



MALAYSIA–THAILAND JOINT AUTHORITY (MTJA)

# **WHISTLEBLOWING POLICY**

Effective Date: 2<sup>nd</sup> May 2023

# MTJA WHISTLEBLOWING POLICY

## Receipt and Acknowledgement

I, \_\_\_\_\_,

NRIC/Passport No: \_\_\_\_\_

hereby confirm receipt of a copy of the  
MTJA Whistleblowing Policy  
which I acknowledge  
I am required to read and follow.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## 1. GLOSSARY

Unless stated otherwise herein, the phrases below will have the following meaning—

<b>Term</b>	<b>Definition</b>
Business Partners	means vendors, suppliers, contractors, sub-contractors, consultants, agents, representatives and any other persons who perform work or services, for and on behalf of MTJA.
MTJA	means MALAYSIA–THAILAND JOINT AUTHORITY
Good Faith	means making a report without malice or consideration of personal benefit whenever there is a reasonable basis to believe that the allegation is true based on evidentially substantiated information/documents available. For the avoidance of doubt, Good Faith is lacking when the reporting is reasonably verified to be malicious, vindictive, false and fake or made with motives.
Misconduct	shall include the reporting of, amongst others, the following—  <ul style="list-style-type: none"> <li>(a) A suspected criminal offence.</li> <li>(b) Non-compliance with legal and regulatory requirements.</li> <li>(c) Any acts or omissions that may cause a risk to the health or safety of any individual.</li> <li>(d) Unfair treatment.</li> <li>(e) Improper conduct or unethical behaviour.</li> <li>(f) Any acts or omissions that contravene any policies of MTJA, including but not limited to, the Anti-Bribery and Corruption Policy.</li> <li>(g) Any attempts to suppress or conceal any information relating to any of the above.</li> </ul>
Personnel	means all employees of MTJA.
Senior Management of MTJA	Chief Executive officer (CEO) and/or Deputy Chief Executive officer (DCEO)
Whistleblow/ Whistleblowing	means a reporting by Whistleblower of an alleged Misconduct.
Whistleblower	means any Personnel, Third Parties or any members of the public that report a concern to MTJA using the mechanism provided in this Whistleblowing Policy.

## **2. INTRODUCTION**

MTJA is committed to the highest standard of compliance with regards to disclosure, transparency, accountability and integrity, as well as those set by relevant legislations and regulations.

### **2.1 Scope**

Any Personnel, Third Parties or a member of the public who notices or is aware of any Misconduct of a Personnel can lodge a report.

## **3. PROCEDURE**

### **3.1 How to Whistleblow?**

Any report of Misconducts of a Personnel shall be made in writing via email or in a Memo or letter, signed by the complainant, to the Senior Management of MTJA\*.

Whistleblower may make a report under the Whistleblowing Policy by way of email address to the email address of [whistleblowing@mtja.org](mailto:whistleblowing@mtja.org)

Once received, the complaint and the name of Whistleblower shall be kept confidential to protect the identity of the Whistleblower, and to safeguard an investigation.

### **3.2 How are complaints being handled?**

Any report of Misconduct of a Personnel shall be made in writing or email.

Investigation procedures and proposed actions to be taken shall be carried out in accordance with the MTJA Procedure on Conduct and Discipline [MTJA-BS&LS-SP-06].

## **4. PROTECTION OF WHISTLEBLOWERS**

Disclosure under this Whistleblowing Policy must be raised in Good Faith and must not be based on office gossip nor must it be made for purposes of personal advantage or gain. The Whistleblower should have reasonable grounds for believing or suspecting that there is Misconduct within MTJA.

Any Whistleblower who discloses wrongdoing or improper conduct in Good Faith and in compliance with the provisions of the procedure in this Whistleblowing Policy shall be protected against any act of retaliation.

*\*For whistleblowing that involves a Senior Management of MTJA, the matter shall be reported and channeled to the MTJA's Co-Chairs.*

For the purpose of reporting herein, “*retaliation*” is defined as any action or threat of action which is unjustly detrimental to the Whistleblower because of his/her report, including, but not limited to, harassment, demotion, discrimination and acts of vindictiveness, direct or indirect, that are recommended, threatened or taken against the Whistleblower.

MTJA reserves the right to reject a complaint of Misconduct of a Personnel and may take appropriate action against such complainant who—

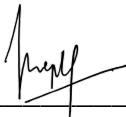
- (a) made in his/her disclosure of a Misconduct a material statement which he/she knew or believed to be false, or
- (b) made a disclosure of Misconduct that is frivolous and vexatious.

## 5. MONITORING AND REPORTING REQUIREMENTS

- 5.1 The Head of BSLS Department of MTJA shall maintain a record of all complaints made by Whistleblower confidential.
- 5.2 An assessment can be made for the MTJA Members to review and recommend further improvement to existing policy and procedures.

Issued by Approval of the Malaysia Thailand Joint Authority at its 141<sup>st</sup> MTJA Board Meeting on 18<sup>th</sup> March 2023

Signed by CEO of MTJA,



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Countersigned by DCEO of MTJA,



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Date: 2<sup>nd</sup> May 2023