

ANTI-CORRUPTION POLICY**1.0 PURPOSE**

WESLEYAN EDUCATION SERVICES SDN BHD (2001 01 005044), operating as *Methodist College Kuala Lumpur* in Wilayah Persekutuan KL and as *MCKL College (Penang, Pykett Campus)* in Pulau Pinang (**MCKL**), is committed to a culture of integrity, principled behaviour and excellence as encapsulated in its [Vision & Mission and Core Values](#). MCKL has **zero tolerance** towards any form of corruption and promotes instead high standards of honesty, ethics, and God-fearing values.

This Policy sets out MCKL's commitment to the conduct of its business with integrity and in accordance with all applicable laws and regulations. It also underlines the responsibility and accountability of the MCKL community in preventing and detecting corrupt practices and acts, as well as the proper response to any such (potential) practices and acts.

2.0 SCOPE

This Policy applies to and is mandatory for all **Employees** and **Associated Persons** of MCKL. The capitalised terms "Employee" and "Associated Person" are defined in Paragraph 3 below.

By way of amplification and without limiting the scope of the definitions set out below, persons subject to this Policy include MCKL's directors, governors, employees, interns, business partners, professional advisors, suppliers, contractors, and other persons who may perform services for MCKL or is associated with MCKL's business.

3.0 DEFINITION

The following terms when used in this document shall have the respective assigned meaning:-

- 3.1 **"Associated Person"** has the broad meaning set out under the MACC Act and refers to any person who is associated with MCKL and who performs services for or on behalf of MCKL including its directors, governors, employees, business partners, consultants, contractors, suppliers, professional advisors, agents, and other service providers of MCKL.
- 3.2 **"bribery" ("bribe")** refers to an inducement, consideration or gratification of any kind which is solicited, offered, given, and/or accepted with the intent to obtain or retain an advantage or gain, such as securing a business opportunity. The term **"gratification"** is defined under s3 of the MACC Act and the said definition shall be adopted in this Policy and may be used interchangeably with "bribery" where the context so admits.
- 3.3 **"corruption" ("corrupt")** refers to dishonest or fraudulent conduct or acts and/or the abuse of position or entrusted power for private advantage or gain. Corrupt acts or practices include the soliciting, offering, giving or accepting of bribes/gratification, diversion of funds, falsification of claims, under-table transactions, kickbacks, inflation of commissions, breach of trust, collusion, and other fraudulent or dishonest practices in the performance of MCKL's business and/or its related activities.
- 3.4 **"Employee"** for the purposes of this Policy shall include:
 - (i) Any person concerned in the management of the affairs of MCKL including its directors, governors, controllers, senior management, and other officers;

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- (ii) All employees of MCKL including its permanent, part-time, fixed term, contract and casual employees at all campuses, and irrespective whether management or general staff, or whether from the Administration or Academic Divisions of the Institution; and
- (iii) Other representatives acting for MCKL in its business or activities including interns, volunteers and student ambassadors or helpers.

- 3.5 **“Gifts”** refer to cash, services, hospitality of lavish meals, sponsored trips, discounts, items of value and/or other advantages in any form whatsoever that is offered, given, solicited, or accepted.
- 3.6 **“MACC Act”** refers to the *Malaysian Anti-Corruption Commission Act 2009 (Act 694)* as amended by the *Malaysian Anti-Corruption Commission (Amendment) Act 2018 (Act A1567)*, or as may be further amended from time to time.
- 3.7 **“MCKL”** refers collectively to all campuses of MCKL operating under the legal entity - Wesleyan Education Services Sdn Bhd (2001 01 005044).

4.0 POLICY STATEMENT**4.1 Absolute Prohibition**

- 4.1.1 MCKL absolutely prohibits any form of corruption, dishonesty, bribery or fraudulent acts or activities in the conduct of its business. Employees and other Associated Persons of MCKL shall not participate in or be engaged in any fraudulent activities or acts of dishonesty, corruption, or bribery (whether as the party offering or giving, or as the party soliciting or accepting any gratification), when conducting business for and on behalf of MCKL.
- 4.1.2 All business activities and dealings of MCKL shall be conducted with utmost integrity and transparency and shall follow the established policies and procedures of MCKL and relevant laws, including the MACC Act and related legislations. In cases where there is any discrepancy between specific laws and the principles contained in this Policy, the stricter provision shall prevail.
- 4.1.3 If an Employee or Associated Person is uncertain whether any act or action will amount to a corrupt act, it is his/her responsibility to seek advice or clarification from the Institution through the available channels prior to proceeding.
- 4.1.4 All Employees and other Associated Persons are actively encouraged to report actual and suspected incidents of corruption through the channels outlined in this Policy.

4.2 No-Gift Policy

- 4.2.1 The area of gifts potentially exposes a party to the risk of bribery and other corrupt practices. As such, MCKL has opted to practice a no-gift policy to avoid any conflict of interest or the appearance of a conflict of interest. Guidance and requirements for Employees of MCKL in relation to Gifts are detailed in the College’s Gifts Policy (POL-HR-

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04).

4.2.2 All Associated Persons shall not offer, give, solicit, or accept any Gifts to/from any party having dealings with MCKL in the course of their duties or when acting for and on behalf of MCKL.

4.2.3 Any Gifts received shall be politely declined and returned. In instances where it would be impractical or discourteous to return a Gift, the Gift shall be promptly declared and surrendered to MCKL's Human Resources Department. The College shall have the discretion to return, retain, redistribute or dispose of Gifts as it deems necessary.

4.3 Other Associated Persons & Third Parties

4.3.1 All dealings with any external party shall uphold MCKL's values and standards of integrity and must be performed in compliance with the law and MCKL's policies and procedures.

4.3.2 Associated Persons including business partners, suppliers, consultants, contractors, and other service providers of MCKL shall not engage in any dishonest or corrupt practices when providing services to or on behalf of MCKL. Such parties are expected to comply with all applicable anti-corruption laws, this Policy and relevant MCKL procedures.

4.3.3 Business partners, suppliers, consultants, contractors, and other service providers of MCKL are independent contractors with no authority to bind MCKL to any purpose, or to hold themselves out as agents or representatives of MCKL other than as specifically contracted.

4.3.4 Employees shall conduct proper due diligence prior to onboarding new business partners and service providers and shall ensure that they are made aware of this Policy. Regular reviews shall be done, and where breach, suspected breach or questionable integrity should arise, appropriate and immediate action must be taken which may include termination of services with immediate effect.

4.4 Government Agencies & Public Officials

4.4.1 Employees must comply with all applicable laws and conduct themselves with integrity whenever they deal with or otherwise engage with government agencies or departments, regulatory bodies, statutory bodies, and any of its officials.

4.4.2 Employees are strictly prohibited from giving Gifts to government agencies and public officials to expedite dealings or in exchange for future benefits or results. Employees shall instead strive to build fair, professional, and transparent relationships with government agencies and public officials.

4.5 Whistleblowing Channel

4.5.1 Should you suspect or reasonably believe that this Policy has been or is being contravened, you have an obligation to immediately report your concerns. Failure to report any known act of bribery or corruption is an offence under the MACC Act.

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4.5.2 MCKL's policy and procedure on whistleblowing are detailed in its Whistleblower (Non-Retaliation) Policy (POL-HR-02) and Whistleblower Procedure (P-LCA-02).

4.5.3 All concerns, complaints and/or disclosures can be made or reported confidentially to MCKL's dedicated whistleblowing channel at:

whistleblowing@mckl.edu.my

4.6 Violations

4.6.1 Fraud, bribery and corruption are serious offences under the laws of Malaysia, including but not limited to the MACC Act, Penal Code, and the *Anti-Money Laundering and Anti-Terrorism Financing Act 2001*.

4.6.2 The law requires that acts of corruption be reported and failure to report a known act of corruption is an offence. Employees and other Associated Persons in violation of this Policy may therefore be subjected to criminal and civil liability.

4.6.3 At institutional level, stern disciplinary action including dismissal will be taken against any Employee who violates this Policy and/or is found to have been involved in any act of corruption, bribery, or dishonesty.

5.0 RELATED DOCUMENT

<u>Document Code</u>	<u>Document Title</u>
POL-HR-04	Gifts Policy
POL-HR-02	Whistleblower (Non-Retaliation) Policy
P-LCA-02	Whistleblower Procedure
POL-HR-03	Conflict of Interest Policy

6.0 REFERENCE

- Malaysian Anti-Corruption Commission Act 2009 (Act 694):
<https://www.sprm.gov.my/admin/files/sprm/assets/pdf/penguatkuasaan/act-694-bi.pdf>
- Malaysian Anti-Corruption Commission (Amendment) Act 2018 (Act A1567):
<https://www.sprm.gov.my/admin/files/sprm/assets/pdf/penguatkuasaan/akta-A1567-bi.pdf>

7.0 DOCUMENT OWNER AND APPROVAL DETAIL

Document Owner : Risk Management Committee/ Head, Legal Services

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