



Education
MALAYSIA
GLOBAL SERVICES

ANTI-BRIBERY AND ANTI-CORRUPTION POLICY (“ABC”)

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1.0 Introduction

- 1.1 Education Malaysia Global Services (“EMGS”) adopts a **zero tolerance stance against all forms of bribery and corruption**. Refusal to engage in bribery, refusal to participate in acts of corruption, actively raising concerns, or the reporting of possible wrongdoing, will not be penalised even if such actions may result in EMGS losing business, not meeting its targets or suffering disadvantage.
- 1.2 EMGS is committed to implementing controls for preventing bribery and corruption in relations to its functions as following:
 - Administer and process visa/ikad application of international student;
 - Promote Malaysia as a global destination for education; and
 - Facilitate medical checkup and insurance coverage for international students in Malaysia.
- 1.3 This Anti Bribery and Anti-Corruption Policy (“ABC policy”) provides a roadmap for preventing bribery and corruption in conjunction with EMGS’s activities by those acting for or on behalf of EMGS; and shall be read together with EMGS’s Code of Business Conduct and Ethics (the “Code”).
- 1.4 Pursuant to Prime Minister’s Directive Series 1 Num.1 Year 2018, EMGS has establish an Integrity and Governance Unit. The Head of EMGS Integrity and Governance Unit (“Head of EMGS IGU”) shall be custodian of this ABC policy.
- 1.5 This ABC policy applies to all directors, employees, counterparties, agents, and any other third parties acting for or on behalf of EMGS.
- 1.6 References to “you” in this ABC policy refer to any person as stipulated in paragraph 1.5 above. Where more specific references are used (such as “employee” or “director”), the more specific reference is intended.

2.0 General Principles

- 2.1 This ABC policy attempts to address all areas with a risk of bribery and corruption, and shall be read together with EMGS Code and other EMGS policies and procedures.
- 2.2 As a rule of thumb in complying with this ABC policy, you shall observe the following:
 - **Due diligence** - Due diligence shall be performed on all persons such as prospective counterparties, employees and directors before EMGS enter into any business relationship or contract with them; and **on all payments** especially gifts, hospitality, donation and contributions to ensure they are neither inappropriate nor give rise to any perception of impropriety;
 - **Accountability** - Limit of authority are in place and complied with. Persons/officers nominated in the limit of authority must exercise necessary due diligence in carrying out their duties, and to raise any concerns (if any) to the Head of EMGS IGU for risk assessment and action plan; and
 - **Transparency** - All payments must be recorded accurately and reported appropriately and made easily available for audit and/or monitoring purpose.
- 2.3 If you have any questions or concerns, you are required to raise it with the Head of EMGS IGU for clarification and further action.
- 2.4 All policies, procedures and practices at EMGS are required to conform to this ABC policy. In the event of ambiguity or conflict between this ABC policy and EMGS’s other policies, procedures and practices; this ABC policy shall prevail and EMGS’s other policies and procedures shall be revised to ensure consistency with this ABC policy.

- 2.5 However, in the case of inconsistencies between this ABC policy and local laws; local laws and government regulation shall prevail. To avoid any possible misinterpretation, you shall address any queries, ambiguity, and conflict (actual or potential) to the Head of EMGS IGU.

3.0 Gifts, Hospitality and Other Benefits

- 3.1. The general principle of EMGS Gift Policy is to politely decline acceptance and/or provisions of any gift, hospitality and other benefits. However, there are few narrow exceptions which are as follows:
- 3.1.1. Commemorative gift with official company logo provided they are modest, given publically and does not give rise to perception of any impropriety;
 - 3.1.2. Gifts given and received during festive seasons provided they are perishable (i.e. food, flowers), modest, and distributed/shared among all employees; and
 - 3.1.3. Marketing Gifts provided they stringently conform to the test of appropriateness stipulated in the EMGS's Gift Policy.
- 3.2. As employees, directors or agents acting for or on behalf of EMGS, you may receive or provide gifts which are not in conjunction with your official duties at EMGS from counterparties and third parties of EMGS. You must, however, adhere to the following:
- a) It shall not be above RM500 or $\frac{1}{4}$ of your gross salary, whichever lower; and
 - b) Declare the gift immediately to the Head of EMGS IGU and abide to the action plan prescribed on whether you are allowed to keep or return it to the giver.
- 3.3. You are not only required to stringently comply with EMGS Gift policy but are required to comply with Gift Policy/Code of Conduct of the person(s) you are dealing with. In the event of any conflict between both policies, the stricter would apply.
- 3.4. The onus is on you to ensure that you adhere to the EMGS Gift Policy and ensure that your actions and behavior does not give rise to any perception of conflict of interest and/or impropriety in any way.

4.0 Corporate Social Responsibility ("CSR")

- 4.1 As employees and directors of EMGS, you must ensure that all CSR expenditures such as donations/aid and community sponsorship made on behalf of EMGS are given through legal and proper channels. Particular care must be taken in ensuring that the charities and sponsored organisations on the receiving end are legitimate bodies and are able to manage the fund responsibility.
- 4.2 You must adhere to EMGS's registration and pre-qualification process before a potential recipient can be acknowledged as EMGS's Approved CSR Recipient.
- 4.3 All approved CSR expenditures such as donations/aid and sponsorships must be made transparently and recorded accurately.
- 4.4 All requests for donation and community sponsorship by EMGS directors or through EMGS directors must be referred to EMGS's Board first for deliberation and approval. EMGS's CEO and Head of EMGS IGU must be notified as soon as possible of any proposal/request for sponsorship and/or donation.
- 4.5 You should beware of charities or sponsored organisations that may have links to politicians, government officials or their families; as this could be seen as an act to influence official's decisions in gaining benefit for employees or directors of EMGS. You must not be seen as politically aligned in this respect to your official duties at EMGS and you must safeguard the good name of EMGS at all times.

- 4.6 All CSR initiatives by EMGS including but not limited to donation/aid and community sponsorship must be done within the prescribed EMGS's CSR guidelines.
- 4.7 As part of its commitment to full disclosure to the public, EMGS shall endeavor to publicise all donations/aid and sponsorship given through an annual report or other appropriate channels.
- 4.8 You are not allowed to source any donation/aid or contribution on behalf of EMGS. EMGS would not request or solicit nor receive any donations/aid or community sponsorship for its own use or third party use. EMGS source of funding is limited to incomes received from international student visa/iKad application and application, government grants, and other sources approved by Malaysian Ministry of Higher Education in line with its functions.

5.0 Political Contributions

- 5.1 Pursuant to Prime Minister's Directive 2019 Series 2 Num.1 Year 2019, EMGS prohibits contributions to politician or political parties (or their representatives) using EMGS funds/resources.
- 5.2 You shall not entertain any request for EMGS funds from politician and political parties; including their representatives.
- 5.3 You shall not source for funds from other third party sources for any politician or political parties in conjunction for your role at EMGS.

6.0 Facilitation Payments

- 6.1 EMGS adopts a strict stance that disallows facilitation payments. Facilitation payment are illicit payments given to secure or expedite a routine or administrative duty or function.
- 6.2 Employees are expected to notify their immediate superior when encountered with any requests for facilitation payment. In addition, if a payment has been made and Employees are unsure of the nature, Head of EMGS IGU must be immediately notified and consulted for further action. They must ensure that the payment has been recorded transparently and reported appropriately.
- 6.3 EMGS uphold the safety of all employees as priority. In the event that an employee's safety is at stake, a facilitation payment to protect the employee is permitted if:
 - That is the immediate available recourse to protect safety of the Employee; and
 - Approval obtained from EMGS CEO and Chairman, in consultation with Head of EMGS IGU.Board's approval must be retrospectively obtained as soon as possible.

7.0 Employments and Contracts

- 7.1 In accordance with EMGS's Code, you will not offer employment or contracts in exchange for or promise of favours and/or business advantage, such as contracts, titles and other benefits for yourself or your business.
- 7.2 Any awards or offer/appointment shall be on the basis of merit as stated in EMGS's Code.
- 7.3 Pursuant to Prime Minister's Directive 2019 Series 2 Num. 1 Year 2019, you are required to conduct background checks including but not limited to integrity vetting via tools such as the Malaysian Anti-Corruption Commission Act ("MACC") e-STK (electronic Integrity Vetting System) before making any hiring decisions and (re)appointments for key management personnel(s) and directors.

8.0 Due Diligence

- 8.1 You shall conduct due diligence before entering into any relationship and before giving or receiving any payments.
- 8.2 Due diligence which include bribery and corruption risk assessment can be done during the registration and pre-qualification process through the following:
- Proof of incorporation and shareholdings through verifiable third party documents such as incorporation certificates by SSM;
 - Internet searches such as Google;
 - Checks through vetting tool such as Reuter's World Check One tool by Thomson Reuters and/or MACC's eSTK;
 - Checking with relevant government officials;
 - Other prescribed means/channels stipulated in EMGS policy and procedures; and
 - Advisories or guidelines issued by Head of EMGS IGU.
- 8.3 Due diligences includes, but may not be limited to the following:
- Identify and assess background of Politically Exposed Person or PEP (If any) amongst the significant shareholders, board member and key management personnel of prospective and current vendor (PEP presents heighten exposure to bribery and corruption);
 - Identify if prospective vendor have high exposure to government/public bodies in its business activities;
 - Identify and assess source of funds and wealth for PEP;
 - Identify any on-going investigation by law enforcement agencies and on-going/completed court cases;
 - Sufficiently demonstrated commitment to adequate procedures in preventing bribery and corruption. E.g. Anti-Bribery and Anti-Corruption Policy made available;
 - Other requirements as per EMGS policies and procedures; and
 - Advisories or guidelines issued by Head of EMGS IGU.
- 8.4 Any concerns highlighted during due diligence must be immediately redirected to the Head of EMGS IGU for action plan before any approval is given. The Head of EMGS IGU shall consult with relevant Head of Department and CEO before stipulating action plan to be taken. You shall adhere to the action plan provided by the Head of EMGS IGU.
- 8.5 Results of due diligence, bribery risk assessment, and concerns raised and action plan prescribed by Head of EMGS IGU shall be properly documented and retained for a period of 7 years by the relevant head of divisions.

9.0 Counterparty(ies)

- 9.1 EMGS expects you as our counterparty to practice zero tolerance for bribery and corruption. EMGS require all counterparties to have in place and sufficiently demonstrate adequate procedures to prevent bribery and corruption.
- 9.2 If suspicion of bribery and corruption arises in dealings involving our counterparty (ies) and third party(ies), EMGS may seek an alternative provider of the services/goods.
- 9.3 EMGS expects all counterparty (ies) to contractually agree to refrain from bribery and corruption, and adhere to EMGS's Code and this ABC Policy. EMGS shall endeavour to include clauses in all contracts enabling EMGS to terminate any contract in which bribery and corruption has been observed.

10.0 Malaysian Education Institutions

- 10.1 EMGS requires education institutions to have adequate procedures in place to prevent bribery and corruption that are, at a minimum guided by the Guidelines on Adequate Procedures issued pursuant to Section 17A of the MACC Act 2009. These include, but not limited to:
- Policy and procedures on anti-corruption; and
 - Policy and procedures on whistle-blowing, which are reviewed at least once every 3 years.
- 10.2 EMGS may blacklist education institutions if anyone acting for or on its behalf is found guilty for bribery and corruption.

11.0 International Dealings

- 11.1 As part of its mission in promoting Malaysia as global destination for education, EMGS often travel abroad and appoint agents to act for or on EMGS's behalf in foreign countries.
- 11.2 EMGS is cognisant that the MACC Act 2009 requires corruption offences committed in foreign countries by Malaysian citizens and permanent residents to be punishable in Malaysia under MACC Act 2009.
- 11.3 EMGS and its agents is committed in adhering to anti-corruption laws and local regulations wherever it operates.

12.0 Public Bodies

- 12.1 EMGS often interact with other public bodies in its business activities. EMGS is committed in behaving ethically in its dealings with all public bodies and shall adhere to local laws, rules and regulation.
- 12.2 You are required to stringently comply with the standards of behaviour prescribed in EMGS's Gift Policy especially when dealing with other public bodies.

13.0 Conflict of Interest

- 13.1 Conflict of interest arise in situations where there is a personal interest that might interfere with that person's objectivity when performing duties or exercising judgment on behalf of your organisation.
- 13.2 EMGS has in place Conflict of Interest Policy ("COI Policy") which sets out the procedures on how to deal with any or potential conflicts of interest arising from, but not limited to the following:
- Dealings with counterparties and third parties of EMGS;
 - Outside employment and activities;
 - Board membership;
 - Family members and close personal relationships; and
 - Investment activities.
- 13.3 In situations when confronted with a conflict or potential conflict, you are required to immediately complete the Conflict of Interest Disclosure Form and submit it to the Head of EMGS IGU for further action.

14.0 Anti-Bribery and Anti-Corruption Compliance

- 14.1 Head of EMGS IGU shall have the oversight on implementation of the compliance controls related to this ABC; and shall conduct regular review of controls in place in preventing bribery and corruption.

15.0 EMGS Integrity Pact

- 15.1 Pursuant to Prime Minister Directive Series 1 Num. 1 2019, EMGS introduced EMGS Integrity Pact which includes, but not limited to the following:
- Employee and Director Letter of Declaration (Appendix 1);
 - EMGS Vendor letter of Declaration (Appendix 2);
 - Education Institution Letter of Declaration (Appendix 3); and
 - Anti-bribery and anti-corruption clause in contracts/transactions.
- 15.2 Head of EMGS IGU alongside relevant head of EMGS divisions shall from time to time or as when required, review and make improvements to the EMGS Integrity Pact to safeguard EMGS's interest.

16.0 Training and Awareness

- 16.1 Head of EMGS IGU shall conduct training and awareness programmes on an annual basis for all Employees to refresh awareness of anti-bribery and anti-corruption measures, and to continuously promulgate integrity and ethics. This includes, but not limited to:
- Training sessions on the Code and this ABC policy; and
 - Periodic assessments on awareness pertaining EMGS's anti-corruption measures.
- 16.2 Head of EMGS IGU shall provide periodic anti-bribery and anti-corruption training or awareness to:
- New recruits;
 - Employees especially key management personnel with high exposure to bribery and corruption risk;
 - Directors of EMGS;
 - Representatives from business process outsource partner;
 - Representatives of Malaysian Education Institutions;
 - Marketing/Event Agents acting for or on behalf of EMGS; and
 - Other relevant parties identified by Head of EMGS IGU.
- 16.3 Head of EMGS IGU may at any time recommend certain trainings and other form of awareness programs to be repeated to any employees or director if deemed necessary based on circumstantial requirements.
- 16.4 EMGS Human Resources personnel(s) shall maintain all records of trainings and awareness initiatives in collaboration with Head of Integrity and Governance Unit. These records shall be maintained for period of 7 years.

17.0 Reporting of Policy Violations

- 17.1 You are required to report actual or suspected violations of this ABC Policy to the Head of EMGS IGU at whistleblowing@educationmalaysia.gov.my or through a sealed envelope addressed to Head of EMGS IGU. The Head of EMGS IGU shall report violations (if any) to the appropriate authorities including the MACC.
- 17.2 Reports can be made in good faith without incurring fear of reprisal regardless of the outcome of any investigation, in line with EMGS's Whistleblowing Policy.

18.0 Internal Audit and Review of Bribery Risk Assessment.

- 18.1 EMGS's Board shall ensure periodic and adequate internal control review by EMGS's Internal Audit function is performed to ensure compliance to this Policy; which may include, but not limited to the following areas:
- Procurement;
 - Marketing and Branding;
 - Human Resource Management; and
 - Corporate Social Responsibility activities.
- 18.2 EMGS's Board shall make sure that internal audit functions are performed competently; and any findings on deficiencies/improvements are promptly addressed and communicated to all employees and applicable counterparties for corrective actions.
- 18.3 The Head of EMGS IGU shall review EMGS's bribery and corruption risk assessment at least once every three years or whenever deemed necessary by the EMGS's Board.

19.0 Continuous Improvement

- 19.1 EMGS is committed to continuously improving its policies, procedures and practices relating to anti-bribery and anti-corruption.
- 19.2 Head of EMGS IGU with consultation from key management personnel of EMGS and EMGS's Internal Audit Function shall endeavour to develop further anti-corruption measures in ensuring adequacy of procedures in place to prevent bribery and corruption in relation to EMGS.
- 19.3 Head of EMGS IGU shall also review the suitability of this policy from time to time, taking into account relevant development in Malaysian government policies and Anti-Bribery and Corruption legislation and polices from foreign governments and other organisations respectively (where applicable).

20.0 Sanctions for Non-Compliance

- 21.1 EMGS regards bribery and corruption as a serious matter. Non-compliance may lead to termination of employment or revocation of business relationship. Further legal action may also be taken in the event that the EMGS's interest have been harmed as a result of non-compliance.
- 21.2 EMGS shall notify MACC and/or PDRM if any identified bribery or corruption incidents have been proven. Where notification to the relevant regulatory authorities have been done, EMGS's directors, employees and counterparties shall provide full co-operation to MACC and/or PDRM.

21.0 Definitions

Terms	Description
Approved Accounting Standards	Accounting standards which are issued or adopted by the Malaysian Accounting Standards Board (MASB)
Assets	Tangible or intangible resources controlled by enterprise as a result of past transaction or events and from which future economic benefits are expected to flow to the enterprise. E.g. buildings, sites, equipment, tools supplies
Agent(s)	Any person employed by or acting for another
Bribery	<p>Offering, promising, giving, accepting or soliciting something of value, directly or indirectly, and irrespective of location(s) to illicitly or corruptly:</p> <ul style="list-style-type: none"> influence the decisions or actions of a person of position of trust within an organisation or a function that is expected to be performed impartially or in good faith; and/or obtain or retain commercial/personal advantage or other improper favours <p>Bribery is a criminal offence under numerous anti-corruption legislations around the world including, the Malaysian Anti-Corruption Commission Act 2009 (“MACC Act 2009”).</p>
Corruption	<p>Transparency International defines corruption as “the abuse of entrusted power for personal gain”.</p> <p>This includes, but is not limited to, acts of extortion, collusion, breach of trust, abuse of power, trading under influence, embezzlement, fraud or money laundering.</p>
Counterparty(ies)	<p>Counterparty are generally referred to opposite party in a contract or transaction. For the purpose of this ABC Policy, the counterparties includes, but not limited to:</p> <ul style="list-style-type: none"> Malaysian Education Institution; Vendors; Education Agents locally and abroad; Malaysian Student Visa applicants and holders; and Business Process Outsourcing Service Provider.
Director(s)	Members of a Company Board.
Employee(s)	Employees shall encompass all personnel including senior management, managers, executives and non-executive whom are employed by EMGS. This also covers temporary staff, contractual staff, interns and those seconded from other government agencies and ministry.
eSTK	eSTK stands for Sistem Tapisan Keutuhan elektronik or otherwise known as Integrity Vetting System which is managed by Malaysian Anti-Corruption Commission for the usage of government departments, government linked companies and other organisations. The System can be accessed via https://estk.sprm.gov.my

Terms	Description
Family member(s)	<p>"Family member(s)", in relation to a person, includes:</p> <ol style="list-style-type: none"> a spouse of the person; a brother or sister of the person; a brother or sister of the spouse of the person; a lineal ascendant or descendant of the person; a lineal ascendant or descendant of a spouse of the person; a lineal descendant of a person referred to in paragraph (b); the uncle, aunt or cousin of the person; or the son-in-law or daughter-in-law of the person. <p>It also includes adopted family members and anyone else that has close ties and considered as family by the person.</p>
Facilitation Payment	A payment or other provision made personally to an individual in control of a process or decision. It is given to secure or expedite a routine or administrative duty or function. Facilitation payments are considered as bribe.
Gift(s)	Includes but not limited to cash money, discounts, rebates vouchers, free fares, shares, lottery tickets, travelling facilities, entertainment expenses, meals or refreshments, club membership, any form of commission or incentives, hampers, jewellery, decorative items; and any other goods or services of value that is given/provided.
Hospitality(ies)	Includes but not limited to meals, receptions, tickets to entertainment, social or sports events. Hospitality requires the host to be present; if not, the said expenditure is a gift.
Malaysian Education Institutions	<p>For the purpose of this code, Malaysian Education Institution refers to education institutions that have obtain valid approval from the Malaysian Ministry of Home Affairs ("MOHA") to enrol international students in Malaysia.</p> <p>MOHA has stipulated the following criteria in processing application by education institutions to enrol international students in Malaysia. They are:</p> <ul style="list-style-type: none"> The registration of education institutions are still valid; Meet the conditions stipulated by agencies concerned; Courses certified by National Accreditation Board (LAN); Has never contravene the Immigration Act 1959/1963 (Act 155) and Immigration Rules 1963; and Capable of providing facilities, teaching infrastructure and best learning process based on certification of government agency concerned and/or random inspections by MOHA and Malaysian Immigration Department.
Other Benefits	These are provision of benefits received/provided by EMGS or anyone acting for or on its behalf in relation to travel, lodging and other expenses incurred from/by representatives (and family member) from Malaysian Education Institutions; vendors, business partners, agents, representative of public bodies in Malaysia and abroad, and other counterparties and third parties of EMGS.
Prime Minister's Directive Series 1 Num.1 Year 2018	<p>Prime Minister's Directive issued by Prime Minister's Department of Malaysia on October 2018 on Establishment of Integrity and Governance Unit in Government-Linked Companies (GLCs), Companies Owned by the Ministry and Government Agencies including State Government.</p> <p>The role of the IGU is to foster the principle of abhorring corruption, abuse of power and malpractices in companies through four core functions, namely: Complaints Management; Detection and Verification; Integrity Enhancement; and Governance.</p>

Terms	Description
Prime Minister's Directive Series 2 Num.1 Year 2019	<p>Prime Minister's Directive issued on 29th March 2019 on implementation of the National Anti-Corruption Plan</p> <p>The directive requires agencies to implement Organisational Anti-Corruption Plan which are monitored and reviewed by the Board. Implementation reports shall be submitted to the appropriate anti-corruption committee/personal at the Malaysian Ministry of Higher Education.</p>
Public Body	<p>Defined by the MACC Act 2009 as:-</p> <ul style="list-style-type: none"> (a) The Government of Malaysia; (b) The Government of a State; (c) Any local authority and any other statutory authority; (d) Any department, service or undertaking of the Government of Malaysia, the Government of a State, or a local authority; (e) Any society registered under subsection 7(1) of the Societies Act 1966; (f) Any branch of a registered society established under section 12 of the Societies Act 1966; (g) Any sport body registered under section 17 of the Sports Development Act 1997; (h) Any co-operative society registered under section 7 of the Co-operative Societies Act 1993; (i) Any trade union registered under section 12 of the Trade Unions Act 1959; (j) Any youth society registered under section 9 of the Youth Societies and Youth Development Act 2007; (k) Any company or subsidiary company over which or in which any public body as is referred to in paragraph (a) - (j) has controlling power or interest; or (l) Any society, union, organization or body as the Minister may prescribe from time to time by order published in the Gazette.
Third-Party(ies)	<p>Third-parties are parties such as individuals and corporate entities whom does not have or yet to have any direct connection with any transaction with EMGS directly but might be affected by it.</p>
Vendors	<p>Person/Organisation acting for or on behalf of EMGS in the provision of goods and services. Include, but not limited to the following :</p> <ul style="list-style-type: none"> • Suppliers of goods and services; • Marketing/Promotional & Advertising agents; and • Event Agents. <p>Vendors may refer to potential vendors whom quotation was sourced and potential bidders if a tender is issued.</p>

Appendix 1 - Employee and Director Letter of Declaration

Education Malaysia Global Services (EMGS)
EMGS Employee and Director Anti-Bribery and Anti-Corruption Declaration

I, _____NRIC No. _____ as an employee/director of EMGS hereby sincerely declare that:

- I. I shall abstain myself from any corrupt practices with any person(s) directly or indirectly in all my activities especially in conjunction with my employment/directorship at EMGS;
- II. I shall conduct proper due diligence before entering into any business relationship, and before receiving or making any payments during the course of my employment at EMGS, and highlight any concerns to Head of EMGS Integrity and Governance and Unit;
- III. I shall declare all gifts, hospitality and other benefits received or provided in conjunction with my duties at EMGS;
- IV. I shall immediately declare to the Head of EMGS IGU if there is any or potential conflict of interest e.g. any of my family member(s) or close relative(s) has any interest in any procurement activity undertaken by me;
- V. I shall ensure that all counterparties such as vendors are aware of EMGS zero tolerance towards bribery and corruption;
- VI. I shall abide with EMGS’s Anti-Bribery and Corruption Policy (“ABC”); EMGS Code of Business Conduct(“Code”);and all other policy and procedures of EMGS;
- VII. I shall abide with local regulations and laws including but not limited to the Malaysian Anti- Corruption Act 2009 (“MACC Act 2009”) in any country I am operating; and
- VIII. I duly understand that if I breach any of terms of this declaration, I shall be subjected to disciplinary action by EMGS which may lead up to summary dismissal.

Name		Witness* Name	
NRIC		NRIC	
Signature		Signature	
Designation		Designation	
Date		Date	

*Witness shall be your superior e.g. Head of respective Division or CEO. Head of EMGS Integrity and Governance Unit shall be witness for board members and CEO.

Appendix 2: Vendor Letter of Declaration (“VLOD”)

Our company, _____ (Company Name) bearing registration number _____ (MOR/PKK/CIDB/ROS/ROC/ROB/Others), hereinafter “Vendor” which includes its Director, officers and employees who intend to conduct business transaction(s)* with Education Malaysia Global Services (“EMGS”) hereby:

1. PLEDGES AND UNDERTAKES THAT:

1.1 We have read and understood, and will comply with:

- i. The attached EMGS Code of Business Conduct and Ethics (“Code”), EMGS’s Anti-Bribery and Anti-Corruption Policy (“ABC Policy”), and other applicable EMGS Policies;
 - ii. All applicable laws and regulations relating to anti-bribery, fraud and corruption; and
 - iii. The following anti-corruption principles:
 - a. Advance EMGS’s zero tolerance towards bribery and corruption in all aspects of our business especially in acting for or on behalf of EMGS;
 - b. Put in place adequate procedures to prevent bribery and corruption;
 - c. Supporting corruption prevention initiatives by the Malaysian Government and local authorities wherever we operate;
 - d. Committing to promoting values of integrity, transparency, accountability and good corporate governance;
 - e. Put in place adequate procedures to comply with other Malaysian laws and government regulations wherever we operate
- to the best of our knowledge (collectively, “The Requirement”).

2.1 We will ensure our subsidiaries, affiliates and all other parties that we appoint to conduct work for the EMGS also comply with The Requirements.

3.1 We have not been convicted nor are we subject to any investigations, inquiry or enforcement proceedings by the relevant authorities of any actual or suspected breach to The Requirements and will report any actual or suspected breach of The Requirement as soon as reasonably practicable and to the extent permitted by the law to the Head of EMGS Integrity and Governance Unit.

2. AGREE THAT:

- a) In the event that we are in breach of any above sections, EMGS may immediately revoke the contract award, or terminate the contract of Business Transaction(s)* without any liability whatsoever on the part of the EMGS to the Vendor. This is without prejudice to any other rights or remedies that the EMGS may have or any other appropriate action which EMGS may seek under the terms of the applicable tender/contract or applicable laws and regulations.
 - b) Should any person attempt to solicit any bribe or improper advantage/benefit (whether financial or otherwise) from the Vendor or any other person connected to the Vendor either as an inducement or incentive to be selected or as a reward, gift, or bonus for being selected in the Business Transaction(s)*, or where the Vendor has reasonable grounds to suspect any breach of the obligations in this VLOD or the Code, the vendor will report such act to the EMGS Head of Integrity and Governance as reasonably practicable.
-

Appendix 2: Vendor Letter of Declaration (VLOD) – Cont'd

For and on behalf of the Vendor,

Yours sincerely,

Name of Company Director (or Equivalent)
IC/ Passport No:

Position:

Name of the Company:

Company Stamp:

For EMGS
Received & acknowledged by:

Name:
Designation:

*Business Transaction(s) is (are) defined as Tenders, Quotations, Contracts, Letter of Awards and Purchase Orders.

Appendix 3: Education Institution Letter of Declaration

Our education institution, _____ (education institution registered Name) bearing registration number _____ (International Student Intake Approval Permit Reference Number issued by Malaysian Ministry of Home Affairs), hereinafter “Education Institution” which includes its Director, officers and employees who intend to conduct business transaction(s)* with Education Malaysia Global Services (“EMGS”) hereby:

PLEDGES AND UNDERTAKES THAT:

1.1 We have read and understood, and will comply with:

- i. The attached EMGS Code of Business Conduct and Ethics (“Code”) EMGS’s Anti-Bribery and Anti-Corruption Policy (“ABC Policy”), and other applicable EMGS Policies;
- ii. All applicable laws and regulations relating to anti-bribery, fraud and corruption; and;
- iii. The following:
 - a. Advance EMGS’s zero tolerance towards bribery and corruption in all aspects of our activities and decision making;
 - b. Committing to promote values of integrity, transparency, accountability and good governance;
 - c. Safeguard the integrity of Malaysian International Student Visa System and good name of Malaysia as a global destination for education;
 - d. Put in place adequate procedures to prevent bribery and corruption that are, at a minimum guided by the Guidelines on Adequate Procedures issued by Malaysian Prime Minister’s Department pursuant to Section 17A of the MACC Act 2009;
 - e. Put in place adequate procedures to comply with other Malaysian laws and government regulations; and
 - f. Support corruption prevention initiatives by the Malaysian Government and the local authorities;

to the best of our knowledge (collectively, “The Requirement”).

2.1 We will ensure our subsidiaries, affiliates and all other parties that we appoint also comply with The Requirements.

3.1 We have not been convicted nor are we subject to any investigations, inquiry or enforcement proceedings by the relevant authorities of any actual or suspected breach to The Requirements and will report any actual or suspected breach of The Requirement as soon as reasonably practicable and to the extent permitted by the law to the Head of EMGS Integrity and Governance Unit.

Appendix 3: **Education Institution Letter of Declaration – Cont'd**

For and on behalf of the Education Institution,

Yours sincerely,

Name of Education Institution Representative

IC/ Passport No:

Position:

Name of the Company/Institution:

Company Stamp:

For EMGS:
Received & acknowledged:

Name
Designation
