



ANTI-BRIBERY AND ANTI-CORRUPTION POLICY



1. Introduction

Tomypak Holdings Berhad ("**Tomypak**" or the "**Company**") is committed to conducting business ethically, honestly, and transparently. This Policy ensures compliance with all relevant laws and regulations, including the Malaysian Anti-Corruption Commission Act 2009 (Amended 2018) ("**MACC Act**") and other applicable laws.

2. Scope

This Policy applies to all directors, employees, consultants, contractors, and suppliers of Tomypak and its subsidiaries (collectively, "**Covered Parties**"). It also extends to screening relevant parties (customers, suppliers, contractors) against both international sanctions lists as well as Malaysia's Ministry of Home Affairs (MOHA) sanctions list, which include sanctioned persons and entities.

3. Definitions

- **Bribery:** For the purposes of this policy, bribery involves offering, giving, receiving, or soliciting any form of gratification, as defined by the MACC Act, with the intention to influence improperly the actions of a person in a position of duty.
- **Corruption:** In this policy, corruption refers to any act in which a person uses their position of authority to obtain gratification, as outlined in the MACC Act, for personal or private gain. Corrupt conduct includes actions intended to influence decisions or secure improper benefits by offering, soliciting, or receiving gratification.
- **Gratification:** According to the MACC Act, gratification includes:
 - a. 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;
 - b. any office, dignity, employment, contract of employment or services, and agreement to give employment or render services in any capacity;
 - c. any payment, release, discharge or liquidation of any loan, obligation or other liability, whether in whole or in part;
 - d. any valuable consideration of any kind, any discount, commission, rebate, bonus, deduction or percentage;
 - e. any forbearance to demand any money or money's worth or valuable thing;
 - f. any other service or favour of any description, including protection from any penalty or disability incurred or apprehended or from any action or proceedings of a disciplinary, civil or criminal nature, whether or not already instituted, and including the exercise or the forbearance from the exercise of any right or any official power or duty; and
 - g. any offer, undertaking or promise, whether conditional or unconditional, of any gratification within the meaning of any of the preceding paragraphs (a) to (f);
- **Sanctions:** Restrictions or prohibitions imposed by authorities (such as the United Nations, European Union, or U.S. Office of Foreign Assets Control) or the Malaysian government (via MOHA) on individuals, entities, or countries engaged in illegal activities.



- Sanctioned Persons: Individuals identified on official sanctions lists due to their involvement in illegal activities, including terrorism or violations of international law.
- Malaysian Sanctions List: A list maintained by MOHA identifying persons and entities involved in terrorism-related activities, in compliance with AMLA and UNSC resolutions.

4. Prohibited Conduct

4.1 Bribery and Corruption

- Covered Parties must not engage in bribery or corruption.
- Offering, promising, giving, accepting, or soliciting any undue advantage, whether directly or indirectly, is strictly prohibited.

4.2 Sanctions Compliance

All Covered Parties must avoid engaging in business dealings with any sanctioned persons or entities listed on the Malaysian MOHA sanctions list or international sanctions lists (e.g., UN, OFAC, EU).

5. Gifts, Entertainment, and Hospitality

- Covered Parties must exercise caution in offering/giving or receiving gifts, entertainment, or hospitality.
- Gifts must be transparent, reasonable, and not intended to influence business decisions improperly.
- Acceptance or offer of gifts/hospitality of value exceeding the Approved Threshold must be disclosed using the applicable prescribed forms:
 - *FORM 3 Declaration of Hospitality Received*
 - *FORM 3A Declaration of Hospitality Offered*
 - *FORM 4 Declaration of Gift Received*
 - *FORM 4A Declaration of Gift Offered*

6. Business Partners and Due Diligence

- Tomypak expects all business partners, including suppliers, to adhere to this Policy.
- Transparent due diligence will be conducted on suppliers, contractors, and customers.
- Contracts must include explicit terms addressing bribery and corruption.
- Employees must perform thorough due diligence, especially for high-risk transactions and to include screening business partners against sanctioned persons and entities on the Malaysian MOHA sanctions list and global sanctions lists to ensure compliance.

7. Public Officials

- Engagement with public officials must be conducted with integrity.
- Offering money, gifts, or non-business travel to influence public officials is prohibited.



- Political contributions on behalf of Tomypak are prohibited.

8. Conflict of Interest

- All Covered Parties must avoid conflicts of interest that could lead to biased decision-making.
- Employees must report actual or potential conflicts related to their work using the designated form – *FORM 2 Declaration of Interests* as outlined in the Employee Handbook, and submit them to the local Human Resource department.
- Suppliers and other non-employee Covered Parties must manage any actual or potential conflicts of interest within their organisation in a manner consistent with the stringent standards inferred by Tomypak's process. Any such conflicts must be reported to their designated Tomypak contact or through a specified reporting channel, as outlined in their contractual agreements or Tomypak's Code of Conduct for Suppliers.
- Tomypak will maintain a transparent process for handling such reports, ensuring that conflicts of interest are addressed promptly and appropriately.

9. Donations and Sponsorships

- Tomypak conducts charitable donations and sponsorships responsibly.
- Due diligence will be conducted on all unfamiliar recipients, including completion of *Form 7 – Charitable Donations and Sponsorship*.
- Donations or sponsorships involving sanctioned persons or entities are strictly prohibited.

10. Compassionate Assistance

- Compassionate Assistance refers to support provided to individuals on humanitarian grounds, such as medical treatment or disaster relief.
- Such assistance must align with Tomypak's values and comply with all relevant laws and regulations.
- Proper due diligence, transparency, and approval processes must be followed, as outlined in Tomypak's internal guidelines.
- Compassionate Assistance is distinct from Donations and Sponsorships and is subject to separate procedures and controls.

11. Facilitation Payments

- Facilitation payments are generally prohibited.
- Exceptions may arise in cases where safety is at risk, with approval by the Managing Director.

12. Reporting and Whistleblowing

- Covered Parties are encouraged to report any suspected violations through established whistleblowing channels.
- The Company will protect whistleblowers from retaliation and keep reports confidential.



13. Training and Communication

- The Company will provide regular training tailored to specific roles and responsibilities.
- The Policy will be communicated to all Covered Parties, as defined in the Scope of this Policy, through appropriate channels.

14. Monitoring and Compliance

- The Company will monitor and periodically review the effectiveness of this Policy.
- Non-compliance may result in disciplinary action, including termination of employment.
- The Company may also report the matter to relevant authorities.

15. Conclusion

Tomypak's commitment to preventing bribery and corruption is unwavering. All Covered Parties must uphold the principles and values set out in this Policy.

16. Endorsement by the Board of Directors

This Policy has been reviewed and approved by the Board of Directors.
