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# No Gift Policy

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## NO GIFT POLICY



Linaco Group is committed to conducting our business in the highest standard of integrity and good governance.

We practice a “No Gift and Policy” where our employees are prohibited from giving and accepting gifts in any form, in their dealings with third parties such as stakeholders, partners, vendors, and the general public.

This policy helps us to maintain ethical work and business relationships, and to avoid any conflicts of interest.

We thank you for your continuous support and for observing our “No Gift Policy”.

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## **1. INTRODUCTION**

LINACO GROUP is committed to serving our customers, working with our partners and conducting our business to the highest standard of integrity, ethics and good governance. LINACO GROUP hereby adopts a "NO GIFT POLICY" to reinforce this commitment.

## **2. APPLICATION**

This "No Gift Policy" ("Policy") is applicable to the Directors of LINACO GROUP and their immediate family members, all LINACO GROUP employees and their immediate family members and agents acting on behalf of the LINACO GROUP.

## **3. DEFINITIONS**

In this Policy, unless the context otherwise requires, the following terms shall have the meanings respectively assigned to them:

- 3.1 "bribery" means the act of SOLICITING, GIVING, OFFERING, ACCEPTING OR RECEIVING GRATIFICATION, directly or indirectly, to/from a person in authority either in the form of money, services or valuable goods as an inducement or reward to do or not to do an act in relation to the person's principal affairs.
- 3.2 "corruption" includes:
- (a) any action which would be considered as an offence of giving or receiving gratification under the MACC Act;
  - (b) any acts of extortion, collusion, breach of trust, abuse of power, trading under influence, embezzlement, fraud or money laundering; and
  - (c) all deeds or behaviours that are defined as "corrupt act" under the relevant laws of each jurisdiction where LINACO operates;
- 3.3 "directors" means the directors of the companies under the LINACO Group, and includes all independent and non-independent directors, executive and non- executive directors, as well as alternate or substitute directors;

- 3.4 “employee” means any individual working at any level or grade, including officers, senior managers, trainees, secondees, agency staff, volunteers, interns of LINACO, whether on permanent or temporary employment basis or on secondment;
- 3.5 “Gifts” are anything of value (such as but not limit to money or cash equivalent vouchers, goods, services, loans, tickets, prizes, hamper) given to any person or organization;
- 3.6 “HOD” means in relation to an Employee, the Head of Business unit, Head of Support unit, a Divisional General Manager, a Senior Manager, Chief Executive Officer, within the Employee’s reporting line;
- 3.7 “LINACO Group” means Linaco Resources Sdn. Bhd. and its subsidiaries and controlled companies. The expression “LINACO” is used for convenience where references are made to LINACO Group companies in general;
- 3.8 “Corporate Governance Department” or “CGD” means the integrity and governance unit of LINACO GROUP which has the primary and day-to-day responsibility for implementing and overseeing this Policy, and for monitoring its use and effectiveness

#### 4. POLICY STATEMENT

- 4.1 The Policy prohibits the giving and accepting of **gifts** directly or indirectly both within and outside of the work premises in the course of their official duties and business dealings which may influence in a decision-making process or put the Directors, members or employees in a position of conflict or appearance of such conflict or obligation.
- 4.2 Directors or employees are **not allowed to accept gifts** in exchange of doing or promising to do anything relating to the **business or affairs** of LINACO GROUP for potential or existing customers, vendors, agents, service providers, bidders, suppliers and any other individual or organization.

4.3 Directors, employees and external parties are to **avoid conflict of interest** or the appearance of conflict of interest for either party in an on-going potential business dealing between LINACO GROUP and external parties as a gift can be seen as a **bribe** that may tarnish LINACO GROUP's reputation or in violation of anti-bribery and corruption laws.

## 5. DECLINING OFFERS

5.1 Employees are required to professionally inform vendors, potential vendors and others of this no-gift policy, and the reasons the company has adopted the policy. Employees will request that vendors respect our company policy and not purchase and deliver any gift for our employees, a department, an office, employee's residence or the company, at any time, for any reason.

5.2 If any Gifts offered or received are not permitted by this Policy, you are required:

- (a) to politely decline and explain Linaco's No Gift Policy;
- (b) if practical, return the gift received to the sender;
- (c) if it would be offensive or embarrassing to the sender or Linaco to return the gift, the employee is to hand over the gift to his/her HOD who will then record the receipt of such gift in the Gift Register before deliver the gift to CGD. CGD, shall upon receiving such gifts, arrange for the donation of such gifts to a charitable organization based on the approved Charitable Organization and shall further maintain a register of such donations made.

## 6. EXCEPTIONS TO THE NO GIFT POLICY

6.1 Souvenir items or corporate merchandise that meet the following criteria:

- (a) The items are attached with the external party's company logo or LINACO GROUP's logo.
- (b) The items are given at public or invitational events.

6.2 The acceptance and provision of gift(s) are also permitted in certain exceptional circumstances: -

- (a) Gifts or financial support or contributions to charitable organizations or individuals on a charity basis under the LINACO GROUP corporate social responsibility framework/ policies/ guidelines
- (b) Door gifts such as t-shirts, pens, goodies bags including cards, thank you notes, certificates or other forms of thank you and recognition that employees obtain as members of the public at events such as seminars, conferences, training events etc. that is offered equally to all participants of the event.

6.3 Public Officials:

- (a) In general, all Employees and Directors are prohibited from giving and receiving any form of Gifts and/or Hospitality from Public Officials. This prohibition of giving and receiving Gifts extends to the family members, representatives and/or business partners of Employees and Directors.
- (b) However, provided that it is not in breach of any guidelines or codes applicable to Public Officials, is given to the Public Official as a token of appreciation in the course of public duty where such Public Official is officiating or attending an event, ceremony or other function hosted or organized by LINACO GROUP.
- (c) Gifts may include corporate branded stationery such as plaque, pens, photo frame and calendars, bouquet of flowers, box of chocolates, fruit basket, commemorative book or other appropriate reading materials
- (d) If a Gift is intended to be given or offered to a Public Official in the course of his public duties as permitted by this Policy, it must be approved in advance by CGD and shall not, in any case, exceed a value of RM500. That approval shall include the name, position of the Public Official concerned, the date, a description of the Gift or Hospitality, the reason for the Gift or Hospitality and the reason for the approval of the Gift or Hospitality and the country in which the Gift of Hospitality occurred.

## **7. RESPONSIBILITY and VIOLATION**

- 7.1 Every Employee, Director and any Third Party acting on behalf of LINACO GROUP are responsible for understanding the Policy. All queries regarding this Policy's interpretation and when and how the rules can apply in any given situation should be directed to the CGD.
- 7.2 Management at all levels are responsible for ensuring that those reporting to them are made aware of and understand this Policy and are given adequate and regular training on it. The nature and frequency of the training will vary depending on the role of the individual and the likelihood that such person or entity will provide and receive Gifts.
- 7.3 Any violation of this No Gift Policy may result in disciplinary action, including but not limited to termination of employment.