

INTEGRITY DUE DILIGENCE POLICY

KINABALU INTERNATIONAL HOTEL SDN. BHD.

1. OBJECTIVE

The objective of this policy is to provide guidelines in the execution of Due Diligence on third party to identify and assess the corruption risk before deciding whether to continue the relationship with the third party.

2. INTEGRITY DUE DILIGENCE POLICY

2.1 Integrity Due diligence needs to be performed for the following:-

- a) All new business associates at the time of on boarding (before entering into agreement);
- b) All existing business associates – Integrity Due diligence must be done at least once in 2 years; or when there is change in business structure/ ownership structure; or whenever any warning sign appears (e.g. media reports indicating bribery and corruption issues).
- c) All new Board of Directors before the issuance of Appointment Letter.
- d) All new Personnel before the issuance of Letter of Offer.

2.2 Integrity Due diligence includes:-

- a) The investigation and evaluation of prospective Business Associates/ Board of Directors/ Personnel in order to identify bribery risks, ethical risks or areas of uncertainty by way of background checks and research;
- b) Review of integrity of management of an on-going business relationship;
- c) Integrity Due diligence may include a search through relevant databases, checking for relationships with public officials and self-declaration. The results of the due diligence process must be documented, retained for at least seven (7) years and produced on request by the custodian of the process.

2.3 The relevant parties/personnel should be required to provide essential information such as company profile, business activities, country of establishment, works list, competency, management information and financial status of the company in order for the company to conduct a risk assessment and evaluation of the relevant parties/personnel as well as to determine the level of any additional due diligence required.

2.4 Key considerations or criteria when conducting/ performing Integrity Due Diligence on relevant parties (Business Associates)/ Board of Directors/ personnel prior to entering a formalised relationship:-

- a) Conduct general internet search via search engine such as Google/ Yahoo/ Ask/ IceRocket
- b) Check against the list of convicted persons found in MACC https://www.sprm.gov.my/index.php?id=21&page_id=96 or PDRM website <https://www.rmp.gov.my/orang-dikehendaki>;
- c) Check against Office of Foreign Assets Control (OFAC) - <https://sanctionssearch.ofac.treas.gov/>, United Nations (UN) or other relevant Sanctions List;
- d) Company profile and financial strength found in SSM or CTOS;
- e) Check on compliance with the Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001 (AMLA) rules and regulations;
- f) Check on ownership structure and beneficial owners of the company;
- g) Check on any relationship with government or Government Officers;
- h) Check on lawsuits or legal proceedings of the company/personnel;
- i) Check on ABC policy/handbook and training conducted; and
- j) Check on any previous employment/business with the organisation for issues encountered.

2.5 The company may consider hiring external due diligence service providers, especially for high-risk business associates or employment positions.

2.6 Anything that, if implemented, could pose a high risk of corruption should be avoided; or if implemented, should be combined with any action that can reduce the level of risk of corruption.

2.7 This policy should be read in conjunction with other related policies.



KINABALU INTERNATIONAL HOTEL SDN BHD
INTEGRITY DUE DILIGENCE CHECKLIST

DETAILS OF PERSON/ COMPANY

Name of person/ organisation : _____
 NRIC/ Company Registration No. : _____
 Address : _____
 Contact No. : _____

No.	DUE DILIGENCE CHECKLIST	YES	NO	NA	REMARKS
1	General internet search via search engine such as Google/ Yahoo/ Ask/ IceRocket has been conducted?				
2	Checked against Individual Bankruptcy Status at Jabatan Insolvensi Malaysia.				
3	Checked against list of convicted persons found in MACC or PDRM website?				
4	Checked against Office of Foreign Assets Control (OFAC), United Nations (UN) or other relevant Sanctions List?				
5	Checked against Company profile and financial strength found in SSM or CTOS?				
6	Integrity Due Diligence Questionnaire has been completed and submitted?				
7	Checked on any issues relating to the third party from their previous employment/business associates?				

Comment:

CHECKED BY:

Integrity and Governance Officer

Date :

VERIFIED BY:

Officer in-charge/ Company Secretary

Date :



KINABALU INTERNATIONAL HOTEL SDN BHD
INTEGRITY DUE DILIGENCE QUESTIONNAIRE

This Questionnaire is intended for use in obtaining the appropriate approval prior to entering any business relationship with any Third Party under the Company's Integrity Due Diligence Policy. Please complete the following Questionnaire, using additional pages where necessary, and return a scanned, signed copy together with all relevant documents to the Company's contact person. Please bear in mind that this is a preliminary request, and that additional information or documents may be required as the due diligence progresses.

Receipt of this information is a precondition to the approval of entering into any business relationship with any Third Party. If you have any questions, please direct them to the Company's contact person. If you subsequently learn that any of the information provided below is incorrect or incomplete, please correct or complete it (as applicable) and notify the Company as soon as possible. If you have previously submitted this Questionnaire to the Company, please review and update any information that may have changed.

The information contained in and documents furnished along with this Questionnaire will be treated in confidence.

SECTION A : THIRD PARTY DETAILS

1. Registered Company Name	:	_____
2. Previous Name or Other Trade Names	:	_____
3. Company Registration No.	:	_____
4. Date of Incorporation	:	_____
5. Country of Incorporation	:	_____
6. Registered Place of Business/Address	:	_____
7. Mailing Address	:	_____
8. Contact Person (Name & Designation)	:	_____
9. Phone Number	:	_____
10. Mobile Number	:	_____
11. Company Website	:	_____
12. Type of Business (e.g.: sole proprietorship, partnership, corporation, individual/ independent worker)	:	_____
13. Describe briefly the nature and history of your business (If available, please also attach copies of : current sales brochures, annual reports or similar documents)	:	_____

14. Ownership Details

Please provide the details of your owners, partners, shareholders, principals, Beneficial Owners (in each case, holds no less than 20% of the voting shares, directly or indirectly).

In relation to persons identified above, the respective percentages held and jurisdiction/nationality of each owner, partner, shareholder, principal or Beneficial Owner.

You may provide the details by way of separate documents.

No.	Name (Individual or company)	Role (i.e., Owner/ Partner/ Shareholder/ Principal and Beneficial Owner)	Ownership Percentage	Place of Registration (for company) / Nationality (for individual)

15. Board of Directors and Key Employees

Please list all individuals on the Board of Directors and Key Employees.

You may provide the details by way of separate documents.

No.	Name	Date of birth	Nationality	Position

Please provide details of your Directors, Key Employees, employees, contractors and/or consultants **who are principally or likely to be responsible for overseeing or performing the current proposed contractual/commercial relationship with the Company**.

You may provide the details by way of separate documents.

No.	Name	Date of birth	Nationality	Role

SECTION B : COMPLIANCE SECTION

No.	Description	Yes	No	Remarks																							
1	Do you have an Anti-Bribery and Corruption Policy?																										
2	Do you have a Whistleblowing Policy & Procedure?																										
3	Do you intend to use other parties (sub-agents, consultants, venture partners, business associates etc.) in relation to the current proposed contractual/commercial relationship with the Company? <i>If yes, please provide the following details: You may provide the details by way of separate documents.</i>																										
	<table border="1"> <thead> <tr> <th>No.</th> <th>Name</th> <th>Address</th> <th>Role/ Function</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td></tr> </tbody> </table>	No.	Name	Address	Role/ Function																						
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4	Within the last 5 years, has the Company, or any of its directors, Key Employees, owners or employees been suspended from doing business in any capacity by any regulatory authority or charged with any criminal act/offence or have been investigated by any government authority in relation to any allegation of fraud, bribery, misrepresentation, corruption, money laundering, financial crime or other activities? <i>If yes, please provide detailed information.</i>																										
5	Do you conduct any integrity due diligence procedure or background check on your business counterparts?																										
6	To the best of your knowledge, has any of your owners, principals, shareholders, partners, Beneficial Owners (in each case, holding not less than 20% of the voting shares, directly or indirectly), Directors or Key Senior Executive been designated as a Politically Exposed Person ("PEP")? <i>If yes, please provide the following details: You may provide the details by way of separate documents.</i>																										
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No.	Description	Yes	No	Remarks
7	<p>Do any of the Company's owners, directors or management hold a position in:</p> <ul style="list-style-type: none"> a) A government agency, ministry or department b) A state-owned or state-controlled company c) An international public organisation (UN, EU, World Bank) d) A political party or a labour union e) Members of royal families f) Is a family member of any of the above <p><i>Family member:</i> Includes a person's spouse(s), children (including step-children and adopted children), parents, step-parents, siblings, step-siblings, grandparents, grandchildren, in-laws, uncles, aunts, nieces, nephews, and first cousins, as well as other persons who are members of your household.</p>			
8	<p>Has the Company, or any of its directors, Key Employees, employees, owners, principals, shareholders, partners or Beneficial Owners (in each case, holding not less than 20% of the voting shares, directly or indirectly) ever been sanctioned, bankruptcy or blacklisted by any governmental or regulatory authority in any jurisdiction?</p> <p><i>If yes, please provide details of the sanction(s), the date and status of the sanction, and the date it was lifted or resolved.</i></p>			

SECTION C : REFERENCES

Please provide two (2) business references.

Reference 1

Business Name : _____
 Contact Person : _____
 Tel./ Mobile No : _____
 Address : _____

Reference 2

Business Name : _____
 Contact Person : _____
 Tel./ Mobile No : _____
 Address : _____

SECTION D : DOCUMENTS REQUIRED

Please attach your supporting documents as follows:-		Documents Attached
1	Organisation Chart.	
2	Code of Conduct.	
3	Anti-Bribery and Corruption Policy.	
4	Whistleblowing Policy & Procedure	
5	Certificate of Registration or its equivalent in the country in which you are incorporated. <i>(For Malaysian companies, Form 9 (Certificate of Incorporation) or Notice of Registration pursuant to Sections 15 and/or 17 of Companies Act 2016)</i>	
6	Information on Directors <i>(For Malaysian companies, Form 49 or the Notification of Change in the Register of Directors, Managers and Secretaries Form pursuant to Section 58 of Companies Act 2016 and Annual Return)</i>	
7	Information on Shareholders/Members and Substantial Shareholders <i>(Where applicable)</i>	
8	Proof of Registered Address or Business Address <i>(For Malaysian companies, Form 44 or Notification of Change in the Registered Address Form pursuant to section 46 of Companies Act 2016)</i>	
9	Audited financial statements for the last 3 years	
10	Identification Card (Sole Proprietor)	
11	Form D & Schedule of particulars of Business and Partners (Partnership).	

SECTION E : CERTIFICATE/ CONSENT

1. By signing this document, the undersigned, being duly authorised to complete this Questionnaire on your behalf, hereby represents and certifies the following:
 - a. that he/she has the proper mandate and authority to disclose such information; and
 - b. that the information provided in this document is, to the best of your knowledge, accurate, current and complete at the date of disclosure.
2. You understand that the Company will rely on the information provided in this Questionnaire to determine whether to enter into any contractual relationship with you, and that any false or misleading information provided will entitle the Company to immediately terminate (without any liability to the Company) any contract or agreement with you.
3. You understand that as part of the integrity due diligence process, the Company may conduct a background check on you. As such, you hereby authorise the Company and its representatives to conduct relevant checks and obtain relevant information pertaining to you, any of your shareholders, Directors or Key Employees, from any party who has such information. You and any of your shareholders, Directors or Key Employees, shall release liability of all persons or entities requesting or supplying such information.
4. You agree to update the Company as soon as reasonably possible in the event there are any changes to the responses contained in this Questionnaire.

Personal Data

5. You hereby consent and authorise the collection, usage, access, transfer, storage and processing of the personal data and information provided in this Questionnaire or that is subsequently provided by you from time to time for the purposes of conducting integrity due diligence to facilitate the Company's implementation of its anti-bribery and corruption program, as well as for any other purposes that is required or permitted by any law, regulations or guidelines.
6. Where you have provided personal information relating to others (e.g., your shareholders, Directors, Key Employees or such other parties), you represent and warrant that you have obtained their consent or is otherwise entitled to provide their information to the Company.

Declaration

I have the authority to bind the business of the Third Party.

For and on behalf of :
[insert name of Third Party]

Signature	:	_____
Name	:	_____
Designation	:	_____
Date	:	_____