

WHISTLEBLOWER POLICY

1. Policy Statement

- 1.1 Genting Malaysia Berhad and its Subsidiaries (collectively, “GENM Subsidiaries”, and individually, “GENM Subsidiary”) are committed to the highest possible standards of ethical, moral and legal business conduct and practices, openness and accountability in all aspects of its business. The Company and GENM Subsidiaries shall hereinafter be referred to collectively as “GENM Group”.
- 1.2 In line with the above commitment, this Policy is established to encourage and to facilitate the disclosure of Improper Conduct (as defined below) and/or Detrimental Action (as defined below) occurring within GENM Group, and to protect persons acting in good faith when making disclosure of Improper Conduct and/or Detrimental Action from Detrimental Action.
- 1.3 The GENM Group views any harassment or retaliation in any form or manner against a genuine Whistleblower (as defined below) seriously and, will treat such action as gross misconduct, which if proven, may lead to disciplinary action, including, without limitation, termination of the relevant employment, or, membership, or, consultancy, or, contract/agreement, as the case may be.
- 1.4 This Policy is part of the Company’s corporate governance and is accessible on the website of the Company. This Policy supplements (and does not replace) existing policies and procedures of the GENM Group relating to wrongful or improper conduct.
- 1.5 This Policy came into effect on **1 March 2011**, and has been revised effective **21 May 2020**.

2. Definitions

- | | | |
|-----|------------------------|---|
| 2.1 | <i>Audit Committee</i> | The Audit Committee of the Company. |
| 2.2 | <i>Company</i> | Genting Malaysia Berhad (198001004236). |
| 2.3 | <i>Complaint</i> | A disclosure of Improper Conduct made by a Whistleblower. |

- 2.4 ***Confidential Information*** Includes:
- (a) information about the identity, occupation, residential address, work address or whereabouts of or description that might lead to the discovery of:
 - (i) a Whistleblower; or
 - (ii) the person against whom a Whistleblower has made a Complaint;
 - (b) information disclosed by a Whistleblower; and
 - (c) information that, if disclosed, may cause detriment to any person.
- 2.5 ***Detrimental Action*** Any reprisal action against a Whistleblower which shall include:
- (a) action causing injury, loss or damage;
 - (b) intimidation or harassment;
 - (c) interference with the lawful employment or livelihood of any person, including, discrimination, discharge, demotion, suspension, disadvantage, termination or adverse treatment in relation to a person's employment, career, profession, trade or business or the taking of disciplinary action; and
 - (d) a threat to take any of the actions referred to above
- 2.6 ***Enforcement Agency*** An enforcement agency as defined under the Whistleblower Protection Act 2010.
- 2.7 ***GENM Group*** The Company and GENM Subsidiaries collectively.
- 2.8 ***Improper Conduct*** Any unethical behavior, malpractice, illegal act or any other wrongful or improper conduct within the GENM Group, which, if proven, constitutes a disciplinary offence or a criminal offence.

- 2.9 ***Investigation Team*** A team made up of persons as nominated by the WSC on an ad-hoc basis for the purpose of investigating any Complaint, Report or Recommendation, as directed by the WSC.
- 2.10 ***Recommendation*** A recommendation received by the Company or any of GENM Subsidiaries from an Enforcement Agency in respect of a Complaint or a Report.
- 2.11 ***Report*** A report of Detrimental Action made by a Whistleblower.
- 2.12 ***Secretariat*** The secretariat of the WSC, being the Legal Department of the Company, or, in the event the Legal Department of the Company has to abstain from acting as the secretariat of the WSC, such other department of the Company as may be nominated by the WSC.
- 2.13 ***Subsidiaries or Subsidiary*** The subsidiaries of the Company in Malaysia.
- 2.14 ***This Policy*** The whistleblowing policy and procedures as contained herein.
- 2.15 ***Whistleblower*** Any person who makes a Complaint and/or a Report, under this Policy, or, to an Enforcement Agency.
- 2.16 ***Whistleblower Senior Committee or WSC*** A committee formed for the purpose of receiving, processing, investigating and determining the genuineness of, any Complaint or Report received from a Whistleblower, or, a Recommendation received from an Enforcement Agency, in order that appropriate action can be taken to address the Complaint, Report or Recommendation. The WSC shall also be responsible for dealing or liaising with the relevant Enforcement Agency in respect of any matters pursuant to the Recommendation.

3. General Information about Whistleblowing and Protection of Whistleblower

- 3.1 Whistleblowing is a specific means by which a Whistleblower can report or disclose through established channels, his or her concerns in respect of Improper Conduct or Detrimental Action.

- 3.2 Only genuine concerns of a serious or sensitive nature should be reported under this Policy. This Policy is not intended for petty, trivial or frivolous complaint or report nor is it intended for complaint or report which are dealt with by procedures which are in place for grievances. A Complaint or Report should be made in good faith with a reasonable belief that the information relating to the same is substantially true. A Complaint or Report shall not be made for personal gain. A Complaint or a Report can be made even if the Whistleblower is not able to identify a particular person to which the Improper Conduct or Detrimental Action relates.
- 3.3 All Confidential Information obtained in respect of a Complaint or a Report and the ensuing processing, investigation and determination will not be disclosed to any third party without the prior written consent of the Whistleblower, save to the extent permitted by law or required for the purpose of making a report to the relevant authorities.
- 3.4 No reprisal action will be taken by the GENM Group against a Whistleblower or any person related to or associated with the Whistleblower in respect of any Complaint or Report made in good faith. However, if the Complaint or Report is made with malicious intent or in bad faith by the Whistleblower, this will be viewed seriously by the GENM Group and, will be treated as a gross misconduct, which may subject the Whistleblower to disciplinary action in accordance with the policies, rules and procedures of GENM Group.
- 3.5 A person against whom a Complaint or Report is made shall not commit or threaten to commit and/or incite any person to commit or threaten to incite any person to commit, any Improper Conduct or Detrimental Action against the Whistleblower.
- 3.6 The protection accorded to a Whistleblower is not limited and will not be affected in the event a Complaint or Report made by the Whistleblower in good faith does not lead to any corrective action being taken against the person(s) against whom the Complaint or Report has been made.
- 3.7 Pursuant to the Whistleblower Protection Act 2010, no action will be taken against any Whistleblower making a Complaint or Report in good faith, including:
- 3.7.1 dismissing or threatening to dismiss the Whistleblower;
 - 3.7.2 taking disciplinary action or threatening to discipline against the Whistleblower, or suspending or threatening to suspend the Whistleblower;
 - 3.7.3 subjecting the Whistleblower to any form of harassment or abuse;

- 3.7.4 imposing any penalty, directly or indirectly, on the Whistleblower;
- 3.7.5 discharging, demoting or discriminating against the Whistleblower.

4. Procedures

4.1 Manner of making a Complaint or Report

A Complaint or Report may be made in any of the following manners:

- 4.1.1 by completing **Form A-Complaint** (Appendix 1) or **Form B-Report** (Appendix 2), (collectively, the “Forms”, or, individually, “Form”), whichever is applicable, and which can be obtained from the Secretariat or downloaded from the website of the Company; or
- 4.1.2 by making a verbal or written Complaint or Report to any Head of Department (“HOD”); or
- 4.1.3 by making a verbal or written Complaint or Report to any member of the WSC or to the Secretariat; or
- 4.1.4 in relation to casino and security operations, by making a verbal or written Complaint or Report to the Executive Vice President-Gaming Operations or any designated personnel of Gaming Operations.

4.2 Verbal Complaint or Report

Any verbal Complaint or Report made under paragraph 4.1.2 or 4.1.3 or 4.1.4 above, shall, as soon as practicable, be reduced in writing by the Whistleblower, by completing the applicable Form. If the Whistleblower is not willing to complete the applicable Form, the recipient of the verbal Complaint or Report shall immediately submit the verbal Complaint or Report to the Secretariat.

4.3 Processing, Investigating, Determining a Complaint or Report

- 4.3.1 The completed Form A-Complaint/Form B-Report or the written Complaint/Report shall be submitted in a **sealed** envelope marked “**Private & Confidential**” and forwarded to the Secretariat together with relevant evidentiary documents (if any).
- 4.3.2 The Whistleblower must identify himself/herself when making a Complaint/Report as follow-up questions and investigations may not be



possible or may be hindered unless the source of the information is identified. Any Complaint/Report made anonymously may not be processed or investigated unless the concern or allegation made is determined by the WSC to be of a serious or sensitive nature.

- 4.3.3 Upon receipt of a Complaint/Report, the Secretariat will conduct a preliminary review on the information provided in the Complaint/Report—
- (a) if there is insufficient information to facilitate the processing of the Complaint/Report, and the Whistleblower is identified, the Secretariat will request for additional information from the Whistleblower and if the additional information is not forthcoming from the Whistleblower; or, if the Complaint/Report is anonymous; the Secretariat will record and file the Complaint/Report as “insufficient information and/or anonymous” and, thereafter, forward a copy of the Complaint/Report to the WSC, for notation;
 - (b) if there is sufficient information to facilitate the processing of the Complaint/Report, the Secretariat will notify the WSC of the Complaint/Report and convene a meeting of the WSC within a reasonable time.
- 4.3.4 Upon the convening of a meeting of the WSC, the WSC shall conduct an initial enquiry of the Complaint/Report to determine its genuineness and the seriousness of the concern/allegation which has been raised.
- 4.3.5 If the initial enquiry conducted by the WSC indicates that the Complaint/Report has no basis or merit or it is not a matter to be dealt with under this Policy, it may be dismissed by the WSC at this stage. If the Whistleblower is identified, notification of such dismissal will be given to the Whistleblower.
- 4.3.6 If the initial enquiry conducted by the WSC indicates that further investigation is necessary, the WSC will nominate an Investigation Team to carry out a thorough investigation into the Complaint/Report. Such investigation will be conducted in a fair manner as a neutral fact-finding process and without any presumption of guilt.
- 4.3.7 The Investigation Team shall outline the detailed procedures for the investigation. The Investigation Team shall have the right to call for any information or documents and to examine any employee of the GENM Group or any other person(s) as it may deem appropriate for the purposes of conducting its investigation of the Complaint/Report.

- 4.3.8 All findings of the Investigation Team after due investigation will be documented in a report and submitted to the Secretariat for presentation to the WSC. The time period from the nomination of the Investigation Team and the submission of the report by the Investigation Team to the Secretariat shall not exceed two (2) months unless otherwise extended by the WSC.
- 4.3.9 Upon receipt of the report on the findings of the investigation, the Secretariat shall, within a reasonable time, convene a meeting of the WSC for the review and evaluation of the report.
- 4.3.10 Upon reviewing and evaluating the report on the findings of the investigation, if the WSC is not satisfied with the findings of the investigation, the WSC shall have the right to either:
- (a) direct a fresh investigation or request that further investigations be conducted by the same Investigation Team; or
 - (b) direct a fresh investigation by another Investigation Team consisting of new members; or
 - (c) conduct its own investigation.

Unless otherwise decided or extended by the WSC, any fresh or further investigation to be conducted under this paragraph shall be completed within thirty (30) days from the date the WSC directs such fresh or further investigation.

- 4.3.11 Upon reviewing and evaluating the report on the findings of the investigation—
- (a) if the WSC determines that the Complaint/Report is not proven, the decision will be documented by the Secretariat, and if the Whistleblower is identified, to notify the Whistleblower accordingly;
 - (b) if the WSC determines that the Complaint/Report is proven, the WSC shall decide on the appropriate course of action to be taken, which may be any of the following:
 - (1) against the person(s) found to have committed the Improper Conduct or Detrimental Action—
 - (i) reprimand, disciplinary action, impose penalty/punishment;

- (ii) transfer to another department or relocation of place of employment;
 - (iii) termination or suspension of employment;
 - (iv) report to the relevant authorities (if applicable);
 - (v) any other action deemed appropriate by the WSC;
- (2) remedies to the Whistleblower or any employee(s) affected by the Improper Conduct or Detrimental Action—
- (i) reinstatement of the Whistleblower or the employee(s) to the same position or to an equivalent position;
 - (ii) compensation for lost wages, remuneration or any other benefits;
 - (iii) any other remedy deemed appropriate by the WSC;
- (3) make recommendation to the Company and/or the relevant GENM Subsidiary to implement procedures or to take preventive measures to minimise or to prevent the occurrence of the Improper Conduct or Detrimental Action in the future;
- (4) if the Whistleblower is identified, and if deemed fit by and at the sole and absolute discretion of the WSC, the Whistleblower who makes a Complaint/Report which successfully leads to detection of Improper Conduct or Detrimental Action within the GENM Group may be recommended to the President of the Company for reward. The decision to reward shall be made at the sole and absolute discretion of the President of the Company;

if the Whistleblower is identified, the decision of the WSC and the action taken against the person(s) found to have committed the Improper Conduct or Detrimental Action will be communicated in writing to the Whistleblower.

4.3.12 The WSC shall endeavour to complete the process as stated in paragraph 4.3 within four (4) months from the date of receipt of a Complaint/Report/Recommendation (as the case may be).

4.4 Complaint/Report on Casino and Security Operations

Notwithstanding any other provisions herein contained, if the Executive Vice President-Gaming Operations or any designated personnel of Gaming Operations receives any Complaint/Report relating to casino and security operations, which, in his opinion, requires urgent attention and is of utmost importance, the Executive Vice President-Gaming Operations or any designated personnel of Gaming Operations is authorized to take immediate actions as may be deemed necessary to investigate and address the Complaint/Report and, may adopt any procedure or measure as deemed expedient and necessary in the circumstances. The Executive Vice President-Gaming Operations or any designated personnel of Gaming Operations shall, as soon as practicable, notify the Secretariat and the WSC of such Complaint/Report and the actions, procedures or measures taken or adopted.

4.5 Applicable Procedures upon receipt of any Recommendation from Enforcement Agency

4.5.1 Any Recommendation from an Enforcement Agency shall immediately be forwarded to the Secretariat, for presentation to the WSC.

4.5.2 The procedures set out in paragraphs 4.3.5 to 4.3.10 shall apply mutatis mutandis in respect of any Recommendation from an Enforcement Agency.

4.5.3 Upon reviewing and evaluating the report on the findings of the investigation—

- (a) if the WSC decides to give effect to the Recommendation, the Secretariat will notify the relevant Enforcement Agency on the steps taken or to be taken, within fourteen (14) days from the date of the decision of the WSC, but, in any event, no later than six (6) months from the date of receipt of the Recommendation; or
- (b) if the WSC decides not to give effect to the Recommendation, the Secretariat will notify the relevant Enforcement Agency of such decision and the reason(s) therefor, within fourteen (14) days from the date of the decision of the WSC, but, in any event, no later than six (6) months from the date of receipt of the Recommendation.

4.6 Flowchart of the Procedures

Please refer to Appendix 3 for a flowchart of the procedures.

FORM A
COMPLIANT OF IMPROPER CONDUCT

A PARTICULARS OF WHISTLEBLOWER

Please note that a complaint made anonymous may not be processed or investigated unless the concern/allegation made is of sufficiently serious nature as determined by the Whistleblower Senior Committee.

“Improper Conduct” means any unethical behavior, malpractice, illegal act or any other wrongful or improper conduct within the GENM Group, which if proven, constitutes a

1.	Name		
2.	NRIC No.		
3.	Employee No. (if applicable)		
4.	Position (if applicable)		
5.	Department (if applicable)		
6.	Correspondence Address		
7.	Telephone No.	H/P:	Office:
8.	Email Address (if any)		

B PARTICULARS OF THE COMPLAINT

1.	Name of the person(s) complained of committing the Improper Conduct			
	Position (if known)			
	Department (if known)			
	Relationship between Whistleblower and the person complained of committing the Improper Conduct			
2.	Are you personally affected by the Improper Conduct?	YES		NO
		If NO, please state the particulars of person(s) affected by the Improper Conduct.		
		Name of the person affected by the Improper Conduct (if known)		

FORM A
COMPLIANT OF IMPROPER CONDUCT

		Position (if applicable)	
		Department (if applicable)	
		Relationship between Whistleblower and the person(s) affected by the Improper Conduct	
3.	Particulars of Improper Conduct	Date:	
		Time:	
		Place:	
		Particulars:	
4.	Have you previously made a Complaint of the Improper Conduct to any internal or external party or the authorities?	YES	NO
		If YES, please provide the following particulars.	
		Complaint/File Reference No. (if known)	
		Name of party or authority receiving the Complaint	
		Position (if applicable)	
		Department (if applicable)	
		Date the Complaint was made	
		Status of the Complaint	
C DECLARATION			
1.	I hereby declare that all the information provided in this Form is true and accurate.		
2.	I fully understand that by signing this Form, I will be entitled to whistleblower protection from the GENM Group as set out in the GENM Group's Whistleblower Policy.		
3.	I fully understand that in the event I have made this Complaint maliciously or in bad faith, the whistleblower protection contained in the GENM Group's Whistleblower Policy will no longer be applicable to me and I may be subject to disciplinary or legal proceedings by the GENM Group.		

FORM A
COMPLIANT OF IMPROPER CONDUCT

Signature:

Name:

Date:

Note:

- (a) **Please attach supporting documents, if any.**
- (b) **If the spaces provided in this Form are not sufficient, please use a separate blank sheet.**
- (c) **Please submit the completed Form in a SEALED envelope and marked “PRIVATE AND CONFIDENTIAL” on the right-hand corner of the sealed envelope.**
- (d) **Please address the envelope to the following addressee:**

**The Secretariat of the Whistleblower Senior Committee
c/o Legal Department
23rd Floor Wisma Genting
Jalan Sultan Ismail
50250 Kuala Lumpur**

For Secretariat's Use	
File Reference No.	
Received By	
Date	

FORM B
REPORT OF DETRIMENTAL ACTION

A PARTICULARS OF WHISTLEBLOWER

Please note that a report made anonymous may not be processed or investigated unless the concern/allegation made is of sufficiently serious nature as determined by the Whistleblower Senior Committee.

“Detrimental Action” means any reprisal action against a Whistleblower which shall include action causing injury, loss or damage; intimidation or harassment; interference with the lawful employment or livelihood of any person, including discrimination, discharge, demotion, suspension, disadvantage, termination or adverse treatment in relation to a person’s employment, career, profession, trade or business or the taking of disciplinary action; and a threat to take any of the above actions.

“Improper Conduct” means any unethical behavior, malpractice, illegal act or any other wrongful or improper conduct within the GENM Group, which if proven, constitutes a

1.	Name		
2.	NRIC No.		
3.	Employee No. (if applicable)		
4.	Position (if applicable)		
5.	Department (if applicable)		
6.	Correspondence Address		
7.	Telephone No.	H/P:	Office:
8.	Email Address (if any)		

B PARTICULARS OF THE COMPLAINT

1.	Name of the person(s) reported of committing the Detrimental Action	
	Position (if known)	
	Department (if known)	
	Relationship between Whistleblower and the person reported of committing the Detrimental Action	

FORM B
REPORT OF DETRIMENTAL ACTION

2.	Are you personally affected by the Detrimental Action?	YES		NO	
		If NO, please state the particulars of person(s) affected by the Detrimental Action.			
		Name of the person affected by the Detrimental Action (if known)			
		Position (if known)			
		Department (if known)			
		Relationship between Whistleblower and the person(s) affected by the Detrimental Action			
3.	Particulars of Detrimental Action	Date:			
		Time:			
		Place:			
		Particulars:			
4.	Have you previously made a Report of the Detrimental Action to any internal or external parties or the authorities?	YES		NO	
		If YES, please provide the following particulars.			
		Report/File Reference No. (if known)			
		Name of party or authority receiving the Report			
		Position (if applicable)			
		Department (if applicable)			
		Date the Report was made			
		Status of the Report			
C DECLARATION					
1.	I hereby declare that all the information provided in this Form is true and accurate.				
2.	I fully understand that by signing this Form, I will be entitled to whistleblower protection from the GENM Group as set out in the GENM Group's Whistleblower Policy.				

FORM B
REPORT OF DETRIMENTAL ACTION

3.	I fully understand that in the event I have made this Report maliciously or in bad faith, the whistleblower protection contained in the GENM Group’s Whistleblower Policy will no longer be applicable to me and I may be subject to disciplinary or legal proceedings by the GENM Group.
Signature: Name: Date:	

Note:

- (a) **Please attach supporting documents, if any.**
- (b) **If the spaces provided in this Form are not sufficient, please use a separate blank sheet.**
- (c) **Please submit the completed Form in a SEALED envelope and marked “PRIVATE AND CONFIDENTIAL” on the right-hand corner of the sealed envelope.**
- (d) **Please address the envelope to the following addressee:**

**The Secretariat of the Whistleblower Senior Committee
c/o Legal Department
23rd Floor Wisma Genting
Jalan Sultan Ismail
50250 Kuala Lumpur**

For Secretariat’s Use	
File Reference No.	
Received By	
Date	

Appendix 3

PROCEDURE FLOWCHART

