



**Code of Ethical Conduct for Agents,  
Intermediaries and Material Service  
Providers/Vendors**

## VERSION TRACKING

The Code of Ethical Conduct for Agents, Intermediaries and Material Service Providers/Vendors is the property of Pacific & Orient Insurance Co. Berhad and shall not be in the possession of any unauthorised persons.

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## 1. Introduction

The Code of Ethical Conduct for Agents, Intermediaries and Material Service Providers / Vendors (the “Code of Ethical Conduct”) is developed to advocate a strong culture of professionalism and ethics across Agents, Intermediaries and Material Service Providers / Vendors who are appointed to act on behalf of Pacific & Orient Insurance Co. Berhad (“POIC” or “the Company”). The Code of Ethical Conduct does not replace any laws and regulations and if there is any inconsistency between the Code of Ethical Conduct and existing laws and regulations, the latter shall prevail.

## 2. Definition

- Intermediaries – Any person, who are appointed or authorised by the Company to represent and act on its behalf, promoting the products and performing the services of the Company through any means including digital or electronic means. These may include an approved financial adviser, approved insurance broker etc. but excludes marketing staff under the employment of the Company.
- Agents – Except stated otherwise, any natural person (including a natural person working under Agency Leader Corporation or Corporate Agency or any other arrangements) who solicits or obtains a proposal on behalf of the Company, negotiates a contract of insurance on behalf of the Company or does any other act on behalf of the Company in relation to the issuance, renewal or continuance of an insurance policy.
- Material Service Providers / Vendors – Material Service Providers/Vendors are those who are authorised to provide services for or on behalf of the Company. This includes but is not limited to adjusters, workshop repairers, Third-Party Administrators, appointed solicitors/legal counsel, IT service providers, external trainers, appointed external auditors, reinsurers and printing service providers as determined by the Company.

*Collectively referred as “All Parties”*

- Senior Management – Chief Executive Officer, Chief Operating Officer and the personnel identified under List of Key Responsible Persons of the Company.

## 3. Relevant laws, regulations and policy documents to be read together with the Code of Ethical Conduct

- (A) The following internal policies to be referred to, where applicable:

### 3.1 P&O Group Anti-Corruption Policy

- (a) The abridged version of P&O Group Anti-Corruption Policy is provided to all Agents, Intermediaries and Material Service Providers/Vendors (“All Parties”). A copy of the Policy is also available on the Company’s website at the following link:

<https://www.poi2u.com/assets/document/revised-p-o-group-anti-corruption-policy.pdf>

- (b) All Parties shall sign and submit Conflicts of Interest and Integrity Declarations.
- (c) The Gifts and Hospitality policy is applicable to All Parties, where relevant. In general, POIC practices “No Gift Policy” subject to certain exceptions. Please refer to paragraph 12 of the P&O Group Anti-Corruption Policy for details.

### 3.2 POIC Whistleblowing Policy and Procedures

- (a) All Parties are encouraged to raise their concerns via the Company’s Whistleblowing channel as indicated in POIC’s Whistleblowing Policy and Procedures. A copy of the Whistleblowing Policy and Procedures is available at the following link:

<https://www.poi2u.com/assets/document/POI Whistleblowing Policy and Procedures 26052023.pdf>

- (b) Whistleblowers are protected under the Whistleblowers Protection Act 2010.

- (B) Laws of Malaysia or Regulations issued by regulators (where relevant):

3.3 Financial Services Act 2013

3.4 Personal Data Protection Act 2010

3.5 BNM’s Policy Document on Fair Treatment of Financial Consumer

3.6 BNM’s Policy Document on Employee Screening

3.7 BNM’s Policy Document on Prohibited Business Conduct

3.8 BNM’s Policy Document on Outsourcing

*Note: The above list is non-exhaustive*

## 4. Responsibility of Senior Management

- (a) To establish, maintain and monitor effective governance systems, policies and procedures to ensure compliance with laws.
- (b) To promote a culture of honesty and integrity in the Company’s day-to-day operations, business affairs and activities.
- (c) To ensure the Code of Ethical Conduct is updated and adhered to by All Parties dealing with the Company.
- (d) To address any concerns raised or reported by the HOD and/or All Parties in regard to violations to the Code of Ethical Conduct.
- (e) To put in place systems to effectively manage proprietary, confidential and/or sensitive information in a secure manner.
- (f) To make prompt and full disclosure of any potential conflicts of interest to the relevant parties (including customers) before proceeding.

- (g) To strike a fair balance between making profits and upholding the Company's duty to its policyholders.
- (h) To provide All Parties with clear description of duties, responsibilities and expectations with regard to ethical conduct, where applicable.
- (i) To have in place procedures to ensure Agents have appropriate training and guidance to perform their professional responsibilities and contribute to their learning and development (i.e. as required under CPD training).
- (j) Sufficient and timely reporting or escalation of pertinent issues by the Company to the Board in regard to serious and recurring misconduct, such as breach of trust or misappropriation of insurance premiums, which have significant impact to the Company or its reputation to the public.

## 5. Responsibility of Head of Department ("HOD")

- (a) To ensure staff is aware of the requirement for All Parties to comply with Code of Ethical Conduct, and to handle general enquiries from All Parties on matters relating to the Code of Ethical Conduct.
- (b) To report any violations to the Code of Ethical Conduct to Senior Management and Chief Integrity Officer, and keep records on such violations reported for audit trail.
- (c) To conduct Agent screening, where applicable, prior to issuing appointment letter to Agent.

## 6. Responsibility of Agents, Intermediaries and Material Service Providers/Vendors

- (a) To comply with the Code of Ethical Conduct at all times during the service or business with the Company.
- (b) To comply with all 6 principles under Part A and all 10 standards of professional conduct as outlined in this Code of Ethical Conduct, at all times.
- (c) To report any concerns of violations or misconduct via Whistleblowing channel.
- (d) To take into consideration the specific risks, needs and affordability of customers when making product recommendations or providing advice on insurance coverage including customers' existing insurance coverage, if applicable.
- (e) To provide assistance on claims and maintain contact with customers for the purpose of ensuring the continuity of services throughout the policy tenure, if applicable.
- (f) To comply with all privacy laws and regulations, i.e. All Parties take appropriate precautions, including administrative, technical, and physical measures, to safeguard customers' personal information against loss, theft, and misuse, as well as unauthorised access, disclosure, alteration, and destruction. For details, please refer to POIC's Privacy Policy at:  
[https://www.poi2u.com/assets/other\\_documents/poic-privacy-policy---other-terms-\(english--bahasa-malaysia-versions\).pdf](https://www.poi2u.com/assets/other_documents/poic-privacy-policy---other-terms-(english--bahasa-malaysia-versions).pdf)
- (g) To comply with any relevant internal policies established by the Company.

## 7. Procedures for Disciplinary Action

- (a) The Company regards corruption as a matter of serious misconduct and shall take disciplinary action in the event of acts of corruption being identified, up to and including imposition of penalties, including termination of contract. Further legal action may also be taken in the event that the Company's interests have been harmed by the results of acts of corruption by individuals and organisations.
- (b) The Company's Disciplinary Action procedures regarding Agents are outlined in the Marketing Department's Standard Operating Procedures under Agent Breach of Conduct. Upon identifying a misconduct, the HOD and/or Senior Management will determine the level of misconduct before deciding the next course of action. Senior Management will be informed of any disciplinary action within the Company.
- (c) BNM's policy document on AML, CFT & TFS for FIs requires the Company to conduct background check on a potential agent, based on the Employee Screening policy document. The Company is also required to provide information on disciplinary action taken on the Company's Agents to the hiring principal insurance company.

## 8. Part A – Code of Ethics

All Parties, where relevant, shall continuously uphold and abide by the following ethical principles that are vital to the achievement of a high standard of professionalism and ethical conduct:

### Principle 1: Competence

Shall develop and maintain relevant knowledge, skills and behaviour to ensure that all activities are conducted professionally and proficiently. This includes acting with diligence, as well as obtaining, and regularly updating the appropriate qualifications, training, expertise and practical experience. The Company shall assist Agents in achieving the requisite levels of competence.

### Principle 2: Integrity

Shall be honest and open in all dealings. This includes behaving in an accountable and trustworthy manner, prohibited from using one's position for personal gain and avoid any acts that might damage the reputation or bring discredit to the Company at any time.

### Principle 3: Fairness

Shall act responsibly and embrace a culture of fairness and transparency. This includes treating those with whom they have professional relationships with respect and ensuring that they consider the impact of their decisions and actions on all stakeholders.

### Principle 4: Confidentiality

Shall protect the confidentiality and sensitivity of information provided to them. This includes using information for its intended purposes only and not divulging such information to any unauthorised persons or third parties. In situations where consent is required by law or regulation, such consent shall be obtained before any information is provided.

### Principle 5: Objectivity

Shall not allow any conflict of interest, bias or undue influence of others to override their business and professional judgement. All Parties shall declare all matters that could impair their objectivity in conducting their tasks or dealings.

### Principle 6: Compliance

Shall at all times observe and act in compliance with the applicable industry and regulatory guidelines and provisions that have been issued to guide the conduct of business.

## 9. Part B – Standards of Professional Conduct

All Parties must strive to conduct themselves at the highest standards of professional conduct and ethical behaviour. Below are the minimum standards of conduct to be complied by All Parties, where relevant:

### 9.1 Acting in the Interest of the Customer

- (a) Shall understand the Company's products and services and the risks associated with each product and service. Before selling / distributing the products and services, to explain the associated features and risks to customers in terms they are able to understand.
- (b) Shall seek to know and understand the Company's customers, their needs, financial circumstances and risk profiles and will only recommend and sell / distribute products or provide services that suit the customers' needs.
- (c) Shall ensure, to the best of your ability, that the Company's customers properly understand the products and services they wish to subscribe and the alternatives together with the costs and downside risks/losses related to the products or services.
- (d) Shall have an independent, robust and workable system to address customers' complaints fairly, effectively and in a timely manner.
- (e) Shall be transparent to the Company's customers about applicable fees and scope of services and will charge fair and reasonable rates and avoid taking unfair advantage of them.
- (f) Shall ensure that your representations of products or services in marketing, advertising or sales efforts are not misrepresented, inaccurate or misleading.
- (g) Shall show good faith in dealing with current and future policyholders by ensuring that the terms of the contract are fair and equitable. Shall also ensure compliance with Malaysian laws and BNM's requirements at all times (*e.g. Fair Treatment of Financial Customers and Prohibited Business Conduct*). All parties, where relevant, may refer to Schedule 7 of the Financial Services Act 2013 for the list of prohibited business conduct.



## 9.2 Complying with Laws and Regulations

- (a) Shall establish, maintain and monitor effective governance systems, policies and procedures to ensure compliance with laws.
- (b) Shall promote, adopt and implement the behaviour of compliance with laws and regulations in your aims, operations, business, affairs and activities.
- (c) Shall understand and adhere to, and keep up to date with all applicable laws, rules and regulations, including internal policies.
- (d) Shall comply with all licensing requirements and adhere to guidelines issued by regulatory authorities and its equivalent.
- (e) Shall make reasonable efforts to detect and prevent violations of applicable laws, rules and regulations.
- (f) Shall interact with regulators to the fullest extent with integrity and professionalism.
- (g) Shall establish and maintain clear whistleblowing procedures including the protection of whistleblowers.
- (h) Shall speak up and support whistleblowing when there are any potential violations or breach of laws, rules, regulations and the Company's Code of Ethical Conduct.

## 9.3 Keeping Information Confidential

- (a) Shall put in place systems and effectively manage proprietary, confidential and/or sensitive information to keep it secure.
- (b) Shall establish information barriers and effectively manage them to properly segregate customers' activities from each other and from the organisations' activities.
- (c) Shall protect and maintain confidential and/or sensitive information unless the exceptions to the law on disclosure prevail, including disclosures required by law or under mutual consent. In this respect, business and financial information about any policyholder may be used or made available to third parties only with prior written consent of the policyholder, or when disclosure is required by law or in the course of bona-fide transactions.
- (d) Shall take appropriate care when handling proprietary, confidential and/or sensitive information.
- (e) Shall not use confidential and/or sensitive information to gain an improper or unfair advantage, competitive or otherwise.
- (f) Shall comply with the Company's Privacy Policy at all times.

Please refer to the following link for detailed PDPA Notice:

<https://www.poi2u.com/pdpa-notice/>

Please refer to the following link for detailed Privacy Policy:

[https://www.poi2u.com/assets/other\\_documents/poic-privacy-policy---other-terms-\(english--bahasa-malaysia-versions\).pdf](https://www.poi2u.com/assets/other_documents/poic-privacy-policy---other-terms-(english--bahasa-malaysia-versions).pdf)

#### 9.4 Maintaining Market Integrity

- (a) Shall not influence or undermine the objectivity or manipulate the outcomes of surveys, research or rating reports relating to the Company, products or services.
- (b) Shall ensure that your actions maintain trust and integrity in the market and do not take actions which undermine its transparency, fairness and efficiency amongst others, by creating or allowing market abuse, systemic risk or financial crime.

#### 9.5 Managing Conflicts of Interest

- (a) Shall have in place policies on conflicts of interest and procedures, and effectively manage such conflicts to ensure that your independence and objectivity are not impaired.
- (b) Shall make prompt and full disclosure of any potential conflicts of interest to the relevant parties (including customers) before proceeding.
- (c) Shall refrain from acting if conflicts cannot be resolved or managed in accordance with the policies and procedures, or if they undermine the integrity of the market or customers.
- (d) Shall strike a fair balance between making profits and upholding your duty to our customers.
- (e) Shall strictly comply with the Company's Conflicts of Interest Policy to ensure that your independence and objectivity is always maintained. This Policy is published on the Company's website at the following link:  
<https://www.poi2u.com/assets/document/attachment-8---p-o-group-conflicts-of-interest-policy.pdf>
- (f) Shall immediately inform the Company if there is an event that could give rise to a situation of conflict between the interests of the Company and your individual interests.
- (g) Shall make conflicts of interest declaration during onboarding, as well as when a real or potential conflict arises.
- (h) Shall not engage directly or indirectly in any business activity that competes or conflicts with the interests of the Company. Such situations may include, but not limited to the following:

- (i) **Having a financial interest in a policyholder / claimant, whether as a sole proprietor, partner, shareholder, creditor or debtor.**

Such an interest must be disclosed immediately to the Company. Thereafter, All Parties should not be directly involved in the Company's dealings with the policyholder or claimant so long as the interest continues to exist. This restriction does not apply in cases where All Parties have holdings of publicly quoted securities unless the management considers the interest to be material, and the financial interest is considered likely to impair the objectivity of the party concerned. In any case, holdings of 5% or more of the voting shares of a public quoted company would be regarded as material.

- (ii) Representing the Company in a claims case while at the same time representing third party claimant against the Company, whether directly or indirectly, on the same claim.

Such an interest must be disclosed immediately to the Company. Thereafter, All Parties, where applicable, should choose to either represent the Company or the third party claimant, but not both, on the same claims case.

- (iii) Receiving or offering gifts or hospitality.

The Company maintains a “No Gift Policy”, subject to certain narrow exceptions as detailed in paragraph 12 of the Anti-Corruption Policy. All Parties to refer to paragraph 12 of the P&O Group Anti-Corruption Policy as published on the Company’s website for details of the Policy.

## 9.6 Be Open and Transparent

- (a) Shall be transparent to our regulators in all communications and ensure that reporting is accurate, complete, and made on a timely basis.
- (b) Shall provide full and accurate information on the Company to the relevant stakeholders.
- (c) Shall ensure that we do not misrepresent or make false or misleading statements to anyone.
- (d) Shall comply with the Policy on Gifts and Hospitality and make the requisite disclosure, where applicable.

## 9.7 Operating Business in a Responsible Manner

- (a) Shall consider the impact of your actions, decisions, products and services on the public and the environment.
- (b) Shall support a culture of corporate social responsibility in the Company and industry.
- (c) Shall only deal with counterparties (i.e. third parties) that demonstrate ethical behaviour and subscribe to sound ethical principles.

## 9.8 Acquiring Professional Knowledge and Skills

- (a) Shall maintain appropriate and sufficient level of knowledge and skills to perform your tasks proficiently and professionally.
- (b) Shall ensure that your knowledge, skills and expertise are kept up-to-date and relevant in order to fulfil your professional duties. Follow the best practices of the industry, where relevant, and fulfil your continuing professional development requirements.
- (c) Shall carry out our work within the scope of authority, knowledge, skills and training.
- (d) Where appropriate, become members of a related professional body to uphold the highest professional standards for the insurance industry.

## 9.9 Giving Respect and Fair Treatment

- (a) Shall support a culture of inclusiveness, mutual respect and diversity within your company.
- (b) Shall treat all stakeholders with integrity, fairness and professionalism.
- (c) Shall not permit any form of harassment, discrimination or abuse while promoting the Company's product.
- (d) Shall treat each stakeholder fairly.

## 9.10 Being Responsible and Accountable

- (a) Shall handle the Company's and policyholders' resources with utmost responsibility, integrity and care.
- (b) Shall create sustainable value for our stakeholders in the way we conduct our business by adopting a business strategy that balances long-term gains with short-term profit-making.
- (c) Shall be accountable and responsible for your duties and responsibilities, and for your actions and decisions including actions and decisions of those under your management.
- (d) Shall ensure that internal mechanisms are put in place for holding those under your management responsible and accountable.
- (e) Shall not use the Company's name or facilities for personal advantage.