

WHISTLEBLOWER POLICY

BADMINTON ASSOCIATION OF MALAYSIA

1. POLICY STATEMENT

The Badminton Association of Malaysia ("BAM" or "the Association") in its governance of badminton in Malaysia, is committed to promote a culture of openness, to uphold the reputation and integrity of the organization, to maintain the sports and the public's confidence and to protect its members.

The Association requires the Affected Persons to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As representatives of and persons connected to the Association, Affected Persons are required to practice ethics, honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

In this respect, the Association will not tolerate any violation to existing laws and regulations by the Affected Persons and encourage such violation to be reported to the Association. The BAM assures the confidentiality of all disclosures made in good faith and shall accord the necessary protection to the extent reasonably practicable.

2. OBJECTIVE OF THE POLICY

This BAM's Whistleblower Policy intends to highlight the Association's open-door approach to transparency in all aspects of the Association's business and activities. It provides avenue and encourages any persons to share their concerns or complaints on any improper conduct through reporting channels within the Association that the affected persons have engaged, are engaging or are preparing to engage when conducting the Association's affairs.

This policy:

- allows individuals to make confidential reports;
- protects the identity of the person reporting the improper conduct; and
- helps to gather evidence for disciplinary action.

3. DEFINITIONS

"Affected Persons" mean all officials, volunteers, contractors, employees, players and coaches appoint or employ by the Association on permanent, contract, temporary, on assignment, or secondment basis.

"Enforcement Agency" has the same meaning as defined under the Whistleblower Protection Act 2010 (Act 711)

"Improper conduct" means criminal acts under any written laws, breaches of BAM Constitution, BAM Code of Conduct, BAM Code of Ethics and breaches of any Sports Bodies that BAM is a member.

4. SCOPE OF THE POLICY

This policy is designed to facilitate Affected Persons and members of the public to disclose any improper conduct through reporting channels established by this Policy. Such improper conducts the following:

- Fraud;
- Misappropriation;
- Bribery;
- Abuse of Power;
- Conflict of Interest;
- Match-fixing;
- Betting;
- Doping, and/or abuse of drugs;
- Discrimination;
- Theft or embezzlement;
- Misuse of BAM's Property; and/or
- Breaches of the BAM Constitution, BAM Code of Conduct and BAM Ethics Code

The above list is not exhaustive and includes any act or omissions, which if proven, will constitute an act of improper conduct under the BAM Code of Conduct and BAM Code of Ethics.

5. APPLICABILITY OF THE POLICY

This policy applies to all Affected Persons and where relevant, to members of the public.

6. REPORTING VIOLATIONS

Pursuant to the aforementioned regulatory framework, BAM has set up this reporting mechanisms by means of which improper conduct and infringements of the pertinent regulations may be reported. This system offers an opportunity for all Affected Persons and others to notify BAM of any violations or potential violations.

Anyone who wishes to make a report can do so to any of the following channels, in strict confidential manner:

A. Via e-mail

- start by downloading the "BAM Whistleblower Report Form" (hereinafter known as the "Form" from BAM [website www.bam.org.my](http://www.bam.org.my);
- On the Form, the complainant:
 - may choose to either stay anonymous or provide his/her personal information. Even if the complainant choses to be anonymous, he/she must complete his/her email details in order that the investigating officer may contact him/her for further information if required;

- shall use his/her words to describe the incident he/she is reporting, providing as much information and details as possible;
- shall, when the form is completed, be sent directly to the Chairman of BAM's Rules, Disciplinary & Integrity Committee, via e-mail: integrity@bam.org.my. In the event the complaint is against the Chairman of BAM's Rules, Disciplinary & Integrity Committee, the completed Form shall be addressed to the President of BAM.

B. Via Post

- start by downloading the "Form" from BAM [website at www.bam.org.my](http://www.bam.org.my);
- On the Form, the complainant:
 - may choose to either stay anonymous or provide his/her personal information. Even if the complainant chooses to be anonymous, he/she must complete his/her email details in order that the investigating officer may contact him/her for further information if required;
 - shall use his/her words to describe the incident he/she is reporting, providing as much information and details as possible;
- shall, when the form is completed, be put in an envelope which shall be marked "**CONFIDENTIAL**".
- The envelope shall be addressed to "Chairman of BAM's Rules, Disciplinary & Integrity Committee, Akademi Badminton Malaysia, Kompleks Rakan Muda, Jalan 1/70D, 60000 Bukit Kiara, Kuala Lumpur". In the event the complaint is against the Chairman of BAM's Rules, Disciplinary & Integrity Committee, the completed Form shall be addressed to the President of BAM.

7. HANDLING OF REPORTS

Once the report is received, the Association will, within three (3) working days, contact the complainant via the contact details provided on the "Form". The Association will request for the complainant to provide information about the status of his/her report or to ask further questions if certain details need to be clarified.

The Association, through its Rules, Disciplinary & Integrity Committee, will only investigate matters within its jurisdiction. If the complaint is within the Association's jurisdiction, all reports will be promptly and thoroughly investigated and appropriate corrective action will be taken if warranted by investigation. It is noted that the process of the investigation of the complaint may reveal the source of the information and a statement by the complainant may be required as part of the evidence. They will be given prior notice of this and adequate opportunity to discuss the consequences.

Upon the completion of the whistleblowing process and procedures, the Whistleblower will be accorded the privilege to be notified on the outcome of the disclosure.

If the Association is not competent to investigate the matter, the complaint will be forwarded to the appropriate Enforcement Agency. The complainant will be notified of the referral.

The Rules, Disciplinary & Integrity Committee reserves its right to act and decide on any anonymous disclosure. However, no protection will be accorded for such a disclosure.

8. PROTECTION TO WHISTLEBLOWER

As far as practicable, the complainant's identity shall be protected and shall remain confidential. In addition, the Association will take appropriate measures to ensure protection from any harassment, retaliation, or adverse employment consequences within the Association against the whistleblower who made the disclosure in good faith. Such protection is accorded even if the investigation later reveals that the whistleblower is mistaken as to the facts and the rules and procedures involved.

Where relevant and necessary, the Association shall directly refer the improper conduct and the whistleblower to the relevant Enforcement Agency for the benefits of the whistleblower and for a better protection under the Whistleblower Protection Act 2010 (Act 711).

9. REVOCATION OF PROTECTION TO WHISTLEBLOWER

The protection to the whistleblower can be revoked if the whistleblower is found to have, among others:

- participated in the misconduct disclosed;
- wilfully made the disclosure a material statement which the whistleblower knew or believed to be false or did not believe to be true;
- made a disclosure which is frivolous or vexatious;
- made a disclosure solely or substantially with the motive of avoiding dismissal or other disciplinary action;
- made a disclosure which principally involves questioning the merits of the existing BAM policy; and/or
- failed to comply with any provision stipulated in this policy.

10. ACTING IN GOOD FAITH

Anyone raising a concern or make a complaint under this Policy must report in good faith and have reasonable grounds for believing such improper conduct has occurred or likely to occur. Any allegations that prove to be unsubstantiated and which prove to have been made maliciously or knowingly to be false, in particular by the Affected Persons, will be viewed as a serious disciplinary offense.

11. WITHDRAWAL OF COMPLAINT

The Whistleblower who wishes to withdraw his/her disclosure is required to write to the Chairman of BAM's Rules, Disciplinary & Integrity Committee and provide reason(s) for the withdrawal. Nevertheless, the Association reserves its right to proceed with any action investigation on the subject matter of the disclosure.

Policy Adopted at this date: 28 April 2018

I have received the Badminton Association of Malaysia's Whistleblowing Policy, which I have read and understood.

Signed:

Name:

Date: