

PMCK BERHAD

(FORMERLY KNOWN AS UNIQUE LUXURY HOLDINGS SDN. BHD.)

[Registration No. 200001029676 (532283-M)]

(Incorporated in Malaysia)

Whistle Blower Policy

Adopted by Board: 4th August 2025



**PMCK BERHAD
WHISTLEBLOWING**

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REVISION HISTORY		

Rev. No	DCN No	Section	Page No.	Description of changes	Prepared by	Verified by	Approved by	Eff. Date
00	008/24	-	-	- New Policies & Procedures Whistleblowing	Appointed Manager	Strategic Director	Managing Director	20/12/24
01		1 – 9	All	- Scope expanded, ARMC-led reporting/oversight, stronger protections, procedures & Act coverage	Appointed Manager	Strategic Director	BOD	04/08/25

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SECTION 1: ABBREVIATION / DEFINITION		

PMCK or the Company	PMCK Berhad
PMCK Group or the Group	PMCK Berhad and its subsidiaries
ARMC	Audit and Risk Management Committee
Board	The Board of Directors of PMCK
CARMC	Chairman of Audit and Risk Management Committee

1.1 Definition

A whistleblowing policy refers to a circumstance in which an individual (internal or external) raises or reports concerns about existing or suspected improper behaviors or wrongdoing within PMCK.

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SECTION 2: INTRODUCTION		

This Whistleblowing Policy (Policy) sets out the mechanism and framework by which employees and any member of the public can confidently, and anonymously if they so wish, voice concerns or complaints in a responsible manner without fear of discriminatory treatment. .

2.1 Purpose

2.1.1 This Policy aims to promote reporting any suspected fraud, corruption, improper company activity, or other issues. In addition to offering protection to the reporter who reports such allegations, the Policy will give all employees, agents, contractors, suppliers, consultants, customers, and members of the public a way to voice concerns about any improper conduct without fear of reprisal. As a result, the company's business dealings will be more transparent and accountable.

2.1.2 "Wrongful activities" or "wrongdoings" refer to potential violations or concerns regarding laws, rules, regulations, acts, integrity, and business conduct for this Policy. This encompasses any concerns or violations related to malpractice, illegal or immoral conduct, embezzlement, or fraudulent activities that could affect PMCK's operations and reputation.

2.1.3 In addition to guiding the organisation in handling concerns resulting from wrongdoings or wrongful activities, the Board has a stewardship duty to explain the needs of this organisation's whistleblowing policy and guidelines.

2.1.4 This Policy shall read along with the company's anti-bribery and corruption policy, code of conduct and ethics, and other relevant policies.

2.1.5 For this purpose, the Company will take the required actions to: -

- a) Establish a structured, private avenue to encourage whistleblowers to report any suspected or confirmed improper behavior safely and securely, knowing they will be supported and protected.
- b) Ensure that disclosures are handled appropriately and on time.
- c) Support the company's principles and Code of Ethics while meeting legal and regulatory requirements.

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2.2 Scope

- 2.2.1 This Policy applies to PMCK Group as a whole. It covers all stakeholders, including employees, agents, contractors, suppliers, consultants, customers, and members of the public are encouraged to disclose any wrongdoing by an employee that may adversely impact the Group.
- 2.2.2 An Improper Conduct Report may be filed by a director, employee, or third party who has knowledge of or honestly thinks, on a reasonable basis, that a director or employee of the company has engaged, is engaged, or is about to engage in any Improper Conduct.
- 2.2.3 Any condition in any employment contract that purports and/or intends to prohibit the disclosure of Improper Conduct is void to the extent that it purports and/or intends to prevent the disclosure or the implementation of this Policy's other provisions.
- 2.2.4 To ensure a fair and thorough inquiry, anyone who discovers or suspects any improper conduct within the company shall refrain from conducting investigations or interrogating any suspects.

2.3 Review and Revision

Provisions of this Policy will be reviewed and updated as needed to ensure their proper implementation. This Policy will be reviewed by the ARMC and the Board or as and when the need arises, in consultation with the CARMC.

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SECTION 3: WHISTLEBLOWING		

3.1. Definition

Whistleblowing : The act of reporting suspected or actual wrongful activities or wrngdoings within the Group.

3.2. Who can whistleblow?

3.2.1 Any of the following individuals, hereinafter referred to as a whistleblower, who reasonably act in good faith, can make a report to the company of any suspected or actual Improper Conduct committed by any employee, member of the Board of Directors, or Independent Individuals within the company or group:

- I. the employees;
- II. Board of Directors and Management;
- III. any business associates that are external parties such as customers, service providers, vendors, suppliers, contractors, and other stakeholders who may have a commercial relationship with the firm and group; and
- IV. members of the public.

3.2.2 No director or employee may use their position to prohibit someone from reporting suspected or continuing wrongdoings.

3.3. What to whistleblow?

3.3.1 A report can be submitted if it refers to any Improper, which, if proven, constitutes a disciplinary issue or a criminal offense by any person listed in 3.2.1, including but not limited to any of the following:

- I. Failure to comply with legal obligations or breach of internal control;
- II. Criminal Offence;
- III. Criminal breach of trust;
- IV. Misconduct such as bribery, corruption or blackmail;
- V. Financial irregularity or impropriety;
- VI. Breach of the Company's Code of Conduct and Ethics, procedures, or policies;
- VII. Misappropriation of funds, assets, theft or embezzlement or gross mismanagement;
- VIII. Serious conflict of interest without disclosure;
- IX. Improper or unethical conduct or behavior;
- X. Sexual harassment and

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XI. Action endangers the health and safety of any company employee or any other individual.

3.3.2 The whistleblower must demonstrate that they have reasonable grounds for their concerns. However, while disclosing this Policy, the whistleblower is not required to gather substantial evidence of proof beyond a reasonable doubt.

3.3.3 If the whistleblower has reasonable grounds to believe that Improper Conduct will occur, such genuine concern should be expressed as soon as possible.

3.4. When to whistleblow?

3.4.1 Although they are not required first to obtain substantial evidence of proof beyond reasonable doubt when making a disclosure, a whistleblower should come forward immediately with any information that they, in good faith, reasonably believe discloses a wrongful activity or wrongdoing is likely to occur, is being committed, or has been committed.

3.4.2 Suppose the whistleblower knows there are serious risks that a wrongful activity or wrongdoing will occur. In that case, such bona fide concerns should be raised immediately, that is, if the whistleblower can demonstrate the reason for concern.

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3.5. How to whistleblow?

3.5.1 A written disclosure of Improper Conduct may be sent by letter or email to the following addresses, as detailed below: -

Person to whom the report is directed (Where Applicable & Appropriate)	
By Email	Alternatively, the form can be submitted as follows:
whistleblower@pmck.com.my	<p>A sealed envelope with the words "Confidential" and "To be opened by" should contain the disclosure and be sent to the proper designated individual.</p> <p>Attention: Chairman of the Audit and Risk Management Committee of PMCK (ARMC)</p> <p>Putra Medical Centre 888, Jalan Sekerat, Off Jalan Putra, 05100 Alor Setar, Kedah</p>

3.5.2 The whistleblower must provide the following crucial facts and sufficient details so that the company can look into the suspected Improper Conduct.

3.5.3 Name, NRIC number, designation (if the whistleblower works for the group), and contact information (email, phone number, and/or address) of the whistleblower.

3.5.4 The sort of Improper Conduct, the time, date, and place of the incident, as well as the identity of the person or people suspected of being involved, should all be included in the details.

3.5.5 Even if the whistleblower cannot identify the individual or people involved or the specifics of any witnesses, a disclosure may still be made.

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- 3.5.6 The whistleblower's personal information and confidential information shall not be disclosed. During the investigation, the whistleblower may be asked to reveal additional information.
- 3.5.7 The company may think about looking into an anonymous allegation after taking into account the following factors:
- I. The gravity of the concern;
 - II. The report's merit and credibility; and
 - III. The company may investigate anonymous allegations after assessing their seriousness, credibility, and likelihood of confirmation from credible sources.
- 3.5.8 Whistleblower who remain anonymous are not protected from adverse action inside the Company or Group. The investigation of the reported revelation is confined to the report's contents.

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4.1 Upon making a disclosure in good faith and in line with the Policy -

- a) The whistleblower's identity shall be kept confidential and protected under Section 5, except where disclosure is required by law or for the purpose of legal proceedings.
- b) The whistleblower shall be protected from any detrimental action within the Company or Group arising from the disclosure. Detrimental action includes dismissal, suspension, demotion, harassment, intimidation, blacklisting, discrimination, or any reprisal. Any such retaliation shall constitute misconduct and may result in disciplinary action, up to and including termination.
- c) If a whistleblower believes they are subjected to adverse consequences for making a disclosure under this Policy, they may seek confidential advice and assistance from the ARMC.

4.1.1 This Policy will protect any report of Improper Conduct made in good faith, even if an investigation does not later verify it.

4.1.2 No protection under this Policy will be granted to anyone who has not acted in good faith.

4.2 Requirement for Good Faith

4.2.1 Any whistleblower who intends to submit a report of Improper Conduct must ensure that the report is made honestly and in good faith, as an allegation of Improper Conduct may have serious personal and professional consequences for the person alleged to have committed the act.

4.2.2 The element of good faith shall be considered absent in the following circumstances:

- a) the individual lacks personal knowledge or a factual basis for the report of Improper Conduct;
- b) the individual knew or reasonably should have known that the report or any of its contents are false;
- c) the report is frivolous or vexatious or
- d) Any other circumstances indicate that the report has been made with malicious intent, ulterior motive, or for personal gain.

4.2.3 Additionally, any whistleblower who submits allegations or reports determined to have been made without good faith may be subjected to disciplinary action, which may include termination of employment or contract or any other appropriate course of action (where applicable).

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4.3 Revocation of Protection

4.3.1 If the whistleblower has or is discovered to have:

- a) reported Improper Conduct in bad faith;
- b) been involved in the reported Improper Conduct;
- c) disclosed information that does not comply with this Policy, including information that is intentionally false, dishonest, malicious, frivolous, or vexatious; or
- d) disclosed information solely or substantially to avoid termination or other disciplinary action, the company has the right to revoke the whistleblower protections granted by this Policy.

4.3.2 In such circumstances, the whistleblower shall be formally notified in writing of the revocation of protection. Disclosures that are determined to be false, malicious, frivolous, or made with intent to harass may also be referred to the appropriate enforcement or regulatory authorities for further action.

4.3.3 Nothing in this Policy shall be construed as granting immunity from criminal prosecution. Furthermore, the Company does not have the authority to extend protection against detrimental action to whistleblowers who are not its employees, except as provided under the Whistleblower Protection Act 2010.

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5.1 The Company shall ensure that the whistleblower's identity, disclosure, and any confidential information are protected to the fullest extent possible, unless:

- a) the whistleblower provides prior written consent for disclosure; or
- b) disclosure is required by law, regulation, or order of a court or enforcement agency.

5.2 The whistleblower or any individual involved in the investigation process is prohibited from disclosing any information to third parties regarding the Improper Conduct or any aspect of it, including the status or outcome of an investigation into it, except:

- a) To those who are authorized under this Policy.
- b) by lodging a report with an enforcement agency under the Whistleblower Protection Act 2010 or any other prevailing law.
- c) when disclosure is required by law or order of a court; or
- d) on a strictly confidential basis to a professionally qualified lawyer to obtain legal advice.

5.3 The whistleblower shall not: -

- a) directly contact, confront, or seek restitution from the person suspected of Improper Conduct;
- b) discuss the facts, suspicions, or allegations with anyone other than those authorized to handle the investigation; or
- c) disclose information to the public, media, or external parties, unless permitted under this Policy or applicable law.

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SECTION 6: INVESTIGATION PROCEDURES FOR EMPLOYEES		

6.1 Log of Reports of Improper Conduct

- 6.1.1 The ARMC will maintain a central log or register where all reports of Improper Conduct, investigation findings, corrective actions, and monitoring are recorded. The chairperson of the ARMC may choose someone to oversee the log's administration. You can request to check the log at any time, and the ARMC will be notified of any new reports of Improper Conduct.
- 6.1.2 To ensure prompt action, if necessary, the Chairman of ARMC must be apprised of any fresh allegations of Improper Conduct in which he or she is not directly involved (as much as possible, without revealing the whistleblower's identity or the individual accused of the misconduct).
- 6.1.3 The CARMC is responsible for recording the whistleblower case in the register upon receipt of a report of Improper Conduct.
- 6.1.4 Whistleblowers may request updates, and the ARMC will provide a response in a timely manner, subject to legal or confidentiality restrictions as determined by the CARMC.

6.2 Investigation Procedures

- 6.2.1 Strict confidentiality would govern the investigation, meaning that the subject of the whistleblower's disclosure complaint would not be informed until (or if) it became imperative.
- 6.2.2 Whistleblowers and accused wrongdoers are expected to cooperate fully in any investigation or disciplinary action under the Whistleblowing Policy and PMCK's Employee Code of Conduct and Ethics. The quantity of communication between the whistleblower, alleged perpetrator, and investigating party depends on the severity of the issue and the clarity of the information presented. Whistleblowers and suspected wrongdoers may receive more information.
- 6.2.3 The inquiry will be conducted internally and/or by an external party, and the Board may order the investigation. As much as feasible, all investigations will be finished within 30 working days. Complex investigations that take longer will be reported to the Board.
- 6.2.4 If necessary to gather facts in compliance with this Policy and/or PMCK's Employee Code of Conduct and Ethics, an investigation into the whistleblower may be conducted if they are implicated in or found to have been involved in any wrongdoing.

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6.2.5 According to the PMCK's Employee Code of Conduct and Ethics, disciplinary action will be taken against the alleged wrongdoer or any other implicated persons if it is determined that they have either committed wrongdoing or taken serious risks that would likely result in wrongdoing being committed based on the CARMC's or Board's investigation. This action may include:

- i. formal warning or reprimand;
- ii. demotion, suspension or
- iii. termination of employment or services with PMCK.

6.2.6 The Board, based on the CARMC's advice, shall decide whether to pursue legal action against accused wrongdoers or other parties involved. The Board will seek legal advice or consult the Chairman when deemed essential.

6.2.7 All decisions made by the Board and their reasons shall be documented in the Board's meeting minutes.

6.3 Finding of Investigation

6.3.1 Subject to any legal constraint, the whistleblower and, if applicable, the alleged wrongdoer will be notified in writing of the decision of the Board on whether any wrongful activities or wrongdoings specified under paragraph 3.3.1 have occurred or not and whether the alleged wrongdoer is guilty or not, in good time, and the basis thereof.

6.3.2 The notification letter would be signed by the Chairman or one of the Board members.

6.3.3 The whistleblower has the right to file a second, more in-depth report outlining their reasons for dissatisfaction with the investigation's conclusion; if there is sufficient cause, the Chairman or Board will reinvestigate the matter.

6.3.4 Upon receiving the required documents or proof, the Chairman will produce a summary of the case reported by the whistleblower. This summary will state the complaints, results, action taken, and suggestions for reporting to the Board. The Board will be informed of the progress in handling open cases and unresolved complaints **every three months**.

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6.4 Decision

- 6.4.1 If the Chairman of the ARMC finds evidence to support an allegation, a final report with the Managing Director's recommendation will be presented to the ARMC for consideration. The ARMC will analyze the final report and determine any necessary remedial or disciplinary actions.
- 6.4.2 The ARMC may submit the final investigation report and recommendations to the Board of Directors pursuant to Section 6.4.1. The Board shall decide on the necessary disciplinary or corrective action and may, where appropriate, initiate legal proceedings or refer the matter to the relevant enforcement or regulatory authorities (e.g., MACC, Royal Malaysia Police, SC, BNM) in accordance with applicable laws.
- 6.4.3 Once the inquiry is over and the results have been approved by the ARMC or the Board of Directors, whichever is applicable, the appointed manager will notify the whistleblower unless doing so would violate any laws or regulations. The whistleblower will not be informed of the specifics of the results because they are considered confidential.

6.5 Corrective Action

- 6.5.1 The appointed person is responsible for carrying out the ARMC's conclusions regarding the investigation into the employee's alleged improper conduct.
- 6.5.2 Management will implement safeguards to protect the company, employees, and stakeholders from future risks.
- 6.5.3 Where misconduct is established, the Board and management shall promptly implement corrective and preventive measures. Corrective action may include disciplinary measures under the Employee Code of Conduct and Ethics, termination, restitution of losses, or disclosure to regulators where required. Preventive measures may include strengthening internal controls, revising procedures, enhancing training, and reinforcing the Company's zero-tolerance stance on misconduct.

6.6 Disciplinary Action

ARMC shall recommend and the Board shall decide for enforcing the policies and procedures outlined in the Code of Conduct and Ethics Policy as provided under Section 9 if an employee is to face disciplinary action.

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SECTION 7: INVESTIGATION PROCEDURES FOR THE CHAIRMAN, BOARD OF DIRECTOS, OR INDEPENDENT INDIVIDUALS		

7.1 Reports of Director's or Independent Individual's Improper Conduct

7.1.1 The CARMC is required to determine whether the allegation is baseless or if there are suspicious circumstances after receiving the Improper Conduct report.

7.1.2 If necessary, the CARMC may obtain independent legal or professional advice on the report.

7.2 Investigation Procedure

7.2.1 The CARMC has the discretion to:

- i. close the case
- ii. conduct a full investigation
- iii. refer the matter to relevant authorities or;
- iv. take any other action deemed appropriate based on the circumstances and fairness of the investigation.

If required and applicable, investigation unit may be assigned as the whistleblower report's secretariat.

7.2.2 To preserve the independence and integrity of the process, no Directors or Independent Individual who is the subject of the allegation shall participate in, or be present at any stage of the deliberations or investigation

7.2.3 The independent party designated to conduct investigations will notify the whistleblower if a thorough investigation is necessary, and the whistleblower will provide complete cooperation throughout the investigation.

7.2.4 The appointed investigator(s) shall follow due process, including:

- i. Obtaining and reviewing relevant documents and records
- ii. Interviewing relevant witnesses and parties involved
- iii. Ensuring that all evidence is preserved and safeguarded
- iv. Maintaining confidentiality of the whistleblower's identity in accordance with Section 5.

7.2.5 The investigation's procedures will adhere to the appropriate methods to prevent any conflicts of interest and to guarantee procedural impartiality for the specific Director or Independent Individual in question.

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7.3 The Finding of Investigation and Decision

Following the conclusion of an investigation, the CARMC shall consider the investigation report to determine whether the claim could be proven or not. Notwithstanding the foregoing, any individual Director(s) who are the subject of the inquiry of Improper Conduct shall not participate in the deliberation thereof.

7.4 Corrective Action

Where misconduct is established, the Board shall promptly implement corrective and preventive measures. Corrective action may include suspension, removal, termination, restitution of losses, or disclosure to regulators where required. Preventive measures may include strengthening controls, revising governance procedures, enhancing Board training, and reinforcing the Company's zero-tolerance stance on misconduct.

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SECTION 8: WHISTLEBLOWER PROTECTION ACT 2010 ("ACT")		

8.1 Whistleblower Protection Act 2010

8.1.1 The Whistleblower Protection Act 2010 ("the Act") was enacted by Parliament in June 2010 and came into force on 15 December 2010. The Act provides a statutory framework to:

- i. Protect whistleblowers from detrimental action, including dismissal, demotion, harassment, or discrimination, arising from their disclosure.
- ii. Grant immunity to whistleblowers from civil and criminal liability in respect of the disclosure, provided the disclosure is made in good faith.
- iii. Ensure confidentiality of the whistleblower's identity, except where disclosure is required by law.
- iv. Empower enforcement agencies (federal, state, or municipal) to receive, investigate, and act upon disclosures.

8.1.2 For disclosures made under the Act, a whistleblower must report directly to an Enforcement Agency (such as the Malaysian Anti-Corruption Commission, Royal Malaysia Police, or other designated bodies). Any follow-up actions, investigations, or protections will be governed exclusively by the Act outlined in this Policy.

8.1.3 Although the Company respects the right of the whistleblower to report improper employee behavior directly to an enforcement agency, it encourages and counsels' employees to report improper employee behavior to the company first so that it can address and correct any wrongdoings and, if necessary, put in place the controls required to avoid any significant harm to the business.

8.1.4 Protection under the Act may be revoked by the Enforcement Agency if the disclosure is found to have been made in bad faith, to contain false or misleading information, or falls within the prohibited categories of disclosure (e.g., matters of national security, Cabinet proceedings, etc.).

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PMCK is dedicated to upholding the most significant standards of ethics, honesty, and leadership inside the company. This Policy aims to improve corporate governance, create an atmosphere where morality and integrity are upheld, and expose any improper activity within the organisation. Additionally, the Policy might serve as an early warning system, allowing the business to address any inappropriate behaviour before it causes significant harm. whistleblowers are therefore encouraged to come forward with information about any suspected improper behaviour because there are safe channels for them to do so in good faith, with their identities protected and them shielded from any post-detrimental action under this Policy.