



George Town World Heritage Incorporated

Anti-Bribery and Corruption Policy

(Ver. 19 November 2021)

1. Introduction

- 1.1. In accordance with the National Anti-Corruption Plan 2019-2023 and in reference to the Adequate Procedure Guidelines under subsection (5) of section 17A of the Malaysian Anti-Corruption Commission Act 2009 (Amendment 2018), the Board of Directors of George Town World Heritage Incorporated has approved the George Town World Heritage Incorporated Anti-Bribery and Corruption Policy (herewith referred to as “the Policy”) as the fundamental document to enhance integrity, promote good governance, and curb weaknesses regarding bribery and corruption.
- 1.2. The Policy shall be read together with the George Town World Heritage Incorporated Anti-Bribery System Management Manual, George Town World Heritage Incorporated Organisational Anti-Corruption Plan, *Terma-Terma Perkhidmatan dan Kewangan* George Town World Heritage Incorporated, and George Town World Heritage Incorporated Standard Operating Procedures.
- 1.3. George Town World Heritage Incorporated's Board of Directors has overall responsibility for ensuring that this Policy complies with legal and ethical obligations.
- 1.4. The Compliance Officer is the General Manager who has primary and day-to-day responsibility for implementing this Policy, and for monitoring its use and effectiveness.

2. Policy Statement

- 2.1. George Town World Heritage Incorporated has designed and instituted the appropriate policies and procedures to support our business operations and assist our directors, employees, partners, business associates, and clients to understand their obligation to comply with this Policy and to disclose any corruptions, bribes, conflicts of interest or similar unethical acts that they may have.
- 2.2. All directors and employees of George Town World Heritage Incorporated shall conduct all of its business in an honest and ethical manner, with zero-tolerance against any act of bribery and corruptions, and are committed to acting professionally, fairly and with integrity in all its business dealings and relationships. It is the goal of George Town World Heritage Incorporated to avoid acts which might reflect adversely upon the integrity and reputation of George Town World Heritage Incorporated.
- 2.3. The Policy will be updated as the law and regulations change to incorporate the latest standards in anti-bribery and anti-corruption.

3. Scope

- 3.1. The principles and obligations outlined in this Policy apply to all directors and employees of George Town World Heritage Incorporated including the governing body, top management, departmental managers, full-time employees, part-time employees and project-based employees. This Policy also reflects the standards expected from George Town World Heritage Incorporated's partners, business associates, and clients.
- 3.2. All directors and employees of George Town World Heritage Incorporated shall understand, adopt and adhere to the contents in the Policy and other procedures referred to herein.
- 3.3. All George Town World Heritage Incorporated directors, employees, partners, business associates, and clients must read, understand, and comply with this Policy, as well as all relevant rules and regulations in relation to anti-bribery and corruption that govern the company's day-to-day operations, activities, and services.

4. About George Town World Heritage Incorporated

4.1. Background

George Town World Heritage Incorporated was established by the Penang State Government on 21 April 2010 as a Company Limited by Guarantee to serve as a special purpose vehicle in the management of George Town Heritage City of the UNESCO World Heritage Site of Melaka and George Town, Historic Cities of the Straits of Malacca.

George Town World Heritage Incorporated is governed by the Board of Directors led by the chairperson. The Board of Directors appoints the General Manager to lead the day-to-day operations of the office. There are five departments in George Town World Heritage Incorporated, each led by the departmental manager whose duties are supervised and authorised by the General Manager. Each department consists of senior officers, officers or assistants. Part-time or project-based employees are hired depending on the ad-hoc project size.

4.2. Vision

The convergence of an intelligent and sustainable heritage city that belongs to Penang, Malaysia, and all of humanity.

4.3. Mission

To serve as the Site Manager of George Town Heritage City, part of the UNESCO World Heritage Site of Melaka and George Town, Historic Cities of the Straits of Malacca, with the responsibility of mobilising stakeholders and the public in safeguarding and conserving the Outstanding Universal Value.

4.4. Functions

- a) To undertake, plan, supervise, coordinate and monitor policies, project studies, surveys and investigation on heritage matters and preserve the world heritage property of George Town Heritage City, part of the UNESCO World Heritage Site of Melaka and George Town, Historic Cities of the Straits of Malacca, including to continuously assess and monitor all present heritages sites, buildings and so on, for the purposes of conservation and maintenance.
- b) To carry out projects and activities at the heritage site, coordinate and facilitate research in heritage matters, procure private sector involvement in any heritage conservation projects or programmes to nurture the heritage culture, promote socio-economic development through community projects at the George Town Heritage City, part of the UNESCO World Heritage Site of Melaka and George Town, Historic Cities of the Straits of Malacca, and continuously develop a sustainable heritage culture for tourists.
- c) To prepare budgets, plan and monitor all project expenditures and procure sponsorships for all heritage plans or projects or activities, as well as monitor and table status reports on the implementation of the George Town UNESCO Special Area Plan and coordinate with foreign counterparts of any conservation projects or works or in any other way procure the advice and assistance of experts to advise and assist George Town World Heritage Incorporated in carrying out the company's business.

4.5. Activities

- a) To plan, coordinate, supervise, monitor or execute policies, project studies, or investigation on heritage matters for the George Town Heritage City, part of the UNESCO World Heritage Site of Melaka and George Town, Historic Cities of the Straits of Malacca.
- b) To provide information and complimentary consultation services to the public, and private and professional groups on the conservation and management on living heritage, built heritage, as well as movable and immovable heritage.
- c) To promote cultural heritage awareness, and knowledge through educational, promotional and capacity building programmes, such as site visits, meetings, workshops, conferences, exhibitions and heritage celebrations.
- d) To facilitate and conduct inventory, documentation and research projects to compile, store, organise, update, verify, and manage the database related to the World Heritage Site.

- e) To collaborate with local and international entities, such as educational institutions, professional bodies, governmental agencies, individuals, other heritage site managers, private entities, contractors, non-governmental organisations, UNESCO (and its Category 2 Centres), and other international bodies.

5. Fighting Bribery and Corruption

5.1. Definitions

- a) **Bribery** is defined as offering, promising, giving, accepting or soliciting of an undue advantage of any value (which could be financial or non-financial), directly or indirectly, and irrespective of location(s), in violation of applicable law, as an inducement or reward for a person acting or refraining from acting in relation to the performance of that person's duties.
- b) **Conflict of interest** is a situation where business, financial, family, political or personal interests could interfere with the judgment of persons in carrying out their duties for the organisation.
- c) **Extortion** means to directly or indirectly demand or accept a bribe, facilitation payment or kickback.
- d) An **inducement** is something which helps to bring about an action or desired result.
- e) **Kickbacks** are payment of any portion of a contract made to employees of another contracting party or the utilisation of other techniques, such as subcontracts, purchase orders or consulting agreements, to channel payment to public officials, political parties, party officials or political candidates, to employees of another contracting party, or their relatives or business associates.

5.2. Solicitation, Bribery and Corruption

All directors and employees of George Town World Heritage Incorporated are not permitted to pay, offer, accept or receive a bribe in any form, and this shall include:

- a) Receiving or agreeing to receive (for himself or for any other person) or giving, promising or offering to any person any gratification as an inducement to or a reward for any person doing or forbearing to do anything.
- b) Accepting or obtaining, or agreeing to the same, any gratification as an inducement or reward for doing or forbearing to do, any act in relation to his principal's affairs or business, or for showing or forbearing to show

favour or disfavour to any person in relation to his principal's affairs or business committing an offence.

- c) Offering, paying or giving anything of value to any parties in order to obtain business or anything of benefit to George Town World Heritage Incorporated.
- d) Acting illegally including bribes, blackmail, inducements, secret commissions, other rewards and similar improper actions.
- e) Attempting to induce any parties to do something illegal, unethical and permit any parties to violate the rules.
- f) Giving advantage inconsistent with the law and wrongful or unlawful use of one's official position to procure personal gain.
- g) Giving to an agent, or being an agent, he uses with intent to deceive his principal, any receipt, account or other document in respect of which the principal is interested, and which he has reason to believe contains any statement which is false or erroneous or defective in any material particular, and is intended to mislead the principal.
- h) Using the office or position for gratification (abuse of position).

5.3. Conflicts of Interest

- a) Conflicts of interest occur when an individual or organisation is involved in multiple interests, one of which could possibly corrupt, or be perceived to corrupt, the motivation for an act in another. A conflict of interest may be actual, potential or perceived and may be financial or non-financial.
- b) It is the responsibility of all directors and employees of George Town World Heritage Incorporated to ensure that any ethical, legal, financial or other conflict of interest is avoided and that any such conflicts (where they do arise) do not conflict with the obligations to George Town World Heritage Incorporated.
- c) All directors and employees of George Town World Heritage Incorporated shall avoid any situation or activity that compromises, or may compromise, their judgement or ability to act in the best interest of George Town World Heritage Incorporated.
- d) All directors and employees of George Town World Heritage Incorporated shall avoid being in a position, and must disclose any conflicts of interests through declaration in writing to the General Manager where their personal interests are in conflict (or could be in conflict) with the interests or business of George Town World Heritage Incorporated.

5.4. Receiving Entertainment, Hospitality and Travel

- a) This Policy does not prohibit normal and appropriate (given or received) entertainment, hospitality of travel to or from third parties.
- b) All directors and employees of George Town World Heritage Incorporated should use good judgment in determining whether a specific entertainment, hospitality or sponsored travel lies within the bounds of acceptable business practice. All employees are encouraged to discuss the issue with their departmental manager or the General Manager immediately. All directors are also advised to discuss the issue with the General Manager or the Board of Directors chairman immediately.
- c) Any offering or receiving of entertainment, hospitality and sponsored travel that may be perceived to unfairly influence a business relationship must strictly be avoided at all times. They should only be provided and received where they are appropriate, consistent with reasonable business practice, and would not be perceived to have any improper influence on the recipient.
- d) All directors and employees of George Town World Heritage Incorporated must not request, accept, offer or provide entertainment, hospitality and sponsored travel designed to induce, support or reward improper conduct in connection with any business or anticipated future business involving George Town World Heritage Incorporated.
- e) All giving of entertainment, hospitality and sponsored travel must get necessary approval from the General Manager.
- f) All receipt of entertainment, hospitality and sponsored travel must be reported to the General Manager within forty-eight (48) hours after receiving it or as soon as practically possible thereafter.
- g) When giving or receiving of entertainment, hospitality and sponsored travel, the directors and employees shall make sure that it is aimed at nothing more than general relationship building; could not be perceived as an attempt to gain influence in respect of any particular matter; and is lawful in the country in which made.

5.5. Receiving Gifts

- a) This Policy does not prohibit normal and appropriate (given or received) gifting to or from third parties.
- b) When giving or receiving gifts, the directors and employees shall make sure that it is aimed at nothing more than general relationship building; could not be perceived as an attempt to gain influence in respect of any particular matter; and is lawful in the country in which made. The acceptable range of value for any gift should be not more than Ringgit Malaysia Five Hundred Only (RM500.00).

- c) All directors and employees of George Town World Heritage Incorporated should use good judgment in offering or receiving gifts. In determining whether a specific gift item lies within the bounds of acceptable business practice, all employees are encouraged to discuss the issue with their departmental manager or the General Manager immediately.
- d) All directors and employees of George Town World Heritage Incorporated must not request, accept, offer or provide gifts designed to induce, support or reward improper conduct in connection with any business or anticipated future business involving George Town World Heritage Incorporated.
- e) Offering or receiving any gifts that may be perceived to unfairly influence a business relationship must be strictly avoided at all times. They should only be provided and received where they are appropriate, consistent with reasonable business practice, and would not be perceived to have any improper influence on the recipient.
- f) All giving of gifts by the employee must obtain the necessary approval from the General Manager.
- g) All giving of gifts by the directors must obtain the necessary approval from the chairperson of the Board of Directors.
- h) All receipt of gifts by the employee must be reported to the General Manager and departmental manager via email within forty-eight (48) hours after receiving it or as soon as practically possible thereafter.
- i) All receipt of gifts by the directors must be reported to the chairperson of the Board of Directors via email within forty-eight (48) hours after receiving it or as soon as practically possible thereafter.

5.6. Sponsorships and Donations

- a) This Policy does not prohibit normal and appropriate (giving or receiving) of sponsorship and donations to or from third parties.
- b) All directors and employees of George Town World Heritage Incorporated shall ensure that all sponsorships and donations are not used as a subterfuge for bribery or used to circumvent or avoid any of the provisions of the General Manager, including in particular, the prohibition on bribery.
- c) Any sponsorship or donations shall be accurately stated in the company's accounting books and records and shall not be used as a means to cover up an undue payment or bribery.

- d) Any amount of sponsorship or donation shall be reported in writing to alert and inform the General Manager and all departmental managers via email.
- e) Only contributions with an identified purpose from a donor whose identity can be recorded and that are allowed by applicable laws can be credited to George Town World Heritage Incorporated's bank account.
- f) Contributions from unknown donors or for unknown purposes shall be reported to the Board of Directors.

5.7. Charitable Contributions and Social Benefits

- a) George Town World Heritage Incorporated is committed to making a positive difference in the communities in which they operate. As part of this commitment, George Town World Heritage Incorporated will consider requests from local and international organisations, governments, communities and individuals to contribute to local educational or cultural activities or contribute to the development of or to provide goods and services that serve the vision and mission of George Town World Heritage Incorporated.
- b) Requests must be carefully considered to ensure that the contributions made will be used for the intended lawful purposes.
- c) No charitable contribution, sponsorship or similar contribution shall be given unless it has been pre-approved by the General Manager or such other person designated by the Board of Directors.

5.8. Other Red Flags

Not limited to the items listed above, the following is a list of red flags that may indicate the possible existence of corrupt practices and should be kept in mind by all those subject to this Policy:

- a) Use of any associates with a poor reputation.
- b) Unusually generous offers from an unknown donor.
- c) Cash payments, or payments made without a paper trail or without compliance with normal internal controls.
- d) Payments to be made through third party countries or to offshore accounts without proper justifications.
- e) Private meetings requested by business associates hoping to tender for contracts.
- f) Not following the company policy or procedures – abusing the decision-making process.

- g) Unexplained preferences for certain sub-contractors.
- h) Invoices rendered or paid in excess of contractual amounts.

6. Good Governance with High Integrity Work Culture

6.1. Good Governance

- a) Any directors or employees who have been asked to make a payment on the company's behalf should always be mindful on the purpose of the payment, and if the amount requested is proportionate to the goods or services provided.
- b) All payments shall be issued with a receipt which details the reason for the payment.
- c) Any suspicions, concerns or queries regarding a payment should be raised immediately to the General Manager, wherever possible, prior to taking any action.
- d) All directors, employees, partners, business associates, or clients must notify the General Manager as soon as possible if they believe or suspect that an action in conflict with this Policy has occurred, or may occur in the future, or has been solicited by any person.
- e) Any person who breaches this Policy will face disciplinary action, which could result in dismissal for gross misconduct. Ascendant reserves its right to terminate its contractual relationship with other persons if they breach this Policy.
- f) The General Manager will have full authority to implement the Policy within his or her spheres of responsibility. Measures to be taken shall include implementing and maintaining systems and controls designed to prevent bribery, minimise the risk of bribery and detect instances of bribery.
- g) The General Manager must act promptly and escalate the matter in accordance with this Policy upon receiving expressions of concern.
- h) Anti-bribery trainings for employees on the specific needs of particular job functions are provided at least once annually.

6.2. Record Keeping

- a) George Town World Heritage Incorporated shall report and keep a record of the amount and reason for gifts, hospitality and entertainment received and given, including donations, sponsorships and expenses of similar nature, and understand that such expenses are subject to management review.

- b) George Town World Heritage Incorporated shall keep detailed and accurate financial and other records and shall have appropriate internal controls in place as evidence of all payments made.
- c) George Town World Heritage Incorporated must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties, for a period of seven years.
- d) All transactions must be executed in accordance with management's general or specific authorisation. Transactions must be recorded as necessary to permit preparation of financial statements in conformity with financial reporting standards, for a period of seven years.
- e) George Town World Heritage Incorporated will maintain available for inspection accurate books and records that fairly document all financial transactions, risk assessments and due diligence.
- f) All accounts, invoices, memoranda and other documents and records relating to dealings with third parties should be prepared and maintained with strict accuracy and completeness. No accounts or cash funds may be kept "off-book" to facilitate or conceal improper payments. The use of false documents and invoices is prohibited, as is the making of inadequate, ambiguous or deceptive bookkeeping entries and any other accounting procedure, technique or device that would hide or otherwise disguise illegal payments.
- g) To ensure the effectiveness of internal controls, business, and finance personnel, George Town World Heritage Incorporated will review transactions and expense or payment requests for warning signs that signal an inadequate commercial basis or present excessive risks.

6.3. Risk Assessments

- a) Standard business risk assessments will be conducted annually to determine the level of controls necessary for a particular aspect of George Town World Heritage Incorporated's operations, including in relation to procurement and tender processes with consideration on any business transactions and decision making.
- b) Specific policies and procedures will be adapted and implemented to proportionately address the risks identified.

6.4. Due Diligence

George Town World Heritage Incorporated will conduct appropriate due diligence to inform risk assessments and ensure compliance with the Policy, including and not limited to the following warning signs:

- a) Any director or employee that has current business, family or some other close personal relationship with any partners, business associates, or customer.
- b) Any director or employee of George Town World Heritage Incorporated that recommends or insists on the use of a certain partner or business associate without sufficient justifications.
- c) Any partner or business associate that refuses to agree to anti-corruption contractual terms, uses a shell company or other unorthodox corporate structure, insists on unusual or suspicious contracting procedures, refuses to divulge the identity of its owners, or requests that its agreement be backdated or altered in some way to falsify information.
- d) Any partner or business associate that has a poor reputation or has faced allegations of bribes, kickbacks, fraud or other wrongdoing or has poor or non-existent third-party references.
- e) Any partner or business associate that does not have an office, employee or qualifications adequate to perform the required services.
- f) Any payment request by any partner or business associate that is unusual, not supported by adequate documentation, unusually large or disproportionate to products to be acquired, does not match the terms of a governing agreement, involves the use of cash or an off-the-books account, is in a jurisdiction outside the country in which services are provided or to be provided, or is in a form not in accordance with local laws.
- g) Records and documentation must be kept of due diligence as part of the system of internal controls and record keeping.

7. Reporting of a Concern and Whistle Blower Protection

- 7.1. All directors, employees, partners, business associates, and clients must adhere to George Town World Heritage Incorporated's commitment to conduct its business and affairs in a lawful and ethical manner.
- 7.2. Anyone who becomes aware of any actual or suspected breach of this Policy shall immediately report to the General Manager via email at [angmingchee\(at\)gtwhi\(dot\)com\(dot\)my](mailto:angmingchee(at)gtwhi(dot)com(dot)my).
- 7.3. All George Town World Heritage Incorporated employees are not permitted to ignore, or fail to report, any suggestion of a bribe.
- 7.4. Persons who refuse to engage in or permit a bribery offence, or who raise legal or ethical concerns or report another's wrongdoing, are sometimes worried about possible repercussions. George Town World Heritage Incorporated aims to encourage openness and will support anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken. No directors,

employees, partners, business associates or clients will suffer demotion, penalty, or other adverse consequences for refusing to engage in or permit a bribery offence or for raising concerns or for reporting possible wrongdoing, even if it may result in George Town World Heritage Incorporated losing business or otherwise suffering a disadvantage.

- 7.5. George Town World Heritage Incorporated prohibits retaliatory action against any person who raises a concern in good faith.
- 7.6. The matters which may be reported under the Whistle Blower Policy include but are not limited to:
 - a) Concerns about bribery and corruption.
 - b) Concerns about any other criminal activity or failure to comply with legal obligations.
 - c) Concerns about any conduct likely to damage George Town World Heritage Incorporated's reputation.
 - d) Concerns about possible money laundering or sanction breaches.
 - e) The deliberate concealment of any of the above matters.

8. Investigation

- 8.1. Any report of solicitations to engage in a prohibited act or possible violation of the Policy will be investigated by the General Manager.
- 8.2. The investigation will document all relevant facts, including persons involved, times and dates.
- 8.3. The identity of the person filing a report will be treated as confidential to the extent possible, and only revealed on a need-to-know basis or as required by law or court order.
- 8.4. On completion of the investigation, a written investigative report will be provided by the persons employed to conduct the investigation to the General Manager. If the investigation has documented unlawful, violative or other questionable conduct, the General Manager will advise the Board of Directors of the matter.
- 8.5. If any unlawful, violative or other questionable conduct is discovered, the General Manager shall cause to be taken such remedial action as the Board of Directors deems appropriate under the circumstances to achieve compliance with the Policy and applicable law, and to otherwise remedy any unlawful, violative or other questionable conduct. The persons employed to conduct the investigation shall prepare, or cause to be prepared, a written summary of the remedial action taken.

- 8.6. In each case, the written investigative report (or summary of any oral report), and a written summary of the remedial action taken in response to the investigative report shall be retained along with the original report by or under the authority of the General Manager.

9. Monitoring and Review

- 9.1. The General Manager will monitor the effectiveness and review the implementation of this Policy, considering its suitability, adequacy and effectiveness. Any deficiencies identified will be rectified as soon as possible.
- 9.2. Internal control systems and procedures will be subject to audits to provide assurance that they are effective in countering bribery and corruption.
- 9.3. George Town World Heritage Incorporated Board of Directors shall assess this Policy at least once annually to ensure its scope, policies, procedures and controls match the bribery and corruption related risks faced by George Town World Heritage Incorporated.
- 9.4. Any amendments to the Policy must be approved by George Town World Heritage Incorporated's Board of Directors.

10. Consequences of Non-Compliance with the Policy

- 10.1. Any directors who violate the terms of this Policy shall be disqualified and removed from his or her office.
- 10.2. Any employee who violates the terms of this Policy, or has direct knowledge of potential violations of this Policy but fails to report such potential violations to George Town World Heritage Incorporated's management, will be subject to severe consequences, which include internal disciplinary action, or termination of employment.
- 10.3. Any director or employee who misleads or hinders investigators enquiring into potential violations of this Policy, will be subject to severe consequences, which include internal disciplinary action, removal of office, or termination of employment.
- 10.4. Any partners, business associates, or clients who violate the terms of this Policy during or for its business interactions with George Town World Heritage Incorporated, who knows of and fails to report to George Town World Heritage Incorporated's management of potential violations of this Policy, or who misleads investigators making enquiries into potential violations of this Policy, may have their contracts re-evaluated or terminated.

11. Administration of Policy

- 11.1. This Policy will be posted on George Town World Heritage Incorporated's website at <https://gtwhi.com.my>.
- 11.2. George Town World Heritage Incorporated reserves the right to amend, modify, suspend or terminate this Policy at any time, with or without notice.
- 11.3. Any requests for additional guidance or interpretation regarding this Policy can be directed to the General Manager at [angmingchee\(at\)gtwhi\(dot\)com\(dot\)my](mailto:angmingchee@gtwhi.com.my).

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