



PETRONAS

PETRONAS ANTI - BRIBERY AND CORRUPTION MANUAL

MAURITIUS COUNTRY SUPPLEMENT

This Country Supplement is to be read with the PETRONAS Anti-Bribery and Corruption Manual (“**ABC Manual**”). Where the terms of this Country Supplement are not consistent with the ABC Manual or any other policy, then the terms set out in this Country Supplement shall prevail and have priority above the ABC Manual or any other policy. Reference below expressed in numerals correlate to the ABC Manual.

2A(i): Receiving Gifts

If an employee receives a gift in line with the limited circumstances set out in the ABC Manual, then that gift must be registered in the iZone Gift Registration Portal at <http://izone.engenoi.net/Sites/SelfService/SelfService/Apply%20For/Gift%20Registration.aspx> or using any other form provided by your Human Resource Department for submission to the Regional Business Manager based in the South Africa Head Office, who will then decide whether to approve the acceptance of the gift or require it to be returned.

The provisions of the Prevention of Corruption Act 2002 (“**POCA**”) could still be applied against Engen even if management approval is not obtained. It is therefore very important to avoid the receipt of gifts unless absolutely necessary and in accordance with the provisions of the law.

3A(i): Dealing with Public Officials

Under the POCA, there are no exceptions to the giving of gifts especially if the intention is to unduly influence the behaviour of a Public Official. This means that exceptions relating to whether or not a gift is modest or lavish do not apply.

3A(ii): PETRONAS Employees as Public Officials

Caution should be exercised as Engen employees in Mauritius may be deemed to be public officials in Mauritius. This is because PETRONAS is a state owned Entity in Malaysia, which means that Engen Mauritius employees are ultimately employed by a state owned entity.

PART 4: Corporate Social Responsibility (CSR), Sponsorships and Donations

The following activities do not qualify under CSR -

- a. Activities discriminating on the basis of race, place of origin, political opinion, colour or creed;
- b. Activities targeting shareholders, senior staff or their family members;
- c. Activities which are against public safety and national interest; and
- d. Religious, political, trade union, self-financing, staff welfare and marketing activities.

“CSR programme” is defined as a programme having as its objects the alleviation of poverty, the relief of sickness or disability, the advancement of education of vulnerable persons or the promotion of any other public object beneficial to the Mauritian community.

Part 5: Political Contributions

Political contributions cannot be classified or fall under a CSR programme.

PART 6: Facilitation Payment

Under POCA, gratification includes -

1. a loan, fee or commission consisting of money or of any valuable security or of other property or interest in property of any description;

2. the offer of an office, employment or other contract;
3. the payment, release or discharge of a loan, obligation or other liability;
4. the payment of inadequate consideration for goods or services;
5. the offer or promise, whether conditional or unconditional, of a gratification.

Any payment of this nature to a Public Official may be deemed a facilitation payment and result in the contravention of POCA.

Part 7: Money Laundering

The Financial Intelligence and Anti-Money Laundering Act 2002 (FIAMLA) provides that any person who -

1. engages in a transaction that involves property which is, or in whole or in part directly or indirectly represents, the proceeds of any crime; or
2. receives, is in possession of, conceals, disguises, transfers, converts, disposes of, removes from or brings into Mauritius any property which is, or in whole or in part directly or indirectly represents, the proceeds of any crime, where he suspects or has reasonable grounds for suspecting that the property is derived or realized, in whole or in part, directly or indirectly from any crime,

shall commit an offence.

Part 10: PETRONAS Whistleblowing Policy

Whistle-blowers enjoy additional rights and protections in Mauritian legislation. This includes access to a confidential and independent person or office with whom the whistle-blower can interact, safe harbours and rewards, or immunity to/in favour of whistle blowers.

