



Education
MALAYSIA
GLOBAL SERVICES

**CODE OF CONDUCT
AND BUSINESS
ETHICS
(THE “CODE”)**

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1.0 Statement of Purpose

- 1.1 The EMGS Code of Conduct and Business Ethics (herewith known as the “Code”) codifies the top level commitment of EMGS board and management in ensuring all our stakeholders subscribe to the principles of good governance.
- 1.2 The Code advances EMGS values such as integrity in relations to its functions as following:
 - Administering and processing visa/iKad application of international student;
 - Promoting Malaysia as a global destination for education; and
 - Facilitating medical checkup and insurance coverage for international students in Malaysia.
- 1.3 This Code stipulates some of the Dos and Don'ts to be practiced at EMGS and provides a roadmap to ensure continuous compliance towards these Dos and Don'ts.

2.0 Scope

- 2.1 The Code applies to all directors, employees, counterparties, and third parties acting for or on behalf of EMGS.
- 2.2 Counterparty are generally referred to as the counter party in a contract or transaction. The counterparties include, but not limited to:
 - Malaysian Education Institution;
 - Vendors;
 - Education agents locally and abroad;
 - Malaysian Student Visa applicants and holders; and
 - Business Process Outsourcing Service Provider.
- 2.3 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 but might be affected by it.
- 2.4 Counterparties and third-parties are also required to comply with this Code. EMGS, as an organisation committed to promoting Malaysia as a global education destination, views non-compliances to this Code by counter-parties seriously and may lead to termination of business relationship.
- 2.5 “References to “you” in this Code refer to any person to whom this Code applies as stipulated above. Where more specific references are used (such as “employee” or “director”), the more specific reference shall apply”.

3.0 General Principle of the Code.

- 3.1. This Code does not address every possible situation. You are obliged to familiarise yourself with it and adhere to all applicable policies, procedures, laws and regulations of the countries in which you operate.
- 3.2. You are required to not only comply with this Code, but laws, regulations and Code of Conduct and other policies that govern the person(s) you are dealing with. In the event of conflict, the stricter shall apply.
- 3.3. This Code governs all EMGS's business practices and decision making. Therefore, all policies, procedures and practices at EMGS are required to conform to this Code. In the event of ambiguity or conflict between this Code and EMGS's policies,

procedures and practices; this Code shall prevail and EMGS policy and procedures shall be revised to ensure conformance with this Code.

- 3.4. However, in the case of inconsistency between this code and local law; the law shall prevail.

4.0 EMGS Integrity and Governance Unit (“EMGS IGU”)

- 4.1 As part of EMGS’s commitment in forwarding good governance, and pursuant to Prime Minister’s Directive Series 1 Num.1 Year 2018, EMGS has established an Integrity and Governance Unit which reports directly to the Board on matters relating integrity and ethical conduct as stipulated in its Terms of Reference.
- 4.2 The Head of EMGS Integrity and Governance Unit (“Head of EMGS IGU”) shall be the custodian of this Code and responsible in ensuring awareness and compliance of this code by all. In the event of any ambiguity/conflict or queries pertaining to this Code, the Head of EMGS IGU shall be your point of reference.

5.0 Responsibility and Compliance with the Code

- 5.1 Apart from understanding and complying with the Code, you are responsible to:
- Ensure those reporting to you understand and comply with the Code;
 - Ensure counterparties of EMGS whom deals with you comply with the Code;
 - Promote compliance and good ethical values via leadership by example; and
 - Forward questions on the Code to Head of EMGS Integrity & Governance Unit.
- 5.2 All directors, employees and counterparties must read and declare compliance with this Code upon appointment by EMGS and may be subjected to disciplinary action, up to and including termination of employment/business relationship or dismissal for violating this Code. Certain violation of this Code, may result in criminal and/or civil action.

6.0 Culture & Environment

6.1 Respect

- 6.1.1 You shall treat your superiors, peers, subordinates and all your stakeholders with respect, trust, honesty and dignity.

6.2 Equal Opportunity and Non-Discrimination

- 6.2.1 All decisions at EMGS including employment shall be made on business needs, job requirement and individual qualification without any regard to age, gender, race, disability, nationality, religion, age or sexual orientation. You will not tolerate any discrimination or harassment based on any of these characteristics in all aspects of your business conduct.
- 6.2.2 In line with EMGS’s role in promoting Malaysia as a global destination for education; EMGS requires our counterparties such as Malaysian Education Institutions and vendors, and third parties to adopt EMGS’s Equal Opportunity and Non-Discrimination stance.

6.3 Harassment and Violence

- 6.3.1 EMGS does not tolerate any type of harassment nor violence. These actions or behavior includes, but not limited to:
- Derogatory comments based on gender, racial or ethnic characteristics;
 - Spreading of malicious rumors;

- Sexual Harassment; and
- Use of emails and other forms of communication channels to transmit derogatory or discriminatory material.

6.3.2 You shall not operate to harass or engage in any acts of violence towards anyone; nor shall you abet anyone else in those acts. Non-compliance may result in summary dismissal or termination of business relationship.

6.3.3 EMGS's commitment to harassment and violence free environment is not limited to the activities of EMGS; but across all Malaysian Education Institutions in line with its mission to promote Malaysia as a global destination for education. EMGS requires Malaysian Education Institutions to put in place adequate procedures including complaints mechanism to prevent harassment and violence at their institutions. The onus to safeguard Malaysia's good name is on respective Education Institutions.

6.4 Criminal Activities

6.4.1 You must not commit any wrongdoings, criminal or otherwise that is punishable under the laws of any country.

6.4.2 If you are found guilty by a court of law; it may result in summary dismissal or termination of business relationship with EMGS.

6.5 Health, Safety and Environment ("HSE")

6.5.1 EMGS is committed towards the following:

- Providing safe and healthy workplace for all, and
- Being environmentally friendly by ensuring adverse impact of its operations to the environment is minimised

6.5.2 You must conscientiously and diligently comply with any HSE requirements set out in policies and procedures that are in place.

6.5.3 Where applicable, you shall demonstrate stewardship by ensuring all of your HSE policies and procedures are periodically reviewed, updated (and well communicated to all relevant parties) to comply with all applicable legislation such as Occupational, Safety and Health Act ("OSHA"), Factories and Machinery Act; and international best practices.

6.6 Personal Data Protection

6.6.1 EMGS respects the privacy and confidentiality of its employees, directors, counterparties, and third parties' personal data. These data should be kept private and protected, unless access is granted for legitimate business purpose in accordance with Malaysian legislation.

6.6.2 Adequate procedures must be in place if you are dealing with personal data in terms of collection, processing, disclosure, security, storage and retention in ensuring compliance with applicable local laws and regulation including but not limited to the Malaysian Personal Data Protection Act.

6.6.3 If there is any conflict with local laws and applicable foreign laws pertaining to data protection, the stricter shall apply. You are advised to seek guidance and clarification from the Head of EMGS IGU.

7.0 Conflict of Interest

- 7.1 As a public body, EMGS is committed in ensuring that any or potential conflict of interest is avoided. Conflict of interest arises when your personal interest interferes or could be seen to interfere with your objectivity in performing duties and exercising good judgement on behalf of EMGS.
- 7.2 You are expected to make decisions in the best interest of EMGS to achieve its mandate to promote Malaysia as global destination for education. As a general guide, you must not use your position, official working hours, and company assets for personal gain or for the advantage of those you are associated with.
- 7.3 If you find yourself in a situation of actual or potential conflict of interest, you must immediately submit a Conflict of Interest (COI) Declaration Form to the Head of EMGS IGU for further action; and shall abide to the prescribed action stipulated.
- 7.4 EMGS has put in place a conflict of interest declaration mechanism via its EMGS Conflict of Interest Policy (“COI Policy”). The COI Policy provide guidance to identify and address any circumstances that may give rise to conflict of interest amongst employees, directors, counterparties and third parties of EMGS. Failure to comply with the COI Policy is a violation of this Code.
- 7.5 In line with Prime Minister’s Directive Series 2 Number 1 Year 2019, directors and key management personnel of EMGS to disclose on an annual basis the following details to the general public, which includes but not limited to:
- Individual director’s and key management personnel’s directorship positions in other companies (listed or otherwise);
 - Remuneration of individual directors on a detailed basis; and
 - Remuneration of senior management on a band basis.
- 7.6 Dealings with Counterparties and Third Parties.**
- 7.6.1 Any EMGS directors or employees, or their family members, or those acting on or for their behalf must not have:
- Financial interest in EMGS’s counterparties such vendors, education agents, and Malaysian Education Institutions (unless these interest are held through independent fund managers such as Employee Provident Fund and Pemodalan Nasional Bhd.); and
 - Any other business dealings or contractual arrangements with EMGS.
- Unless written approval is obtained from Head of EMGS IGU through the prescribed Conflict of Interest Declaration mechanism.
- 7.6.2 In line with EMGS Gift Policy, you are generally not allowed to receive gifts especially in the form of commissions or any other similar cash and non-cash incentives from EMGS’s counterparties and third parties; in conjunction with positions or duties at/for EMGS.
- 7.6.3 You must ensure any dealings with anyone are done at arms-length basis, in accordance with the letter and spirt of Malaysian law and does not give rise to appearance of impropriety to a bystander.
- 7.7 Outside employment and activities outside the EMGS.**
- 7.7.1 As an employee of EMGS, you must not take up employment or board appointment outside of EMGS or engage in any other business/services which may give rise to perceived or potential conflict of interest with your duties at EMGS; unless with written approval from Head of EMGS IGU. In the case for EMGS’s director, you are required to obtain approval from EMGS’s board and Ministry of Higher Education.

7.7.2 As an employee and director of EMGS, you are not allowed to hold public office such as Member of Parliament, State Legislative Assemblyman and Local Government Councilor.

7.7.3 As an employee or director of EMGS, you are allowed to volunteer in social, environmental and political causes/organisation in your personal time but must make sure your involvement does not give rise to perception or actual conflict of interest with EMGS; nor should it impede your duties and your ability to exercise objectivity in your decision making at EMGS.

7.7.4 In line with the COI Policy, you are required to disclose any voluntary involvement as specified by the Head of EMGS IGU. It is your duty to safeguard EMGS's good name and interest at all times.

7.8 Family Members

7.8.1 As director or employee of EMGS, you should not hire, recommend hiring, exert influence over hiring decisions, supervise, affect terms and condition of employment or influence the management of any family member or their representatives engaged by EMGS.

7.8.2 Family members of directors or employees of EMGS may be hired as employees, or appointed as vendors only if the appointment is based on qualification, performance, skills and experience. Such hiring or appointment would require approval of Head of EMGS IGU based on aforementioned criteria.

7.8.3 In line with the COI Policy, you must disclose any relationships which includes, but not limited to employees or directors of EMGS to the Head of EMGS IGU. Respective Head of Divisions at EMGS shall facilitate this disclosure via Conflict of Interest Declaration Form.

7.9 Investment Activities

7.9.1 Personal investment or outside business decisions made by a director or an employee of an EMGS must not influence his/her independent judgement on behalf of EMGS.

8.0 Preventing Bribery and Corruption

8.1 EMGS adopts a zero tolerance approach towards bribery and corruption; and is committed to behaving professionally, fairly and with integrity in all our business dealings and relationships wherever EMGS operates. EMGS has in place an EMGS Anti-Bribery and Anti-Corruption Policy ("ABC Policy") to provide a road-map of policies in place to prevent bribery and corruption in all aspects of our dealings.

8.2 You must be aware and abide with the standards of behavior prescribed in the ABC Policy and its corresponding policies including, but not limited to the following expenditure:

- Gifts (which includes Hospitality and Other Benefits);
- Corporate Social Responsibility initiatives such as donations/aids and community sponsorships;
- Prohibition on political contributions and facilitation payment; and
- Other requirements such as due diligence before entering into any business relationship or making any payment.

8.3 As a general principle, EMGS requires you to politely decline acceptance and/or provisions of any gifts which includes hospitality and other benefits, subject to

narrow exemptions and other conditions prescribed in the ABC Policy and corresponding EMGS Gift Policy.

- 8.4 In line with Prime Minister's Directive Series 2 Num.1 Year 2019, EMGS requires all counterparties such as vendors and Malaysian Education Institutions to have adequate procedures in place to comply with all applicable laws including anti-bribery and anti-corruption legislations and regulations in all countries in which they operate; and provide a signed declaration to that effect as and when required by Head of EMGS IGU.
- 8.5 You will not suffer demotion, penalty or other adverse consequences for refusing to pay or receive bribes even if such refusal may adversely affect EMGS i.e. losing business and not meeting targets.

9.0 Protecting EMGS

9.1 Protecting EMGS Assets

- 9.1.1 EMGS entrusts you with EMGS's assets in the performance of your job. You must protect these assets against impropriety (or perception of thereof) which includes, but not limited to waste, loss, damage, abuse, misuse, theft, misappropriation, and infringement of Intellectual Property Rights.
- 9.1.2 EMGS's assets shall only be used for bona fide purpose i.e. in conjunction with the business functions and activities of EMGS. You must use EMGS's assets responsibly.

9.2 Accuracy of financial information

- 9.2.1 EMGS is committed to ensuring the integrity of financial information for the benefit of the Malaysian government and the public.
- 9.2.2 You must ensure that all business records and documents are prepared accurately, reliably and in a timely manner. These records, and resulting financial reports and statements must be prepared in accordance with applicable approved accounting standards.
- 9.2.3 Falsification of financial or any other records or misrepresentation of information may constitute fraud and can result in civil and criminal liabilities for directors and employees.
- 9.2.4 You are obliged to report false entries or omissions and to highlight questionable or improper accounting in the books and records of EMGS. You shall consult Head of EMGS IGU on this.

9.3 Proprietary and Confidential Information

- 9.3.1 EMGS values and protect all proprietary and confidential information.
- 9.3.2 EMGS is responsible for application and processing of student visa and iKad issuance for international students. You shall not disclose these information to any other party unless in accordance with EMGS policy and procedure.
- 9.3.3 In the performance of your duties, you may obtain information not generally available or known to the public. Hence, you must not communicate or disclose this information in any manner to any parties unless such communication or disclosure is properly authorized by EMGS.

9.4 Disclosure of non-public information

- 9.4.1 You must refrain disclosing non-public information to anyone, including your family members and friends, unless disclosure is required by competent judicial, governmental or regulatory authority. Upon requests by these bodies, you shall endeavor to inform the Head of EMGS IGU as soon as possible and adhere to its advisory, in accordance with local laws. You must be aware of illegal attempts to solicit such information, and exercise caution before revealing non-public information.
- 9.4.2 Disclosure of material, non-public information to others can not only result in summary dismissal or termination of business relationship; but in civil and criminal penalties too.
- 9.4.3 You are required to seek clarification; and if necessary approval from the Head of EMGS IGU pertaining to disclosure of non-public information.

9.5 Cybersecurity

- 9.5.1 All computer facilities must be safeguarded against theft, damages and improper usage. EMGS does not permit usage of computer facilities involving sensitive and illegal matters, infringements of Intellectual Property Rights, unauthorized access and usage, misuse of company's time and resources and risking the integrity of computer facilities.
- 9.5.2 EMGS require all our counterparties with access to information collected for or on behalf of EMGS to have in place adequate procedures to prevent theft, damages; and improper access and usage of both data collected and the computer infrastructure used in providing services for and on behalf of EMGS.
- 9.5.3 If granted access to EMGS's Visa/iKad processing computer facility which is known as STARS, you shall adhere to all policies and procedures issued by EMGS and its business service provider in relation to your access. It is your duty to prevent improper usage and access by yourself or and your organization.
- 9.5.4 To the extent allowed by Malaysian law, EMGS reserves the right to monitor your email messages, instant messaging, blogs, use of the internet and contents in EMGS computer facilities. This information can be recovered and used as evidence in domestic proceedings and courts of law or disclosed to the authorities or regulatory bodies as the case may be.
- 9.5.5 You must use EMGS's computer facility responsibly and for the business purpose for which they are intended. The computer facilities include access to the internet, email services and all other computer hardware, software and peripherals.
- 9.5.6 You shall adhere to any advisory and policy issued by EMGS IT personnel, and relevant cybersecurity authorities/bodies in ensuring that EMGS's information and computer facility is safeguarded from any cybersecurity threats.

9.6 Records Management

- 9.6.1 EMGS's documents and records are meant for business purpose and in compliance with Malaysian legal, tax, and accounting requirements.
- 9.6.2 You must control and maintain such records so that they are accurate, up-to-date, legible, readily identifiable, and retrievable.

9.6.3 You must ensure that all records are handled according to appropriate level of confidentiality, in accordance with any applicable policies and procedures and in conformity with all applicable laws and regulations.

9.7 Business Communication

9.7.1 You must ensure that all business communication is clear, truthful and accurate.

9.7.2 You must avoid misleading information, speculative opinions or derogatory remarks. This applies to communication of all kinds, including but not limited to e-mail and informal notes or memos.

9.7.3 Marketing and branding materials used in conjunction with EMGS's role in promoting Malaysia as a global destination for education shall be regarded as Business Communication for the purpose of this Code.

9.7.4 You shall safeguard the good name and reputation of EMGS at all times.

9.8 Media Protocol

9.8.1 In line with EMGS Board Charter, you are not allowed to comment publically or provide any statements/interviews to the public on EMGS dealings or related matters; unless it has been pre-approved by Chairman or CEO of EMGS.

9.9 Social Media

9.9.1 Every EMGS's employee, directors and counterparties has the responsibility to protect EMGS's reputation and brand image.

9.9.2 When using your private social media accounts which includes blogs, you must ensure that your posts reflect only your personal opinions and doesn't negatively affect public perception of EMGS.

9.9.3 You must take extra precaution so as to not share any confidential information.

9.9.4 Employees and counterparties who are tasked to manage EMGS's official social media platforms are responsible to ensure management of the account, and the activities within, are in accordance with guidelines established by the Branding Division.

10.0 Dealing with Counterparties

10.1 Dealings with Malaysian Education Institutions

10.1.1 EMGS often work together with Malaysian Education Institutions in respect to processing and issuance of international student visa and iKad; and in promoting Malaysia as global destination for education. As Employees and Directors of EMGS, you must make sure no Malaysian education institution is given unfair business advantage nor shall you give the perception of impropriety in this respect.

10.1.2 Representative of Malaysian Education Institutions are given access to visa processing system known as STARS for the purpose of verifying genuine students. Education institutions are required to comply with all the

regulations and requirements issued by the Malaysian Government, EMGS and EMGS's business process outsource service provider.

- 10.1.3 Education Institutions in Malaysia must have adequate procedures in place to prevent abuse of the international student visa system in Malaysia. The onus to ensure integrity of the Malaysian student visa process and system is on the respective Malaysian Education Institutions. Failure to do so may entail criminal and civil liability on directors and key management personal of Malaysian Education Institutions.

10.2 Dealings with Vendors, Agents and Business Partners

- 10.2.1 You are required to select your vendors, agents and business partners impartially and based on merit with consideration to, amongst others, price, quality, service, integrity and ethical standards.
- 10.2.2 When acting for or on behalf of EMGS, you must ensure that all procurement decisions including vendor selection is done in EMGS's best interest and in compliance with EMGS Procurement Policy.
- 10.2.3 You shall require all vendors, agents and business partners to put in place adequate procedures to comply with not just the letter but the intent/spirit of all applicable legislation and regulations in places which they operate and their consumer markets.
- 10.2.4 You shall ensure payment made shall commensurate with services and products provided. The rate of commission or fees paid to any service provider such as education and marketing agents or consultants must be:
- Reasonable in relations to the value of the goods and services provided;
 - Benchmarked against local industrial norm; and
 - Does not give rise to perception of impropriety to a third party
- 10.2.5 Vendors shall read and declare compliance with this Code and applicable policies such as EMGS Anti-Bribery and Corruption Policy and EMGS Gift Policy; and local law and regulation via the Vendor Letter of Declaration.
- 10.2.6 Vendors are required to declare any conflict of interest via Conflict of Interest Declaration Form, as prescribed in EMGS Conflict of Interest Policy.

11.0 Dealing with Public Bodies, Political Parties and International Organisations

11.1 Dealings with Public Bodies

- 11.1.1 As a public body, EMGS constantly interacts with officials from other public bodies which includes, but not limited:
- Malaysian Home Affairs Ministry (e.g. Malaysian Immigration Department & Malaysian Police - PDRM);
 - Malaysian Ministry of Education and Malaysian Ministry of Higher Education (including Malaysian Public Higher Education Institutions); and
 - Embassies and Ministries of foreign governments in Malaysia and abroad.
- 11.1.2 When dealing with public bodies for and on behalf of EMGS, you are required to stringently comply with standards of behavior prescribed by EMGS in its Anti-Bribery and Anti-Corruption Policy (ABC) and Gift Policy.

11.2 Political Activities

- 11.2.1 You have the right to participate as individuals in the political process. Your participation shall be carried out entirely on your own accord, by your own volition, in your own time and with your own resources.
- 11.2.2 Your political opinions must be clearly delivered as personal opinion and not representative of EMGS's position. You must endeavor to safeguard EMGS's interest and good name in doing so.
- 11.2.3 Any employee of EMGS who wishes to hold any key position as office bearers in any political party must disclose and obtain prior approval from Head of EMGS IGU. For directors, you are required to disclose it to the EMGS's board and obtain prior approval from Malaysian Ministry of Higher Education.
- 11.2.4 Employees and directors of EMGS who wish to actively participate full time in politics and/or are nominated as candidates in any election and/or are elected as representatives in the Federal and State Legislative body must resign from EMGS.

11.3 Political Contribution

- 11.3.1 Pursuant to Prime Minister's Directive Series 2 Num.1 Year 2019, which prohibits organisations such as EMGS from making any kind of contributions to politician or political parties using its own funds or assets, you are therefore not allowed to entertain any request for any contribution (whether cash or in-kind) from any political parties or anyone acting in their capacity as a politician or party office bearers.
- 11.3.2 Contributions or expenditure for this purpose includes, but not limited to:
- Paying for political campaign expenses;
 - Buying tickets or sponsoring fundraising events/dinners organised by a political party or their proxies/agents; and
 - Loaning of employees or company assets to support political activities.
- 11.3.3 You must avoid even the appearance of making any kind of contributions to politicians or political bodies using EMGS's funds or assets. You must be aware of some charitable bodies/sponsorship organisation/Non-Governmental Organisations (NGOs) could regarded as proxy or agents for politicians or political parties. You must conduct due diligence in ensuring these organisations are run by independent members of the public and not influenced by politicians and/or political parties.
- 11.3.4 You are allowed to volunteer your personal time and personal funds to any political activity, it shall be deemed as an entirely personal and voluntary decision.

11.4 Anti-Money Laundering and Anti-Terrorism Financing

- 11.4.1 Money laundering is the process of hiding the true nature or source of illegally obtained funds (such as drug trade or terrorist activities) and passing it surreptitiously through legitimate business channels by means of bank deposits, investments, or transfer from one place(or person) to another.
- 11.4.2 Anti-money laundering provisions are designed to help prevent legitimate businesses from being used by criminals for this purpose, and to assist law enforcement agencies to trace and recover criminal assets and terrorist funding.

- 11.4.3 EMGS prohibits your involvement in money laundering and terrorist financing activities, either directly or indirectly. These activities may include, but not limited to the following:
- Payments made in currencies that differ from invoices;
 - Attempts to make payment in cash or cash equivalent (out of normal practice);
 - Payments made by third parties that are not parties to the contract; and
 - Payments to accounts of third parties that are not parties to the contract
- 11.4.4 You are required to put in place adequate procedures in preventing your organisation/business being used as conduit for money laundering and terrorism financing, which includes but not limited to due diligence on source of wealth and funds payer and/or recipient.

12.0 Administration of the Code.

12.1 Where to get guidance

- 12.1.1 You can seek advice from the EMGS Head of IGU if you are uncertain as to the interpretation or application of this Code.

12.2 Whistleblowing

- 12.2.1 Each of us has a responsibility to ensure that any instance of actual or suspected violation of this Code or any other misconducts is reported promptly and through appropriate channel as prescribed in EMGS Whistleblowing Policy which includes:
- Via email to the Head of EMGS Integrity and Governance Unit at whistleblowing@educationmalaysia.gov.my or
 - Via sealed envelope addressed to the following: Head of EMGS Integrity and Governance Unit, Suite A-21-1, Level 21, 157 Hampshire Place Office, 1, Jalan Mayang Sari, 50450 Kuala Lumpur.
- 12.2.2 EMGS practices an open door policy and encourages you to share your questions, concerns, or suggestions with its Head of EMGS IGU.
- 12.2.3 When you raise a concern or report a violation, your identity will be kept confidential. Consent will be sought should there be a need to disclose your identify in line with EMGS Whistleblowing Policy.

12.3 No Retaliation

- 12.3.1 EMGS does not tolerate retaliation or detrimental action such as termination of employment, demotion or any other termination of business relationship against any individual or organisations who discloses any actual or suspected violations of this Code or other misconducts; provided it is done in good faith and through appropriate channels prescribed in section 12.1 of this Code and EMGS Whistleblowing Policy.
- 12.3.2 You will not suffer harassment, retaliation or any other detrimental action for speaking up or cooperating in an investigation conducted by EMGS.
- 12.3.3 In order to provide you safeguard against any possible retaliation and to facilitate investigation, you are encouraged to provide your name, designation/organisation and contact details when providing disclosures of misconduct to EMGS
- 12.3.4 Director or employee of EMGS who retaliates against others who make a report in a good faith and through the appropriate channels as prescribed

in EMGS Whistleblowing Policy will be subject to disciplinary action up to and including summary dismissal.

12.4 Investigation of Potential Code violation and Disciplinary Actions

12.4.1 EMGS takes all reports and incidents of possible violations to the Code seriously and investigate them thoroughly in accordance with the relevant investigation procedures. Appropriate disciplinary actions shall be taken where violations have been proven.

12.4.2 All reports shall be treated confidentially, and will only be disclosed to the necessary parties for the purpose of investigation. Disclosure of reports to individuals who are not involved in the investigation will be viewed as a serious offence which may result in disciplinary action.

13.0 Definition

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 and 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 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 (electronic) 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> <ul style="list-style-type: none"> a) a spouse of the person; b) a brother or sister of the person; c) a brother or sister of the spouse of the person; d) a lineal ascendant or descendant of the person; e) a lineal ascendant or descendant of a spouse of the person; f) a lineal descendant of a person referred to in paragraph (b); g) the uncle, aunt or cousin of the person; or h) 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, jewelry, 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 to enroll international students in Malaysia.</p> <p>MOHA has stipulated the following criteria in processing application by education institutions to enroll 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. Implementation reports shall be submitted to the appropriate committee at the Malaysian Ministry of 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>