

1. Introduction

This policy aims to encourage every individual working for or dealing with Tomcare to report any Unethical Practices at any level of the organisation with complete comfort, confidence, confidentiality and protection. It also aims to establish suitable steps to investigate and take necessary corrective actions on any Unethical Practices.

2. Policy Statement

Tomcare is committed to achieving the highest possible standards in terms of governance practices, openness/transparency, honesty, accountability, professionalism and duty of care in delivering ones responsibilities, in accordance with the relevant laws, rules, regulations as well as business ethics and conduct.

3. Definition

- 3.1. Unethical Practice means any behaviour or practice of the Company, its directors, employees, contractors, suppliers and all interested parties, in relation to their business dealings with the Company which is believed to be inconsistent with the Company's General Business Principles and its general spirit, and includes, but is not limited to, the following suspected activities/improper practices:
- a. Fraud or fraudulent financial reporting;
 - b. Manipulation of Company data/records, including forging official documents;
 - c. Abuse of authority at any defined level in the Company;
 - d. Disclosure of confidential/proprietary information to unauthorised personnel;
 - e. Knowingly violating applicable laws and regulations, thereby exposing the Company to penalties, fines or any legal action;
 - f. Any instances of misappropriation or abuse of Company property/assets;
 - g. Actively violating any laid down Company policy, including the Code of Conduct;
 - h. Economically wasteful act or action;
 - i. Criminal activity;
 - j. Harassment of any nature to employees or any other third party;
 - k. Using confidential information acquired in the course of one's work for personal advantage;
 - l. Any other activities whether unethical or improper in nature and damaging the interests of the Company;
 - m. Attempts to conceal any of the above.

- 3.2. Whistle Blower means any person (director, employee, customer, vendor or any interested parties) reporting an Unethical Practice under this policy.

4. Reporting Unethical Practice

- 4.1. The Company has introduced this policy to enable all interested parties to raise their concerns about Unethical Practices at an early stage and in the right way. If something is troubling you which you think the Company's management or Board should know about or look into, then please refer to this policy.
- 4.2. All reports of Unethical Practices or complaints are to be made to the Chief Executive Officer via written letter or e-mail (tlim60@gmail.com).
- 4.3. To facilitate the investigation, the letter or e-mail MUST state the following particulars (any anonymous complaint will not be entertained):-
- a. Name and Mykad Number of the Whistle Blower
 - b. Designation of the Whistle Blower (if he/she is an employee)
 - c. Relationship with the Company (if he/she is not an employee)
 - d. Contact Particulars of the Whistle Blower
 - e. Clear understanding of the issue being raised and should not be merely speculative in nature but based on actual facts
 - f. Should contain as much specific information as possible to allow proper inquiry/investigation
 - g. If the Whistle Blower has a personal interest in the matter, he/she will be required to disclose this
- 4.4. Upon review of the reports of Unethical Practices or complaints, the Whistle Blower may or will be contacted to assist in the investigation. Any disclosure which is not made in good faith and is found to be deliberately falsified with malicious intent will be subjected to Disciplinary Action by the Company or any other appropriate actions

5. Protection to Whistle Blower

The identity of the Whistle Blower shall be kept confidential at all times, unless otherwise agreed with the Whistle Blower or required by law (e.g. during the course of any legal proceedings, where the Whistle Blower is required to give evidence in court). No unfair treatment shall be vetted out towards any Whistle Blower acting in good faith by virtue of his/her having reported issues under this policy and the Company shall ensure that full protection is granted to him/her against any action.

Dasar ini bertujuan untuk mendorong setiap individu yang bekerja atau berurusan dengan Tomcare, melaporkan sebarang Amalan Tidak Beretika di mana-mana peringkat organisasi dengan penuh keselesaan, keyakinan, kerahsiaan dan perlindungan.

1. Definisi

- 1.1. Amalan Tidak Beretika bermaksud apa-apa kelakuan/amalan Syarikat, semua pengarah, pekerja, kontraktor, pembekal dan orang berkepentingan yang berurusan dengan Syarikat, yang tidak selaras dengan Prinsip Am Perniagaan Syarikat, iaitu merangkumi, tetapi tidak terhad kepada aktiviti/amalan tidak wajar seperti berikut:
 - a. Aktiviti jenayah, penipuan laporan kewangan, manipulasi data/rekod Syarikat, termasuk memalsukan dokumen rasmi;
 - b. Penyelewengan/penyalahgunaan kuasa/harta benda Syarikat;
 - c. Pendedahan hak milik/maklumat sulit kepada pihak yang tidak diberikan kuasa;
 - d. Sengaja melanggar mana-mana dasar Syarikat, termasuk Kod Etika Kerja serta undang-undang dan peraturan, sehingga mendedahkan Syarikat kepada denda/tindakan undang-undang;
 - e. Gangguan kepada pekerja atau pihak ketiga yang lain;
 - f. Menggunakan maklumat sulit yang diperolehi semasa bekerja untuk kepentingan/manfaat peribadi;
 - g. Percubaan untuk menyembunyikan salah satu perkara di atas.
- 1.2. Pemberi Maklumat bermaksud mana-mana orang (pengarah, pekerja, pelanggan, pembekal atau mana-mana pihak yang berkepentingan) yang melaporkan Amalan Tidak Beretika di bawah dasar ini.

2. Melapor Amalan Tidak Beretika

- 2.1. Semua laporan Amalan Tidak Beretika atau aduan hendaklah dibuat kepada Ketua Pegawai Eksekutif melalui surat bertulis/e-mel (tlim60@gmail.com).
- 2.2. Bagi memudahkan siasatan, surat/e-mel WAJIB disertakan dengan butiran berikut (aduan tanpa nama tidak akan dilayan):-
 - a. Nama dan Mykad Nombor Pemberi Maklumat
 - b. Jawatan Pemberi Maklumat (jika dia adalah pekerja)
 - c. Hubungan dengan Syarikat (jika dia bukan pekerja)
 - d. Maklumat untuk hubungi Pemberi Maklumat
 - e. Jelaskan isu yang dibangkitkan berdasarkan fakta sebenar dan tidak hanya bersifat spekulatif
 - f. Mengandungi sebanyak maklumat khusus yang mungkin untuk membolehkan siasatan yang lancar dan tepat
 - g. Sekiranya Pemberi Maklumat mempunyai kepentingan peribadi dalam hal ini, dia perlu menyatakan perkara ini
- 2.3 Setelah menyemak laporan Amalan Tidak Beretika/aduan, Pemberi Maklumat mungkin akan dihubungi untuk membantu dalam siasatan. Sebarang aduan yang didapati dibuat secara niat jahat/ sengaja dipalsukan, akan tertakluk kepada Tindakan Tatatertib oleh Syarikat atau apa-apa tindakan lain bersesuaian.

3. Perlindungan kepada Pemberi Maklumat

Identiti Pemberi Maklumat akan sentiasa dirahsiakan, kecuali jika dipersetujui oleh Pemberi Maklumat atau diperlukan oleh undang-undang (misalnya semasa proses prosiding undang-undang, di mana Pemberi Maklumat diminta untuk memberikan keterangan di mahkamah). Tomcare akan memastikan bahawa perlindungan sepenuhnya diberikan kepada Pemberi Maklumat terhadap sebarang tindakan, di mana dia tidak akan ditindas/dihukum kerana melaporkan kemungkinan kes rasuah/korupsi. Penindasan atau hukuman di sini merujuk kepada pemecatan, tindakan tatatertib/layanan yang buruk terhadap pemberi maklumat.