

Gifts and Hospitality Policy 《礼物和款待政策》

1. Purpose 宗旨

The objective of the Gifts and Hospitality Policy is to avoid conflicts of interest and encourage equal treatment for employees. Tong Herr Resources Berhad and its employees must not directly or indirectly solicit or receive any gifts from existing or potential suppliers, agents and business partners, as this may affect the recipient's judgement in a decision-making process or put the employees in a position of conflict.

《礼物和款待政策》的目标是避免利益冲突，鼓励员工实行平等待遇。东和资源有限公司及其子公司的所有员工不得直接或间接地向现有的或潜在的供应商，代理商和业务合作伙伴索取或接收任何礼品，因为这可能会影响收受者在决策过程中的判断或让员工处于冲突的位置。

2. Scope 范围

This policy applies to all employees of Tong Herr Resources Berhad and its subsidiaries, including the Chairman, General Manager, Deputy General Manager, Head of Department, other managers, Board Members and all employees employed by the company, and customers, suppliers or business partners.

本政策适用于东和资源有限公司及其子公司的全体员工，无一例外，包括董事长、总经理、副总经理、各部门主管、其他经理、本公司雇用的所有职员和董事会成员以及客户、供应商或业务合作伙伴等。

3. Gifts 礼品

Employees are disallowed to receive gifts from, or send gifts to any third party (including suppliers, customers, business partners, potential employees, and potential suppliers).

However, the above policies may be exempted in certain circumstances, but the following regulations must be met:

- is for legitimate business purposes, such as building goodwill and strengthening working relationships;
- does not occur during contract negotiations or during business proposal pending;
- such as cards, thank you letters, certificates or other written forms of thanks and recognitions;
- is given to the company and should state the name of the company but not the name of any employee; and
- these gifts are offered during the holiday season (New Year, Lunar New Year, Hari Raya and Deepavali, etc.); the gift must not exceed RM500 and the same person cannot receive or send gifts more than 3 times in a year.

Nevertheless, the company will recognize and accept, occasionally giving/receiving small gifts (e.g, flowers and fruits), which will facilitate the development and maintenance of good business relationships.

员工不得从任何第三方（包括供应商，客户，业务合作伙伴，潜在员工和潜在供应商）接收礼品或赠送礼品。

但是，以上政策在某些情况下可被免除，但必须满足以下的条例：

- 用于合法的商业目的，例如建立商誉和加强工作关系；
- 不是发生在合同谈判期间或业务提案待决期间；
- 如卡片，感谢信，证书或其他书面形式的感谢和表彰；
- 给予公司，并应列出公司名称，但不得指出任何员工的姓名；及
- 这些礼品是在节日期间（新年，农历新年，开斋节和屠妖节等）提供的；该礼品不得超过RM500，在一年内同一人不得接收或赠送礼品超过3次。

然而，本公司将承认及接受，偶尔赠送/接受薄礼（如：鲜花和水果），这将利于发展及维护良好的业务关系。

4. Hospitality (Meals and Entertainment) 招待（餐饮和娱乐）

Business entertainment can play an important role in strengthening the working relationship between business partners. As a result, employees can accept or provide commercial entertainment for legitimate business purposes, such as establishing goodwill and strengthening relationships with customers or suppliers, provided that the nature of entertainment is consistent with this policy. Specifically, entertainment is allowed or accepted only in such entertainment:

- not more than 3 times in a year with the same person;
- relevant to legitimate business purposes (for example, accompanying a customer or supplier to an event or attending a business meal);
- is not given as a bribe, payoff, or kickback (e.g., to obtain or retain business);
- does not mean that the gift giver is entitled to special treatment, commercial rewards, more favorable prices or better sales terms;
- is reasonable and appropriate in the context of business occasion; and
- would not influence, or appear to influence the employee's ability to act in the best interest of Tong Herr Resources Berhad.

商业娱乐可以在加强商业伙伴之间的工作关系方面发挥重要作用。因此，员工可以接受或提供为合法商业目的的商业娱乐，例如建立商誉和加强与客户或供应商的关系，前提是娱乐性质符合本政策。具体而言，只有在此类娱乐活动中，才允许接受或提供娱乐：

- 与同一个对象一年不超过3次；
- 与合法的商业目的相关（例如，陪同客户或供应商参加活动或参加商务宴请）；
- 不是为了获取或保留业务而贿赂，支付或回扣；
- 并不表示礼品赠送者有权享受特殊待遇，商业奖励，更优惠价格或改善销售条款；
- 在商务场合的背景下是合理和适当的；和
- 不会影响或将影响员工的行事能力。

5. Involving government officials 涉及政府官员和公职人员

Employees have to be cautious when dealing with government officials. Do not send gifts, or provide entertainment of any kind, including a cup of coffee or a light meal. This is due to government officials themselves are subject to particularly strict rules, some things that can be done to business customers may be illegal for government officials.

与政府官员和公职人员打交道时需特别谨慎，不可送上任何形式的礼物、利益或娱乐消遣，包括一杯咖啡或一顿便餐。因为政府官员自身受到特别严格的规则约束，一些可以向商业客户做的事情，对于政府官员和公职人员却可能违法，所以我们必须尊重这些规则。

6. Frequent Asked Questions 常见问题

a) Refuse to accept gifts seems to be impolite? 拒绝好像不合礼仪？

Employees may encounter situations where accepting a gift that exceeds the company's limit may not be appropriate, but does not want to offend the giver. In this case, employees must use their own judgment to make an immediate decision. It has been proved that rejecting the gifts by explaining the company's Gifts and Hospitality policy to the sender will be understood by them. If the employee feels it is acceptable, then in any case, the gift or benefit should be reported to their particular head of department as soon as possible, not later than the second business day. Possible measures include accepting the gift first, then attaching a polite note to return it to the sender, or donate it to a charity.

员工可能会遇到这样的情况：接受超出本公司金额限制的礼物会觉得不妥，但又不想得罪送礼人。在这种情况下，员工必须运用自己的判断力立即作出决定。经实践证明，向对方解释本公司的《礼物和款待政策》而礼貌地拒绝是很可能会得到理解的。如果员工感到必须接受，那么在任何情况下都应该尽快将礼物或利益报告给您的上级经理，时间不得迟于第二个工作日。可采取的措施包括先接受礼物，然后附上礼貌的便条退回，或将其捐给慈善机构。

b) Accepting Festive Gifts 接受节日礼物

These gifts are offered during the festive season (New Year, Lunar New Year, Hari Raya and Deepavali etc); the gift must not exceed RM500 and the same person cannot receive or give gifts more than 3 times in a year. Employees need to make sure that they don't give or receive any **inappropriate gifts** during the festive season. There should be no gifts that seem to be an attempt to influence someone and everything must be open and transparent. One way to deal with it is to share the gift between employees or donate the gift to a charity.

这些礼品是在节日期间（新年，农历新年，开斋节和屠妖节）提供的；该礼品不得超过 RM500，在一年内同一人不得接收或赠送礼品超过 3 次。员工需确保自己在节日期间没有赠送或接受任何不适当的礼物，不应有任何看起来是企图对某人产生影响的馈赠，一切都要公开透明。处理的方式之一是把礼物于员工之间分享，或是把礼物捐给慈善机构。

c) If the business partner is also a private friend 若业务合作伙伴是私人朋友

In some cases, business partners may also be also a friend of an employee or they became friends due to long-term business dealings. However, the same principles still apply. Employees cannot intend to influence someone by sending gifts, or make a conflict of interest decision by accepting someone's gift. If frequent gift exchanges are conducted on an individual basis due to personal relationships, such potential conflicts of interest should be reported to their respective head of department.

在一些情况下，业务合作伙伴可能也是私人朋友，或是由于长期的专业合作关系而成为朋友。即使如此，同样的原则仍然适用。员工不可以企图影响某人而赠送礼物，或因接受某人的礼物而做出有利益冲突的决定。如果因私人关系而以个人名义进行频繁的礼物交换，这种潜在的利益冲突关系应向各自的主管报告。

7. Awards and allowances 奖励和津贴

Raffle gifts, door gifts, rewards and other business/sales rewards can be offered to employees. Any incentives must comply with applicable pay, benefits and tax laws.

可以向员工提供抽奖礼品，礼品，奖励和其他生意/销售奖励。任何奖励措施都必须符合适用的薪酬，福利和税法。

8. Penalties 处罚

Any violation of this Gift and Hospitality Policy may result in disciplinary action, including but not limited to, termination of employment.

任何违反此无礼品政策的行为均可能导致纪律处分，包括终止雇佣关系。

9. Report suspicious violations (Whistleblowing) 举报可疑的违规行为

Employees must report if they are aware of any wrong-doing among the company's employees or any third party involved in the company's related business. Employees can use the company's confidential reporting service to report any suspected violation of existing policies; this confidential reporting service is provided by an independent employee. The company's method of confidential reporting is to send an email to whistleblower@tong.com.my

员工若知悉关于本公司、员工或任何参与本公司相关业务的第三方有潜在不合规的行为，必须进行举报。员工可使用本公司的保密举报服务，举报任何怀疑违反现有政策的行为；该保密举报服务由独立的员工提供。本公司保密举报服务的方法为发送电邮至 whistleblower@tong.com.my

This policy helps us to maintain ethical work and business relationships, and to avoid any conflicts of interest.

此政策有助于我们维护道德工作和业务关系，并避免任何利益冲突。

We expect our employees to use their judgment skills appropriately. If in doubt, employees can seek advice from their respective head of department.

我们期望员工能良好运用判断能力，若有疑问，员工可向各自部门的主管寻求建议。