



Perbadanan Insurans Deposit Malaysia
Protecting Your Insurance And Deposits In Malaysia

CONFLICT OF INTEREST CODE FOR EMPLOYEES



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Approved by the Board of Directors at the Board Meeting No. 43 on 30 September 2014



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1.0 INTRODUCTION

1.1 Employees of Perbadanan Insurans Deposit Malaysia (“PIDM”) are required by their terms of employment as well as the Malaysia Deposit Insurance Corporation Act 2011 (“Act”) to comply with the Code on Conflict of Interest (“Code”).

1.2 The key areas that this Code covers are:

- (a) conflicts that may arise between the interests of PIDM and employee’s personal interests, businesses and relationships of individual employees;
- (b) the use of his or her position as an employee of PIDM, or of information not generally available to the public and obtained by reason of his or her status as an employee;
- (c) the use of PIDM’s property or facilities;
- (d) interests in shares in member institutions and their affiliates;
- (e) the provision of services or supply of goods to PIDM;
- (f) the policy on the acceptance of gifts, hospitality and other benefits; and
- (g) the policy on outside activities, offers of employment, and post-employment activities.

1.3 You are required to:

- (a) read the Code and familiarise yourself with it;
- (b) on first becoming an employee and, thereafter on an annual basis, sign and date the certification of compliance in the Appendix and provide it to the Designated Person;
- (c) on first becoming an employee, and thereafter on an annual basis, complete a declaration of assets and financial obligations, and submit the same to the Designated Person, as well as provide updates as required in the Code;

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- (d) on first becoming an employee, submit such other information to the Designated Person, as required under this Code, and update it as required; and
- (e) keep a copy of the Code for your own information.

Section 15 of this Code sets out in detail the declarations and disclosures that you need to make.

1.4 Certain provisions in this Code apply also post-employment.

1.5 Compliance with the Code is mandatory. Breach of the Code may result in disciplinary action including, where appropriate, dismissal. It is also an offence under subsections 12(1)(b) and 12(3) of the Act.

What is a conflict of interest?

- 1.6 A conflict of interest arises in any situation in which you are or may be in a position to take advantage of your position as an employee of PIDM in some way for your personal benefit. Conflicts of interest can be real (i.e., there is an actual conflict), potential (i.e., it could arise), or apparent (i.e., a third party may reasonably take the view that there is or is likely to be a conflict of interest, whether or not there is).
- 1.7 Conflicts of interest may arise in various ways. For example, they could arise as a result of:
- (a) a direct or indirect financial interest which we have;
 - (b) a direct or indirect financial interest held by any business venture (whether a company, firm or proprietorship) with which we have connections;
 - (c) a personal association or relationship with those affected, or those who are likely to be affected, by the information or issue in question;
 - (d) an expectation of a future interest (for example, future employment);
 - (e) in some cases, a previous association with the information or issue in question.



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1.8 This list is not exhaustive. **If you are in doubt about whether a real, potential or apparent conflict has arisen, please consult the Designated Person or refer to such other channel as may be provided by PIDM to assist with such queries.**

1.9 Please note that you are not absolved from your responsibilities by mere adherence to the letter of the provisions in this Code or the law. There may be other actions that may be necessary to conform to the principles discussed above.

2.0 INTERPRETATION AND DEFINITIONS

2.1 In this Code, words have the meaning given to them under the Act (unless otherwise defined). The following words and expressions have the following meaning:

“Act” means the Malaysia Deposit Insurance Corporation Act 2011;

“affiliate” means an entity that is affiliated with another entity within the meaning of the Schedule to this Code;

“Connected Person” means your spouse, children, step children, parents or any person over whom you exercise or are able to exercise significant influence in relation to that person’s financial affairs, by reason of that person’s age, lack of capacity or otherwise;

“Declarable Assets” means assets (i) acquired by a Connected Person by using money or moneys’ worth directly or indirectly supplied by you, or (ii) in respect of which you exercise or are able to exercise significant influence in relation to their acquisition, disposal or sale; and in either case where you are aware of the Connected Person’s ownership of the assets;

“Designated Person” means, in the case of all employees, their respective Executive General Manager or Executive General Manager and General Counsel, whichever the case may be, except

(a) in the case of the Chief Executive Officer, where it means the Chairman of the Board; and



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- (b) in the case of the employees in the CEO's Office, Corporate Secretariat Division, Enterprise Risk Management Division and Audit and Consulting Services Division, where it means the Chief Executive Officer;

“discretionary investment arrangement” means an arrangement between an investment advisor and his or her client or clients:

- (a) where the investment advisor is licensed to provide investment advice in his or her ordinary course of business under securities legislation;
- (b) where the investment advisor is at arm's length from the client or all of the clients;
- (c) under which investment decisions are made with no direction from or control by the client or any of the clients or by any person that is not at arm's length from the client or all of the clients;
- (d) in respect of which no information is provided to a client concerning the investments except for periodic reports of the overall value or revenues (but not the composition) of the investments; and
- (e) which is evidenced and governed by a written agreement between the client or all of the clients and the investment advisor, a copy of which (excluding any schedule or other listing of investments) has been provided to the Designated Person;

“employee” means any employee of PIDM, whether a permanent member or not, employees under a contract, and those seconded from other bodies, and references to “employed” or “employment” shall have the corresponding meaning;

“lending institution” means any bank including an Islamic bank, any development financial institution, co-operative as defined under the Co-Operative Societies Act 1993, merchant bank or investment bank, insurance company or takaful operator and any other similar institution whether in Malaysia or outside Malaysia;



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“hospitality” includes invitations to attend an event (including sporting and cultural events), meals or other similar occasion with someone who works for or represents a member institution, or an actual or potential supplier or service provider of PIDM where you can reasonably be perceived to be representing PIDM;

“interest in a share” means beneficial ownership, direct or indirect, of a share or any part thereof, provided that:

- (a) beneficial ownership does not include ownership of a unit or right in a collective investment scheme such as a unit trust fund, a right under a pension, retirement savings or life insurance plan where investment decisions for the fund or plan are made without direction from or control by the owner or any beneficiary of the unit or right;
- (b) for the purpose of this Code a client under a discretionary investment arrangement shall be considered as if he or she does not beneficially own investments which are the subject of that arrangement; and
- (c) an individual will be considered to have an interest in a share beneficially owned, directly or indirectly, by a Connected Person if:
 - (i) that Connected Person acquired that ownership using money or moneys’ worth directly or indirectly supplied by the individual and the individual is aware of the Connected Person’s beneficial ownership of the share; or
 - (ii) the individual exercises or is able to exercise significant influence of that Connected Person’s affairs, by reason of that Connected Person’s age, lack of capacity or otherwise and the individual is aware of the Connected Person’s beneficial ownership of the share;

“PIDM” means Malaysia Deposit Insurance Corporation;

“person” includes a body of persons, corporate or unincorporated;

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“serious pecuniary indebtedness” means the state of an employee’s indebtedness which, having regard to the amount of debts incurred by the employee, has actually caused serious financial hardship to the employee; and

“share” includes an accepted subscription for a share, a warrant for a share, a right to acquire or require the issuance of a share or a warrant by the conversion of or in exchange for other property and an option right to acquire or require the issuance of any of the foregoing.

3.0 GENERAL PRINCIPLES

3.1 Individual responsibility and personal example

3.1.1 As PIDM employees, we are entitled to manage our own affairs in privacy. However, our work must be carried out in an environment that is free from any suggestion of improper influence and in a manner that promotes public confidence. Our stakeholders and the public must be confident that we operate and make decisions objectively and impartially. Conflicts of interest must therefore be identified immediately when they arise and be properly managed. Managing conflicts means arranging your private affairs in a manner designed to prevent real, potential or apparent conflicts of interest from arising.

3.2 Serving the public interest

3.2.1 None of us must exploit, or reasonably appear to exploit, to our personal advantage, our position as employees of the organisation.

3.2.2 As such, you must not:

- (a) knowingly take advantage of, or benefit from, any information obtained by reason of your status as employee, which is not generally available to the public;
- (b) use your position and PIDM’s resources for private gain;
- (c) use or allow the use of PIDM’s property and facilities for anything other than officially approved activities;

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- (d) use your position to solicit or accept economic benefits, other than as permitted by this Code;
- (e) after ceasing to be employed by PIDM, act in a manner that takes improper advantage of your former employment with PIDM.

3.2.3 You should abstain from involvement in personal matters or holding private interests that could compromise official decisions in respect of which you participate.

3.2.4 You should also be aware of your responsibilities under section 24 of the Act, which restricts the disclosure of information regarding PIDM and the specified stakeholders. Section 24 of the Act provides that a director, officer, employee or agent of the Corporation ... or any person who for any reason has by any means access to any record, book, register, correspondence or other document whatsoever, material or information relating to the business and affairs of the Corporation, Bank Negara Malaysia, a member institution, a customer of Bank Negara Malaysia, or a customer of a member institution, which he has acquired in the performance of his duties or exercise of his functions, shall not give, divulge, reveal, publish or otherwise disclose, to any person such document, material or information unless the disclosure is required under any law, for the performance of his duties or the exercise of this functions under the Act, or when lawfully required to do so by any court. Information should also only be used for the purposes for which the information is obtained.

3.3 Supporting transparency and scrutiny

3.3.1 All of us must take steps to ensure that any real, potential or apparent conflicts of interest to which we may be subject is properly managed. In other words, we must take steps to ensure that our personal affairs or private interests do not affect, or reasonably appear to affect, a decision taken by PIDM. We must disclose all interests which could conflict, or appear to conflict, with our duties at PIDM (potential or apparent conflicts), and manage them before they become real.

3.3.2 It is important that PIDM can publicly defend the actions of its employees in relation to this Code in order to prevent reputational damage. It is your responsibility to ensure that if any real, potential or apparent conflict arises, you will take action to resolve it appropriately.

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4.0 INTERESTS IN MEMBER INSTITUTIONS AND AFFILIATES

- 4.1 Subject to paragraph 4.2, you must not hold an interest in shares of any member institution.
- 4.2 If, on first taking up employment with PIDM, you have such interest in shares of any member institution:
- (a) you will make declarations to the Designated Person in respect of such interests; and
 - (b) the Designated Person will determine a date by which you should come into compliance with this provision.
- 4.3 You may wish to note that you will not be considered as holding an “interest in shares” as defined in paragraph 2.1 where the shares are held under a “discretionary investment arrangement”, also defined in paragraph 2.1.
- 4.4 You may have an interest in shares of an affiliate of a member institution if those shares are publicly distributed and listed on a securities exchange and the affiliate is not a shareholder of 10% or more of the shares of the member institution.
- 4.5 You must report to the Designated Person, on a confidential basis (but subject to the other provisions of this Code), every interest that you have in shares of any affiliates of member institutions, in each case indicating the affiliate and the number and type of shares. Such a report must be made upon you first taking up employment at PIDM, and annually, concurrently with the annual declaration of assets required by section 6.
- 4.6 Notwithstanding paragraph 4.4, the Designated Person may direct you to dispose of or otherwise cease to have an interest in shares of a particular affiliate of a member institution if, in the opinion of the Designated Person, it creates a real, potential or apparent conflict of interest.
- 4.7 The Designated Person may, on a case-by-case basis or by the establishment of general criteria, classify (and declassify) the shares of particular affiliates of member institutions as prohibited investments.

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4.8 Notwithstanding paragraphs 4.4 and 4.6, you must not acquire an interest in any shares while they are classified as a prohibited investment and, in the event that you already have an interest in shares at the time they become so classified then, for as long as they are so classified, (i) the Designated Person shall not direct you to cease to have an interest in those shares, and (ii) you must not dispose of, exercise any voting or other right attaching to, or otherwise deal in any way with those shares or your interest therein.

4.9 A sale or other transfer of an interest in a share by you to a family member will not suffice for the purposes of complying with this Code.

5.0 FACILITIES AND DEPOSITS

5.1 You must report to the Designated Person, on a confidential basis:

- (a) all loans, lines of credit, guarantees, any financial undertakings or facilities whatsoever (“credit facilities”) provided by any lending institution;
- (b) any form of cash or cash equivalent wherever held, deposited or kept, which amounts, in aggregate, to RM60,000.00 or more. Cash or cash equivalent includes deposit(s) held in any member institution or in any other places or institutions whether in or outside Malaysia. For this purpose:
 - (i) in respect of any deposit or deposits held in any one member institution which amount(s) to RM250,000 or more in aggregate, the amount held in each member institution and the name of the member institution must be disclosed. No disclosure of the name of the member institution is required if the deposit(s) held in any one member institution is less than RM250,000; and
 - (ii) in respect of cash or cash equivalent kept in any other places or institutions, no disclosure of name of such place or institution is necessary.

5.2 You must not use or exploit your position in PIDM to solicit or obtain any facility or benefit from any member institution or affiliate of a member institution on terms that



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are more favourable than you would otherwise obtain in an arm's length dealing with the member institution or affiliate.

5.3 You will make the declarations in respect of your financial obligations and deposits referred to in paragraph 5.1:

- (a) upon first taking up employment with PIDM;
- (b) on a yearly basis, within thirty days (or such other period as may be specified), of being required to do so.

5.4 Other than as stated in paragraph 5.3, you must also make a report to the Designated Person upon:

- (a) securing any credit facility from any lending institution;
- (b) opening an account with any member institution with any deposit of RM250,000 or more; and
- (c) any deposit reaching the amount of RM250,000 or more in any member institution.

5.5 The deposit limit wherever mentioned in this Code refers to the principal amount of the deposit.

6.0 DECLARATION OF ASSETS

6.1 You must declare to the Designated Person, on a confidential basis, and upon first taking up employment, and annually within thirty (30) days (or such other period as may be specified) of being required to do so, your assets, including Declarable Assets belonging to Connected Persons, and your other sources of income, if any.

6.2 For the purpose of this paragraph, assets include those in or outside Malaysia and are defined as follows:

- (a) in relation to immovable assets:
 - (i) land, whether freehold or leasehold, including land that is occupied under a temporary occupation licence;

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- (ii) any type of residential place, such as houses, flats, apartments, or condominiums; and
 - (iii) buildings, including shop houses or shop spaces, office spaces or stalls.
- (b) in relation to movable assets:
- (i) the aggregate amount of any form of cash or cash equivalent amounting to RM60,000 or more wherever deposited or kept (as stated in paragraph 5.1 above);
 - (ii) securities or any form of investments where the value exceeds six (6) months of the employee's gross salary or RM25,000 whichever is lower;
 - (iii) any form of trading, business or commercial licences or permits; and
 - (iv) any movable assets including motor vehicles, jewellery, club memberships, furniture and sports equipment where the value of each asset or the price of each asset exceeds six (6) months of your gross salary or RM60,000.00 whichever is lower.
- 6.3 At any time, the Designated Person may require written declarations from you regarding any subsequent sales or disposals of assets declared by you or Declarable Assets held by Connected Persons (other than salaries or bonuses, or employment benefits, or entitlements) or acquisitions of new assets of such value or price, and within such period, as he may specify.

7.0 SERIOUS PECUNIARY INDEBTEDNESS¹

- 7.1 An employee shall not in any manner cause himself or herself to be in serious pecuniary indebtedness.
- 7.2 Serious pecuniary indebtedness from whatever cause, other than as a result of unavoidable misfortune not contributed to in any way by the employee, will be regarded as bringing disrepute to PIDM.
- 7.3 If an employee finds that his or her debts have caused or are likely to cause serious pecuniary indebtedness to him or her, or civil proceedings arising from the debts have been instituted against him or her, the employee shall immediately report this fact to the Designated Person.

¹ This section adopts the provisions in the Public Officers (Conduct and Discipline) Regulations 1993.

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- 7.4 An employee who fails or delays in reporting his or her serious pecuniary indebtedness or who fails to disclose his or her serious pecuniary indebtedness in full extent or gives a false or misleading account of such indebtedness commits a breach of this Code.
- 7.5 Where an employee's debts amount to serious pecuniary indebtedness the Designated Person shall monitor and, from time to time, review the case.
- 7.6 Without prejudice to the general meaning of "serious pecuniary indebtedness" in paragraph 2.1, an employee shall be deemed to be in serious pecuniary indebtedness if:
- (a) the employee is three (3) months or more² in arrears on credit facilities payment;
 - (b) the employee is a judgment debtor and the judgment debt has not been settled within the period specified in the judgment;
 - (c) the employee is adjudged a bankrupt, for so long as he is not discharged from bankruptcy or his adjudication of bankruptcy has not been annulled.

8.0 OTHER INFORMATION

Without prejudice to the generality of any provision in this Code:

- (a) the Designated Person may also at any time require you to disclose any matter relating to your financial position, including deposits, financial obligations or benefits or rights under any contract, insurance policy, takaful certificate in any institutions, providing such detail to the Designated Person as may be required in order to identify any conflict or possible conflict of interest;
- (b) where in the opinion of the Designated Person you are or appear to be:
 - (i) maintaining a standard of living that is beyond your official remuneration and other legitimate private means, if any; or
 - (ii) in control of or in possession of pecuniary resources or assets, the value of which is disproportionate to, or which could not reasonably be

² Pursuant to the Bank Negara Malaysia's Guidelines on Classification and Impairment Provision for Loans/Financing, a loan shall be classified as impaired where the repayment is past due for more than 3 months.

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expected to have been acquired by you with your official remuneration and any legitimate private means; or

(iii) in serious pecuniary indebtedness,

the Designated Person may require you to provide such details to the Designated Person as may be required.³

9.0 OUTSIDE ACTIVITIES

9.1 Subject to paragraph 9.2, and unless and to the extent you are allowed to do so in the course of your duties, you shall not engage in the following activities while under the employment of PIDM, whether during or outside office hours:

- (a) be directly or indirectly involved in any other employment, whether at an executive or non-executive level, whether full-time or part-time, with any organisation or entity;
- (b) accept any reward (whether in monetary form or non-monetary form) for any work done for any institution, company, firm or private individual;
- (c) accept a directorship in any corporation or partnership in any entity; or
- (d) participate in political activities.

9.2 You may however carry on any of the activities above:

- (a) with the prior written permission of the Designated Person; or
- (b) for the benefit of a charitable cause.

9.3 You must disclose to the Designated Person your involvement in any outside activity whether or not it is directly related to your responsibilities with PIDM. On receiving such a disclosure, the Designated Person may require you to curtail, modify or completely cease the outside activity if, in the opinion of the Designated Person, it

³ These provisions are to allow the Designated Person to inquire into the unusual financial circumstances of the employees in order to identify any conflicts and to safeguard the reputation of PIDM.

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creates a real, potential or apparent conflict of interest with your employment with PIDM.

10.0 GIFTS, HOSPITALITY AND OTHER BENEFITS

10.1 Some employees may be offered gifts, hospitality or other benefits in the course of dealings with member institutions or suppliers and service providers. While PIDM encourages developing good stakeholder relationships, you must also ensure that you operate at all times in a way that is publicly defensible. The following policy provides guidelines but you should be always cautious about accepting gifts, hospitality and other benefits that could give rise to suggestions of undue influence and consider at all times the possibility of conflicts of interest.

Principles when receiving gifts, hospitality and other benefits

- 10.2 You must not, whether for yourself or Connected Persons, solicit any gifts, hospitality or other benefits arising out of any activity associated with your responsibilities with PIDM.
- 10.3 You must not, whether for yourself or Connected Persons, accept any gifts or other benefits arising out of any activity associated with your responsibilities with PIDM unless it is provided by PIDM itself. As a general guide, token gifts offered in connection to a widely attended event or for publicity, promotional and communication purposes will not be regarded as related to your duties or responsibilities with PIDM.
- 10.4 You must not, whether for yourself or Connected Persons, accept any hospitality arising out of any activity associated with your responsibilities with PIDM unless:
- (a) it is within the bounds of propriety, a normal expression of courtesy or within the normal standards of hospitality, and the acceptance is not such as to cast suspicion on your objectivity and impartiality and will not compromise PIDM; or
 - (b) where it is provided by PIDM itself.
- 10.5 Accepting exclusive or expensive hospitality can be misinterpreted by others, and it is not usually appropriate to accept such an invitation.

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10.6 Where a gift, hospitality or other benefit is provided unexpectedly and it is not practicable or it is offensive to decline a gift, hospitality or other benefit referred to above, you must disclose the matter to the Designated Person. On receipt of such a disclosure, the Designated Person may direct that the gift, hospitality or other benefit, or its reasonable equivalent, be returned to the giver (if practicable), or turned over to PIDM, or be disposed of for charitable purposes.

10.7 Some institutions practise the payment to speakers of a fee for speaking at dinners or conferences and you may be the recipient of such a fee, even if you did not solicit for such a fee. Under such circumstances, this should be donated to a charity of your choice, with a declaration to the Designated Person.

Principles when giving gifts, hospitality and other benefits

10.8 In relation to gifts (other than PIDM collaterals) from PIDM to third parties, the following principles should be applied:

- (a) the giving of gifts must be pre-approved by Designated Person and must be recorded in a register held by Designated Person;
- (b) in deciding whether the giving of a gift is appropriate, you must consider the recipient, the value of the gift and the reason for it; and
- (c) gifts should be within the bounds of propriety, as a normal expression of courtesy or within the normal standards of hospitality.

10.9 The provision of hospitality related to the business of the Corporation and for stakeholder engagement is acceptable within the bounds of propriety and within the normal standards of hospitality.

11.0 OFFERS OF EMPLOYMENT

11.1 Without prejudice, and subject, to section 13, you must report to the Designated Person, any offer of appointment, engagement or employment by another person that could create a real, potential or apparent conflict of interest, as well as the acceptance of any such offer.

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- 11.2 If the Designated Person determines that you are engaged in dealings with a prospective employer or other person that could create a real, potential or apparent conflict of interest, he or she may assign you to other duties.

12.0 POST-EMPLOYMENT ACTIVITIES

A former employee shall not act for or on behalf of any person in any proposed or ongoing proceeding, transaction, negotiation, arrangement or case to which PIDM is a party, if you had been involved at any time during your employment with PIDM in that matter or you have or may have an advantage, benefit, or special knowledge had it not been for your employment with PIDM. For these purposes, you may not act either personally or through or in the name of any other person.

13.0 POST-EMPLOYMENT PROHIBITION PERIOD

- 13.1 Due to the overriding need to protect, preserve and maintain the strict confidentiality of all information to which you may have been privy to as an employee of PIDM, a former employee must not, within a period of one year after cessation of employment by PIDM, either personally or through or in the name of any other person,
- (a) (i) accept any appointment to a board of directors of, or any employment with, a member institution; or
 - (ii) accept any appointment to a board of directors or accept any employment with or enter into any contract for the provision of goods or services with, an entity with which you had direct and significant official dealings during the period of one year immediately prior to the cessation of employment with PIDM;
 - (b) make any representation or application to PIDM for and on behalf of any person with which you have significant dealings as an employee within the period of one year immediately prior to cessation of employment with PIDM; or
 - (c) give counsel to any person concerning the policies of PIDM, using information that is not publicly available concerning PIDM, or with whom you had a direct

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and substantial relationship, other than the Government or an agency, department or instrumentality of the Government.

13.2 An employee or former employee who wishes to have the one-year period reduced may apply in writing to the Designated Person and the latter may decide to reduce the one-year period, taking into consideration:

- (a) the circumstances under which the individual's employment by PIDM ceased or is expected to cease;
- (b) the general employment or other prospects of the individual;
- (c) the significance to PIDM of the information possessed by the individual by virtue of his or her employment by PIDM;
- (d) the desirability of a rapid transfer from PIDM to the private sector or the Government of the individual's knowledge and skills;
- (e) the degree to which another person might gain unfair commercial advantage or benefit by appointing, employing or otherwise engaging the services of the individual;
- (f) the levels of authority and influence possessed by the individual while employed by PIDM; and
- (g) the disposition of other similar cases.

13.3 If the employee or former employee disagrees with a decision made pursuant to paragraph 13.2, he or she may apply in writing to the Chairman of the Board or, through the Chairman, to the Board for a reconsideration and the Chairman or the Board (as the case may be) may decide to reduce the one year period taking into consideration the matters listed in paragraph 13.2.

14.0 DISCLOSURE OF INTERESTS TO DESIGNATED PERSON ON TAKING UP EMPLOYMENT

14.1 At such time or within such period as may be required by the Designated Person, you must complete a "Disclosure of Interests" form and provide the Designated Person with details of the following:



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- (a) interests, if any, in shares in any member institution or affiliate;
- (b) all information required to be disclosed in sections 5, 6 and 9 above;
- (c) any post, other employment or fiduciary positions that you hold, or have held in the past five years in connection with a member institution or an organisation that presently, to your knowledge, has a contractual relationship with PIDM;
- (d) any other significant relationship, including a professional, personal, financial or family relationship, held in connection with or capable of affecting a member institution;
- (e) the names of Connected Persons that hold positions or are employed by a member institution or a firm connected with PIDM's business, such as a supplier or professional adviser to PIDM; and
- (f) details of any Connected Person who works at PIDM.

14.2 You must immediately notify the Designated Person of all changes in the information disclosed under paragraph 14.1 above.

15.0 CERTIFICATIONS AND DECLARATIONS OR DISCLOSURES AND PROCEDURES

15.1 The following is a (non-exhaustive) list of the certifications, declarations or disclosures you will have to make:

- (a) **Certificate of Compliance.** You must, upon first taking up employment and annually thereafter (or at such other times as required under the Act or by PIDM), sign and provide to the Designated Person, a document substantially in the form set out in the Appendix, certifying that you have read, understand and are abiding by the applicable provisions of this Code.
- (b) **On first taking up employment.** Other than the certification in paragraph 15.1(a) above, on first taking up employment, you must:

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- (i) declare to the Designated Person, your financial obligations and deposits in accordance with paragraph 5.3;
 - (ii) declare to the Designated Person your assets, including Declarable Assets belonging to your Connected Persons, and your other sources of income, if any, in accordance with paragraph 6.1; and
 - (iii) declare to the Designated Person, the interests set out in section 14 above.
- (c) **On an annual basis.** Other than the certification and declarations in paragraphs 15.1(a) and (b) above, you must declare, on an annual basis:
- (i) to the Designated Person, your financial obligations, cash or cash equivalent and deposits in accordance with paragraph 5.1; and
 - (ii) to the Designated Person, your assets, including Declarable Assets belonging to your Connected Persons, and your other sources of income, if any, in accordance with paragraph 6.1.
- (d) **On an ongoing basis.** Without prejudice to the generality of any provision in this Code including the principles in section 3, you must declare, or disclose, on an ongoing basis:
- (i) to the Designated Person, on securing any credit facilities with any financial institution, on opening any account with a deposit of RM250,000 or more with any member institution, or on a deposit amount reaching RM250,000 or more, with any member institution (paragraph 5.4);
 - (ii) to the Designated Person, any outside activities whether or not it is directly related to your responsibilities at PIDM (paragraph 9.3);
 - (iii) to the Designated Person, the acceptance of any gift, hospitality or other benefit beyond the provisions of paragraphs 10.3 and 10.4 that has not been declined (paragraph 10.6);

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- (iv) to the Designated Person, any offer of appointment, engagement or employment by another person that could create a real, potential or apparent conflict of interest, as well as the acceptance of any such offer (paragraph 11.1); and
 - (v) any changes in interests referred to in paragraph 14.2 above.
- (e) **At any time.** The Designated Person may also at any time require you to disclose:
- (i) any matter relating to your financial position, including deposits, financial obligations or benefits or rights under any contract, insurance policy, takaful certificate in any institutions, providing such detail to the Designated Person as may be required in order to identify any conflict or possible conflict of interest (section 8); and
 - (ii) such other declarations in relation to any subsequent sales or disposals of the declared assets by you or Declarable Assets of Connected Persons or any new purchases or acquisitions of any assets or assets of any specified price or value (paragraph 6.3) by you or Connected Persons.
- 15.2 This list is not exhaustive. In addition to disclosures referred to in this Code, you are under a duty to declare to the Designated Person as appropriate, any real, potential or apparent conflict of interest that arises in the course of your work, for example, at meetings or during discussions. A general disclosure of interests under the provisions of the Code is not a substitute for this.
- 15.3 You should recognise that a relationship disclosed under this Code as potentially giving rise to a conflict of interest might lead to the Designated Person moving you to another role after full discussion of the circumstances.
- 15.4 All declarations referred to in this Code should be made in writing and in such form, if any, as may be specified by PIDM from time to time. Apart from the certification of compliance to the Designated Person, PIDM may require some or all of the declarations or disclosure to be made online through the enterprise portal, in such

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form as may be specified from time to time. Such declarations or disclosures will be kept confidential in accordance with section 16 below.

16.0 RECORD OF DECLARATIONS AND DISCLOSURES

The Designated Person will keep a permanent record of all declarations or disclosures made under the Code. That information will be kept confidential and will not be disclosed except where there is:

- (a) a requirement for disclosure for the purposes of managing potential or actual conflicts;
- (b) a requirement for disclosure to your new Head of Division following your move to another position within PIDM;
- (c) a requirement for disclosure for the purposes of disciplinary proceedings;
- (d) any legal or regulatory obligation to disclose the information.

17.0 TRANSITION

17.1 Any individual who is not in compliance with an applicable provision of this Code must report that non-compliance to the Designated Person. For example, if you hold interests in shares of a financial institution that was not a member institution at the time of acquisition, but subsequently that institution becomes a member institution by virtue of an amendment to the Act or prescription by the Minister of Finance under the Act, you will not be in compliance with the Code.

17.2 On the occurrence of a non-compliance by reason of a financial institution becoming a member institution:

- (a) you will make declarations, to the Designated Person, in respect of such interests; and
- (b) the Designated Person will determine a date by which you should come into compliance with the applicable provisions.

17.3 Notwithstanding the provisions of this Code, if you have duly obtained any approval required under the previous versions of the Conflict of Interest Code from the



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appropriate approver specified in those versions of the Code, you shall be deemed to have obtained the approval in compliance with this Code.

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Schedule

For the purpose of determining whether or not an entity is an affiliate of another:

- (a) “beneficial ownership” includes ownership through one or more trustees, legal representatives, agents or other intermediaries;
- (b) “body corporate” means an incorporated body wherever or however incorporated;
- (c) “entity” means a body corporate, a trust, a partnership, a fund, an unincorporated association or organisation, the Government or the government of a foreign country or any political subdivision and any agency thereof;
- (d) “influence” in respect of an entity means the power, alone or in combination with one or more persons, directly or indirectly, to exercise influence over the management and policies of the entity, whether through the beneficial ownership of voting securities, or otherwise;
- (e) a person controls a body corporate if securities of the body corporate to which are attached more than 50 per cent of the votes that may be cast to elect directors of the body corporate are beneficially owned by the person and the voters attached to those securities are sufficient, if exercised, to elect a majority of the directors of the body corporate;
- (f) a person controls an unincorporated entity, other than a limited partnership, if more than 50 per cent of the ownership interests, however designated, into which the entity is divided are beneficially owned by the person and the person is able to direct the business and affairs of the entity;
- (g) a general partner of a limited partnership controls the limited partnership;
- (h) a person controls an entity if the person has any direct or indirect influence that, if exercised, would result in control in fact of the entity;
- (i) a person who controls an entity is considered to control any other entity that is controlled, or is considered to be controlled, by the first-mentioned entity;



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- (j) a person is considered to control an entity where the aggregate of any securities of the entity that are beneficially owned by any entity controlled by that person is such that, if that person and all of the entities that beneficially own securities of the entity were one person, that person would control the entity; and
- (k) an entity is affiliated with another entity if one of those entities is controlled by the other or both are controlled by the same person.

- End -



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Appendix

Certification

(Upon First Taking Up Employment, And Annually Thereafter)

To the Designated Person:

I hereby certify that:-

- (1) I have reviewed and understood the Conflict of Interest Code for Employees of Perbadanan Insurans Deposit Malaysia ("Code");
- (2) I understand that I am required to comply with the principles and other provisions of the Code applicable to me;
- (3) I have considered my personal and family affairs in sufficient detail to be able to be satisfied in this regard; and
- (4) I am in compliance.

I also understand that a breach of the provisions of the Code is an offence under the Malaysia Deposit Insurance Corporation Act 2011, and may also subject me to PIDM's disciplinary proceedings, including termination.

Recipient's/Employee's signature : _____

Recipient's/Employee's name : _____

Date : _____