

WHISTLEBLOWING POLICY

1. OVERVIEW

Ocean Fresh Berhad (“OFB”) and its group of companies (“Group”) is committed to achieve and maintain the highest standard of integrity, transparency, accountability and work ethics in the conduct of its business and operations that encourages open and honest communication. In line with the Group’s Anti-Bribery and Anti-Corruption Policy, the Whistleblowing Policy (“the Policy”) has been established to enable employees and any other third-party performing work or services for or on behalf of the Group to report any genuine concerns about misconduct, wrongdoings, corruption and instances of fraud, waste, and/or abuse that they encounter involving the interests of the Company (“Improper Conduct”).

This Policy is to provide an avenue for all employees and associates of the Group (“the Whistle-Blower”) to disclose any concerns about misconduct, wrongdoings, corruption and instances of fraud, waste, and/or abuse in accordance with the procedures as provided under this Policy and to provide protection for its employees and associates who report such allegations.

2. WHISTLE-BLOWER PROTECTION

2.1 Whistleblowing is a specific means by which a whistle-blower can report or disclose through established channels, his concerns in respect of Improper Conduct. The Whistle-Blower shall be protected against reprisals or retaliation from the key senior management of the Company and shall be granted immunity from any disciplinary action by the Whistle-Blower’s immediate supervisor or Head of Department or any other person exercising power or authority over the Whistle-Blower in his/her employment.

The identity of the Whistle-Blower shall be kept confidential to the extent possible unless otherwise required by law or for purposes of any proceedings by or against the Group. Whistle-Blowers are cautioned that their identities may become known for reasons outside of the control of the Group. The identity and personal information of the Whistle-Blower as well as the person implicated in the Improper Conduct may be revealed to persons involved in investigations or any other processes that are deemed necessary to assist investigations.

Any other employee or person assisting in the said investigation shall also be protected to the same extent as the Whistle-Blower.

2.2 The protection will be accorded by the Group only when the Whistle-Blower who shall have identified him/herself satisfies all the following conditions:

- (i) the report on the Improper Conduct is made in good faith, does not contain any false or misleading information which was provided, knowingly, negligently or recklessly and is not made out of ill will or with malicious intention;

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- (ii) Whistle-Blower has reasonable grounds and factual evidence when reporting a wrongdoing;
- (iii) the Whistle-Blower has NOT communicated the Improper Conduct to any other party outside the established reporting channels as set out in this Policy; and
- (iv) the Whistle-Blower has not, whether by him/herself, participated in the Improper Conduct either directly or indirectly.

While it will be ensured that genuine Whistle-Blowers are accorded protection from any kind of unfair treatment, any abuse of this protection can warrant disciplinary action. Protection under this Policy will not mean protection from disciplinary action arising out of false, frivolous, baseless or bogus allegations made by a Whistle-Blower. If the investigation later reveals that the Improper Conduct was NOT made in good faith and is with malicious intent, the Whistle-Blower, if an employee of the Company, will be subject to disciplinary action by the Group in accordance with the Group's disciplinary policy in the Code of Conduct and Work Ethics. Failure of an employee to report and Improper Conduct can also constitute a violation of the Code of Conduct and Work Ethics and the Group's Anti-Bribery and Anti-Corruption Policy, which may warrant disciplinary action.

3. ANONYMOUS WHISTLE-BLOWER

Any anonymous disclosure will not be entertained. Any employee or associates who wishes to report Improper Conduct is required to disclose his identity to the Company in order for the Company to accord the necessary protection to him

4. SCOPE

This policy is confined to those situations where a Whistle-Blower may need to make the necessary report on Improper Conduct.

5. PROCEDURAL MATTERS

Procedures to report on misconduct, wrongdoings, corruption and instances of fraud, waste and/or abuse

Improper Conduct should be factual and not speculative or in the nature of a conclusion and should contain as much specific information as possible to allow for proper assessment of the nature and extent of the concern.

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All Improper Conduct must be disclosed in accordance to the procedures set out below under the Policy:

- a. A disclosure of an Improper Conduct shall be made in writing and emailed to the Chairman of the Audit and Risk Management Committee at [\[Insert Email\]](#)
- b. The Whistle Blower Report Form (“the Form”) can be downloaded from OFB’s website at [\[Insert Website\]](#). The Form will aid you in providing adequate information to the Chairman of the Audit and Risk Management Committee.
- c. Investigation
 - (i) The authority to decide whether or not an Improper Conduct should be investigated is vested with the Whistle-Blower Committee, who will appoint the appropriate investigator. A Whistle-Blower Committee is appointed by the Audit and Risk Management Committee to review all disclosures made and decide the next appropriate course of action. The Whistle-Blower Committee is chaired by the Chairman of the Audit and Risk Management Committee and its members may consist of an appointed Legal Counsel and/or any other party deemed fit to add transparency and neutrality to the proceeding. Chairman of Audit and Risk Management Committee may appoint other personnel of suitable seniority or independent third party to investigate the allegations.
 - (ii) The decision to conduct an investigation is by itself not an accusation and is to be treated as a neutral fact-finding process. The outcome of the investigation may not support the conclusion of the Whistle-Blower that an improper or unethical act has indeed been committed.
 - (iii) A person against or in relation to whom an Improper Conduct has been made or evidence gathered during the course of an investigation (“the Subject(s)”) shall have a duty to cooperate with the Investigator during investigation with no admission to guilt.
 - (iv) Subjects should not interfere with the investigation. Evidence shall not be withheld, destroyed or tampered with and witnesses shall not be influenced, coached, threatened or intimidated.
 - (v) Unless there are compelling reasons not to do so, Subject will be given the opportunity to respond to the material findings of the investigation. No allegation of wrongdoing against a Subject shall be considered as maintainable unless there is good evidence in support of the allegation.
 - (vi) Subjects have the right to be informed of the outcome of the investigation. If allegations are not sustained, the Subjects should be consulted as to whether the disclosure of the investigation results would be in the best interest of him/her and the Group.
 - (vii) The Whistle-Blower is accorded the privilege to request the outcome of his/her report on Improper Conduct.

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The Whistle-Blower report on Improper Conduct should contain the following details:

- (a) description of the Improper Conduct which is believed to constitute a violation and whether the Whistle-Blower believes the activity constitutes a violation of OFB's policies, rules and the applicable laws and regulations;
- (b) the person or persons involved in the Improper Conduct;
- (c) the date or dates on which the Improper Conduct is believed to have occurred;
- (d) the location/place which the Improper Conduct is believed to have happened; and
- (e) other pertinent information (who, what, when, where and how).

If the case necessitates further action on the part of the Human Resource Department ("HR"), a copy of a summary of the report will be provided to HR.

The Head of Whistleblower Committee will furnish a half-yearly report to the Audit and Risk Management Committee on the number and nature of cases reported by Whistle-Blowers. The Audit and Risk Management Committee will review the report and submit a summary report to the board of Directors of OFB ("Board") with anonymity accorded to the Whistle-Blower for their information and/or action, where applicable.

6. DECISIONS

If an investigation concludes that an improper or unethical act has been committed, the matter should be handled in accordance with the existing disciplinary procedures as specified in the Code of Ethics/Employees' Handbook adopted by the Group.

All disclosures along with the results of the investigation relating thereto shall be retained by the Group for a minimum period of 7 years.

7. WHISTLEBLOWER PROTECTION ACT 2010

The Whistleblower Protection Act 2010 ("Act") accords protection to persons making disclosures of any misconduct in the public and private sector from civil and criminal action. In addition, the Act allows for the proper investigation to be carried out by an enforcement agency having investigation and enforcement functions and powers as more particularly defined in Section 2 of the Act.

If an employee wishes to make an Improper Conduct report pursuant to the Act, then the reporting employee will have to make the said report to the relevant enforcement agency. Any investigations and/or actions taken thereafter would be in accordance with the Act and the relevant legislations, and they are independent of the procedures described in this Policy.

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8. REVIEW OF POLICY

The Group will review the Policy periodically and discuss any changes that may be required and recommend any such changes to the Board for consideration and approval. Any revisions and amendments to this policy will be communicated to all employees of the Group accordingly.

This Policy was approved by the Board on 27 October 2023.

This Policy will be published on the Company's website for public information.

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As a guide, the type of Improper Conduct covered under the Whistleblowing Policy include the following examples:

- (a) Theft, pilferage, misappropriation or attempt of the same of the Company's money or property.
- (b) Fraud, dishonesty, cheating, falsification or attempt of the same in connection with the Company's business, money or property.
- (c) Soliciting or accepting bribe or any illegal gratification.
- (d) Participating in unauthorised financial transactions.
- (e) Breach of fiduciary relationship.
- (f) Conflict of interest.
- (g) Spreading malicious rumours about the OFB.
- (h) Gross negligence and neglect of duty.
- (i) Unauthorised disclosure of Company's confidential information, including commercial or manufacturing secrets, calculations or designs.
- (j) All forms of harassment including but not confined to unwelcome verbal or physical advances and sexually, racially or otherwise derogatory or discriminatory statements or remarks.
- (k) Commission of any subversive act and criminal offences.
- (l) Commission of any act that brings disrepute, embarrassment or affects the legitimate interest of the Company or ruins the image of the Company.
- (m) Habitual breach of any Company's order or any law applicable to the establishment of rules made thereunder.
- (n) Conduct which is likely to cause injury or endanger the life or safety of another person within the Company's premise.
- (o) Misrepresentation of the Company to the others.

OCEAN FRESH BERHAD
(Registration No. 202301019041 (1512963-A))
(Incorporated in Malaysia)

WHISTLE BLOWING REPORT FORM

Type or complete in ink and return this form to:

Chairman of Audit Committee
OFB Berhad
Lot 19869,
Kampung Baru Peramu,
26060 Kuantan,
Pahang, Malaysia

Email: [Insert Email]

A. Name of the person(s) you are reporting against _____

B. Name of the division/department in which that person works.

C. Summary of alleged misconduct, wrongdoings, corruption, fraud, waste &/or abuse that you are reporting
(Kindly describe the incident, specify date, time and venue and who is involved).

D. Please attach a separate narrative, if necessary, as well as documentation to support your claim.

E. Please explain why you believe the person who you are reporting has committed these acts knowingly, willingly and intentionally.

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WHISTLE BLOWING REPORT FORM

- F. We would like to know how the alleged activities came to your attention (if you have not already done so in the summary); however, it is optional for you to report this.**

- G. Provide information on relevant witnesses, if any, including email address, telephone number and/or the best way to get in touch with them.**

Witness #1

Name: _____

Email: _____

Phone No: _____

Witness #2

Name: _____

Email: _____

Phone No: _____

Any additional information concerning these witnesses:

- H. Please provide any other information that you may find relevant.**

- I. Please provide your name, phone number and email**

Your name: _____

Your Phone No: _____

Your Email: _____

Thank you.