



**UiTM HOLDINGS**  
*Group of Companies*

## **NO GIFT POLICY**

Approved at BOD 89/2022 dated 21 January 2022

## 1.0 Introduction

- 1.1 Most organizations want to build good relationships with customers, suppliers, contractors, and others. The practice of giving and receiving gifts is a common culture in our society, especially during the festive and busy seasons, in fact it is very difficult to curb without control initiatives by the management.
- 1.2 UiTM Holdings Sdn Bhd and its Subsidiaries (“UHSB Group”) recognize the importance of honesty, sincerity and transparency and are committed to achieving the highest ethical standards in its business practices.
- 1.3 The UHSB Group has established this Gift Acceptance and Giving Policy which aims to provide guidance on the acceptance and giving of gifts among UHSB Group employees who deal with external parties in conducting business with integrity, thereby enhancing the image of the UHSB Group.
- 1.4 UHSB Group employees are not permitted to accept from or give to persons or parties suppliers, contractors, developers, civil servants and/or others any form of gifts or special treatment if:
- 1.4.1 The grant relates to official duties;
  - 1.4.2 The amount or value of the grant does not match the purpose of the grant; and
  - 1.4.3 Giving or receiving is done with corrupt intent.

## 2.0 Objectives

- 2.1 The objectives of the Gift Acceptance and Giving Policy for the UHSB Group are as follows:
- 2.1.1 Provide guidance to UHSB Group employees in relation to the acceptance and giving of gifts by employees either while on official duty or outside official working hours; and
  - 2.1.2 Warn parties who deal with the UHSB Group such as suppliers or contractors not to give gifts to any UHSB Group employees who deal with them.

## 3.0 Scope

- 3.1 This policy applies to:
- 3.1.1 All UHSB Group employees, UHSB Board Members and stakeholders within the UHSB Group; and
  - 3.1.2 All business partners who are or will be dealing with the UHSB Group.
- 3.2 This Policy should be read in conjunction with UHSB's Code of Ethics and Conduct for Employees as well as any UHSB Group policies, rules and procedures and laws in Malaysia.
- 3.3 For the avoidance of doubt, any policy mechanisms and procedures for the acceptance and giving of gifts made by stakeholders within the UHSB Group may only act in addition to this Policy, and in the event of any discrepancy, this Policy shall prevail.

3.4 Any term, provision or promise in this Policy which is invalid or unenforceable shall be ineffective to the extent that it is unlawful or unenforceable without nullifying the provisions of this Policy.

#### 4.0 Narrative

No	Narrative	Description
4.1	Purpose	Provide guidance to UHSB Group employees in relation to the acceptance and giving of gifts by employees either while on official duty or outside official working hours; and
4.2	Reference	<p>Internal Reference</p> <ul style="list-style-type: none"> <li>i. UHSB Anti-Bribery and Corruption Policy;</li> <li>ii. Whistle Blowing Policy UHSB;</li> <li>iii. Related standard operating procedures;</li> <li>iv. Code of Conduct UHSB;</li> <li>v. SOP Group Human Capital UHSB;</li> <li>vi. Code of Ethic UHSB;</li> <li>vii. Limit of Authority (LOA) UHSB.</li> </ul> <p>External Reference</p> <ul style="list-style-type: none"> <li>i. ISO 37001; 2016 (Anti Bribery Management System);</li> <li>ii. Guideline for the Management of Integrity Unit (MACC);</li> <li>iii. Malaysian Institute of Corporate Governance Guidelines;</li> <li>iv. <i>Garis Panduan Pemberian dan Penerimaan Hadiah Perkhidmatan Awam.</i></li> </ul>
4.3	Definitions	<p>Law enforcement agencies : Government agencies that have the functions and powers of investigation and enforcement such as the Royal Malaysia Police, the Malaysian Anti-Corruption Commission and others.</p> <p>Stakeholders in the UHSB Group of Companies : Organizations established by the UHSB such as Subsidiaries, Foundations, Sports Clubs, Welfare Clubs, Subsidiaries' Organizations and Trade Unions include all employees and its Board Members / Subsidiary Trustee Members.</p> <p>Business Partner : Suppliers, contractors, consultants, auditors, lawyers, or any party who has business or service dealings with the UHSB Group as well as stakeholders within the UHSB Group.</p> <p>Gift : The meaning of 'gift' under Service Circular No. 3 of 1998 refers to money, movable or immovable property, free fares, shares, discounts, commissions, hampers, souvenirs, vehicles, travel facilities, entertainment, services, club memberships and so on. Duties related to the actual duties in the UHSB Group or any instructions given by the Head of Division /</p> <p>Official tasks : Department.</p>

## 5.0 Enforcement

- 5.1 The enforcement of this Policy is subject to the approval of the Board of Directors of UHSB.
- 5.2 The Integrity & Governance Unit (IGU) is responsible for reviewing and updating this Policy as necessary. Any proposed amendments in the future shall be presented to the UHSB Board of Directors for approval.
- 5.3 This policy shall be disseminated to all UHSB Group employees, UHSB Board Members and stakeholders within the UHSB Group and uploaded on the UHSB website ([www.uitmholdings.com](http://www.uitmholdings.com)).

## 6.0 Meaning of Gift

- 6.1 The meaning of 'gift' under Service Circular No. 3 of 1998 refers to money, movable or immovable property, free fares, shares, discounts, commissions, hampers, souvenirs, vehicles, travel facilities, entertainment, services, club memberships and so on.
- 6.2 The definition of 'bribe' (bribery) under section 3 of the Malaysian Anti-Corruption Commission Act 2009 refers to money, donations, gifts, loans, fees, gifts, valuable collateral, property, or interest in property, of any kind. property, whether movable or immovable, financial benefits, or any similar benefits.
- 6.3 Acceptance of the following gifts are allowed:
- 6.3.1 From a co-worker in conjunction with the exchange, retirement, engagement, marriage of an officer or staff member;
  - 6.3.2 From the wife or husband, children including a son-in-law or legally adopted child, parents including parents-in-law and siblings including a side of the wife or husband;
  - 6.3.3 From relatives and friends in conjunction with birthday celebrations, engagements and weddings of officers or staff or children, or any other occasion having to do with customs and religion;
  - 6.3.4 Gifts that are quickly spoiled and not durable such as food, drinks, fruits, vegetables, flowers and so on.
  - 6.3.5 Hari Raya/New Year gifts in the form of hampers sent to the office must be shared with existing staff. If the gift is specifically addressed to an officer/Head of Department, the recipient must declare to the UHSB Integrity & Governance Unit if it is not shared with other staff; and
  - 6.3.6 Birth, marriage or childbirth gifts of staff.

## 7.0 Prohibited Conditions for Acceptance of Gifts

- 7.1 UHSB Group employees are prohibited from accepting any form of gift or hospitality from a person or business partner if:

- 7.1.1 The grant relates to official duties;
- 7.1.2 The value of the gift does not match the purpose of the gift; or
- 7.1.3 Giving or receiving is done with corrupt intent.

## 8.0 Acceptance of a Gift that are Considered as an Offense

- 8.1 Acceptance of a gift, whether of a matching or mismatched form, amount or value of a gift, is an offense under law if the acceptance is in the following circumstances:
  - 8.1.1 If the receipt or request of the gift is corruptly or with corrupt intention that it is a wage or inducement to the officer or staff to do or not to do or because he has done or because he has not done an act related to the business Department;
  - 8.1.2 If the person or party giving the gift has a conflict of interest under his or her supervision and the acceptance is not in good faith ('not in good faith' but with criminal intent ('men rea')); or
  - 8.1.3 If the officer or employee becomes aware of the receipt of the gift with criminal intent from a person or party who has, or is, or may have a conflict of interest with the Company.

## 9.0 Acceptance and Giving of Gifts

- 9.1 Acceptance and giving of gifts to influence business decisions is prohibited. In no event, UHSB Group employees may accept gifts in the form of cash or cash equivalents including gift certificates, loans, commissions, coupons, discounts or anything related. All benefits given or received must be in accordance with UHSB's Code of Ethics and Conduct.
- 9.2 In principle, UHSB Group Board Members and Employees are prohibited from accepting or giving gifts to third parties if they are made with the intention of influencing a third party to obtain or maintain business or in exchange for a benefit or interest. Members of the Board and staff of the UHSB Group need to be careful in accepting and giving special gifts or treatment as it can be seen as an improper way of influencing the decision-making of recipients. Therefore, the intention behind a special gift or service is always made a reasonable consideration.
- 9.3 If in certain circumstances the rejection of a gift that is related to official duties, will embarrass the gift giver or affect professional relationships, as well as create a situation of wrongdoing involving the giving/offering of hospitality that is allowed is:
  - 9.3.1 Invitations to social or corporate events;
  - 9.3.2 In the form of badges (plaques) or pennants or handicraft items produced by the organization itself or printed materials related to the organization intended for promotion (Examples: diaries, calendars, pendrives, umbrellas, canvas bags, etc.); and
  - 9.3.3 Goods that break down quickly and are not durable.
  - 9.3.4 UHSB Group employees may accept the prize and must take action:
    - 9.3.4.1 Report the receipt of gifts by completing and submitting the Gift Acceptance Form to the Head of Department; and

9.3.4.2 Submit a copy of the Gift Acceptance Form to the UHSB Integrity & Governance Unit for monitoring purposes.

9.4 The only form of gift giving allowed to outside parties is a corporate gift (amount below RM500). Any gift giving or hospitality offer is subject to approval in accordance with the UHSB Group's 'Limit of Authority' and must meet the following conditions:

9.4.1 They are restricted, customary and legal under the law such as corporate diaries, calendars, souvenirs, memento or gifts given or received during official ceremonies approved by the Company from time to time;

9.4.2 They do not have or are seen to have (either by the giver or the recipient of the gift) any effect on the action or decision;

9.4.3 Do not expect any particular advantage/benefit from the intended recipient;

9.4.4 The consideration of business decisions against/from recipients is independent and shall not affect the decisions/actions of the Company;

9.4.5 There must be no element of corruption and/or criminal intent; and

9.4.6 The giving of gifts and special treatment must be done openly and transparently.

9.5 All gift giving must be approved as contained in the "Limit of Authority") of the UHSB Group.

## 10.0 Acceptance of Gifts Not Related to Official Duties

10.1 For the acceptance of gifts that are not related to official duties, UHSB Group employees who receive them must take the following actions:

10.1.1 Report the receipt of gifts by completing and submitting the Gift Acceptance Form (please refer to **Appendix 1**) to the Head of Division or UHSB Group Authority Limit for approval; and

10.1.2 Submit a copy of the Gift Acceptance Form to the Department of Integrity & Governance Unit, UHSB for monitoring purposes.

## 11.0 Decision of Head of Division

11.1 The Head of Division upon receipt of the Gift Acceptance Form can decide to:

11.1.1 Instruct staff to return the gift to the person or party who gave the gift;

11.1.2 Allow officers or staff to accept the gift;

11.1.3 Allow the department to keep the gift; or

11.1.4 Dispose of the gift as appropriate.

11.2 The Head of Division when considering the certificate of acceptance of the gift for the decision should take into account the circumstances:

11.2.1 Acceptance of the gift does not violate any rules and laws;

11.2.2 Acceptance of the gift does not raise a suspicion that the employee has used the position to obtain the gift;

11.2.3 The frequency with which the staff received the gift;

11.2.4 The relationship between staff and the person or party giving the gift;

11.2.5 The interests of the department and the Company as a whole; and

11.2.6 The value corresponds to the purpose of the gift.

(Please refer to **Appendix 2** for **Conditions for Approving the Receipt of Gifts by Heads of UHSB Divisions**)

## 12.0 Sponsors for Travelling

- 12.1 UHSB Group employees may receive accommodation and other expenses (such as food, vehicles) provided by public organizations (such as industry bodies, intergovernmental bodies and public universities), trade associations, non-profit organizations and non-governmental organizations and other institutions of higher learning in the host country, if the trip is for official business of the Company and prior written approval has been obtained from the Chief Executive Officer or Board Member. (Refer to UHSB Group's 'Limit of Authority').
- 12.2 UHSB Group employees may also receive accommodation or other expenses such as food, vehicles and others provided by the Business Partner if the trip is for business purposes and prior approval has been given by the Chief Executive Officer or Board Member of UHSB.
- 12.3 Unless prohibited by the laws and policies of the recipient organization, the UHSB Group may incur transportation and accommodation costs for Business Partners or other shareholders in connection with visits to UHSB Group facility areas. The visit must be on legitimate business matters such as on-site testing of goods, contract negotiations or training and others. Preliminary approval must be obtained from the CEO in accordance with budget approval. (Refer to UHSB Group's 'Limit of Authority').

## 13.0 Corporate Hospitality for Public Officers

- 13.1 UHSB Group employees are prohibited from offering travel payments to any public officer and/or their family members without the written approval of the Chief Executive Officer or UHSB Board Members. If in doubt, please refer to the Integrity & Governance unit of UHSB for further clarification.


## 14.0 Legal Provisions

- 14.1 Any non-compliance may lead to an element of offense under the following rules:
- i. Anti-Corruption Act 1997;
  - ii. Malaysian Anti-Corruption Commission Act 2009 (Act 694);
  - iii. Penal Code (Relevant Sections).

## Appendix

### Appendix 1

#### Gift Acceptance Form

 <p><b>UiTM HOLDINGS</b> <small>Group of Companies</small></p>	<h3 style="margin: 0;">GIFT ACCEPTANCE FORM</h3>												
<p><b>ATTENTION:</b></p> <ol style="list-style-type: none"> <li>1. Gift Acceptance Form must be completely filled-up in an original copy only.</li> <li>2. A copy of Gift Acceptance Form must be submitted to Group Human Capital, Unit Integrity and Group Internal Audit Department for record keeping.</li> </ol>													
<p><b>A RECEIVER PERSONAL DETAILS</b></p>													
<ol style="list-style-type: none"> <li>1. Name : _____</li> <li>2. Identification No. : _____</li> <li>3. Position : _____</li> <li>4. Company/Subsidiary/Division : _____</li> <li>5. Department/Unit : _____</li> </ol>													
<p><b>B GIFT INFORMATION</b></p>													
<ol style="list-style-type: none"> <li>1. Type of Gift (Brand, Name of gift, Estimated Value (RM)) : _____</li> <li>2. Name of Giver : _____</li> <li>3. Receiver Name : _____</li> <li>4. Date Received : _____</li> <li>5. Reason of Receiving Gift : _____</li> <li>6. Placement of Gift : _____</li> </ol>													
<p><b>C STAFF ACKNOWLEDGEMENT</b></p>	<p><b>D APPROVAL</b></p>												
<p>I acknowledge that all the information stated in this form are true.</p>  <p>_____ (Signature)</p> <p>Name : _____</p> <p>Position : _____</p> <p>Date : _____</p>	<p>Please tick (√) as follows:</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;"><input type="checkbox"/> A</td> <td style="text-align: center;"><input type="checkbox"/> C</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> B</td> <td style="text-align: center;"><input type="checkbox"/> D</td> </tr> </table> <p><i>(Please refer *Note as stated below)</i></p>  <p>_____ (Signature)</p> <p>Name : _____</p> <p>Position : _____</p> <p>Date : _____</p>	<input type="checkbox"/> A	<input type="checkbox"/> C	<input type="checkbox"/> B	<input type="checkbox"/> D								
<input type="checkbox"/> A	<input type="checkbox"/> C												
<input type="checkbox"/> B	<input type="checkbox"/> D												
<p><i>Note :</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 20px;">A</td> <td style="width: 20px;">-</td> <td>Instruct staff to return gift to the person or party who gave the gift;</td> </tr> <tr> <td>B</td> <td>-</td> <td>Allow staff to accept the gift;</td> </tr> <tr> <td>C</td> <td>-</td> <td>Allow the department to keep the gift; or</td> </tr> <tr> <td>D</td> <td>-</td> <td>Dispose the gift as appropriate.</td> </tr> </table>		A	-	Instruct staff to return gift to the person or party who gave the gift;	B	-	Allow staff to accept the gift;	C	-	Allow the department to keep the gift; or	D	-	Dispose the gift as appropriate.
A	-	Instruct staff to return gift to the person or party who gave the gift;											
B	-	Allow staff to accept the gift;											
C	-	Allow the department to keep the gift; or											
D	-	Dispose the gift as appropriate.											



**Conditions For Approving the Receipt of Gifts By Heads Of UHSB Divisions**

- 1) The authority to approve the acceptance of gifts by the Heads of Divisions is subject to the following rules:
  - i. Gifts received must be given by the donor free of charge without any conditions and obligations. The donors do not have any interest in the UHSB Group.
  - ii. It must be ensured that the items or equipment donated are unused and the spare parts are easily available and provide benefits or benefits to the Division or Group of UHSB in general.
  - iii. A gift is given by a donor voluntarily and not at the request of the relevant UHSB Group staff. UHSB Group employees are prohibited from seeking gifts or donations from any party whether organization or individual.
  - iv. Acceptance of a gift will not result in the creation of a new position to handle it. In this regard, Division Heads shall ensure that their trained members are available and sufficient to handle the gifts received.
  - v. The Division's allocation is sufficient to fund the maintenance of the gifts received.
  - vi. Heads of Divisions are responsible for ensuring that the gifts received are used according to what is desired by the donor.
  - vii. All gifts approved by the recipient shall be included in the inventory of the Division.
- 2) Heads of Divisions are required to send to the Human Resources, Administration (personal files of staff) and the Department of Integrity, Audit & Governance (Department records) when a gift has been approved for acceptance. The form must state the details of the gift, its value, the name of the donor and the place where the gift is placed.
- 3) All gifts in the form of cash must be acted upon by establishing an appropriate trust account.