



WHISTLEBLOWER POLICY

**AXA AFFIN
GENERAL INSURANCE BERHAD**

Version 5.2

July 2019



Table of Contents

Document Approval	2
Version History	2
1. Objective.....	4
2. Scope and Coverage	4
3. Types of Misconduct	4
4. Roles and Responsibilities	5
5. Channels to Report Whistleblowing	6
6. Whistleblower Recording Process.....	7
7. Protection of the Persons Involved.....	9
8. Communication of the AXA Whistleblower Policy	10

Appendix A – AXA Designated Complaint Recipient

Appendix B – Examples of Routine, Special & Material Cases

Appendix C - Designated Complaint Recipient Appointment Letter

Appendix C - Whistleblower Report template to the CEO

Appendix D - Whistleblower Report template to the Relevant Audit Committee

For further information about any aspect of this Policy, you could contact either the nominated Designated Complaint Recipient in AXA, or the AXA Global Head of Special Investigations.



1. Objective

- a) The objective of this Whistleblower Policy ('Policy') is to:
- support the reporting of suspected instances of improper practices or behaviour which may implicate the ethical standards or integrity of AXA Affin General Insurance Berhad (hereafter "AXA") and that normal investigative and/or complaint handling procedures are not considered adequate; and
 - outline the mechanisms and infrastructure in place within AXA for the reporting and investigation of matters raised by a Whistleblower; and
 - outline the measures in place to protect employees against reprisal or retaliatory action from within the organization.

2. Scope and Coverage

- a) This policy applies to all employees (including fixed term and temporary workers) of AXA, and third parties (includes but not limited to interns, contractors, suppliers, consultants, etc)
- b) This policy provides assurance that such information from the Whistleblower will be treated in strict confidence without the risk of reprisals on the Whistleblower

3. Types of Misconduct

- a) Misconduct can take many different forms but for ease of data analysis, reporting and reference, AXA classified the allegations into seven categories presented in the following table. Note that this list is not intended to be considered exhaustive:

Category of Allegations	Description
HR matters	Any concerns related to employees' management & oversight and linked to misconduct while hiring and promoting, employing administrating employee benefits or terminating, dismissing, retiring, etc This includes breaches of labour law, harassment, discrimination, inappropriate behaviour at work, etc.
Misappropriation of assets	Any fraudulent disbursement (fictitious invoices, payroll fraud schemes, fraudulent expense claims, etc), theft, misuse or abuse of company assets (such as phone, computer) or cash larceny (petty cash and other funds) Leakage or theft of data
Financial statement fraud	Any misrepresentation, falsification, concealment, misstatement or omission of financial records including "cooking the books", overstating or understating revenue, inflating expenses, etc
Other fraudulent statements	Any distortion, deception, disguised, misstatement or omission of non-financial management information such as HR strategic, commercial, asset management, etc
Corruption, bribery, extortion	Offering, making, soliciting or accepting any payment, gift or other inducement, from a private individual or government official, for the purpose of improperly obtaining or retaining business, or to secure or provide an improper business advantage



Category of Allegations	Description
Other breaches of applicable laws or regulations	Any other breaches of applicable laws and regulations (including unfair competition/ anti-trust, insider trading, anti-money laundering and financing terrorism Customer mistreatment Endangering health, life and/or safety

Note: This list is simply to facilitate reporting of the events in a consistent manner across AXA Group entities; it is not intended that this list be considered as a comprehensive list of subjects upon which whistle-blowing events can be made. If it is not clear which category a report should fall into then guidance should be sought from the relevant Designated Complaint Recipient (DCR).

4. Roles and Responsibilities

- a. In accordance to the Corporate Governance policy issued by BNM, AXA is required to designate a non-executive director to be responsible for the effective implementation of the policy. In this regard, the designated non-executive director will be the Chairman of Audit Committee.
- b. AXA is responsible to nominate a Designated Complaint Recipient ('DCR') to receive and handle any reports of misconduct. The most senior internal auditor in the entity will be appointed as the DCR. (Please refer to Appendix A).
- c. The DCR is required to:
 - i. Keep up to date and comply with AXA's requirements (please refer to Group Standard) with regard to whistle-blowing.
 - ii. Handle any alleged misconduct reports with the upmost confidentiality.
 - iii. Maintain a log of all reported cases that notes their status and the person in charge of the case; ensure that this record is secured and retained in accordance with any local legal or regulatory requirements; with the retention policy documented and adhered to.
 - iv. Escalate and provide summary reporting on whistle-blowing in line with Regional requirements.
- b. The local Head of Compliance is required to:
 - i. Keep up to date and comply with AXA requirements with regard to Whistleblowing.
 - ii. Establish the local Whistleblowing policy and ensure that it is kept up to date and in compliance with local legal and regulatory requirements
 - iii. Ensure that the local process to escalate suspected staff misconduct issues is documented and publicised so that all members of staff (including temporary staff) have access to it.
 - iv. Ensure that all members of staff (including temporary staff) are able to use the process as described.
 - v. Ensure that those functions that may typically be expected to receive formal allegations of misconduct (i.e. CEOs office, Human Resources, Legal & Compliance, Fraud, Risk Management, and Internal Audit) are aware of the need to pass to the DCR any and all reports of misconduct.



5. Channels to Report Whistleblowing

Whistleblower Reporting and Escalation Process

Reporting whistleblowing may occur through any of the following channels. More information is in Appendix A:

Channel(s)	
Email to local DCR	Submit your allegations to the following email address: AXA Whistleblower Hotline: whistleblow@axa.com.my
Postal service or Internal Mail	In such case to be able to guarantee the confidentiality, it is required that documentation is placed in a sealed envelope with the indication "private & confidential"
Verbally	Have a conversation with one of the following persons authorised to receive communication: Head of Internal Audit (DCR); or Line Manager; or Audit Committee Chairperson; or Human Resources; or Legal & Compliance
Send an email to the Group	AXA Group's Whistleblower Hotline speak-up@axa.com

Note: Any communication carried out anonymously will be considered for verification only if they are deemed particularly serious and contained an appropriate detailed content, which would allow for an investigation to be proceeded.

- a) There is no specific format required for the Whistleblower Report, but the report should include sufficient information to allow investigation to be conducted, such as:
 - i. The name of the concerned party(ies)
 - ii. Sufficient details of the incidence with supporting materials, if any
 - iii. Contact details (e.g. an email address or telephone number) for the DCR to follow-up.
- b) Should a Whistleblower wish to remain anonymous it is important that they provide either enough information to facilitate a thorough investigation into the matter(s) being raised or anonymised contact details (e.g. email address) for follow-up.
- c) The Whistleblower should make the report in good faith and have reasonable grounds to suspect the information he/she is reporting indicates misconduct occurred. ***Deliberate false reporting will not be tolerated, and anyone found making a deliberate false report will be subjected to disciplinary action, which could include dismissal.***



- d) DCR will have direct and unrestricted access to financial, legal and operational assistance when this is required. All employees of AXA are required to co-operate in investigations.
- e) Under certain circumstances, the member of staff may be contacted for additional information to clarify the notification made.
- f) Any individual who is the subject of an allegation and is under investigation should be given a fair opportunity to respond to the allegation, if appropriate. The person who is whistle-blown against must not be notified of the allegation against them until such time that this has been approved by the relevant local Head of Internal Audit.
- g) Confidentiality must be ensured at all times and every reasonable efforts must be taken to keep the Whistleblower's identity confidential. This is critical in ensuring that no reprisal or recriminatory action is taken against the Whistleblower. Revealing the existence of an investigation or details contrary to this policy could result in disciplinary action.

6. Whistleblower Recording Process

(i) Verification of the Admissibility of the Report

The DCR verifies, prior to any other action that the report falls within the scope of the whistleblowing system by performing the following three (3) key tasks:

1. **FILTER** – Assessing whether the received report relates to a 'routine', a 'special' or a 'material' case. Management of *routine* cases must be assigned to the relevant 1st or 2nd line of defense functions. Examples of *routine*, *special*, and *material* cases are listed in table 1 in Appendix B.
2. **LOG** – registering the reports whenever they have been assessed as *special* or *material* cases. The whistleblowing log must include: the date when allegation was received, the detection channel, the initial recipient, the category of allegation, the sanitized description of the case (no name are to be provided in that section – only department name), a summary description of what was done and main factual findings, the status of the case, the date of investigation completion, an indication of the next steps (corrective actions, disciplinary sanctions, legal proceeding). Each allegation must be allocated a unique sequential reference number.
3. **PRE-ANALYSIS** – The preliminary analysis consists of carefully reviewing each special allegation to assess if it is admissible, credible and serious. Under certain circumstances, the whistleblower may be contacted to gather additional information which helps to clarify the allegations made. In addition, discreet searches aiming at collecting contextual information without alerting any potential suspect should be initiated.

The DCR should also document his/her recommendation and opinion sought, as to whether to investigate the matter or not and, if to be investigated, to whom they recommend that the matter should be passed for investigation

Note: Reports classification and investigation responsibilities are described in the table 2 in Appendix B.



(ii) Investigation

The investigation is intended to check the accuracy of the report, gathering information to factually confirm or contradict allegations relating to business malpractices and drafting a written report.

The DCR should determine who within the entity is appropriate to inform of the notification before any investigative work is performed. A record of who has been informed and when should be maintained. The results of the investigation should be formally documented as soon as practicable; allowing appropriate parties to question the findings before the case is concluded upon. The outcome should be recorded in the whistleblowing log.

(iii) Reporting Process to the Management & Relevant Audit Committees

- a. A final Whistleblower Case Report with finding and recommendation of the allegation is reported to the CEO and/or relevant senior executive.
- b. The management will then decide whether the report will lead to:
 - No further action; or
 - The recommendation or implementation of disciplinary measures, corrective actions and/or legal proceedings.
- c. Any Whistleblowing alleging falsification of accounting records, fraud by a member of the local EXCOM, or any inappropriate behaviour by a “fit and proper” individual (refer to Group Standard on Fit & Proper) must be reported to the Group General Counsel within 3 working days of receipt.
- d. A summary of the received whistleblowing incidents will be compiled by the DCR and tabled at relevant audit committees (i.e. Audit, Risk and Compliance Committee (“ARCC”) and/or Board Audit Committee (“BAC”) and/or AXA Global Head of Special Investigations for their review.
- e. Material cases must be escalated to the Global Head of Special Investigations within 24 hours of being identified to ensure that the response plan is appropriate and, if deemed relevant, to transfer the oversight of the investigation to Group level
- f. On a quarterly basis, in line with the calendar affixed by Group Head Office, the DCR should provide a summary of the whistleblowing log including the number of cases, the main categories to which they relate and their status to the Global Head of Special Investigations. It is reminded that “Material cases must be escalated to the GHSI within 24 hours of being identified to ensure that the response plan is appropriate and, if deemed relevant, to transfer the oversight of the investigation to Group level.

(iv) Collected Data

- a. The information collected could include in particular the following:
 - The identity, duties and contact details of the whistleblower
 - The identity, duties and contact details of any persons named in the report
 - The identity, duties and contact details of the persons involved in the receipt or the processing of the reported facts
 - The reported facts
 - The elements gathered during the course of the verification of the reported facts



- The report on the verification procedure
 - The measures taken further to the report.
- b. It cannot be excluded that, in the course of a report, sensitive information (personal information, criminal offenses, criminal sentences, etc.) may be processed. Such elements may be mentioned by the person submitting the report or may be discovered in the course of the verification of reported facts. Such data will only be processed if necessary and if the report falls within the scope of this system, and such processing will be strictly limited to what is necessary for the management and investigation of the report. If sensitive information is deemed not necessary, it will be destroyed or archived in a separate system with limited access in accordance with step (V) below.

(v) Term of Retention of the Data

- a. Data relating to a report which is identified by the DCR not falling within the scope of the system is destroyed or stored in a system with limited access.
- b. When a report is not followed by any disciplinary or judicial action, the data relating to it is destroyed or archived by the DCR within two months of the closing of the investigation.
- c. When a disciplinary procedure or judicial action is initiated against any person named in the report, or against the author of an abusive report, data relating to the report is retained for a period which shall not exceed the term of the applicable legislation (7 years data retention)
- d. The archived data is kept in a separate information system with limited access for a term which does not exceed the applicable legislation.
- e. Fundamental rights with regards to personal data protection can be exercised by the individuals impacted in application of the Data Privacy legislation in force. The exercise of these rights does not mean access to the identity of the communicator of the facts or attempting to alter the content of the investigation.

7. Protection of the Persons Involved

Protection of AXA Employees

- a. The identity of the Whistleblower will remain confidential permanently and during all phases of the investigation except in cases arising in a criminal investigation and legal requirement.
- b. Any person who reports, in good faith, a practice or an action falling within the scope of this system shall not be subject to any disciplinary action and shall be protected against any retaliatory measures from other parties, even if it is later established that the facts were inaccurate or if no further action is taken following the report.
- c. Any Employee who takes any retaliatory measure against persons who have filed a report in good faith may be subject to severe disciplinary actions.
- d. However, any Employee who communicates in bad faith erroneous information or who abuses the whistleblowing system in any other manner may be subject to disciplinary



actions and may be sued by AXA and/or by any person named in the report.

Protection of the Persons Designated in a Report

- a. The persons named in, or affected by, a report will be informed at the time that relevant investigations have been carried out and there is no risk of loss or alteration of evidence. Prior to this time, the affected person should not be warned of the existence of the Whistleblower, except if such warning is approved by the DCR.
- b. The affected person will be informed at due time and will benefit from the rights, information and protections set out in applicable laws, including, but not limited to, the right to verify (1) the factual accuracy of any information relating to them and included in the report and (2) that they benefit from the possibility of reviewing, studying, contesting and reacting to any allegation made against them.

Access and Rectification Rights

- a. The right to access and rectification is given to any person named in a report and controlled by the DCR, by sending an email at the address listed in Appendix A. The DCR shall ensure that the request is processed by technically competent persons within a reasonable period of time. Such access rights do not allow the person designated in a report to be informed of the identity of the Whistleblower.

8. Communication of the AXA Whistleblower Policy

- a. This policy will be reviewed annually by local Compliance function and should be approved for adoption by either the local Board, the local Board Audit Committee (“AC”) or the Audit, Risk and Compliance Committee (“ARCC”) if any amendments are made.
- b. The policy should be saved in database/network shared drive/local intranet, etc. and made available to all AXA employees. Responsibility for communicating the policy and ensuring all employees are able to use the whistleblowing process will be managed by Compliance function.
- c. Compliance should ensure appropriate annual reminder communications be sent to all staffs.

**AXA DESIGNATED COMPLAINT RECIPIENT****Appendix A**

(Last updated on: 22 July 2019)

You can send the Whistleblower Report directly to:

Location	Title	Whistleblower Hotline
Malaysia – AXA Affin General Insurance Berhad	Head of Internal Audit (DCR)	whistleblow@axa.com.my +603-2170 8395 Internal Audit Department AXA Affin General Insurance Berhad 71 Jalan Raja Chulan, 50200 Kuala Lumpur
Paris – AXA Group	Global Head of Special Investigations	speak-up@axa.com