



# BENALEC HOLDINGS BERHAD

200501020529 (702653-V)

## DUE DILIGENCE CHECKLIST FOR THIRD PARTY

### 1. Applicant Information- General Information

Applicant Name:	
Registration Number:	
Date formed:	
Company Business Nature:	
Registered Address:	
Company Website:	
Contact Person's Name:	
Phone Contact Number:	

### 2. Government Connections/ Relations

(a) Does the Applicant have any officers, directors, shareholders, owners, or employees that are a current or former "Public Officials" (as defined above) or has ties with current or former Public Officials?

Yes  No

(b) If your answer for Question 2 (a) above is yes, please identify the officers, directors, shareholders, owners, or employees below:

#### **Government Connections/Relations**

Person Name	Person Title	Public Official Name	Government Position Held	Relationship to Public Official

(c) Does Applicant (either directly or through any operating entity) have any government or government related customers?

Yes  No

(d) Would the Applicant's services require authorization, approval or other action with any governmental authority for due execution and performance?

Yes  No

3. Compliance System and Anti-Corruption Prevention

Please answer the following regarding your policies and procedures.

(a) Is the Applicant familiar with prohibitions of Malaysian Anti-Corruption Commission Act 2009, Foreign Corrupt Practices Act 1977, U.K. Bribery Act 2010 and/or the OECD Convention on Combating Bribery of Public Officials?

Yes  No

(b) Does the Applicant have an Anti-Corruption Policy?

Yes  No

(c) Does the Applicant have procedures in place to monitor the effectiveness of its anti-corruption policy?

Yes  No

(d) Does the Applicant provide training of anti-bribery laws to your employees?

Yes  No

(e) Does the Applicant have procedures in place to allow reporting of any misconduct?

Yes  No

(f) Does the Applicant allow Facilitation Payments?

Yes  No

(g) Does the Applicant have a background check program?

Yes  No

(h) Does the Applicant have a Code of Conduct and Business Ethics?

Yes  No

4. Subcontractor

(a) Will the Applicant engage additional third parties, including subcontractors, sub-agents, consultants, or sales representatives with respect to the goods and/or services to be provided to MIB?

Yes  No

(b) Does Applicant review its subcontractor's anti-corruption/ anti-bribery policies?

Yes  No

(c) If the Applicant's subcontractor does not have adequate anti-corruption/anti-bribery policies, does Applicant require subcontractor to adhere to Applicant's anti-corruption/anti-briberypolicies?

Yes  No

(d) Does the Applicant include anti-corruption/anti-bribery clauses in contracts with its subcontractors?

Yes  No

5. Violations

(a) Within the last five (5) years, has the Applicant, or any of its directors, officers, owners, shareholders or employees, ever been found by a court or agency to have violated any anti-bribery laws or securities laws?

Yes  No

If Yes, please provide name and position held: \*

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5. Violations (Cont'd)

(b) Within the last five (5) years, has the Applicant or any of its officers, directors, owners, employees or shareholders ever been investigated or charged with any offence, including but not limited to offences relating to corruption/bribery, conflicts of interest, Facilitation Payment, or money- laundering?

Yes  No

If Yes, please provide name and position held:

(c) Has the Applicant ever paid money or given anything of value to a Public Official in order to retain business or obtain an improper advantage in any jurisdiction?

Yes  No

If Yes, please provide name and position held: \*

(d) Has the Applicant ever been suspended or debarred from doing business in any capacity as a result of fraud, misrepresentation, corruption, bribery, money laundering or any other related activities in any jurisdiction?

Yes  No

If Yes, please provide name and position held: \*

5. Violations (Cont'd)

(e) Has the Applicant ever made any public disclosures involving fraudulent or corrupt misconduct or improper accounting to any government authority?

Yes  No

If Yes, please provide name and position held: \*

(f) Has the Applicant ever entered into any settlement/paid fine for any offence relating to corruption etc.?

Yes  No

If Yes, please provide name and position held:

6. Customs

(a) Will the Applicant need to interact with any Public Officials or Government agencies in order to perform the services for MIB under the contract?

Yes  No

(b) Please list the potential Government agencies, and customs duties, imposts or other fees, if any that may require payment to obtain such permits, clearances or certifications.

Please list below:

(c) Will the application of each of the required permits, clearances or certifications listed above be submitted or procured by the Applicant's employees?

Yes  No

6. Customs (Cont'd)

(d) Will the Applicant engage a third party to manage or procure each of the required permits, clearances or certifications listed above? (e.g., shipping agents, freight forwarders, logistics companies)?

Yes  No

Please identify the third party that will be engaged for purpose of providing services provided to MIB.

Entity Type	Entity Name	Entity Address	Country of Incorporation	Due Diligence Performed?

(e) How is payment made by Applicant for any required customs duties, imports and other fees?

- Directly to the relevant Government agency
- Through an Intermediary

(f) Is it the Applicant's practice to obtain receipts for customs duties/fees paid, whether paid directly by the Applicant or indirectly by the subcontractor or other third party?

Yes  No

(g) Has the Applicant ever encountered any difficulties in obtaining such receipts?

Yes  No

(h) Is it the Applicant's policy/practice to provide copies of receipts to the client/customer?

Yes  No

7. Sanctions

- (a) Does the Applicant have any direct/indirect Dealings involving a Sanctioned Country or any Sanctioned Entity?

Dealings are defined as any financial or commercial relationships, which include sales to, purchases from, trade through or other business activities that the Applicant has with another entity(ies) and/or country(ies). "Indirect" Dealings refer to similar financial or commercial relationships that the Applicant has with another entity and/or country through a third party.

Sanctioned Country refers to any country(ies) that any one or more of the United Kingdom (UK), the European Union (EU), the United States (US) or the United Nations (UN) has listed as the target or subject of any sanctions.

Yes  No

**If the response to the Questions is Yes:**

<ul style="list-style-type: none"> <li>Specify the name of the Sanctioned Country</li> </ul>	
<ul style="list-style-type: none"> <li>Percentage (%) of Dealings i.e. Percentage (%) of sales, purchases, assets in Sanctioned Country</li> </ul>	
<ul style="list-style-type: none"> <li>Brief description of business activities conducted in the Sanctioned Country</li> </ul>	
<ul style="list-style-type: none"> <li>What goods/products are involved, what they are used for, the country of origin and destination and confirm if there is any transport through a Sanctioned Country</li> </ul>	
<ul style="list-style-type: none"> <li>Local office/3rd party(ies) dealers/customers/suppliers/ counterparties names (if any) and confirm if any are known to be sanctioned by the UK, EU, US and/or UN.</li> </ul>	
<ul style="list-style-type: none"> <li>In what currency(ies) do you undertake business involving Sanctioned Country?</li> </ul>	

7. Sanctions (Cont'd)

(b) Is the Applicant owned by a Sanctioned Entity?

Yes  No

If Yes, please provide details including the percentage (%) of effective ownership, name of Sanctioned Entity and extent to which they are involved in the day to day activity of the Applicant.

(c) Is the Applicant owned by any person/entity that is incorporated/based in or resident in a Sanctioned Country?

Yes  No

If Yes, please provide details including the percentage (%) of effective ownership, the name of shareholder, details of Sanctioned Country and extent to which they are involved in the day to day activity of the Applicant.

(d) Is any of the Applicant's director/officers and/or Related Party a Sanctioned Entity or resident in a Sanctioned Country?

Related Party refers to the Applicant's Affiliates and their respective directors, officers, employees, third party legal counsel, professional advisers, agents and consultants retained by the Applicant.

Affiliates refer to any company or other legal entity that directly or indirectly through one or more intermediaries, controls or is controlled by, or is under common control. "Control" means the ownership directly or indirectly of more than fifty percent (50%) of the voting rights in a company or other legal entity.

Yes  No



7. Sanctions (Cont'd)

(d) Is any of the Applicant's director/officers and/or Related Party a Sanctioned Entity or resident in a Sanctioned Country? (Cont'd)

If Yes, please specify the extent to which the director/officers and/or Related Party exerts influence or control over the Applicant:

(e) Does the Applicant have any ownership interest in a Sanctioned Entity?

Yes  No

If Yes, please provide details including the name, and percentage (%) of ownership in this entity.

(f) Does the Applicant have any ownership interest in an asset that is located in a Sanctioned Country (including an entity that is incorporated or based there)?

If Yes, please specify the % total assets:

8. Document Request

Please provide the following documents:

- i. Articles of Association;
- ii. Company and Director Profile;
- iii. Business License;
- iv. Anti-Bribery and Corruption Policy;
- v. Code of Conduct; and
- vi. Organizational Chart.

I hereby disclosed the information herein with good faith and based on my best knowledge and evaluation, there is no potential conflict of interest on me or possible adverse impact to the Company.

**Signature of the Applicant:-**

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Name:

Position:

Company Name and Stamp:

Date:

**Reviewed by the Compliance Officer:-**

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