



(Company No. 217120- W)

(Incorporated in Malaysia under the Companies Act, 2016)

POLICY ON WHISTLEBLOWING

1.0 INTRODUCTION

The Board of Directors (the “BOD”) of Evergreen Fibreboard Berhad (“the Company or the Group”) is committed in promoting a healthy corporate culture that engenders integrity, transparency and fairness in all its dealings. Together with Management, BOD shall establish, review and implement policies and procedures on Whistleblowing.

2.0 OVERSIGHT OF POLICY

The BODs shall ensure the implementation of this policy by Senior Management including reviewing it for required changes from time to time.

3.0 OBJECTIVE OF POLICY

3.1 To provide an avenue for legitimate concerns such as illegal or unethical or questionable practices, to be objectively raise in confidence.

3.2 To encourage employees/directors and the general public to raise genuine concerns in relation to breach of the code of conduct, breach on legal obligation, negligence, criminal activity, breach of any law, miscarriage of justice, endangerment of health and safety (employees or the public) or pollution to the environment or any cover-up of any kind in the workplace of the company or its subsidiaries.

3.3 To promote and maintain high transparency and accountability, promote good corporate governance practices, ensure that employees can raise concerns without fear of reprisals and safeguard such person’s confidentiality, protect whistle blower from reprisal as consequence of making a disclosure, provide a transparent and confidential process for dealing with concerns, protect the long term reputation of the company, support the company’s values, and maintain a healthy working culture and workplace.

4.0 SCOPE OF COVERAGE

This Policy shall cover all level of Employees and Directors in a Business Unit and Companies within the Group.

5.0 DEFINITION OF WHISTLEBLOWING

Whistleblowing is defined as a deliberate / voluntary disclosure or reporting by an employee, director, an individual of the public or an organisational pertaining to Malpractice / Improper conduct by a person or a group of people in a Business Unit or a Company within the Group.

6.0 DEFINITION OF COVERED CONCERNS

Policy covers corruption, bribery, fraud, negligence in carrying out work obligations, criminal offence or any breach of the laws, acceptance of gifts/ favour beyond the threshold allowed by the company, misuse and/or misappropriation of the company’s funds or assets impropriety (including financial and operational matters), gross mismanagement; (including serious potential breach to the interest of society and environment); breach of code of ethics, sexual, physical or other abuse of human rights and act or omission that may jeopardise the health and safety of the employees or the public.

6.1 General Misconduct

(a) Use of vulgar or abusive language/behaviour against fellow colleagues or a superior or any person having business with the Company;

(b) Intentional insubordination or disobedience whether alone or on combination with others to any lawful and reasonable instructions of a superior or those acting under the instruction of a superior, which the employee is required to follow;

(c) Intentional slow-down of work and/or influence others to do so or conduct that is disrupting other colleagues;

(d) Threatening or use of violence and or oppression against another employee or persons having dealings with the Company;

(e) Use of Company's property or facilities for purposes of committing or attempting or preparing to commit a misconduct; and

(f) Sexual harassment by or any person(s) employed is strictly prohibited as provisions contained in Prevention and Eradication of Sexual Harassment in the Workplace issued by the Malaysia Ministry of Human Resource are to be observed.

6.2 Conflict of Interest

(a) All employees are not allowed by knowingly place him/herself in a position conflict with the interest/statutory duties in the Company and shall at all time, avoid being caught in situation of conflict of interest;

(b) Employees has to ensure that their personal financial circumstances and transactions do not jeopardise their independent judgement or adversely affect their job performance; and

(c) Employees must not have any direct or indirect involvement in other employment (remunerated or otherwise) except otherwise agreed by the management.

6.3 Unethical Conduct

(a) Caused danger to safety and health or damage to the environment;

(b) Religious or racial or sexual discrimination;

(c) Serious non-professional or non-ethical behaviour;

(d) Caused danger to the health and safety of any individual;

(e) Physical / Sexual Harassment;

(f) Abuse / Violation of Human Rights; and

(g) Bribery or Corruption (including Giving/Receiving of Gifts)

The above list is not exhaustive and includes any act or omissions, which if proven, will constitute an act of misconduct under the Company's Code of Conduct and Ethics or any criminal offence under relevant legislations in force.

7.0 CONFIDENTIALITY OF WHISTLEBLOWER'S INFORMATION

7.1 The identity and personal information of the whistleblower will be protected and kept confidential, unless the whistle blower agrees otherwise or unless otherwise required by the law;

7.2 The Whistle blower (if is an employee) will be protected from any reprisal, including any form of harassment and victimisation, as a consequence of his/her reporting/ disclosure;

7.3 The whistle blower may be protected under the whistle blower Protection Act 2010 when he or she makes a disclosure in good faith;

7.4 Any person having knowledge of a report made on Improper Conduct shall take all reasonable efforts to maintain the confidentiality of the known information, in particular the identity of the whistle blower;

7.5 There may be circumstances that during the course of investigation where it will be necessary to disclose the identity of the whistle blower. If such circumstances exist, Independent Party conducting the investigations shall endeavour to inform the whistle blower that his/her identity is likely to be disclosed and to obtain his/her consent for the said disclosure;

7.6 In order not to jeopardise any investigation, the whistle blower shall make all reasonable efforts to maintain the confidentiality of the Information, in particular, the fact that a report has been filed, the nature of the Improper Conduct and the identity of the person(s) who have allegedly committed the Improper Conduct; and

7.7 Any person who happens to obtain any Confidential Information in the course of investigation of an allegation on Employee / Director's Improper Conduct shall not disclose to the public any Information or any part thereof.

8.0 WHEN TO REPORT OR RAISE AN ISSUE

8.1 If an employee/director or any members of the public believes reasonably and in good faith that Improper Conduct or Malpractices exist (as detail out in Definition of Covered Concerns above) in any business units/subsidiary or the company, he/she MUST report this matter immediately to his/her immediate Superior or to any directors stated in the Reporting Channel below.

8.2 However, if for any reason(s) he/she is unable to raise the matter to his/her immediate superior or the directors, then he/she MUST immediately report their concerns through the confidential reporting channels made available on the company's website at www.evergreengroup.com.my.

9.0 REQUIREMENTS OF GOOD FAITH

9.1 Any person making an allegation / report on an Employee / Director's Improper Conduct must have reasonable grounds before reporting such matter and he/she must undertake to do such reporting in good faith, for the best interest of the Company / Group and not for any personal gains or politics reasons.

(a) The element of good faith shall be deemed to be lacking when:

(i) the person does not have personal knowledge or a factual basis on the report of reported person's Improper Conduct; or

(ii) where the person knew or reasonably should have known that the report or any of its contents are false; or

(iii) where the report is seen frivolous or vexatious; or

(iv) there are any other circumstances that indicate that the report has been made with malicious intent, ulterior motive or for personal gain.

(b) Any whistle blower that has not acted in good faith shall not be entitled to any protection under this Policy; and

(c) Employee/ Director that makes allegations or reports that prove to have been made without good faith will be subject to disciplinary action that may include termination of employment / contract.

10.0 CONSEQUENCES OF WRONGDOINGS/WRONGFUL REPORTING

10.1 If a Director/ Employee (“the whistle blower”) has, or is found to have:-

- (a) Committed a wrongdoing;
- (b) Taken serious risks which would likely cause a wrongdoing to be committed;
- (c) Made a report/disclosure not in accordance with the requirements of this policy (for example, dishonest, mischievous or malicious complaints); or/and
- (d) Participated or assisted in any process pursuant to this policy otherwise than in good-faith.

10.2 The actions to be taken against the whistle blower will be determined by the Audit Committee /Board together with the Senior Management, if so, and action may include, disciplinary measures, formal warning or reprimand, demotion, suspension or termination of employment or services.

11.0 METHOD OF REPORTING

Report of any Improper Conduct or Malpractice can be done by completing the Whistleblowing Form (attached to this policy) and email it using the Reporting Channels provided in this policy.

12.0 REPORTING CHANNELS

OPTION 1

12.1 Email completed “Whistleblowing Form” directly to the Executive Directors via their email address as below: -

1. jenchangkuo@gmail.com (Mr. Kuo Jen Chang)
2. jenchiu@efb.com.my (Mr. Kuo Jen Chiu)
3. mary@efb.com.my (Mdm. Mary Lim)

Or

OPTION 2

12.2 Email completed “Whistleblowing Form” directly to email address of Baker Tilly MH Governance at whistleblowing.efb@bakertilly.my .

12.3 This Whistleblowing Form has also been made available on the Company’s website at www.evergreengroup.com.my. All reports received through this email address will go directly to Baker Tilly MH Governance and they will handle it confidentially and all valid reports received will be directed to the Audit Committee of the company for their immediate attention and action.

12.4 The Audit Committee/BOD shall receive all complaints/reports of possible Improper Conduct/ Malpractice seriously and will investigate the reported matter confidentially to determine firstly, if the law has been violated and thereon take appropriate needed actions.

13.0 ANONYMOUS WHISTLEBLOWER

13.1 The Audit Committee will review all reports received and decide on the mode to response/ reply to the Anonymous whistle blower’s allegations by firstly investigating:

- (a) The type of allegations being reported;
- (b) The seriousness of the allegations reported;
- (c) The credibility of the allegations reported; and
- (d) The evidence to the allegations reported.

13.2 Thereon after the investigation, the Audit Committee/Board shall review the reports on Investigation carried out but will not disclosed the findings of the allegation to the anonymous whistle blower unless the real identity of the anonymous whistle blower is disclosed/revealed to the Audit Committee confidentially.

14.0 INVESTIGATION ON REPORTS RECEIVED

14.1 The Committee shall in their discretion decide whether the case shall

- (a) be closed;
- (b) proceed to a full investigation;
- (c) refer the matter to the relevant authorities or
- (d) determine any other course of action that deems fit having regard to the circumstances of the matter reported and the fairness of the conduct of any investigation.

14.2 In the event a full investigation is decided to be carried out, the Independent Party appointed to carry out investigations will contact the whistle blower and the whistle blower MUST give his/her full cooperation during the conduct of the investigation.

14.3 The procedures of the investigation shall be processes in a manner to avoid any conflicts of interest and to ensure procedural fairness to the particular employee / director involved.

14.4 All information, documents, records and reports relating to the investigation of an Employee / Director's Improper Conduct shall be kept securely to ensure its confidentiality.

14.5 Outcome of the investigation shall be made known to the Internal and External Auditors for their knowledge by the Chairman of Audit Committee /Board.

14.6 The Chairman of the Board and / or the Audit Committee shall decide if the case is serious and if it requires reporting to Authorities, Bursa Malaysia or Securities Commission for their action.

15.0 INVESTIGATION FINDINGS AND DECISION

Upon conclusion of the investigation, the Audit Committee shall review the investigation report and determine whether the allegation could be substantiated or not for corrective action to be taken.

16.0 CORRECTIVE ACTION

If there are any corrective action to be taken, the Audit Committee/Board shall get Senior Management to take the necessary action.

17.0 CONSEQUENCES OF WRONGDOING OR WRONGFUL DISCLOSURE

17.1 If the Accused Person has, or is found to have:-

- (a) Committed a wrongdoing;
- (b) Taken serious risks which would likely cause a wrongdoing to be committed;
- (c) Made a disclosure not in accordance with the requirements (for instance dishonest, mischievous or malicious complaints); or
- (d) Participated or assisted in any process pursuant to this policy otherwise than in good faith.

17.2 The disciplinary measures to be taken against the accused Person shall be determined by the Audit Committee/ BOD /Whistleblowing Committee and disciplinary measures can range from a formal warning or reprimand, demotion, suspension or termination of employment or services or monetary or other forms of punishment which is deem fit to the extent of damages or grievances cause to an individual or damages to the Company / group.

17.3 An Employee / Director who is involved in an Improper Conduct may be subject to disciplinary action. However, in certain circumstances, the Board may, in its discretion, on a case-by-case basis decide to grant amnesty or consider leniency to the Employee/Director.

17.4 The Board has no power to provide any immunity from criminal prosecution and does not have any power to grant any protection from Detrimental Action to any Employee or Director.

18.0 PROTECTION AGAINST DETRIMENTAL ACTION

18.1 Any Employee/ Director who makes a report of an Improper Conduct/Malpractice in good faith shall not be subjected to any form of reprisal such as unfair dismissal, victimisation, demotion, suspension, intimidation or harassment, discrimination, any action causing injury, loss or damage or any other retaliatory actions (“Detrimental Action”) by the Company.

18.2 Any report of an Improper Conduct made in good faith by an Employee/ Director, even if it is not subsequently confirmed by an investigation shall be eligible for this protection under this Policy.

18.3 Any person that makes a report of an Improper Conduct in good faith and who has been subject to Detrimental Action by the Company may lodge a complaint pursuant to this Whistleblowing Policy.

18.4 An Employee / Director who takes any Detrimental Action against any Employee/Director who has made a report of an Improper Conduct in good faith shall be subject to disciplinary action; which may include termination of employment/contract.

19.0 WHEN PROTECTION MAY NOT BE AVAILABLE

The Employee / Director may not avail him / herself to the protection against Detrimental Action mentioned above in the following circumstances: -

19.1 If the report of Employee’s/Director’s Improper Conduct is not made in good faith; or

19.2 If the Employee him/herself has participated in the alleged Employee’s/Director’s Improper Conduct reported; or

19.3 The report of Employee’s/Director’s Improper Conduct is made solely or substantially with the motive of avoiding dismissal or other disciplinary action; or

19.4 The Employee breaches his/her obligations of confidentiality under this Policy.

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Reviewed in: December 2021	- Effective: December 2021
Reviewed in: February 2022	- Effective: March 2022
Reviewed in: October 2022	- Effective: November 2022

*****END*****

WHISTLEBLOWING FORM

Please provide the following details for any suspected serious misconduct, breach or our Code of Conduct, Anti-Corruption policy or and other suspected breach of law or regulation that you are concerned may adversely impact our organisation.

Note: Please follow the guidelines as laid out in the above Whistleblowing Policy

** Required Information*

Part A – WHISTLEBLOWER’S CONTACT INFORMATION (This section may be left blank if the reporter wishes to remain anonymous)	
NAME	
DESIGNATION	
DEPARTMENT	
CONTACT NUMBER	
E-MAIL ADDRESS *	
Part B - SUSPECT’S INFORMATION	
NAME *	
DESIGNATION	
DEPARTMENT *	
CONTACT NUMBER	
E-MAIL ADDRESS	
Part C - WITNESSES’S INFORMATION (if any)	
NAME	
DESIGNATION	
DEPARTMENT/AGENCY	
CONTACT NUMBER	
E-MAIL ADDRESS	
<p>Part D - COMPLAINT: <i>Briefly describe the misconduct / improper activity and how you know about it. Specify what, who, when, where and how. If there is more than one allegation, number each allegation and use as many pages as necessary.</i></p>	
1. What misconduct / improper activity occurred?*	
2. Who committed the misconduct / improper activity?*	
3. When did it happen and when did you notice it?*	
4. Where did it happen?*	
5. Is there any evidence that you could provide us?	

6. Are there any other parties involved other than the suspect stated above?	
7. Do you have any other details or information which would assist us in the investigation?	
8. Any other comments?	
Date:	Signature:

NOTE: It is your right to remain anonymous and our organisation respects and protects this right of yours to protect your anonymity. However, we encourage you to share your identity (or personal e-mail address at the very least) so that we can keep you updated on the status of your report as well as follow up with you should we require additional information.