

# KNOW YOUR COUNTERPARTY QUESTIONNAIRE



PETRONAS is committed to the highest standards of integrity, openness and accountability in the conduct of the Group's business and operations. PETRONAS seeks to conduct its affairs in an ethical, responsible and transparent manner. The PETRONAS Code of Conduct and Business Ethics ("CoBE") sets out PETRONAS' core principles and detailed policy statements on the standards of behaviour and ethical conduct including with respect to ethics and integrity, competition, sanction, export control and data privacy.

As part of our commitment, PETRONAS and its subsidiaries expect their third party counterparties, as per but not limited to the following i.e. customers, partners, contractors, subcontractors, sellers, vendors, consultants, suppliers, distributors, agents, representatives and others supplying materials, work or services for or on behalf of the Group, to comply with all applicable laws and subscribe to the same values and ethical standards of integrity as PETRONAS in the conduct of their business, as well as any other PETRONAS and its subsidiaries relevant guidelines or manual.

Therefore, before PETRONAS and its subsidiaries engage with any third party counterparties (hereinafter referred to as 'Company' or 'Counterparty'), we are obligated to conduct appropriate third party due diligence to understand the business and background of our prospective business counterparties.

The following questionnaire for all three (3) parts is mandatory to be completed. You may use additional pages when necessary, and return a scanned, signed copy to the PETRONAS focal person in charge. Please attached the required documents listed in Document Checklist, signed and stamped the document under the Certification Section. If you subsequently learn that any of the information provided below is incorrect or incomplete, please correct or complete it (as applicable) and notify us as soon as possible.

The information provided will be evaluated by PETRONAS and will be kept confidential unless disclosure is ordered by the authorities.

## PART A

### 1. Corporate Details

<b>Registered Company Name</b> (Full Legal Name)			
<b>Other Name</b> (Any previous Legal Name/ Trading Names)			
<b>Registration Number</b>		<b>Tax Registration Number</b>	
<b>Country of Incorporation</b>		<b>Date of Incorporation</b> (dd/mm/yyyy)	
<b>Corporate Status</b> (Private Limited, Limited, Partnership Listed, etc.)		<b>No. of Employees</b>	
<b>Nature and Line of Business</b> (Please state your core industry and main activity e.g. Core Industry - Oil & Gas, Main activity - Trading)			
<b>Registered Address</b>			
<b>Business Address</b>			
<b>Telephone Number</b>			
<b>Email Address</b>			
<b>Website</b>			
<b>Branch (if any)</b>			
<b>Branch Address</b>			

## 2. Contact Details

<b>Primary Contact Person</b>			
Department			
Telephone Number		Email	

<b>Secondary Contact Person</b>			
Department			
Telephone Number		Email	

## 3. Shareholders

<b>Parent Company</b> (Full Legal Name)		<b>Country</b>	
<b>Ultimate Parent Company</b> (Full Legal Name)		<b>Country</b>	

Please provide the following details on the Company's Shareholders and their details as follows.

<b>Name</b> (Individual/ Company)	<b>Nationality/ Jurisdiction</b>	<b>ID/ Registration Number</b>	<b>Address</b>	<b>Amount of Shares</b>	<b>% of Shares</b>	<b>Type of Shares</b>

Please provide diagram of the Company's shareholding structure.

## 4. Board of Directors & Company Secretary

Please provide the following details on Company Secretary and each current director as follows.

<b>Name</b>	<b>Nationality/ Jurisdiction</b>	<b>Position</b> (Company Secretary/ Independent Director/ Non-Independent Director)	<b>Appointment Date</b>	<b>Date of Birth</b>

## 5. Management of Company

Please provide details on key management personnel (CEO, CFO, HOD).

Name	Nationality/ Jurisdiction	Position	Years in Position	Years in Industry/ Related Field

## 6. Dealing with PETRONAS Group Entities

Please provide information on current/ past contract that the company has/ had with PETRONAS Group Entities.

PETRONAS Entity Name	Type of Business/ Service/ Product	Credit Term (Applicable if for purchase of product from PETRONAS, e.g. Open/ Secured Term)	Contract Period

## 7. Contract Arrangement

Does the Company intend to enter the contract under a different legal entity?

Yes

No

If yes, please state.

Full Legal Name	Entity's ID (i.e. ROC Number)	Relationship with the Company	Country	Year of Incorporation	Business Operation

Does the Company intend to perform the contract as part of a partnership?  
(Consortium/ Unincorporated Joint-Venture/ Agency)

Yes  
 No

If yes, please provide details of the arrangement.

Full Legal Name	Entity's ID (i.e. ROC Number)	Country	Type of Partnership (Consortium/ JV/ Partnership)	Remarks

Does the Company outsource or intend to outsource any of its services in  
relation to the proposed arrangement with PETRONAS?

Yes  
 No

If yes, please provide details of the third party contractors.

Please note that any outsource arrangement in relation to the transaction requires PETRONAS prior consent.

Name of Sub-contractor Entity	Country/ Jurisdiction	Year of Incorporation	Job Scope	Remarks

## 8. Financial

Does the Company have history of bankruptcy?

Yes  
 No

If yes, please provide brief description on the bankruptcy.

Please provide 3 most recent annual Audited Financial Statements (Statements of Financial Position, Income Statement and Cash Flow Statement) including Director's report/ Auditor's report/ Note to the Financial Statements with Disclosure of Commitment & Contingent Liability.

Please provide the Company's auditors and solicitors details.

	Company		Contact Person		Year of Service
<b>Auditors</b>	Name		Name		
	Address		Email		
			Phone		
<b>Advocates &amp; Solicitors</b>	Name		Name		
	Address		Email		
			Phone		

Is the Company listed on stock exchange?

Yes

No

If yes, please provide details.

Name of Exchange	Country	Ticker	Market Capitalization	As at Date	Status

Is the Company being rated by any rating agency?

Yes

No

If yes, please provide details.

Rating Agency	Rating	Date

Please provide the Company's banking details as follows.

Name of the Bank	Address of the Bank	Name of Account Manager	SWIFT Code	IBAN/ Routing Code

Please include the last 6 months Bank Statement.

Does the Company have any credit facilities?

Yes

No

If yes, please provide details.

Name of Credit Facilities (Banks/ Financial Providers/ Other Providers)	Type of Facility Given	Amount	Expiry Date	Utilization	As at Date

Please include Referral Letter from bank if applicable.

## PART B

### 1. Experience & Expertise

**Experience in the Industry:**

Years

Is the Company registered with Ministry of Finance (MOF)?

Yes

No

Is the Company licensed with any other Authority/ Statutory/ Regulatory Bodies?

Yes

No

If yes, please provide details.

Name of License/ Registration	Issued by	License/ Registration Number	Expiry

Does the Company own any Intellectual Property (IP), patent or technology relevant to the intended transaction?

Yes

No

If yes, please provide details.

Patent Number	Issuing Body	Expiry	Description/ Remark

Please provide details on experience of key technical personnel for the intended project.

Position	Name	Nationality	Years of Experience	Qualification	Key Project Delivered

Please attach CV and qualification certificate of the key personnel above.

## 2. Business Dimension

### Company's On-Going Project

Please answer Not Applicable (N/A) if this part of questions is not relevant.

Please list the Company's on-going project (incorporated in order book).

Project Name/ Job Scope	Value	Period	Progress Status

### Property and Facility

Does the Company own or lease any property, facility or infrastructure?

Yes

No

If yes, please provide details.

Properties/ Facilities/ Infrastructure	Owned/ Lease	Expiry



## PART C

### TPRM 5 Critical Legal Areas

ETHICS & INTEGRITY		
No.	Questions	Answer
<b>SECTION B I: ETHICS &amp; INTEGRITY – ANTI-CORRUPTION AND BRIBERY</b>		
1	<p>Are any of the current directors or current key employees of the Company a Public Official?</p> <p><b>DESCRIPTIONS</b>                      For ease of reference, “Public Official” shall include the following:                      i) a person employed by a public authority holding a legislative, executive, administrative or judicial office, whether appointed or elected, whether permanent or temporary, whether paid or unpaid, irrespective of that person’s seniority;                      ii) any other person who performs a public function, including for a public agency or public enterprise, or provides a public service; or                      iii) any other person defined as a “public official” in the domestic law of a country.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
2	<p>Please disclose any relationship which the Company, its affiliates, its directors and/or key employees has or have with any Public Official related to the transaction.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
3	<p>Have any payments been made by or on behalf of the Company during the past five years to any Public Official (directly/indirectly)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
4	<p>Does the Company have any affiliation with current PETRONAS employee who is involved in this transaction?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details:</i> i) Full Legal Name ii) Position Held iii) The Duty/Duties of the Position(s) iv) Tenure (start & end dates) v) Relationship/description of affiliation with the employee
5	<p>Does any government, its agencies or controlled organisations, or any other organisation performing a governmental function own any interest in or exercise any control over the Company’s business?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please list the nature and extent of such interest or control.</i>
6	<p>Does the Company have the following documents that are compliant with relevant anti-bribery and corruption policies and regulations?</p> <p>i) a written employee code of conduct;                      ii) a written anti-bribery and corruption policy; and                      iii) a policy and process for reporting bribery if discovered</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
7	<p>If Yes, does the Company disseminate the above to all its employees?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
8	<p>Does the Company conduct anti-bribery and corruption awareness training to its employees?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details of frequency.</i>

<b>ETHICS &amp; INTEGRITY</b>		
<b>No.</b>	<b>Questions</b>	<b>Answer</b>
9	Does the Company have any other communications about anti-bribery and corruption?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
10	Has the Company (or any of its affiliates, shareholders, directors or key employees) ever been the subject of any convictions or prosecutions, or is the subject of any pending investigations or enquiry by a public authority, in relation to bribery or corruption?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
11	Does the Company require its contractors, sub-contractors and other third parties to comply with its ethics and compliance policies (including anti-bribery and corruption)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
12	Has the Company (or any person or entity listed in this questionnaire) ever been barred from competing for government contracts in any country?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
<b>SECTION B II: ETHICS &amp; INTEGRITY – ANTI-MONEY LAUNDERING, ANTI TERRORISM FINANCING &amp; PROCEEDS OF UNLAWFUL ACTIVITIES (AML)</b>		
13	Does the Company have any statement/commitment on AML?  <i>Note: The statement/commitment may form part of the Company's code of conduct or anti-bribery and corruption policy.</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
14	Does the Company provide AML awareness training to its employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details of frequency.</i>
15	Has the Company (or any of its affiliates, shareholders, directors or key employees) ever been the subject of any convictions or prosecutions, or is the subject of any pending investigations or enquiry by a public authority, in relation to AML?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
<b>SECTION B III: ETHICS &amp; INTEGRITY – HUMAN RIGHTS</b>		
16	Does the Company have any statement / commitment on human rights?	<input type="checkbox"/> Yes <input type="checkbox"/> No
17	Does the Company provide human rights awareness training to its employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
18	Does the Company have a grievance mechanism for its employees and are the employees aware of the grievance mechanism?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SANCTIONS		
No.	Questions	Answer
1.	<p>Is the Company or any of its affiliates to the best knowledge, the directors, officers, employees:</p> <ul style="list-style-type: none"> <li>i) the target or subject of any Sanctions;</li> <li>ii) owned or controlled by any person who is the target or subject of any Sanctions; or</li> <li>iii) for the purpose of this transaction, acting for the benefit of or on behalf of any person who is the target or subject of any Sanctions.</li> </ul> <p><b>Definitions:</b>  <b>“Sanctions”</b> means all laws or regulations concerning economic sanctions (including embargoes, export restrictions, restrictions on the ability to make or receive international payments, freezing or blocking of assets of targeted Persons, or the ability to engage in transactions with or involving specified Persons or countries, or any laws or regulations threatening to impose economic sanctions on any Person for engaging in targeted behaviour) of any jurisdictions including:-</p> <ul style="list-style-type: none"> <li>i) the United Nations;</li> <li>ii) Malaysia;</li> <li>iii) the European Union;</li> <li>iv) the United Kingdom (including those administered by HM Treasury);</li> <li>v) the United States (including those administered by the Office of Foreign Assets Control of the Department of the Treasury, the Bureau of Industry and Security of the Department of Commerce, or the Department of State).</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
2	<p>Is the Company or any of its affiliates engaged in transactions, investments, business or other dealings that directly or indirectly involve or benefit any person or entity that is the target or subject of any Sanctions.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
3	<p>Is the Company or any of its affiliates incorporated, located within or operating from any Countries Subject to Comprehensive Sanctions?</p> <p><b>Definitions:</b>  <b>“Countries Subject to Comprehensive Sanctions”</b> as at 12 June 2019:</p> <ul style="list-style-type: none"> <li>i) Cuba;</li> <li>ii) Iran;</li> <li>iii) North Korea;</li> <li>iv) Syria; and</li> <li>v) Crimea Region.</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
4	<p>Is the Company or any of its affiliates engaged in transactions, investments, business or other dealings that directly or indirectly involve or benefit any Countries Subject to Comprehensive Sanctions?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
5	<p>Is the Company incorporated, located within or operating from Russia or Venezuela?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please specify including the details of the company, owner(s), shareholder(s) and director(s).</i>
6	<p>Is the Company owned or controlled by individual or entity from Russia or Venezuela?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please specify the details of the individual or entity.</i>
7	<p>Has the Company ever been the subject of any convictions or prosecutions, or is it the subject of any pending investigations or enquiry by a public authority, in relation to sanctions laws and regulations within the last 5 years?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>

EXPORT CONTROL		
No.	Questions	Answer
1	Are any of the goods and/or services that will be supplied, are items subject to export control, such as the controls as prescribed under Strategic Trade Act 2010, the U.S Export Administration Regulations or any other similar export control laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
2	Do you have relevant permits and/or approvals for the export, import, transshipment and/or brokering of that goods and/or services?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
3	Has the Company ever been the subject of any convictions or prosecutions, or the subject of any pending investigations or enquiry by a public authority, in relation to export control regulations within the last 5 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>

DATA PRIVACY/ PERSONAL DATA PROTECTION		
PART I: GENERAL CHECKLIST		
No.	Question	Answer
1.	<p>Is the Company providing personal data processing services to PETRONAS or carrying out personal data processing activities for and/or on behalf of PETRONAS?</p> <p>Examples of personal data processing services:</p> <ul style="list-style-type: none"> <li>i) payroll management services,</li> <li>ii) data centre/cloud storage services,</li> <li>iii) development of new software or technology which involves processing or storage of personal data,</li> <li>iv) business process outsourcing services such as call centre services,</li> <li>v) marketing agents,</li> <li>vi) any other services which involve processing or handling of personal data for and on behalf of PETRONAS.</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please proceed to answer Part II: Detailed Checklist below.</i>

**The following Part II is to be completed by the Company if it answers 'Yes' in the above Part I: General Checklist and the transaction involves large scale processing of personal data i.e. processing personal data beyond or in addition to the processing of employees' personal data for the mere purpose of execution and performance of the contract:**

PART II: DETAILED CHECKLIST		
No.	Questions	Answer
1	Is there personal data protection law in place in your country or place of business?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, what are the laws that govern personal data protection and enforcement in your country?</i>
2	Does the personal data protection law in the country accord at least an equivalent (or more stringent) level of protection in relation to the processing of personal data as compared to Malaysian personal data protection laws (i.e. the Malaysian Personal Data Protection Act 2010)?	<input type="checkbox"/> Yes <input type="checkbox"/> No

PART II: DETAILED CHECKLIST		
No.	Questions	Answer
3	Has the Company ever been the subject of any convictions or prosecutions, or the subject of any pending investigations or enquiry by a public authority, in relation to personal data protection laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details of such convictions, prosecutions, or investigations.</i>
4	Does the Company have appropriate personal data protection policy, guidelines or manuals that have incorporated the following and which are compliant with relevant personal data laws and regulations? 1. to obtain adequate consent from individuals; 2. to provide individuals with the required notices and information, and verify that their personal data has been obtained lawfully and that it is relevant for the stated purposes; 3. to retain the personal data that has been collected only for the period necessary to fulfill the relevant purposes, unless otherwise permitted or required by applicable law; 4. to inform individuals concerned about the disclosure of their personal data to third party recipients; 5. to keep personal data secure by protecting it with adequate and appropriate security safeguards; and 6. to provide individuals with the ability to exercise their rights under applicable law, e.g. right to access, rectify and/or request the erasure of their personal data, where applicable.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5	Does the Company disseminate the above to all its employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
6	Does the Company have a data protection lead or Data Protection Officer ("DPO")?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7	Has the Company implemented adequate technical and organisational security measures in order to protect and secure personal data from loss, misuse, unauthorised or accidental access or disclosure (whether processed electronically or non-electronically) which are in compliance with relevant personal data laws and regulations?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details.</i>
8	Does the Company provide personal data protection awareness training for all its employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide details of frequency.</i>
9	With regards to engaging sub-processor(s), does the Company ensure that there is a contract in place with the sub-processor(s) and to include equivalent personal data protection obligations?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10	With regards to engaging sub-processor(s), does the Company have any program designed or implemented to ensure the compliance of sub-processor(s) (e.g. regular audit processes and procedures to be carried out on the Company's sub-processor(s))?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11	Does the Company have processes in place to identify and report any personal data breaches to the data user/data controller or relevant authorities?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide a copy of the processes to us.</i>

**The following section is to be filled by the Counterparty if the activity/transaction is in relation to Mergers & Acquisition (M&A):**

COMPETITION		
No.	Questions	Answer
1	Does the Company have the following documents which are in compliance with relevant competition laws and regulations? i) a written competition law manual; ii) a written meeting protocol; and/or iii) a policy and process for reporting anti-competitive conduct/activities if discovered.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2	Does the Company disseminate the above to all its employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3	Does the Company provide competition law training regularly for all its employees?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4	Has the Company ever been the subject of any convictions or prosecutions, in relation to competition or anti-trust laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If Yes, please provide details.</i>
5	Is the Company subject of any ongoing investigations by a public authority (e.g. Malaysia Competition Commission), in relation to competition or anti-trust laws?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If Yes, please provide details.</i>

## Document Checklist

No.	Documents to be Submitted	Yes/ No	Remarks
1	Completed and signed KYC Questionnaire Form (Part A, Part B and Part C)		
2	Certified copy of Business Registration Certificate/ Certificate of Incorporation		
3	Memorandum and Article of Association (If none, please clarify)		
4	Shareholding Structure – Diagram of Shareholding Structure		
5	Annual Report/ Company Profile – Latest		
6	Certified Copy of audited Financial Statement for most recent last three (3) years, including Director's report/ Auditor's report/ Note to the Financial Statements with Disclosure of Commitment & Contingent Liability		
7	Referral Letter from the Bank stating type and amount of credit facility		
8	Bank Statements for most recent last six (6) months		
9	Certified copy of relevant license, registration as mentioned in Part B (if any)		
10	Ownership/ Lease Agreement on Properties/ Facilities/ Infrastructure (if any)		
11	CV of Key Personnel for intended project (if relevant)		
12	Data Protection Policy (if any)		
13	BNM Residency Document		
14	Other supporting documents (if any)		

### Note:

1. Where applicable, all documents submitted must be in English.
2. PETRONAS personnel may request for further clarification and additional document(s) during registration process. Please ensure the contact person(s) given in Part A is the person in charge of this application and related matters.

## Notice of Disclosure

### Applicable Laws relating to regulation of the Processing of Personal Data and matters connected thereto (“Data Protection Law”)

Pursuant to the requirement of Data Protection Law, we hereby wish to give this notice and seek your consent on the processing of your personal data and to the extent personal data that you have provided about your employees, representatives, agents and/or other individuals, as well as to give an assurance of our commitment to ensure that the data is securely processed, kept and not used or disclosed for any other purpose than the commercial dealings we have with you, including our Group of Companies. The contact to whom written requests for access to personal data or correction and/or deletion of personal data or for information regarding policies and procedures and types of personal data handled by us can be made to the following:

#### PETRONAS Contact Person

Name: Haslinda Bt Meor Muhamad / Noor Rohaizad B Noor Rozali

Telephone Number: +603 - 2331 0649 / +609 - 8312 367

Email Address: [haslinda\\_mm@petronas.com.my](mailto:haslinda_mm@petronas.com.my) / [rohaizad\\_rozali@petronas.com.my](mailto:rohaizad_rozali@petronas.com.my)

## Certification

By signing this document, the undersigned, being duly authorized to complete this questionnaire, hereby certify the following:

- Declares that he/she has, or has obtained from the relevant authority, the proper mandate and authority to disclose such information;
- Consents to the processing of such information for the purpose described in the Notice of Disclosure;
- Acknowledges that the processing of such information may be conducted by a third party on behalf of PETRONAS which may occur in another country than the country of disclosure; and
- Represents that the information provided in this document is, to the best of his/her knowledge is accurate, current and complete as of the date of disclosure.

For and on behalf of \_\_\_\_\_ (Insert company name)

Signed by the authorized representative of the company:

Signature	
Date	
Name	
Designation	