



**PROLINTAS MANAGERS
SDN. BHD.**

202201019689 (1465386-M)

**NO GIFTS
POLICY**

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1.0 ABBREVIATIONS

BGRIC	Board Governance, Risk and Integrity Committee
BOD	Board of Directors
CCD	Corporate Communications Division
CEO	Chief Executive Office
CON	Contractors
EREQ	External Requestors
FIN	Finance Division
HCD	Human Capital Division
HOD	Head of Department
HODV	Head of Division
IAD	Internal Audit Department
IGD	Integrity & Governance Department
IO	Investigation Officer
LOA	Limit of Authority
RMCD	Risk Management & Compliance Department
IREQ	Internal Requester
SOP	Standard Operating Procedures
SUPP	Suppliers

2.0 DEFINITION

Gift refers to a thing, right, property, interest, favour, or anything of monetary value transferred or made gratuitously by any person, whether natural or juridical, group or association. It shall also include offer of entertainment characterized as excessive and under circumstances which may influence the decision on any matter relating to the functions or duties of the recipient.

- 2.1 Personal gift** is given in a private setting, without the knowledge or an approval of the company management of one or both parties. Personal gift may include but not limited to cash, electronic items, watches, luxury pens, interest-free loans, property, vehicles, free fares, shares, lottery tickets, travel facilities, entertainment, services, club memberships, any forms of discount or commission, jewellery, decorations souvenirs, vouchers, or any other valuable items.
- 2.2 Corporate gift** is given from one organization to another, to and from appointed representatives of each. The gift are given transparently and openly, with the implicit or explicit approval of the management on both sides. Examples of corporate gift include and not limited to corporate branded items such as diaries, table calendars, pens, notepads, plaques, and festive gift such as hampers, oranges, and dates. This includes prizes won during competitions (including lucky draws) by PMSB representatives, or freebies as advertised to the public that are obtained in the ordinary process of the company's purchase of goods and services.

3.0 INTRODUCTION

PMSB recognizes that gift giving is part and parcel of the Malaysian culture. In delivering integrity and good governance in conducting business, PMSB explicitly prohibits personal gift from either party due to its potential or perceived consequences. Nevertheless, corporate gift are acceptable if it complies with policies and guidelines set forth herewith.

- 3.1 Gift** can be perceived as a bribery. Negligence, inexperience, and ignorance to the potential risk of corruption increase the likelihood of gift being used as a means of bribery. Gift may be used by corrupt third parties to manoeuvre the company's personnel to a position of obligation. Gift may also be utilized by personnel to corruptly build favours with prospective clients. Gift given to a potential client may also cause offense or infringe on the client's own rules which could lead to exclusion from future business dealings.
- 3.2** As gift giving is very much embedded in our culture, it may be difficult for personnel to know where to draw the appropriate line on what constitutes gift and bribery. Because of the high risk attached to gift giving, the company should have a clear written policy supported with guidelines, controls, and detailed procedures conveyed to all the staff. Controls include thresholds for the value of gift provided and can be flexible to account for local customs and the varying costs of such expenses in different countries.
- 3.3** To avoid conflict of interest and/or the appearance of conflict of interest, **PMSB and its employees shall not accept gift from vendors, suppliers, customers, potential employees, potential vendors or suppliers, or any other individual or organization, under any circumstances.**

3.4 As an effort to demonstrate PMSB commitment to these standards and behaviour, all employees must abide by the following No Gift Policy requirements.

4.0 PURPOSE

This policy is to provide a clear, consistent, and actionable framework when an occasion of gift receiving or gift giving arises.

5.0 SCOPE

This policy is applicable to all PMSB personnel (covering all PMSB employees and PMSB Board of Directors).

6.0 REFERENCES

No.	REFERENCES
1.	Malaysian Anti-Corruption Commission Act 2009 - <i>Section 16, 17, 18, 20, 21,22, 23</i>
2.	Malaysian Anti-Corruption Commission (Amendment) Act 2018 - <i>Section 17A</i>
3.	PMSB Limit of Authority (LOA)
4.	Code of Business Ethics and Conduct (CoBE)
5.	PMSB Whistleblowing Policy

7.0 POLICY OWNER

The Integrity & Governance Department (“IGD”) is the owner of this policy.

8.0 WORK PROCEDURES

Corporate gifts are acceptable if it complies with policies and procedures set forth herewith.

8.1 GIFT GIVING POLICY

8.1.1 POLICY

- (a) All budgets for corporate gift must be approved by CEO.
- (b) All kind of gift are prohibited. The only form of gift allowed to be given to third party is corporate gift. If the third party still insist to make request for gift giving, details of intended recipients along with the Gift Giving Requisition Form shall be submitted to IGD.
- (c) All corporate gift shall bear the PMSB name and/or logo.
- (d) The value of a corporate gift to third party shall not be more than **RM3,000.00** per item and is subjected to the approval by CEO. (A hamper is considered as one (1) item)
- (e) The giving of corporate gift other than those available at CCD is also subjected to the approval by CEO.
- (f) Should a special occasion arises requiring the giving of a corporate gift more than RM3,000.00 per item, the giving of corporate gift shall be subjected to further approval as laid out in **8.1.2 (iv) (e)**.
- (g) All personnel are prohibited from giving gift in a form of cash, including as loans, to external parties in a capacity as PMSB employee.
- (h) During festive seasons, PMSB shall not give more than one (1) festive gift to the same recipient and must first be referred to HODV of CCD.
- (i) Directors wishing to give corporate gift should go through the Company Secretary. The normal Gift Giving Procedures shall apply.

8.1.2 PROCEDURES

- (i) This procedure applies in giving of corporate gift items which are not available at CCD.
- (ii) PMSB personnel who wishes to give corporate gift must get verification from HOD/HODV by using the Gift Giving Requisition Form with detailed justification to support the request.
- (iii) The form shall be compiled once the request is recommended by the HOD/HODV and complete all the followings before submitting the form to IGD:
 - (a) All budgets for corporate gift must be verified by Finance Division before submitting the Gift Giving Requisition Form to IGD.
 - (b) During festive seasons, IGD shall compile request for festive gift and/or hampers from various heads of divisions/departments. The division/department heads shall indicate the name, position, and organization of intended receiving party.
 - (c) The completed Gift Giving Requisition Form shall be forwarded to IGD for background check.
 - (d) IGD will determine to either recommend the request before it be submitted to CEO for approval. In the absence of CEO, the request shall be forwarded to MC (Governance & Integrity).
 - (e) Approval shall be obtained as per the following authority:

THRESHOLD (PER ITEM)	APPROVING AUTHORITY
Value up to RM3,000.00	CEO
Value up to RM10,000.00	MC (Governance & Integrity)
Value above RM10,000.00	BAC

- (f) The CEO will execute decision as determined by the approving authority with the assistance of the IGD.
- (g) If the application is rejected, the IGD will return the Gift Giving Requisition Form along with the refusal note to the requestor.
- (h) The IGD shall ensure relevant approvals are obtained and proper separation of duties (the requester is not the same as the approver) is followed.
- (i) The IGD must be notified after gift are purchased and delivered. The IGD will then update the Gift Log.
- (j) On submission of expense claims, items for gift must be remarked as such, for recording by the Finance Division when processing the claim; and
- (k) The IGD is to receive a monthly report from Finance Division, detailing all gift claims. If there are no gift given during the month, Finance Division should prepare a “Nil Gift Report” to be given to the IGD.
- (l) **Gift giving to PMSB’ staffs and directors, threshold is as stated below:**

DESCRIPTION	THRESHOLD (PER PERSON)	APPROVING AUTHORITY
Gift giving to members of the BOD	Value up to RM10,000.00	CEO
Gift giving to staff, outside provisions in Employee Handbook	Value up to RM2,000.00	CEO

8.2 RECEIVING GIFT POLICY

8.2.1 POLICY

- (i) PMSB personnel are prohibited from soliciting from external parties.
- (ii) The receiving of personal gift of any kind by PMSB personnel from external parties with financial dealings with PMSB is strictly prohibited.
- (iii) PMSB personnel are only allowed to receive corporate gift of insignificant values such as diaries, calendars, pens, and notepads from external parties. Gift of insignificant value is a gift amounting of **RM500.00 and below**. Gift of less than the significant value do not have to be reported.
- (iv) Any corporate gift over the level of insignificant value will be declared to the IGD for their decision. If IGD deems the gift to give rise to a sense of obligation, the gift shall be sent to the IGD and returned to sender.
- (v) The IGD shall update the Gift Log accordingly.
- (vi) No gift or hamper of any kind from parties who have financial dealings with PMSB are to be delivered to PMSB personnel outside office premises. If such gift or hamper are delivered to staff, the gift or hamper must be reported to the IGD via email, and sent to the IGD in person, or by dispatch or recorded delivery, for the IGD to take appropriate action;
- (vii) Family members of PMSB personnel are prohibited from receiving personal gift from any party having financial dealings with PMSB.
- (viii) All corporate gift including hampers or festive gift received are to be delivered to PMSB offices, where they are to be collected at Reception Counters and shared amongst PMSB staff; and
- (ix) All PMSB personnel must notify the IGD via email upon receiving a personal gift or a corporate gift or hamper that violates the No Gift Policy.

8.2.2 PROCEDURES

- (i) All gift received from the external parties must be notified to the HOD/HODV.
- (ii) All the details concerning the received gift must be filled in the Receiving Gifts Requisition Form before submitting to IGD for recommendation.
- (iii) The IGD may return the gift to the sender with a refusal note if by receiving the gift has a potential sense of obligation. The IGD will update the Gift Log accordingly.
- (iv) If a perishable gift has been received, the receiver shall notify the IGD. The perishable gift shall be distributed for the consumption amongst the relevant unit or department staff.

9.0 RETURN AND ACKNOWLEDGEMENT OF GIFT

If any of PMSB personnel, receives a gift, such gift, if feasible, shall immediately and politely be declined. If it is not feasible, or it is inappropriate or impractical, to return the gift, e.g. it is a perishable item, the recipient is advised to consult IGD.

10.0 WRITTEN EXEMPTION

Any exemption to this “No Gift Policy” may be made only with the written permission of the PMSB Chairman in the case of the members of PMSB Board of Directors and written permission of the Chief Executive Officer for all PMSB employees.

11.0 PENALTIES

This policy shall serves as supplement to existing laws, rules and regulations governing giving and receiving gift. Any violation of this Policy shall be subjected to administrative sanctions under PMSB rules and regulations.

12.0 PUBLIC INFORMATION

Corresponding notices and/or letters informing the external parties of this “No Gift Policy” shall be posted within the premises and website of PMSB.

13.0 VIOLATIONS

Disciplinary action shall be applied on any PMSB personnel who is proven to have violated the policy, which may include the following:

- (a) Written warning.
- (b) Fine.
- (c) Forfeiture or emoluments.
- (d) Deferment of salary increase.
- (e) Deduction of salary.
- (f) Demotion.
- (g) Dismissal.
- (h) Legal action as deemed fit by PMSB.

14.0 REVIEW AND INSPECTION

- 14.1 For gift giving**, the IGD will conduct analysis using the Gift Log and reports obtained from Finance Division to ensure that:
- (a) The total value of gift given to any single recipient does not exceed RM10,000.00 in a twelve (12) month period, or is suspiciously excessive.
 - (b) The reasons for gift giving are appropriate and are business related only; and
 - (c) The gift given to PMSB personnel are not likely to create a sense of obligation towards the sender.
- 14.2 For receiving gift**, the IGD will conduct regular reviews to ensure that:
- (a) No PMSB personnel received any personal gift from external parties.
 - (b) All personal gift received by PMSB staff are declared and returned to the sender or if the gift is perishable, distributed for consumption amongst staff.
 - (c) Corporate gift above the insignificant limit received by PMSB staff do not give any sense of obligation.
 - (d) Festive gift received are shared amongst PMSB staff.
 - (e) Gift from parties who have financial dealings with PMSB have not been received outside office premises (for example at PMSB staff's home).

15.0 RISK ASSESMENT

No	Potential Risk Activities
1	Bribery in the form of Gift Giving within PMSB
2	Bribery in the form of Gift Giving from External Parties
3	Bribery in the form of Receiving Gift within PMSB
4	Bribery in the form of Receiving Gift from External Parties
5	Direct cash payments as bribers
6	False Claims or Fraud
7	Conflict of Interest
8	Favours / Abuse of Power / Collusion
9	Extortion
10	Facilitation Payments
11	Bribes disguised as Charitable Donations or Sponsorship
12	Bribes disguised as Political Contribution
13	Bribes through pocket money: per diems and expenses
14	Bribes through rebates and discount or kickbacks
15	Bribes masked as commissions
16	Bribes through joint ventures
17	Bribes through employment contracts and consulting agreements
18	Bribes through training courses
19	Bribes through public officials, agencies, NGOs, or politicians
20	Bribes through agents, intermediaries and introduces
21	Bribes through the supply chain: sub-contractors and distributors
22	Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities

16.0 RECORDS

All records describe below is controlled by the IGD based on the **Integrity & Governance Department's Record**.