



SAPURA RESOURCES BERHAD
(195701000235 (3136-D))

**SRB WORKPLACE SEXUAL
HARASSMENT POLICY**

Dated : November , 2022

TITLE	SRB Workplace Sexual Harassment Policy
VERSION	1.0
APPLICABILITY	Sapura Resources Berhad (“SRB”) and all its subsidiaries.
APPROVED BY	Board of Directors of Sapura Resources Berhad
APPROVAL DATE	30 November 2022
EFFECTIVE DATE	30 November 2022
POLICY SPONSOR	Human Resources Department
SCOPE	This Workplace Sexual Harassment Policy is applicable to SRB and across all subsidiaries of SRB, all levels and all business divisions in SRB.
REGULATORY REQUIREMENTS	<ol style="list-style-type: none"> 1. The Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace (“Code of Practice”), published in August 1999 by the Ministry of Human Resources, Malaysia (“1999 Code”). 2. Part XVA, Section 81A – 81G, Employment Act 1955.

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1. POLICY STATEMENT

1.1. SRB strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the company should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. SRB will not tolerate sexual harassment of any kind. Through enforcement of the SRB's Workplace Sexual Harassment Policy (hereinafter referred to as "the Policy") and by communicating to employees, SRB will seek to prevent, correct and discipline behaviour that violates this policy in line with the applicable laws and regulations in Malaysia. The Policy should thus be read in conjunction with SRB's various policies & guidelines. If multiple documents speak of the same subject, then the utmost stringent provision prevails.

The Policy intends to fulfil the requirements set forth in:

- The Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace, published in August 1999 by the Ministry of Human Resources, Malaysia ("1999 Code").
- Part XVA (Sexual Harassment) of the Employment Act 1955.

1.2. SRB shall constantly uphold all laws relating to sexual harassment in all jurisdictions where SRB operates. SRB is bound by the laws of Malaysia, in particular the Penal Code, the Employment Act 1955, the Printing Presses and Publications Act 1984, and the Communications and Multimedia Act 1998.

2. SCOPE

- 2.1. This policy is intended for SRB and all subsidiary companies within the SRB Group of Companies.
- 2.2. The Policy is applicable to all SRB employees including directors. All employee must comply with the Policy, SRB's other policies and procedures and all applicable laws in the course of employment.
- 2.3. The Policy applies to the SRB's business associates, which includes but not limited to, vendors, contractors, sub-contractors, consultants, trainers, agents, representatives, tenants and other intermediaries who are performing work or services, for and on behalf of SRB. It is the responsibility of all Employee, regardless of their position or role, to communicate the Policy to their business associates. The Policy applies to all parties that are currently engaged with SRB or have intentions to engage with SRB in the future.
- 2.4. Sexual harassment can be committed by and can happen to any person or group of persons to whom the Policy applies, regardless of gender (this includes harassment committed against members of the same sex) and reporting relationship.

3. ABBREVIATION & DEFINITION

3.1. Abbreviation

BNRC	Means Board Nomination & Remuneration Committee
CFO	Means the Chief Financial Officer
COO	Means the Chief Operating Officer
Disciplinary offence	Any action or omission which constitutes a breach of discipline in a public or private body as provided by law or in a code of conduct, a code of ethics or circulars or a contract of employment.
Improper conduct	Any conduct which if proved, constitutes a disciplinary offence or a criminal offence.
Head of Aviation	Means the Head of the Aviation Business
Head of Property	Means the Head of the Property Division
Head of Legal	Means the Head of Legal Department
Head of HR	Means the Head of Human Resources Department
MD	Means the Managing Director
Senior Independent Director	Means the Senior Independent Director as named in the Annual Report.
SRB Senior Management	Consist of the MD, COO, CFO, Head of Division and Head of Aviation Business.
Public Sector	Federal, State or local government agencies or any company in which the Federal, State or local government has controlling interest.
Private Sector	Private or public listed companies, firms or individuals not employed by the Company.
The Act	Whistle blower Protection Act 2010 (Act 711)
WBC	Whistleblowing Committee comprising of the CFO, Head of Property, Head of Aviation, Head of HR and Head of Legal

3.2. Gender and Number.

All reference to the masculine gender shall include the feminine gender. All reference to the singular number shall include the plural and vice-versa.

3.3. Definition

Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace in 1999 ("Code of Practice") as a guide for both employers and employees alike. The definition of sexual harassment in the Code of Practice is similar to the definition under the EA 1955. It provides that sexual harassment amounts to:

“Any unwanted conduct of a sexual nature having the effect of verbal, non-verbal, visual, psychological or physical harassment;

(i) that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on her/his employment; or

(ii) that might, on reasonable grounds be perceived by the recipient as an offence or humiliation, or a threat to her/his well-being, but has no direct link to her or his employment.”

The Code of Practice further divides this definition into two categories: “sexual coercion” and “sexual annoyance” which, briefly, means the following:

Sexual Coercion – Where the sexual harassment act/conduct results in some direct consequence to the victim’s employment. An example of sexual coercion includes a situation where a superior threatens to deny job benefits to a subordinate if the subordinate refuses the superior’s request for a date.

Sexual Annoyance – Where the sexually-related conduct is offensive, hostile and/or intimidating to the recipient, but nonetheless has no direct link to any job benefits. This definition also extends to sexually-related conduct by the company’s clients towards employees. An example of sexual coercion includes a situation where a colleague constantly makes suggestive and offensive sexual remarks to another colleague of similar rank.

The Code of Practice provides that sexual harassment is not confined to acts towards female employees only. It provides for acts done towards both male and female employees, as perpetrated by either gender.

4. FORMS OF SEXUAL HARASSMENT

4.1. Sexual Harassment encompasses various conducts of a sexual nature which can manifest itself in many different possible forms including the following:

4.1.1. Verbal: An oral form of harassment and includes uncomfortable and offensive teasing, lews, joking, questioning, jesting or making suggestive comments, remarks or sounds, innuendos, remarks, requests, threats or flirting. This may be oral or in writing, in prints or electronic.

4.1.2. Non-verbal/ Gestural: Indecent overtones in forms of staring for a long period of times, leering or ogling with suggestive overtones, physical gestures, sounds or body language with sexual connotations e.g., moaning, licking or biting lips, winking, holding or eating food provocatively. This includes persistent flirting either welcomed or unwelcomed.

4.1.3. Physical: Distasteful action of unwanted and unsolicited invasion of personal space, cornering, touching, tickling, hugging, kissing, groping, fondling, sexual assault, coerced or forced sexual

intercourse, etc.

- 4.1.4. Visual: Showing or displaying to others pornographic or sexual art, photographs, videos etc. Sexual exposure also falls under this form of sexual harassment.
- 4.1.5. Psychological: Harms a person's psychological wellbeing through repeated unsolicited flirting or requests for dates or sexual favours, bribery, blackmail or other forms of coercion relating to sexual acts which create a hostile work environment for the recipient(s). Repeated undesirable physical intimacy or social invitations also falls into this category.
- 4.2. Sexual harassment can take place at or outside the workplace; before, during or after working hours; in person, or over other forms of media including but not limited to the following:
 - 4.2.1. Physical media including printed photographs, letters or moving images or videos displayed on any electronic device;
 - 4.2.2. Phone or video calls;
 - 4.2.3. E-mails or other messages, including text messages, voice messages, photographs, videos, links and any other media, sent over private messaging applications including WhatsApp, Telegram, Signal, Viber, Messenger, Snapchat, Discord etc.; or
 - 4.2.4. Posts on social media platforms including Facebook, Twitter, Instagram, Reddit, etc.

5. CONSENSUAL RELATIONSHIPS BETWEEN EMPLOYEES AND MANAGER

- 5.1. For the purposes of this section, "Manager" refers to the MD, Heads of Business Division, Heads of Department, Heads of Business Units, Managers and any other employee acting in a managerial or supervisory capacity.
- 5.2. SRB strongly discourages relationships between a Manager and any employee who reports directly or indirectly to that Manager. This is to avoid potential conflict of interest, as well as any perception of bias, favouritism, intimidation, coercion or exploitation between the parties.
- 5.3. If any Manager enters into a consensual relationship with an employee reporting directly or indirectly to them or working in the same department as them, the parties must notify the Head of Human Resources Department immediately. Once the relationship is made known to the Head of Human Resources Department, SRB will review the situation in light of all the facts and will determine whether one or both parties need to be moved to another department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the Head of Human Resources Department and senior management

will decide which party will be moved. That decision will be based on which move will be least disruptive to SRB as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

- 5.4. This section does not apply to employees who do not work in the same department or where neither party is a Manager or Supervisor.

6. COMPLAINT AND DISCIPLINARY PROCEDURE

- 6.1. Any employee who has been sexually harassed, or has witnessed or is affected by the harassment of others, must take appropriate steps specified herein:
- 6.1.1. Immediately object and make clear to the harasser that their behaviour is contrary to this Policy and that the harasser should immediately stop behaving in this manner.
 - 6.1.2. Keep a written record of each incident of sexual harassment, including the date, time, place, any evidence and available witnesses.
 - 6.1.3. Talk to someone immediately after the incident and seek advice. Notify any potential witnesses that they may need to participate in a Domestic Inquiry (“DI”).
 - 6.1.4. Immediately make a formal complaint to one of the following channels a) the employee’s direct supervisor, b) Head of Department, c) directly to the Human Resources Department or d) at SRBethicsline@sapura.com.my. Formal complaints made to the employee’s direct supervisor or Head of Department must be referred to the Human Resources Department at the earliest opportunity, and in any event within twenty-four (24) hours of the complaint being made.
- 6.2. Upon receipt of a complaint under paragraph 6.1.4, the employee’s Head of Department and Human Resources Department shall proceed to appoint an Investigation Officer to conduct a thorough investigation to be concluded within seven (7) working days of the complaint.
- 6.2.1. The appointed Investigation Officer (IO) will investigate into the complaint within three (3) days by recording statements in writing from:
 - a) the complainant;
 - b) the alleged harasser;
 - c) the witnesses
 - 6.2.2. Both the complainant and alleged harasser shall be given equal opportunity to tell their sides of the story and to substantiate with their own witness / witnesses
- 6.3. Upon completion of the investigation as in clause 6.2 above, and if the misconduct of sexual harassment is proven, the possible punishment to be imposed on the accused employee will be depending on the circumstances surrounding the matter and the seriousness of the matter and the sentencing to be made

written in SRB Human Resources Department Disciplinary Procedure.

- 6.4. Any manager, supervisor or other party found to have violated this aspect of the policy will be subject to disciplinary action, including and up to dismissal.
- 6.5. Lodging of a complaint will not be used against the complainant, nor will it adversely affect the complainant's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation which will result in disciplinary action, including and up to dismissal.
- 6.6. In the event the complainant receives no update within one (1) week of making the complaint, or is dissatisfied with the outcome of a DI, they have the right to refer the complaint to the COO or the MD for review. A complaint may also be made to the COO, the MD or to the designated Integrity Officer or using the Whistleblowing hotline in situations where the complainant does not feel safe complaining to the HR Department.
- 6.7. Nothing in the Policy shall prohibit the complainant from filing a police report, complaining to the Director General of Labour or taking other necessary legal action in response to sexual harassment.

7. EMPLOYEE RESPONSIBILITIES

- 7.1. As employees of SRB, all Employee shall read, understand and comply with the information contained within this Policy, and with training or other information on the prevention of sexual harassment given from time to time.
- 7.2. All Employee within SRB are equally responsible for the prevention, detection and reporting of sexual harassment, and are required to avoid any activities that could lead to, or imply, a breach of this Policy. Any Employee who fails to report any form of sexual harassment contrary to this Policy, notwithstanding that he/she is not the victim, will be treated as having committed a misconduct and will be subject to disciplinary action.
- 7.3. All direct supervisors and Heads of Department are responsible to ensure that complaints of sexual harassment by their subordinates are handled expeditiously in accordance with this Policy. Direct supervisors and Heads of Department who knowingly allow or tolerate sexual harassment, including the failure to immediately report such misconduct to the Human Resources Department, are in violation of this Policy and subject to disciplinary action.

8. CONFIDENTIALITY AND WHISTLEBLOWER POLICY

- 8.1. All employee Personnel have the responsibility to prevent and report instances of sexual harassment. If

any Personnel suspects or observes anything which is in contravention with the Policy, it may be reported under the 'Whistle-Blower' option at the earliest possible opportunity. All reports will be treated as confidential, and SRB will ensure that anyone who reports will not be in detriment as a result of raising genuine concerns about sexual harassment, even if they turn out to be mistaken.

9. CRIMINAL LIABILITY

9.1. Sexual harassment is considered a criminal offence under the laws of Malaysia, including the following:

(1) Penal Code

- Distribution or public exhibition of obscene objects or documents under Section 292;
- Doing any obscene act or singing, reciting or otherwise uttering obscene songs, ballads or words in public under Section 294;
- Assault or use of criminal force to a person with intent to outrage modesty under Section 354;
- Rape under Section 376;
- Outrages on decency under Section 377D;
- Word or gesture intended to insult the modesty of a person under Section 509.

(2) Improper use of network facilities under Section 233 of the Communications and Multimedia Act 1998;

(3) Possessing, circulating, distributing or displaying obscene films under Section 5 of the Film Censorship Act 2002;

(4) Possession and distribution of prohibited publications prejudicial to public morality under Section 8 of the Printing Press and Publications Act 1984.

Any person convicted of the above offences will be sentenced according to the provisions of the abovementioned laws.

9.2. All interviews and activities must be documented in writing and filed for the purpose of record to support the findings and conclusion of the investigation.

10. MONITORING, COMMUNICATION, REVIEWING AND ENFORCEMENT

10.1. SRB will diligently monitor and communicate these policy and procedures to ensure that they meet the objectives of relevant legislations and remain effective for SRB, and, if necessary, implement changes subject to the approval of the Board of Directors.

10.2. Internal control systems and procedures designed to prevent sexual harassment are subject to regular audits to ensure that they are effective in practice.

- 10.3. All employee Personnel are encouraged to offer their feedback on this Policy if they have any suggestions on how it may be improved. Feedback of this nature should be addressed to the Ethics Committee.
- 10.4. This Policy forms part of SRB's contract of employment and SRB may amend it at any time so as to improve its effectiveness at combatting sexual harassment.
- 10.5. Any employee Personnel or person associated with SRB, if found guilty of an act of sexual harassment in breach of this Policy, shall be dealt with according to SRB's disciplinary measures.
- 10.6. This policy will be reviewed periodically by the Board Nomination and Remuneration Committee to assess its effectiveness.