officer, the Group Chief Executive Officer or any Board Director, the Whistleblower is to report the matter directly to the Audit Committee Chairman.

Any Personnel who know and fails to report an act of giving and offering of bribes or any other acts of corruption is liable to a misconduct under this Policy and risks committing an offence under the MACC Act 2009. If the person is convicted under the Act, he/she is liable to the penalties stipulated under the MACC Act 2009.

The Companies shall not penalise or hold any Personnel accountable for refusing to accept any gratification (defined under *Appendix 1* herein) even if the refusal results in the Companies within the Group suffering financial or non-financial losses.

6.4.2 Review & Improvement

The Top Management should ensure that regular reviews are conducted to assess the performance, efficiency and effectiveness of the anti-bribery and anti-corruption programme, and ensure the programme is enforced. The reviews should form the basis of any efforts to improve the existing anti-bribery and anti-corruption controls in place in the Companies'.

7.0 CONFIDENTIALITY

This GMB Group ABAC Policy is intended for the internal use of Gas Malaysia Berhad and its Group of Companies only and shall not be reproduced in any form or be transmitted electronically or through other means or quoted or referred to in any public document or media without the prior written consent of the Group.

For any enquiries, please contact the Head, Integrity & Governance Department at 03-5192 3000.

8.0 DOCUMENT CHANGES

This document may be reviewed and/or amended at least once every three (3) years from the date this document is approved or whenever necessary to ensure its effective implementation. Any amendment to this Policy shall be affected by the GMB Group Board or its equivalent body.

The Company shall notify the employees if any changes is made to the GMB Group Anti-Bribery and Corruption Policy.

-End-

APPENDIX 1

TYPE OF CORRUPTIONS

The Malaysian Anti-Corruption Commission (“**MACC**”) defined corruption as the act of giving or receiving any “gratification” or reward in the form of cash or in-kind value for performing a task in relation to his/her job description.

Gratification is defined as:

- 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 or value;
- ii. any office, dignity, employment, contract of employment or services and agreement to give employment or render services in any capacity;
- iii. any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
- iv. any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;
- v. any forbearance to demand any money or money’s worth or valuable thing;
- vi. any other service or favour of any description, including protection from any penalty or disability incurred or apprehended or from any action or proceeding of a disciplinary, civil or criminal nature, whether or not already insinuated, and including the exercise or the forbearance from the exercise of any right or any official power of duty; and
- vii. any offer, undertaking or promise, whether conditional or unconditional, of any Gratification within the meaning of any of the preceding paragraphs (i) to (vi).

Further to the foregoing, the following acts shall constitute an act of Corruption:

i. Petty Corruption

Also known as administrative corruption, it involves the exchange of very small amounts of money and the granting of small favours. These, however, can cumulatively result in considerable public losses.

ii. Grand Corruption

It spreads through the highest levels of organization, bringing about major abuses of power, disobedience of the rule of law, economic instability and the breakdown of good governance.

iii. Active and Passive Corruption

The former refers to the act of offering or paying a bribe (where the payment of a bribe has taken place) and the latter refers to the request or receiving of a bribe.

iv. Bribery

Bribery is the most common form of corruption. It is described as the act of offering, promising, giving, accepting or soliciting of an undue advantage of any value (which could be financially or non-financially), directly or indirectly, and irrespective of location(s), in violation of applicable law, as an inducement or reward for a person acting or refraining from acting in relation to the performance of that person duties.

v. Embezzlement, Theft and Fraud

Embezzlement, theft and fraud involve stealing by an individual exploiting his or her position of employment. Fraud involves the use of false or misleading information to induce the owner of a property to part with it voluntarily. Theft is universally regarded as falling within corruption definitions where it occurs, carrying with it as it does, a breach of a fiduciary duty.

vi. Extortion

Extortion relies on coercion to induce cooperation, such as threats of violence or the exposure of sensitive information.

vii. Abuse of Function

The abuse of function or position is the performance of or failure to perform an act by a Personnel, in violation of the law, with a view to obtain an undue advantage for himself/herself or for another person or entity.

viii. Favouritism and Nepotism

Favouritism, nepotism and clientelism involve abuses of discretion. Such abuses can either involve a direct personal benefit or does not involve a direct personal benefit to the Personnel. Such abuses happen when a person or an organization is selected, regardless of qualifications, merit, or entitlement, for a job or benefit because of affiliations or connections.

ix. Creating and Exploiting Conflicting Interest

Creation or exploitation of some conflict between the individual's professional responsibilities and his or her private interest. The offering of a bribe creates such a conflict where none may have existed hitherto. In both the public and private sectors, employees and officials are routinely confronted with circumstances in which their personal interests' conflict with their responsibility to act in the best interests of the state or their employer.

x. Improper Political Contribution

Donations made with the intention or expectation that the party will, once in office, unduly favour the interests of the donor, is tantamount to the payment of a bribe.

xi. Kickbacks

These are bribes fulfilled after an enterprise has awarded a contract to a customer. They take place in purchasing, contracting, or other departments responsible for decisions to award contracts. The supplier provides the bribe by kicking part of the contract fee back to the buyer, either directly or through an intermediary.

xii. Facilitation payments

These are typically payments made to secure or expedite the performance of a routine or necessary action to which the payer is entitled, legally or otherwise.

xiii. Charitable donations, sponsorship, travel, and promotional expenses

These are legitimate activities for entities but can be abused as a subterfuge for bribery. There are risks attached to such transactions where it may be perceived that an advantage has been given to obtain or retain business.

xiv. Conflict of interest

A conflict of interest occurs where a person or entity with a duty to the enterprise has a conflicting interest, duty, or commitment. Having a conflict of interest is not in itself a corruption, but corruption can arise where a Personnel the duty due to the enterprise by acting in favour to a separate interest to the detriment of the enterprise.

xv. Collusion

This can take various forms, of which the most common include bid rigging, cartels, and price-fixing.

xvi. Bid rigging

The way that conspiring competitors effectively raise prices in situations where purchasers acquire goods or services by soliciting competing bids. Essentially, competitors agree in advance who will submit the winning bid on a contract through a competitive bidding process. As with price fixing (see below), it is not necessary that all bidders participate in the conspiracy.

xvii. Price fixing

An agreement among competitors to raise, fix, or otherwise maintain the price at which their goods or services are sold. It is not necessary that the competitors agree to charge exactly the same price, or that every competitor in a given industry join the conspiracy. Price fixing can take many forms, and any agreement that restricts price competition may violate applicable competition laws.

xviii. Cartels

A secret agreement or collusion between enterprises to commit illicit actions or fraud. Typically, this will involve price fixing, information sharing, or market rigging by setting quotas for production and supply.

xix. Illegal information brokering:

The brokering of corporate confidential information obtained by illegal methods.

xx. Insider trading

Any securities transaction made when the person behind the trade is aware of non-public material information and is hence violating his or her duty to maintain confidentiality of such knowledge.

xxi. Tax evasion

The illegal non-payment of tax to the government of a jurisdiction to which it is owed by a person, enterprise, or trust who should be a taxpayer in that jurisdiction.

GAS MALAYSIA BERHAD GROUP OF COMPANIES

ANTI-BRIBERY AND ANTI-CORRUPTION POLICY AND FRAMEWORK

APPENDIX 2

PENALTIES FOR BRIBERY AND CORRUPTION

MACC AMANDMENT ACT 2018	UK BRIBERY ACT 2010	US FOREIGN CORRUPT PRACTICES ACT (“FCPA”) 1977
Up to twenty (20) years imprisonment.	Up to ten (10) years imprisonment – accounting offences may be prosecuted under other Statues.	Up to five (5) years imprisonment for bribery, twenty (20) years for accounting offences.
Minimum fine of RM1,000,000 or not less than ten (10) times the sum or value of gratification; whichever is the higher.	Unlimmited fine ; additionally Serious Crime Prevention Orders, Winding up proceedings, debarment, director disqualification and regulatory / disciplinary action.	Criminal fines for entities of up to USD2 milion (bribery) or USD25 million (violation of accounting provisions), or twice the benefit sought, and debarment; for individuals, fines of up to USD100,000 (bribery) or USD5 million (accounting offences).
	Civil Recovery Orders – no criminal conviction required (lower threshold of proof).	Civil penalties of up to USD10,000 per (bribery) violation or USD500,000 per (corporate accountancy) violation.