

ERL Group



EXPRESS RAIL LINK



CEO OFFICE

Whistleblower Policy

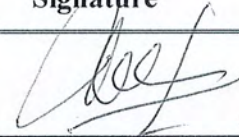
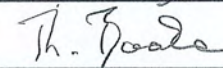

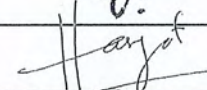
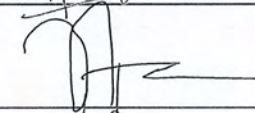

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Release

| | Name | Dept/Position | Date | Signature |
|------------------|---------------------|---------------------|------------|--|
| Released: | * Noormah Mohd Noor | CEO | 4-02-2021 |  |
| Released: | Thomas Baake | CEO | 25.01.2021 |  |
| Checked: | Alex Tan Kok Fatt | QMR | 22-01-2021 |  |
| Checked: | Haryati Khalil | MR Q&E | 21.01.2021 |  |
| Checked: | Anita Razani | Document Controller | 21.01.2021 |  |
| Author: | Low Yoke San | CSM | 21.01.2021 |  |

Note: * Released - Chief Executive Officer
 Checked - Head of Management
 Checked - Quality Management Representative (QMR)
 Checked - Document Controller
 Author - Procedure originator

** You are allowed to add rows on the above table if more than one HOM to check the said procedure

Any amendments or additions to this procedure must be indicated on the table below.

Change Record and Configuration Control

| Revision | Date | Modification | Name |
|----------|---------|---------------|--------------|
| 00 | 4-01-21 | New Procedure | Low Yoke San |
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1 Purpose

This Whistleblower Policy is to enforce ERL Group Code of Conduct & Business Ethics to ensure that employees understand their responsibilities in compliance with ERLSB Group's zero tolerance for anti-bribery and corruption within the organization.

2 Scope, Distribution & Access

Access is given to all ERL Group employees.

3 Definition & Abbreviation

A whistleblower is a person who exposes secretive information or activity within a private or public organization that is deemed illegal, unethical, or not correct. The information of alleged wrongdoing can be classified in many ways: violation of company policy/rules, law, regulation, or threat to public interest/national security, as well as fraud, and corruption.

| | |
|-------------|---|
| ABC | Anti-Bribery & Corruption |
| ERLSB Group | Express Rail Link Sdn Bhd & ERL Maintenance Support Sdn Bhd |
| HOD | Head of Department |

4 Procedure

4.1 The Company encourages employees to raise genuine concerns, including the reporting of unlawful, unethical or questionable, in confidence and without risk of reprisal.

4.2 Individual companies within the ERL Group may have more specific policies, but in general, the policy for whistleblowing is set out in this section, which allows the ERL Group to investigate and address any legitimate concerns raised objectively.

4.3 The whistleblowing policy covers conduct which includes, but is not limited to:

- (a) Abuse of power;
- (b) Bribery and corruption;
- (c) Breach of law and statutory requirements;
- (d) Criminal activity;

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- (e) Conflict of interest;
- (f) Danger to health and safety or the environment;
- (g) Sexual harassment;
- (h) Fraud ;
- (i) Unauthorized and intentional overpayment to suppliers or under any contract;
- (j) Misuse of any property belonging to the ERL Group;
- (k) Gross negligence;
- (l) Theft or embezzlement; and/or
- (m) Non-compliance with ERL Group policies, including the cover-up of any of the above in the workplace.

(Collectively referred to as “**Improper Conducts**”)

4.4 In particular, where there are reasonable grounds and genuine reasons to suspect that there is an Improper Conduct committed as referred to above, including but not limited to policies relating to bribery and corruption, employees are required to report the particulars of such suspicions to the ERL Group’s dedicated channel for reporting. All such reports will be read and addressed by a dedicated compliance team in the ERL Group.

4.5 If any employee has concerns about any Improper Conducts or that the integrity of the ERL Group is being compromised in any other way, the employee can bring this to the attention of the higher management in the following **Whistleblowing Channels**:-

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| Who to Report | Circumstances | Contact |
|---------------------------------------|---|--|
| Immediate superior /supervisor | <p>If you are concerned with any form of malpractice, you should first raise the issue with your HOD. There is no special procedure for doing this. You can tell the person about the problem or put it in writing if you prefer.</p> <p>HOD should have the discretion to distinguish between general performance management issue (to be managed in line with Operational or HR procedures) or an act that falls within the remit of the policy (and inform your Human Resources). If the HOD is not sure, write to Internal Audit below.</p> | Your HOD's email address or in person. |
| HR Department | <p>If you feel that you are unable to tell your HOD (for whatever reasons), or no action has been taken by them to address the concern, please raise it with your Human Resource Manager or forward your concerns to the general Human Resources email.</p> | ABCchr@kلياekspres.com |
| Internal Audit | <p>If you think that your HOD or Human Resource Department is not suitable to receive these reports (for whatever reasons), write to the internal audit team.</p> | ABCaudit@kلياekspres.com |

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4.5.1 For any whistleblowing report made for any Improper Conduct, such reports will be treated very seriously. All employees of the ERL Group are to ensure that:

4.5.2 They exercise sound judgment that it is a genuine threat and violation of the Company policies;

4.5.3 They have evidence to support their allegations of any violations or Improper Conduct(s) committed;

4.5.4 They are available to provide evidence in any inquiry of such Improper Conduct(s); and

4.5.5 They are not frivolous reports with the motive to scandalize

4.6 If any employee is unsure on whether there is a need to escalate such concerns, the employee should consider the following:-

a) Is the action or conduct legal?

b) Does it comply with the policies of the ERL Group??

c) Can the concerns be dealt with by other procedures within ERL Group

If the answer to the above is no, or if the employee is still unsure, the employee should escalate the concern in line with this whistleblowing policy.

4.7 The ERL Group ensures that there will be no retaliation or repercussions on the employee for making genuine reports on any Improper Conduct. Any reports made will be kept confidential and only informed to persons on a need-to-know basis to safeguard the interests of the ERL Group and also to ensure that any processes undertaken will not be compromised.

4.8 Any such reports on Improper Conduct(s) made to the Whistleblowing Channel shall include the following particulars to enable prompt and proper investigation:-

a) The time and date that such Improper Conduct was committed;

b) The other persons involved and/or affected by the Improper Conduct;

c) The particulars of the incident; and

d) Attach any documentary or photographic evidence of such Improper Conduct.

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4.9 Any employee making such reports to the Whistleblowing Channel or employees who may be related to such reports may be required to attend an interview as part of the investigation process. There should be no attempts to influence or threaten, whether directly or indirectly, any employee from giving any statement or evidence. All unrelated employees should not interfere, discuss or do any such acts that may affect the outcome of the investigation.

4.10 All employees are reminded that the Whistleblowing Channel is not a forum for any personal grievances, appeals against any disciplinary actions or a disciplinary grievance channel.

5 Summary

Nil

Appendices

Nil

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