



GENTING BERHAD

Whistleblower Policy



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1 Overview and Policy Statement

Genting Berhad (“**GENT**”) is committed to ensuring the highest possible standards of ethical, moral and legal business conduct and practices, openness and accountability in all aspects of its business.

With the establishment of this Policy, employees, directors, suppliers, service providers, agents, consultants, contractors and vendors (collectively, “**Stakeholders**”) are encouraged to raise genuine concerns regarding Detrimental Actions (as defined below) and Improper Conduct (as defined below) occurring within the GENT Group (as defined below).

The purpose of this Policy is to:

- provide a consistent, systematic, corporate-wide process for managing any suspected Detrimental Action and Improper Conduct;
- provide a mechanism for Stakeholders to report their concerns freely and without fear of reprisal or intimidation if they act in good faith;
- protect individuals who in good faith report Detrimental Actions or Improper Conduct on a confidential basis; and
- assist in ensuring that Improper Conduct and Detrimental Actions are identified and dealt with appropriately.

This Policy applies to the GENT Group and to all Stakeholders of the GENT Group.

This Policy supplements (and does not replace) any and all existing policies and procedures of the GENT Group relating to wrongful or improper conduct. This Policy forms part of the Anti-Bribery and Corruption System (“**ABCS**”) Manual and should be read together with the other relevant GENT Group policy documents.

2 Glossary of Definitions

2.1 Complaint

A disclosure of Improper Conduct made by a Whistleblower.

2.2 Confidential Information

Includes:-

- 2.2.1 information about the identity, occupation, residential address, work address or whereabouts of (i) the Whistleblower; and (ii) the person against whom the Whistleblower has made a Complaint;
- 2.2.2 information disclosed by the Whistleblower; and
- 2.2.3 information that, if disclosed, may cause detriment to any person.

2.3 Detrimental Action

Any reprisal action against a Whistleblower which shall include:-

- 2.3.1 action causing injury, loss or damage;
- 2.3.2 intimidation or harassment;



- 2.3.3 interference with the lawful employment or livelihood of the Whistleblower, including discrimination, discharge, demotion, suspension, disadvantage, termination, adverse treatment in relation to the Whistleblower's employment or the taking of disciplinary action; and
- 2.3.4 a threat to take any of the above actions.
- 2.4 Enforcement Agency**
An enforcement agency as defined under the Malaysian Whistleblower Protection Act 2010.
- 2.5 GENT Group**
Genting Berhad and its subsidiaries collectively. To the extent any of GENT's listed subsidiaries or Resorts World Las Vegas LLC ("**RWLV**") have their own whistleblower policy, then such subsidiaries or RWLV shall comply with their respective whistleblower policy and accordingly, the reference to GENT Group in this Policy shall exclude such listed subsidiaries, RWLV and their group companies, as the case may be.
- 2.6 HOD**
Head of Department.
- 2.7 Improper Conduct**
Any unethical behaviour, malpractices, illegal acts or any other wrongful or improper conduct within the GENT Group which if proved, constitutes a disciplinary offence or a criminal offence. This includes, without limitation, any actual, attempted or suspected bribery or corruption or non-compliance with the ABCS policy documents.
- 2.8 Investigation Team (or Inv Team)**
A team formed on an ad-hoc basis by the WHC or WBC and made up of members approved by the WBC for the purpose of investigating any Complaint, Report or Recommendation as directed by the WHC or the WBC.
- 2.9 Inv Team Lead**
The person approved or designated by the WBC as the leader of the Inv Team.
- 2.10 Report**
A report of Detrimental Action made by a Whistleblower.
- 2.11 Recommendation**
A recommendation received by the GENT Group from an Enforcement Agency to initiate disciplinary proceedings or to take such steps as appropriate against an employee or a director of the GENT Group whom the Enforcement Agency has made a finding of Improper Conduct or Detrimental Action.
- 2.12 This Policy**
The whistleblower policy and procedures as contained herein.
- 2.13 Whistleblower**
Any Stakeholder of the GENT Group or any third party making a Complaint and / or a Report under this Policy or to any Enforcement Agency.
- 2.14 Whistleblower Committee (or WBC)**
A committee formed for the purpose of receiving, processing, investigating and determining the genuineness of any Complaint or Report received from a Whistleblower or a Recommendation received from an Enforcement Agency in order that appropriate action can be taken to address the Complaint, Report or Recommendation.



2.15 Whistleblower Hotline Committee (WHC)

A committee comprising the Head of the Internal Audit and the ABCS Compliance Officer, which is formed for the purpose of: (a) receiving and reviewing Complaints and Reports; (b) determining the proper process for each Complaint and Report received; and (c) forming the Inv Team, as required.

3 The Whistleblower Committee - Terms of Reference and Membership

3.1 Scope

The WBC shall be responsible for developing, implementing and maintaining an effective Whistleblower programme for the GENT Group.

3.2 Authority and Responsibilities

3.2.1 The quorum for meetings of the WBC shall consist of at least two (2) members. Decisions of the WBC shall be by majority vote. The Chairman of the WBC shall not have a casting vote in the event of a tie.

3.2.2 The WBC shall approve the composition of the Inv Team and the Inv Team Lead.

3.2.3 Upon receipt of any Complaints, Reports or Recommendations, together with supporting documents and reports from the Inv Team as necessary, the ABCS Compliance Officer shall convene a meeting of the WBC to discuss such Complaints, Reports or Recommendations.

3.2.4 However, if the WBC is unable to meet, a resolution in writing signed by a majority of the members of the WBC, shall be as valid and binding as if it has been passed at a meeting of the WBC duly convened and quorate. Any such resolution may consist of several documents in like form, each signed by one or more members of the WBC.

3.2.5 The WBC shall endeavour to complete the process as stated in Part 5 of this Policy within four (4) months from the date of receipt of the Complaint / Report / Recommendation (as the case may be).

3.2.6 To safeguard against possibility of bias, prejudice and / or conflict of interest, in the event that any Complaint / Report involves and / or is related to a particular member of the WBC, such member of the WBC shall abstain from participating in the deliberation and decision relating to such Complaint / Report.

3.2.7 This Policy may be amended changed, modified, or varied by the WBC from time to time and any such amendments, changes, modification or variation shall be effective on the date stated in the notification circulated to the employees of the GENT Group and / or posted on the GENT Group's intranet or website, whichever is earlier.

3.3 Membership

3.3.1 The WBC shall comprise of the following members:-

- (a) The Senior Independent Director of GENT (who shall be the Chairman of the WBC); and
- (b) Chief Financial Officer of GENT.



3.4 Confidentiality

All Confidential Information received by the WBC or WHC members in relation to any Complaint / Report / Recommendation shall be kept confidential by the WBC or WHC members accordingly.

4 Investigation Team - Scope and Duties

4.1 Purpose

4.1.1 The Investigation Team may be established from time to time to conduct investigation into any Complaint, Report and /or Recommendation.

4.1.2 Each Inv Team is set-up on an ad-hoc basis for the sole purpose of investigating a particular Complaint / Report / Recommendation.

4.2 Membership

4.2.1 The Inv Team shall comprise members from various departments as approved by the WBC.

4.2.2 The Inv Team Lead shall be approved or designated by the WBC.

4.2.3 A member shall immediately abstain from participating in the activities, deliberation and decision of the Inv Team if in the course of investigation:-

(a) such member discovers that he / she is involved and / or has an interest in the said Complaint / Report / Recommendation in any manner whatsoever; or

(b) the Complaint / Report / Recommendation is discovered to have been originated from such member's department.

4.2.4 In the event of any doubt as to whether a member of the Inv Team should abstain from participation in any activities of the Inv Team, the matter shall be referred to the WHC or the WBC, whose decision shall be final and binding.

4.3 Authority

4.3.1 The WBC shall determine the scope and authority of the Inv Team.

4.3.2 The Inv Team shall outline the detailed procedure for the investigation of the Complaint / Report / Recommendation as directed by the WHC or the WBC.

4.3.3 The Inv Team is accountable to the WBC and shall not be entitled to further delegate all or any of the powers and authority delegated to it.

4.3.4 In discharging its responsibilities, the Inv Team shall have access to the GENT Group's management, books and records which the Inv Team reasonably believes or has reason to believe to be relevant to the Complaint / Report / Recommendation and shall be entitled to examine any employee or any other person(s) as it deems appropriate and to receive such information as it requires from them. All employees shall co-operate with any reasonable request made by the Inv Team.

4.3.5 Upon completion of the purpose for which it was set up, the Inv Team shall be dissolved by the WHC or WBC, as the case may be, and shall have no further authority whatsoever.



4.4 Functions

The following are the functions of the Inv Team:-

- 4.4.1 Conduct a full and thorough investigation into the Complaint / Report / Recommendation as directed by the WBC;
- 4.4.2 Report findings of its investigation to the WBC;
- 4.4.3 Consider any other matters as may be delegated from time to time by the WBC; and
- 4.4.4 Submit evidences, documents, witness statements and such other relevant information collected from its investigation to the WHC.

4.5 Confidentiality

All matters discussed during the meetings of the Inv Team and all information that comes into the possession of the Inv Team during the course of its investigation are to be kept confidential by the members. If required by the WBC, members of the Inv Team shall sign a non-disclosure agreement.

5 Procedure

5.1 Ways to make a Complaint or Report

- 5.1.1 A Complaint or Report may be made in any one of the following manner listed below:-
 - (a) by completing Form A – Report of Improper Conduct / Detrimental Action (Appendix 1) (“**Form**”) in hard copy, or
 - (b) by making a verbal or written complaint to the HOD; or
 - (c) by making a verbal or written complaint to any WBC member or WHC member; or
 - (d) by sending an email to whistle@genting.com set up specifically for this purpose.

The completed hardcopy Form shall be submitted in a **sealed** envelope marked “**Private & Confidential**” and forwarded to the WHC together with relevant documentary evidence (if any) or emailed to whistle@genting.com. Web Form submitted online will be automatically emailed to whistle@genting.com.

- 5.1.2 If any Complaint or Report is made verbally to the HOD, any WBC member or WHC member, the Whistleblower shall in addition, complete and submit the applicable Form as soon as practicable.
- 5.1.3 If any Complaint or Report is sent to whistle@genting.com, the Whistleblower shall also complete and submit the applicable Form as soon as practicable.



5.1.4 The procedures set out in this Policy do not preclude the Whistleblower from making a report of any Improper Conduct or Detrimental Action directly to relevant Enforcement Agencies.

5.1.5 The Whistleblower must identify himself / herself when making the Complaint / Report as follow-up questions and investigations may not be possible or may be hindered unless the source of the information is identified. Any Complaint / Report made anonymously may not be processed or investigated unless the concern / allegation made is of sufficiently serious nature as determined by the WHC.

5.2 Submission of Complaints / Reports to HODs

5.2.1 Whenever the HOD receives a Complaint / Report (with or without the completed Form) from a subordinate, the HOD must immediately submit the said Complaint / Report or cause the same to be submitted to the WHC.

5.2.2 The WHC shall process such Complaint / Report in accordance with the procedures provided in Part 5.5 below.

5.3 Submission of Complaints / Reports to WBC Members

5.3.1 Whenever the WBC members receive a Complaint / Report (with or without the completed Form), the WBC member must immediately submit the said Complaint / Report to the WHC.

5.3.2 The WHC shall process such Complaint / Report in accordance with the procedures provided in Part 5.5 below.

5.4 Submission of Complaints / Reports to WHC

Whenever the WHC receives a Complaint / Report (with or without the completed Form), the WHC shall process such Complaint / Report in accordance with the procedures provided in Part 5.5 below.

5.5 Procedures after Complaint / Report / Recommendation is received by WHC

5.5.1 The WHC shall record and review the Form and ensure that all relevant information is received.

5.5.2 Upon receipt of a Complaint / Report, the WHC shall within a reasonable time, conduct an initial enquiry of the Complaint / Report to determine its genuineness and the seriousness of the concern / allegation which has been raised.

5.5.3 If the initial enquiry made by the WHC indicates that the Complaint / Report is not genuine or has no basis or merits or it is not a matter to be dealt with under this Policy, WHC will provide a summary report to WBC on WHC's findings/rationales and proposed dismissal of case. Notification will be given to the Whistleblower of such dismissal.

5.5.4 If the initial enquiry indicates that Complaint / Report is genuine or has a basis or merits or further investigation is necessary, the WHC will notify the WBC.

5.5.5 The WHC will then propose an Inv Team and the Inv Team Lead for approval by the WBC, to carry out a thorough investigation into the Complaint / Report. Such investigation will be conducted in a fair manner as a neutral fact-finding process and without any presumption of guilt.



- 5.5.6 The Inv Team shall outline the detailed procedures for the investigation. The Inv Team shall have the right to call for any information and documents and to examine any employee of GENT Group or any other person(s) as it may deem appropriate for the purposes of conducting its investigation.
- 5.5.7 All findings of the Inv Team after due investigation will be documented and reported to the WBC through the ABCS Compliance Officer. The time period from the date of receipt of the Complaint / Report and the report made to the WBC shall not exceed two (2) months unless otherwise extended by the WBC.
- 5.5.8 Upon receipt of the report on the findings of the investigation, the WBC will review and evaluate the same. If the WBC is not satisfied with the findings of the investigation, the WBC shall have the right to either:-
- (a) direct a fresh investigation or request that further investigations be conducted by the same Inv team; or
 - (b) direct a fresh investigation by an Inv Team consisting of new members; or
 - (c) conduct its own investigation.
- Unless otherwise decided or extended by the WBC all further investigation shall be completed within 30 days from the date the WBC directs a further investigation.
- 5.5.9 Upon reviewing and evaluating the findings of the investigation, if the WBC decides that the Improper Conduct or Detrimental Action is not proven, the decision will be documented and notified to the Whistleblower.
- 5.5.10 If the WBC decides that the Improper Conduct or Detrimental Action is proven or has sufficient merits, the WBC shall decide on the appropriate course of action to be taken, which may be any of the following:-
- (a) **Against the employee or other person(s) found to have committed the Improper Conduct or Detrimental Action:-**
 - (i) Reprimand, take disciplinary action, impose punishment, as appropriate;
 - (ii) Transfer to another department/relocation of place of employment;
 - (iii) Termination or suspension of employment;
 - (iv) Report to the relevant authorities (if applicable);
 - (v) Any other action deemed appropriate by the WBC.
 - (b) **Preventive measures for the future**
Make recommendation to the relevant GENT Group company to implement procedures or take preventive measures to minimise or prevent the occurrence of the Improper Conduct or Detrimental Action in the future.
- 5.5.11 The decision of the WBC on the corrective actions to be taken and the action taken against the person(s) found to have committed the Improper Conduct or Detrimental Action shall be communicated in writing to the Whistleblower.
- 5.5.12 In bribery-related cases, the ABCS Compliance Officer shall notify the Risk Management Committee, who shall then report the matter to the Board of Directors.



- 5.6 Applicable Procedures upon receipt of Recommendation from Enforcement Agency**
- 5.6.1 All Recommendations from Enforcement Agency shall be immediately forwarded to the WHC who shall notify the WBC of the same.
- 5.6.2 The procedures provided in Part 5.5.7 to 5.5.10 above shall apply in respect of Recommendations received.
- 5.6.3 Upon receipt of the final investigation results:-
- (a) if the WBC decides to give effect to the Recommendation by the relevant Enforcement Agency, the ABCS Compliance Officer or such person designated by the WBC shall notify the Enforcement Agency of the steps taken or intend to take within fourteen (14) days from the date of the decision but in any event no later than six (6) months from the date of receipt of the Recommendation.
 - (b) if the WBC decides not to initiate any disciplinary proceedings or not giving effect to the Recommendation for whatever reasons, the ABCS Compliance Officer or such person designated by the WBC shall notify the Enforcement Agency of such decision and reasons within fourteen (14) days from the date of the decision but in any event no later than six (6) months from the date of receipt of the Recommendation.

Please refer to [Appendix 2](#) for a summary of the procedures.

6 General Information about Whistleblowing and Whistleblower Protection

- 6.1** Whistleblowing is a specific means by which a Whistleblower can report or disclose through established channels, his concerns in respect of Improper Conduct or Detrimental Action.
- 6.2** Only genuine concerns of a serious or sensitive nature should be reported under the whistleblowing procedures as stipulated in this Policy. This Policy is not intended for petty, trivial or frivolous complaints nor is it intended for complaints which are dealt with vide procedures which are currently put in place for grievances. The Complaint or Report should be made in good faith with a reasonable belief that the information relating to the same is substantially true. The Complaint or Report shall not be made for personal gain. A Complaint can be made even if the Whistleblower is not able to identify a particular person to which the Improper Conduct relates.
- 6.3** All Confidential Information in respect of the Whistleblower obtained in connection with the Complaint or Report and the ensuing investigation will not be disclosed to any third party without the prior consent of the Whistleblower, save to the extent permitted by law or required for purposes of making a report to the relevant authorities.
- 6.4** No reprisal action will be taken by the GENT Group against a Whistleblower in respect of any Complaint or Report made in good faith. However, if the Complaint or Report is made with malicious intent or in bad faith by the Whistleblower, this will be viewed seriously by the GENT Group and will be treated as a misconduct which may subject the Whistleblower to disciplinary action in accordance with the GENT Group's rules, policies and procedures.
- 6.5** A person against whom a Complaint or Report is made shall not commit, threaten to commit and / or incite any person to commit / threaten to commit any Improper Conduct or Detrimental Action against the Whistleblower.



- 6.6** The protection accorded to a Whistleblower is not limited or affected in the event that a Complaint or Report made by the Whistleblower in good faith does not lead to any corrective action taken against the person(s) against whom the Complaint or Report has been made.
- 6.7** Remedies to the Whistleblower or any employee(s) affected by the Improper Conduct or Detrimental Action (if any) may include:-
- (a) Reinstatement of the Whistleblower or the employee(s) to the same position or to an equivalent position;
 - (b) Compensation for lost wages, remuneration or any other benefits; and/or
 - (c) Any other remedy deemed appropriate by the WBC.
- 6.8** Pursuant to the Whistleblower Protection Act 2010, no action will be taken against the Whistleblower making a Complaint or Report in good faith, including:-
- (a) Dismissing or threatening to dismiss the Whistleblower;
 - (b) Taking disciplinary actions, suspending, or threatening to discipline or suspend the Whistleblower;
 - (c) Subjecting the Whistleblower to any form of harassment or abuse;
 - (d) Imposing any penalty, directly or indirectly, on the Whistleblower;
 - (e) Discharging, demoting, suspending, threatening, harassing or in any manner discriminating against the Whistleblower.

Effective Date: 27 April 2012
Updated: 27 February 2020
Revised 1: 1 June 2020
Revised 2: 24 Feb 2022

FORM A

REPORT OF IMPROPER CONDUCT/ DETRIMENTAL ACTION

A PARTICULARS OF WHISTLEBLOWER

Please note that report made anonymously may not be processed or investigated unless the concern / allegation made is of sufficiently serious nature as determined by the Whistleblower Hotline Committee (WHC).

“Improper Conduct” means any unethical behaviour, malpractices, illegal acts or any other wrongful or improper conduct within the Genting Group which if proved, constitutes a disciplinary offence or a criminal offence. This includes, without limitation, any actual, attempted or suspected bribery or corruption or non-compliance with the Genting Group’s anti-bribery and anti-corruption policies.

“Detrimental Action” means any reprisal action against a Whistleblower which shall include action causing injury, loss or damage; intimidation or harassment; interference with the lawful employment or livelihood of the Whistleblower, including discrimination, discharge, demotion, suspension, disadvantage, termination, adverse treatment in relation to the Whistleblower’s employment or the taking of disciplinary action; and a threat to take any of the above actions.

1.	Name		
2.	NRIC No.		
3.	Employee No.		
4.	Position		
5.	Department		
6.	Correspondence Address		
7.	Telephone No.	H/P:	Office:
8.	Email Address (if any)		

B PARTICULARS OF THE IMPROPER CONDUCT / DETRIMENTAL ACTION

1.	Name of the person(s) committing the Improper Conduct/ Detrimental Action)	
	Position (if known)	
	Relationship between Whistleblower and the person complained of	

2.	Are you personally affected by the Improper Conduct / Detrimental Action?	YES	NO
		If NO, please state the particulars of person(s) affected by the Improper Conduct / Detrimental Action:-	
		Name of the person affected by the Improper Conduct / Detrimental Action (if known)	
		Department (if known)	
		Position (if known)	
		Relationship between Whistleblower and the person complained of	
3	Particulars of Improper Conduct / Detrimental Action	Date:	
		Time:	
		Place:	
		Particulars:	
4	Have you previously made a Complaint of the Improper Conduct or reported the Detrimental Action to any internal or external parties or the authorities?	YES	NO
		If YES, please state : (i) Complaint/Report: File reference no. (ii) Particulars of third party(ies): Name of internal or external party or authorities receiving the Complaint / Report Department (if applicable): Position (if applicable): Date of Complaint/Report: (iii) Status of the Complaint/Report:	

C DECLARATION	
1	I hereby declare that all information provided in this Form is true and accurate.
2	I fully understand that by signing this Form, I will be entitled to whistleblower protection from Genting Berhad as set out in Genting Berhad's Whistleblower Policy.
3	I fully understand that in the event I have made this Complaint / Report maliciously or in bad faith, the whistleblower protection contained in the Whistleblower Policy will no longer be applicable to me.
4	I consent to Genting Berhad disclosing, collecting, storing, processing and using the information provided, including my personal data for the purpose of investigating, reviewing and evaluating my complaint/report and taking any action in connection therewith, including without limitation, making a report to the relevant authorities, if required.
Signature: Name: Date:	

Note:

- Please attach supporting documents, if any.
- If the spaces provided are not sufficient, please use a separate blank sheet.
- Please send the completed form and supporting documents, if any, to the Whistleblower Hotline Committee, either:
 - a) via email to whistle@genting.com; or
 - b) in a SEALED envelope and marked "PRIVATE AND CONFIDENTIAL" on the right hand corner, addressed to:-

The Whistleblower Hotline Committee
Head of Internal Audit/ABCS Compliance Officer
25th Floor Wisma Genting
Jalan Sultan Ismail
50250 Kuala Lumpur

For WHC's Use

File Reference No : _____

Received by : _____

Date : _____

Procedure Flowchart



