

## **WHISTLEBLOWING PROGRAMME FOR 3<sup>rd</sup> PARTIES**

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### **A. POLICY STATEMENT**

**Industrial and Commercial Bank Of China (M) Berhad (“ICBC”)** is committed to the highest level of integrity from its employees in all their dealings. Any illegal, unethical or questionable practices (collectively referred to “improper conduct”) by ICBC’s employees will be treated seriously and dealt with swiftly in a fair but firm manner.

### **B. OBJECTIVE**

This programme provides an avenue for ICBC’s customers, former employees, interns, associated persons (i.e. business partners, distributors, panel solicitors, panel valuers, panel insurers, vendors, outsourcing service providers) or members of the public that may have business dealing or contractual relationship with ICBC to disclose any improper conduct of ICBC’s employees in accordance with the procedures as provided under this programme. It is also aimed at giving assurance that such information from the whistleblower will be treated in strict confidence without risk of reprisals on the whistleblower.

### **C. SCOPE**

ICBC’s whistleblowing programme deals with improper conducts including, but not limited to, the following:

- Any fraud, unlawful civil or criminal act;
- Any bribery and corruption;
- Any misappropriation of assets of the Bank
- Any bullying or harassment;
- Any act of dishonesty or abuse of power/authority for personal gain;
- Any falsification of management or financial information;
- Any financial or professional misconduct;
- Any gross mismanagement or dereliction of duties
- Any act of deliberately concealing any of the foregoing; and
- Any non-compliance with regulatory requirements, whether expressed or implied.

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### **D. PROTECTION OF THE WHISTLEBLOWER**

ICBC prohibits any reprisal or retaliatory action against any whistleblower for raising legitimate concerns or questions or for reporting suspected violations in good faith. If the act of retaliation is committed by an external party and if it is proven, the Bank may take the necessary action to hold the external party accountable including instituting civil and/or criminal actions against him/her in the court of law.

The identity of the whistleblower will be kept confidential, unless required to be under the provisions of the law. All information disclosed during the course of the investigation will remain confidential, except as necessary to conduct the investigation and take any remedial action.

### **E. WHISTLEBLOWING REPORTING PROCEDURE**

The whistleblower shall report improper conduct in writing by using the Whistleblowing Report Form (refer Appendix 1) to Chief Internal Auditor at Level 10, Menara Maxis, Kuala Lumpur City Center, 50088 Kuala Lumpur, Malaysia. False reporting with bad intention is strictly prohibited.

Whistleblower may also raise his/her concern anonymously (but such manner is not encouraged). It is important for the whistleblower to be aware that anonymous reporting may hinder or complicate the investigation due to the constraint in obtaining further information and clarification from the whistleblower which could limit the scope of the investigation.

### **F. INVESTIGATION**

In all instances, ICBC retains the prerogative to determine if circumstances warrant an investigation and, in conformity with this programme, the appropriate investigation process shall be employed.

For handling an anonymous whistleblowing report, the investigator shall, on a best effort basis, conduct the investigation based on all possible sources of information (in the event that the whistleblower is not contactable for additional information or clarification).

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### **G. NOTIFICATION TO WHISTLEBLOWER**

The whistleblower will be accorded the privilege to be notified by ICBC on the outcome of his/her report of improper conduct to the extent legally permissible having regard to the rules on banking secrecy and privacy of personal data or other legal constraints. However, such communication is not applicable for any anonymous whistleblowing reporting.

If the whistleblower is not satisfied with the investigation outcome, he/she may choose to file a whistleblowing report externally to the appropriate regulatory authorities or law enforcement agencies (i.e. Bank Negara Malaysia, Malaysian Anti-Corruption Commission, etc).

**APPENDIX 1**

**WHISTLEBLOWING REPORT FORM  
(STRICTLY CONFIDENTIAL)**

**Commitment from The Bank:**

The Bank is committed to keeping a high standard of corporate governance, hence having zero tolerance against any improper conducts that may adversely impact the financial position or reputation of the Bank. In keeping the commitment, you are encouraged to come forward and report in good faith any improper conduct observed or perceived to happen. The Bank will keep your identity confidential and you are assured of the protection against any acts of reprisals on you as provided under the Bank’s Whistleblowing Policy.

*[CAUTION: Do not deliberately make false reporting which shall be subject to disciplinary action.]*

**Please use this Whistleblowing Report Form to report improper conduct.**

**\*Date** : \_\_\_\_\_

**\*To** : \_\_\_\_\_

**From**

- **Name** : \_\_\_\_\_

- **Address** : \_\_\_\_\_

- **Tel No** : \_\_\_\_\_

- **\*Email** : \_\_\_\_\_

<p><b>*The name(s) of the subject matter:</b></p> <p>1)</p> <p>2)</p>
<p><b>*Details of concerns:</b></p> <p><i>(please provide full details: names, dates, places and reasons for concerns together with documents or supporting evidence, if available)</i></p>
<p><b>Solemnly disclosed by:</b></p>   <hr/> <p><b>Name:</b></p> <p><i>Note: Fields marked with * are mandatory information to be provided.</i></p>