





GIFT MANAGEMENT POLICY

	INTEGRATED MANAGEMENT SYSTEM DEPARTMENTAL POLICY			
	GIFT MANAGEMENT POLICY			
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Approval

The signature below certify that this Policy has been reviewed, accepted and demonstrates that the signatories are aware of all the requirements contained herein and are committed to ensuring their provision.

	Signature	Name	Position
Prepared by:		Suzinor Kamaralzaman	Head Unit of Integrity and Governance
Approved by:		Narendran Maniam	Chief Executive Officer



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Amendment Record

This policy is reviewed to ensure its continuing relevance to the systems and process that it's describe. A record of contextual or omissions is given below:

Date	Rev. No.	Page No.	Remark
27 February 2018		All	New 'NO GIFT POLICY' as compnay's policy.
26 June 2020		All	No Gift Policy was replaced with Policy On Gift, Entertainment, Corporate Hospitality, Sponsorship, Charitable Donation and Political Contribution. This policy has been presented and approved by Board of Integrity & Governance (BIGC) on 15 June 2020 ref. no. : IWK/BIC/17/05 and approved by the Board on 26 June 2020 ref. no. : IWK/BD/120/07.
28 February 2023	00	All	<p>Policy On Gift, Entertainment, Corporate Hospitality, Sponsorship, Charitable Donation and Political Contribution is replace with Gift Management Policy.</p> <p>This policy has been presented and approved by Board of Integrity & Governance (BIGC) on 28 February 2023 ref. no. : IWK/BIGC/27/03 and approved by the Board on 28 February 2023 ref. no. : IWK/BD/133/10.</p> <p>This policy has been presented and approved by Board of Integrity & Governance (BIGC) on 2 October 2023 ref. no. IWK/BIGC/28/04 and approved by Board on 20 October 2023 ref. no. IWK/BD/136/05.</p>



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1. INTRODUCTION

As a service provider organization, Indah Water Konsortium Sdn Bhd (“IWK”) is proud of the relationships we have with our customers, vendors and suppliers who deal with us, and the difference we build together to create a more meaningful experience for the general public. One of our core values is 'Integrity' and this important core value is applied in every aspect of our business. We are committed to being honest, ethical and behaving with integrity in the workplace. In doing business, we will not engage in any improper perception.

IWK's service and devotion while delivering sewerage services received appreciation and praise through the deposit and consolation that became a cultural practice in a society that is difficult to contain without control. However, it is difficult to translate the true intention behind the practice when the gift is followed by certain interests that can affect the business. This is likely to lead to abuse of power which can be interpreted as corruption and result in the integrity and image of IWK being compromised.

2. OBJECTIVE

The establishment of this Policy is as a reference on the management of receiving and giving gifts with the intention of not taking advantage by giving or receiving gifts from any customer, supplier, potential supplier or any individual who may influence IWK's business decisions or transactions, whether as an organization or individual. We will not tolerate any form of corruption.

3. SCOPE

This policy applies to all IWK residents, stake holders, business partners or any individual / organization that deals with IWK residents / facilities. This policy should also be used as a guide for receiving and giving gifts.

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4. DEFINITION

Gift include but not limited to the following:

Cash	Free Fare
Movable property and immovable property	Shares
Vehicle	Lottery ticket
Ease of travel	Entertainment
Services	Discount
Club membership	Commission
Hamper	Decorative items
Sponsorship	Contribution
Jewellery	Any gift
Souvenirs	Goods that can exchange value such as gold, diamonds etc

Any thing or service that has a monetary value or can be considered as a reward or inducement when dealing in business matters given to or received by the officer and any person subject to Section 3, Malaysian Anti-Corruption Commission Act 2009 (Act 694) on his behalf from any person, with no consideration (without consideration) or a consideration known to the officer to be inadequate or insufficient

The form, amount or value of the gift does not match

The present value of the gift shall be the value agreed upon by the Board of Directors. The form, amount or value of the gift does not match if the value at the time the gift is received is valued (in monetary terms) above RM500.00.

The form, amount or value of the matching gift

The present value of the gift shall be the value agreed upon by the Board of Directors. The form, amount or value of the matching gift is the value at the time the gift is received, the value (in money) of RM500.00, whichever is lower.

The form, amount or value of matching or non-matching gifts for receipts unrelated to official duties

Based on the current value of the gift, "occasion" and the purpose or meaning of the gift.

IWK Employees

Officer and employee who serves at IWK whether through permanent appointment, temporary, trainee, loan, contract or part-time including political appointment.

IWK Employees also includes the Chairman, Board of Directors, Chief Executive Officer, Chief Operating Officer, Head of Departments and Head of Operations or Companies under IWK.

Third party

Contractors, vendors, suppliers, organizations, associations or any party dealing with IWK.

5. POLICY STATEMENT

IWK members are prohibited from accepting or giving any gifts; or any other person receives or gives on his behalf any gift either directly or indirectly in connection with his official duties; and / or the form, amount or value of the gift does not match the purpose of the gift.

6. PROHIBITION OF ACCEPTANCE AND GIVING OF GIFTS IN CONNECTION WITH OFFICIAL DUTIES

IWK members are prohibited from accepting or giving any gifts if:

- related to his official duties; and/or
- the form, amount and value of the gift do not match the purpose of the gift

7. ACCEPTANCE IS DIFFICULT TO REFUSE

If in certain circumstances the rejection of a gift that is related to official duties, will humiliate the giver of the gift or affect the professional relationship, IWK members may accept the gift and must report in writing to the respective Head of Office for approval.

However, in order to facilitate administrative affairs, IWK residents can report in writing to their respective Heads of Office (without the need for approval) if the gift is given:

- the value is less than RM100;
- in the form of a badge (plaque) or pennant or handicraft items produced by the organization itself or printed materials related to the organization for the purpose of promotion; and
- perishable and non-durable items.


8. ACCEPTANCE OF GIFTS NOT RELATED TO OFFICIAL DUTIES

For receiving gifts that are not related to official duties and do not match the purpose of the gift, IWK members must report in writing to their respective Head of Office for approval.

9. PERMITTED ACCEPTANCE OF GIFTS

For the acceptance of gifts that are not related to official duties, IWK citizens may accept gifts and do not need to report to their respective Heads of Office for approval in the following circumstances:

- the form, amount or value of the corresponding gift; or
- the form, amount or value of the gift does not match, in the event of receiving a gift as follows:
 - receiving gifts from colleagues in conjunction with retirement,

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exchange, engagement and marriage of officers;

- receiving gifts from the wife / husband, children including children in law or legally adopted children, mother / father including mother and father-in-law, and siblings including the wife / husband's side;
- receiving gifts from relatives and friends in conjunction with birthdays, engagements and weddings of officers or children, or any other ceremony related to customs and religion; or
- acceptance of perishable and non-durable gifts.

Acceptance of a gift in doubt, whether the form, amount or value of the gift matches or does not match; can cause problems related to his responsibilities as an officer; or may raise suspicion for himself or others; then IWK members can report in writing to their respective Heads of Office.

10. ACCEPTANCE OF GIFTS THAT CONSTITUTE AN OFFENCE

Acceptance of a gift, whether in the form, amount or value of a matching or non-matching gift, is an offense under the law if the acceptance is in the following circumstances:

- the gift was accepted or requested by way of or with the intention of bribery that it is an inducement or reward to the official to do or not do, or for having done or not doing an act related to his principal affairs or in the performance of his official duties;
- the person who gave the gift has a relationship with the official duties of the official himself or with the official duties of an official under whom he works and the giving and receiving was not done in good faith (not in good faith) but rather it was done with criminal intent (mens rea)); or
- the gift is received with criminal intent (mens rea) from a person, who the officer knows has been or is or may be involved in any business that has been conducted or will be conducted by the officer.

11. DECISION OF THE HEAD OF THE OFFICE

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The Head of Office when considering the gift acceptance report, should take into account the following criteria:

- ensure that the acceptance of the gift is permitted under the current applicable laws and regulations;
- the acceptance of the gift does not give rise to suspicion that the official has used his official position or authority to obtain the gift;
- the frequency with which officials receive gifts;
- the relationship between the officer and the gift giver especially regarding his duties and powers; and
- the interests of the organization as a whole.

The Head of Office after considering the criteria, can make the following decision:

- allow officials to accept gifts;
- order the officer to return the gift to the giver;
- stored by the respective Office; or
- take other appropriate actions.

12. RECEIVING AND PROVIDING ENTERTAINMENT

IWK citizens may receive or give any type of entertainment/entertainment from or to any person if:

- The entertainment/entertainment does not in any way affect the performance of duties as an officer for the benefit of that person; and
- The entertainment/entertainment is not in any way inconsistent with the code of conduct under the current applicable laws and regulations.

However, IWK citizens should pay serious attention to the following matters:

- the reception and provision of entertainment/entertainment does not at all affect the authority and responsibility of the officer for the interests of the entertainment/entertainment provider;
- the sensitivity of the organization where the officer is on duty;
- community sensitivity to the responsibilities of officers and overall services;

or / and

- the frequency with which officers receive entertainment/ entertainment.

13. ACCEPTANCE AND GIVING OF GIFTS BY THE OFFICE

The office may accept gifts from private parties or any other party with the permission of the Comptroller subject to the conditions of the current applicable regulations.

14. APPLICATION AND ACCEPTANCE OF DONATIONS BY SPORTS AND CHARITY CLUB

Sports and Welfare Clubs are prohibited from applying and receiving donations directly from private companies or the public to obtain financial assistance to finance activities except through the permission of the Board of Directors.

15. RESPONSIBILITIES OF OFFICE HEADS

The Head of Office must report to the Integrity and Governance Unit if there is any violation of laws or regulations related to the acceptance and giving of gifts.

16. COMPLIANCE

Failure or refusal of IWK members to comply with this Policy can be considered as disobeying orders and will be subject to action under the Referral to Authorities Policy.

Violations of this Policy by third parties will also be notified in accordance with the Referral to Authorities Policy applicable at IWK.

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17. ENQUIRIES AND REPORTING

Any enquiries or reports on violation of this Policy may be submitted through the reporting channels as follows:

Information Disclosure Channel IWK (Whistle Blowing Channel)

- i) Telephone : 03-2780 1295
- ii) Email: whistle@iwk.com.my
- iii) Send the Whistleblower Form to the Head of the Integrity & Governance Unit
- iv) Submit the Informant Form via <https://www.iwk.com.my> or IWK Mobile App
- v) Attend and Meet at:

Integrity & Governance Unit

Indah Water Konsortium Sdn Bhd

No. 1, Jalan Damansara

60000 Kuala Lumpur

(att : Head of Integrity & Governance Unit)

18. CONCLUSION

With the existence of this Gift Management Policy, IWK citizens can eliminate confusion related to the practice of accepting and giving gifts and thus be able to close the space and opportunities for corruption. In addition to being the main reference for IWK citizens, this Policy can also be a guide for all parties dealing with IWK. Compliance with this Policy will be the starting point for IWK's efforts to fight corruption from petty corruption to grand corruption.

IGU becomes the regulatory manager who will hold appropriate SOPs to manage the giving and receiving of gifts. IGU is allowed to make appropriate guidelines for the good purpose of managing this policy.

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REFERENCES

1. Federal Constitution
2. Malaysian Anti-Corruption Commission Act 2009 (Act 694)
3. Penal Code (Act 574)
4. Public Officers (Conduct and Discipline) Regulations 1993
5. Code of Ethics for Administrative Members and Members of Parliament
6. Service Circular Number 3 of 1998 – Guidelines for Giving and Accepting Gifts in the Public Service
7. Service Circular Letter Number 5 of 2008 – Authorities Approving Acceptance of Gifts by Government Departments