

Tong Herr Resources Berhad

[Company No. 199701016642 (432139-W)]
No. 2515, Tingkat Perusahaan 4A, Perai Free Trade Zone,
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1. Introduction

Tong Herr Group (“THR”) is committed to the highest standards of transparency, accountability and integrity. To do justice to the same, the Board of THR has introduced this “Whistleblower Policy” (the “Policy”) to encourage employees of THR to raise genuine concerns about possible improprieties and other malpractices at the earliest opportunity and in an appropriate way.

This policy is effective from 28 August 2013.

2. Aims and scope of the Policy

The Policy is designed to enable employees to raise concerns internally at the highest level and to disclose information which the employees believe the possible presence of malfeasance or wrongdoing within THR. These concerns could include indications of:

- Financial malfeasance, wrongdoing or fraud;
- Failure to comply with legal or regulatory obligations;
- Endangerment of an individual’s health & safety or the environment;
- Criminal activity;
- Improper conduct or unethical behaviour; and/or
- Concealment of any of the above or a combination.

The Policy is not designed to question financial or business decisions taken by the Board or management nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures.

3. Safeguards

THR recognises that the decision to report a concern may be difficult. The employee(s) should raise genuine concerns without fear of reprisals because he/she is doing his/her duty towards THR.

4. Confidentiality

THR will treat all concerns raised within the context of the Policy in a confidential and sensitive manner. The identity of the employee making any disclosure shall be kept confidential as long as it does not frustrate any investigation. However, the Policy encourages employees to put their names to their concerns whenever possible in order for the Company to accord the necessary protection to her/him.

Any anonymous whistleblower will not be entertained. However, the Company reserves its right to investigate into any anonymous disclosure.

Any report should also be based on good faith with reasonable belief that the information and any allegations are sustainably true and not for personal gain.

Please note that:

- Employees must disclose the information in good faith;
- Employees must believe it to be substantially true;
- Employees must not act maliciously or make false allegations; and
- Employees must not seek any personal gain.

If, however, an employee makes malicious allegations, and to the extent he persists in making them whilst in-depth investigation shows no substantiation of the alleged facts, disciplinary action may be taken.

5. Whistleblowing channel

The Channel will be directly to the Chairman of Audit Committee.

Name : Datin Nik Haslinda Binti Nik Mohd Hashim

E-mail : whistleblower@tong.com.my

Mail : No. 2515, Tingkat Perusahaan 4A, Perai Free Trade Zone, 13600 Perai, Penang, Malaysia

Attention : Chairman of Audit Committee

6. Action

All reports will be investigated promptly by the Internal Audit Department. If required, assistance from other resources within THR is to be sought.

Upon completion of investigation, appropriate course of action will be recommended to the Audit Committee for their deliberation. Decision taken by the Audit Committee will be implemented immediately.

If necessary, preventive plans/actions will be implemented to prevent reoccurrence of case.

7. Protection

Whistleblower will be accorded with protection of confidentiality of identity, to the extent reasonably practicable. In addition, an employee who whistleblows internally will also be protected against any adverse actions for disclosing any concerns or allegations within THR, to the extent reasonably practicable, provided that the disclosure is made in good faith.

The Company will ensure no one will be at risk of suffering any form of reprisal as a result of raising a concern even if the individual is mistaken. The Company however, does not extend this assurance to someone who maliciously raises a matter he/she knows is untrue.

Any party that retaliates against a whistleblower who has reported allegations in good faith may be subject to appropriate action, up to and including legal action, whichever applicable.

8. Disclaimer

THR reserves the right to amend this policy from time to time.