



Malaysia Digital Economy Corporation Sdn Bhd (389346-D)
2360 Persiaran APEC, 63000 Cyberjaya
Selangor Darul Ehsan, Malaysia
T +60 3 8315 3000 F +60 3 8315 3115

INTEGRITY PACT

(Reference No: MDEC/IGD/Integrity Pact V01/2021)

Approved by : Board of Directors on 25th March 2021.
Effective date : 1st April 2021

PREFACE

This document provides guidelines on the implementation of Integrity Pact in MDEC. It explains the various stages within the end-to-end MDEC procurement approach where each and every MDEC Employee involved from all divisions, departments and units including MDEC Board of Directors is responsible to execute. MDEC Suppliers, Potential Suppliers and Awarded Suppliers are also required to execute the Integrity Pact within the stages specified.

The main objective of the Integrity Pact implementation is to enhance transparency which shall indirectly reduce and eradicate corrupt practices within the organization. It is also hoped that with this initiative, all the departments, divisions and units in MDEC will be able to carry out the procurement activities more effectively and efficiently. The formulation of this Integrity Pact takes into consideration the current guidelines and measures pertaining to MDEC procurement approach.

Though the Head of Divisions are responsible to ensure that the relevant employees execute the Declarations as specified under this Integrity Pact, each MDEC employee is equally responsible and accountable to ensure that such execution are duly undertaken as required.

MALAYSIA DIGITAL ECONOMY CORPORATION
8th March 2021

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Part A: CONTENT

DEFINITION

Term	Meaning
Procurement Related Committee(s)	Including but not limited to the Chairman and Members/Alternate Members of the Board Tender Committee (BTC), Board Innovation and Technology Committee (BITC), Tender Evaluation Committees which include Technical and Commercial Evaluation Committee.
MDEC	Malaysia Digital Economy Corporation Sdn Bhd and its subsidiary companies in Malaysia and overseas.
MDEC Supplier(s) shall refer to	<ul style="list-style-type: none">(i) All suppliers registered under Procurement Department as MDEC Authorized Supplier List (AVL)(ii) MDEC Potential Suppliers that participates in the bid, consultants and any third parties acting for and on behalf of the MDEC Supplier and Potential Suppliers(iii) A person or entity, where MDEC will potentially engage or has engaged with or entered into a commercial arrangement vide Business Dealings to collaborate with such person or to form an alliance through a letter, contract/agreement or memorandum of understanding(iv) Bidders, contractors, consultants or service providers
MDEC Code of Conduct	The code specifying the policies, which governs the business conduct in relation to MDEC Employees and MDEC Suppliers.
MDEC Employee(s)	Shall mean those designated as permanent, probationary, temporary, intern, fixed term contract (FTC) and contract for services (CFS).
MDEC Board of Director(s)	Includes any person occupying the position of MDEC's Board of Directors and an alternate or substitute director.
Transparency International	Means a non- governmental organization, a global civil society organization leading the fight against corruption.

1. BACKGROUND OF THE INTEGRITY PACT IMPLEMENTATION IN MDEC

The Integrity Pact is a concept introduced by Transparency International to assist Governments, Business Institutions and the Public to curb corruption in the field of Government Procurement. The implementation of Integrity Pact in MDEC is one of the directives by MDEC Board of Directors (BOD) to enhance the governance and practices with regards to integrity practices in MDEC.

The Integrity Pact comprises of a set of declaration process by MDEC Suppliers and Potential Suppliers not to offer any forms of bribes as means to obtain a contract or to facilitate certain processes in MDEC. Whereas, MDEC Employees and BODs in particularly those involved in procurement activities, MDEC Procurement Related Committees, including but not limited to Board Tender Committee (BTC), Board Innovation and Technology Committee (BITC), Tender Evaluation Committee which includes Technical Evaluation Committee and Commercial Evaluation Committee) are strictly prohibited from accepting any bribes from MDEC Suppliers and Potential Suppliers.

MDEC Employees, BODs, MDEC Suppliers and Potential Suppliers are required to sign the Integrity Pact as an undertaking that they will refrain themselves from getting involved in corrupt practices throughout the procurement processes. The Integrity Pact also underlines the measures and consequences that should be taken in the event that the Integrity Pact is breached.

The main objectives for the implementation of the Integrity Pact in MDEC are as follows:

- i. To prevent MDEC Employees, BODs, MDEC Suppliers and Potential Suppliers, MDEC Procurement related Committees and/or any other parties involved in the procurement process from accepting and/or offering bribe;
- ii. To require MDEC Employees, BODs, MDEC Suppliers and Potential Suppliers, MDEC Procurement related Committees and/or any other parties involved in the procurement approach to report any bribery and/or act of corruption to the relevant authorities;
- iii. To avoid any occurrence of conflict of interest;
- iv. To ensure MDEC does not incur “unnecessary costs” in carrying out MDEC procurement activities; and
- v. To prohibit unauthorized any use of MDEC’s proprietary information.

The Integrity Pact implementation in MDEC is also intended to increase awareness among MDEC Employees, BODs, MDEC Suppliers and Potential Suppliers on corruption offences and subsequently eradicate corrupt practices in MDEC such as:

- Offering, seeking and accepting bribes to or from companies, firms, individuals and MDEC Employees. Bribes can be in the form of money, gifts, donations, discounts, bonuses, jobs, service and/or favor as defined under *Section 3 of the Malaysian Anti-Corruption Commission Act 2009 [Act 694]*;
- Abuse of power by MDEC Employees in the selection process of companies, firms in which such MDEC Employees have vested interest;
- False claims/declarations by the representative(s) of the companies, firms and/or MDEC Employees;
- Forgeries of information, documents and records to influence evaluation process and procurement decisions; and
- Conspiracy among companies, firms, individuals and MDEC Employees to obtain MDEC procurement contracts.

The Integrity Pact implementation is also in line with the Discretionary Authorisation Limits (DAL) and MDEC Code of Conduct for Vendors as per extract below:

Malaysia Digital Economy Corporation Sdn Bhd (“MDEC”) expects its bidders, suppliers, contractors, consultants or other service providers (“Suppliers”), recipients of cash grants or sponsorship from MDEC (“Recipients”), persons who participate in any of the programmes launched or undertaken by MDEC (“Participants”) and its clients (“Clients”) to conduct their respective businesses in the most ethical and professional manner.

All MDEC Suppliers, BODs, Potential Suppliers and MDEC Employees are responsible to lodge a report on any corrupt practices.

2. STAGES OF INTEGRITY PACT IMPLEMENTATION FOR MDEC EMPLOYEES INVOLVE IN MDEC PROCUREMENT

Stage	Description
<p>Stage 1 <i>Upon Reporting for Duty</i></p>	<p>Every MDEC employees who is involved directly or indirectly in MDEC procurement process shall be required to sign the Declaration of “Integrity Declaration by MDEC Employees” as per APPENDIX A. This is to be executed when the employee reports for duty during the induction day or assumes the duties and the form shall be kept in the employee’s personal file.</p> <p>Every Head of Division shall ensure that all employees under his/her supervision execute the Declaration of “Integrity Declaration by MDEC Employees” before assuming duties or engaging in procurement activities.</p>
<p>Stage 2 <i>Annual Declaration via HRMS</i></p>	<p>Every Head of Division shall ensure that all employees that are involved in procurement activities shall renew the Declaration as per APPENDIX A on annual basis i.e. 31st December of each year. The said Declaration should be duly kept and filed in MDEC Human Resource Management System (HRMS).</p>

Notes:

MDEC employees need to refer to those in the following:

1. Project Team from MDEC divisions, departments, units involved in MDEC Procurement
2. Procurement Department (including Secretariat of respective approval committee)
3. Finance Department
4. Legal Department
5. Grant Management Unit

3. STAGES OF INTEGRITY PACT IMPLEMENTATION FOR MEMBERS OF MDEC PROCUREMENT RELATED COMMITTEES

Stage	Description
<p>Stage 1 <i>Upon Appointment as Procurement Related Committees</i></p>	<p>Every employee including member of Board of Directors (BOD) appointed as Chairman, Member or Alternate Member to the MDEC Procurement Related Committees shall execute the “Integrity Declaration by Members of MDEC Procurement Related Committees Stage 1” as per APPENDIX B.</p> <p>A copy of the declaration is to be kept by the Tender Secretariat of the respective Procurement Committee.</p>
<p>Stage 2 <i>After Every Sessions or Meetings or Upon Completion of Duties</i></p>	<p>Every appointed Procurement Related Committees shall execute the “Integrity Declaration by Members of MDEC Procurement Related Committees Stage 2” as per APPENDIX C after every session attended relating to procurement activities or meetings.</p> <p>A copy of the declaration is to be kept by the Tender Secretariat of the respective Procurement Committee.</p>

4. STAGES OF INTEGRITY PACT IMPLEMENTATION FOR MDEC SUPPLIERS AND POTENTIAL SUPPLIERS

Stage	Description
<p>Stage 1 <i>Upon appointment as MDEC Supplier</i></p>	<p>Companies applying or appointed as MDEC Supplier are required to execute the Declaration of “Integrity Declaration by MDEC Suppliers” as per APPENDIX D.</p> <p>The said Declaration shall be kept and filed by Procurement Department.</p>
<p>Stage 2 Annual Declaration</p>	<p>Procurement Department shall ensure that all MDEC Suppliers shall renew the Declaration as per APPENDIX D on annual basis i.e. 31 December of each year.</p> <p>The said Declaration shall be kept and filed by Procurement Department.</p>
<p>Stage 3 <i>Upon Purchase of Tender or Submission of Quotation and/or Proposal Document</i></p>	<p>MDEC Suppliers or Potential Suppliers participating in tender and/or request for quotation are required to execute the Declaration of “Integrity Declaration by MDEC Suppliers and Potential Suppliers” as per APPENDIX E.</p> <p>It is a mandatory requirement for the Declaration is duly completed and signed and is attached with the tender / quotation submitted. The said Declaration shall be kept and filed by Procurement Department.</p>
<p>Stage 4 1. <i>Upon issuance of Purchase Order (PO)</i> 2. <i>Upon issuance of Letter of Award (LOA)</i></p>	<p>The Awarded Supplier is to ensure to complete the Declaration “Integrity Declaration by MDEC Awarded Suppliers” as per APPENDIX F and to be returned to MDEC upon acknowledgement of receiving Purchase Order from MDEC. The said Declaration shall be kept and filed by Procurement Department.</p> <p>The Awarded Supplier is to ensure that the Declaration of “Integrity Declaration by MDEC Awarded Suppliers” as per APPENDIX F is duly completed, signed and attached with the stamped Letter of Award (LOA) and returned to MDEC. The said Declaration shall be kept and filed by Procurement Department.</p>
<p>Stage 5 <i>Upon execution of the Legal Agreement / Document to be included in all Procurement Contracts</i></p>	<p>MDEC Legal Department is required to ensure that the provision as attached in APPENDIX G is included in all procurement contract documentations.</p>

Part B: APPENDICES

INTEGRITY DECLARATION BY MDEC EMPLOYEES

Upon Reporting for Duty and Annual Declaration
 (Pursuant to Clause 2, Integrity Pact)



Malaysia Digital Economy Corporation Sdn Bhd (389346-D)
 2360 Persiaran APEC, 63000 Cyberjaya
 Selangor Darul Ehsan, Malaysia
 T +60 3 8315 3000 F +60 3 8315 3115

INTEGRITY DECLARATION

1. I, _____ Employee No: _____
 NRIC: _____ an employee of Department _____ Division _____
MALAYSIA DIGITAL ECONOMY CORPORATION SDN. BHD (MDEC), a company incorporated under the Companies Act 1965 (389346-D), hereby declare, and undertake as follows:

- a) Shall not directly or indirectly solicit, receive or obtain or agree to receive or obtain for myself or for any other person any money, goods or service(s) or any gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] as a consideration or reward for the decision, opinion, recommendation, vote or other favors to be selected in the aforementioned tender/quotation.
- b) Shall not collude with any bidder(s), suppliers or any other individual(s), in any type of practices including but not limited to “bid rigging” and corruptly procuring withdrawal of tender that may affect the transparency and fairness during any procurement process or activities and during the contract implementation period.
- c) Agree to keep confidential all proprietary information and documentations relating to the tender and/or contract in strictest confidence and hereby covenant to take all reasonable measures to protect the secrecy of and avoid disclosure or use of such proprietary information and/or documents to any unauthorized party.
- d) I hereby declare that none of my family member(s) or relative(s) as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] has any interest in any bidder(s) and/or Suppliers in the foreseeable tender/quotation under my supervision and/or knowledge and if there is any in the future, I shall immediately declare it with details to the Head, Procurement and Finance Department and abstain myself from participating in the aforementioned tender/quotation exercise and/or any task related thereto
- e) In the event whether directly or indirectly where there is any individual(s) of the bidder(s) or representing the bidder(s) or any other individual(s) who offer, give, or agree or promise to give any money, goods or service(s) or any form of gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for being selected for the aforementioned tender/quotation, I shall immediately report such matters to Head, Integrity and Governance Department or relevant authority(s).
- f) Shall at all material time abide by MDEC’s Code of Conduct and any other MDEC’s policies applicable during the tender/quotation process and the execution of a formal agreement and its implementation thereof; and

2. I agree that this declaration obligation shall remain in full force and effect during my employment with MDEC.

3. I duly understand that the failure to comply or breach of any terms of the declaration stated above may result in criminal and/or civil proceedings and/or disciplinary action taken against me up to and including termination or dismissal.

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Name :		Name of witness :
Employee No :		Employee No :
Designation :		Designation :
Date :		Date :

INTEGRITY DECLARATION BY MEMBERS OF MDEC PROCUREMENT RELATED COMMITTEES STAGE 1

Upon appointment as Procurement Related Committees
 (Pursuant to Clause 3, Stage 1, Integrity Pact)



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INTEGRITY DECLARATION

1. I, _____ Employee No: _____
 NRIC: _____ an employee of Department _____ Division _____
MALAYSIA DIGITAL ECONOMY CORPORATION SDN. BHD (MDEC), a company incorporated under the Companies Act 1965 (389346-D), has been appointed as Chairman/Member of _____ effective on _____ and hereby declare and undertake as follows:

- a) Shall not directly or indirectly solicit, receive or obtain or agree to receive or obtain for myself or for any other person any money, goods or service(s) or any gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] as a consideration or reward for the decision, opinion, recommendation, vote or other favors to be selected in the aforementioned tender/quotation.
- b) Shall not collude with any bidder(s), suppliers or any other individual(s), in any type of practices including but not limited to “bid rigging” and corruptly procuring withdrawal of tender that may affect the transparency and fairness during any procurement process or activities and during the contract implementation period.
- c) Agree to keep confidential all proprietary information and documentations relating to the tender and/or contract in strictest confidence and hereby covenant to take all reasonable measures to protect the secrecy of and avoid disclosure or use of such proprietary information and/or documents to any unauthorized party.
- d) I hereby declare that none of my family member(s) or relative(s) as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] has any interest in any bidder(s) and/or Suppliers of any tender/quotation submitted to the above mentioned Committee and if there any, I shall immediately declare it with details to the Head, Procurement and Finance Department and abstain myself from participating in whatsoever manner in the said tender/quotation exercise.
- e) In the event whether directly or indirectly where there is any individual(s) of the bidder(s) or suppliers or representing the bidder(s) or suppliers or any other individual(s) who offer, give, or agree or promise to give any money, goods or service(s) or any form of gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for being selected for the aforementioned tender/quotation, I shall immediately report such matters to Head, Integrity and Governance Department or relevant authority(s).
- f) Shall at all material time abide by MDEC’s Code of Conduct and any other MDEC’s policies applicable; and

2. I agree that this declaration obligation shall remain in full force until the contract has been fully executed and implemented.

3. I duly understand that the failure to comply or breach of any terms of the declaration stated above may result in criminal and/or civil proceedings and/or disciplinary action taken against me up to and including termination or dismissal.

-----		-----
Name :		Name of witness :
Employee No :		Employee No :
Designation :		Designation :
Date :		Date :

INTEGRITY DECLARATION BY MEMBERS OF MDEC PROCUREMENT COMMITTEES STAGE 2

Upon Completion of Procurement Duties
(Pursuant to Clause 3, Stage 2, Integrity Pact)



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INTEGRITY DECLARATION

1. I, _____ Employee No: _____
NRIC: _____ an employee of Department _____ Division _____
MALAYSIA DIGITAL ECONOMY CORPORATION SDN. BHD (MDEC), a company incorporated under the Companies Act 1965 (389346-D), a company incorporated under the Companies Act 1965 (389346-D), hereby sincerely declare that:
- g) I have performed my duties as a Chairman/Member/Alternate Member/Technical Evaluation Team/Commercial Evaluation Team of _____ for the procurement of _____ without having any personal or vested interest, being influenced by any other party/parties or involved in any corrupt practices/gratification as defined in Malaysian Anti-Corruption Commission Act 2009 [Act 694].
 - h) None of my family member(s) or close relative(s) have any interest in any procurement exercise under my jurisdiction during my tenure as Chairman/Member/Alternate Member/Technical Evaluation Members/Commercial Evaluation Members of the above-mentioned Committee.
 - i) I shall not divulge any confidential information related to the procurement activities submitted and/or made aware to me.
 - j) I shall not divulge any confidential information related to the procurement exercises within my knowledge and shall ensure that all information relating to such activities are duly returned to the relevant Procurement related Secretariat.
 - k) I duly understand that the failure to comply or breach of any terms of the declaration stated above may result in criminal and/or civil proceedings and/or disciplinary action taken against me up to and including termination or dismissal.

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Name :	Name of witness :
Employee No :	Employee No :
Designation :	Designation :
Date :	Date :

INTEGRITY DECLARATION BY MDEC SUPPLIERS

Upon Appointment as MDEC Suppliers and Annual Declaration
 (Pursuant to Clause 4, Stage 1 and Stage 2, Integrity Pact)



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INTEGRITY DECLARATION

1. I, _____, (NRIC No: _____), the
 Managing Director / Chief Executive Officer of _____ (name of
 Company) with Company registration number _____ hereby sincerely declare that:

a) I, or any individual representing the Company including employees, agents and/or subcontractors and representatives shall not offer or give any bribes to any individual(s) in Malaysia Digital Economy Corporation Sdn Bhd and/or any of its subsidiaries (collectively referred to as MDEC) or any other individual(s), as gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for being selected as MDEC registered Supplier or any procurement award in the future. I attach herewith a Letter of Authorization via a Company Board resolution, which empowers me, as a representative of the aforementioned Company, to make this declaration.

b) If I, or any individual(s) representing this Company are offering bribes to any individual(s) in MDEC or any other individual(s) as gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for any procurement award, I hereby agree as a representative of the aforementioned Company, for the following actions to be taken:

- i. Suspension and/or removal of MDEC Supplier registration and shall be blacklisted for future registration;
- ii. Revocation of any award and/or contract offer;
- iii. Termination of any existing award and/or contract; and
- iv. Any other disciplinary actions according to MDEC procurement rules and regulations in force.

c) In the event where there is any individual(s) who attempts to solicit bribes from me or any individual(s) related to this Company as gratification any procurement exercise, I hereby Declaration to immediately report such act(s) to:

- i. Integrity and Governance Department, MDEC at:
 - a. Write to: Head, Integrity and Governance Department, MDEC HQ, 2360, Persiaran APEC, 63000, Cyberjaya Selangor
 - b. Call Integrity and Governance Department at +603 8315 3293
 - c. Send an email to mdec_wb@mdec.com.my
 - d. Complete the whistleblowing e-form available at www.mdec.my

OR

- ii. Lodge a report to the Malaysian Anti-Corruption Commission (MACC)'s office or the nearest police station.

For and on behalf of the _____,
 [Company's Name]

Witnessed by,

Name:
 NRIC No:
 Date:
 Company Stamp:

Name:
 NRIC No:
 Date:

INTEGRITY DECLARATION BY MDEC SUPPLIERS AND POTENTIAL SUPPLIERS

Upon Purchase of Tender or Submission of Quotation and/or Proposal Document
(Pursuant to Clause 4, Stage 3, Integrity Pact)



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INTEGRITY DECLARATION

1. I, _____, (NRIC No: _____), the Managing Director / Chief Executive Officer of _____ (name of Company) with Company registration number _____ hereby declare that:
 - a) I, or any individual(s) representing this Company including employees, agents and/or subcontractors and representatives shall not offer or give any bribes to any individual(s) in Malaysia Digital Economy Corporation Sdn. Bhd and/or any of its subsidiaries (collectively referred to as MDEC) or any other individual(s), as gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for being selected as MDEC Suppliers or any procurement award in the future. I attach herewith a Letter of Authorization via a Company Board resolution, which empowers me, as a representative of the aforementioned company, to make this declaration.
 - b) If I, or any individual(s) representing this Company, are offering bribes to any individual(s) in MDEC or any other individuals as gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for any procurement award, I hereby agree as a representative of the aforementioned Company, for the following actions to be taken:
 - i. Disqualification from the bidding process;
 - ii. Suspension and/or removal of MDEC Supplier registration and shall be blacklisted for future registration;
 - iii. Revocation of any award and/or contract offer;
 - iv. Termination of any existing award and/or contract; and
 - v. Any other disciplinary actions according to MDEC procurement rules and regulations in force.
2. In the event where there is any individual(s) who attempts to solicit bribes from me or any individual(s) related to this Company as gratification any procurement exercise, I hereby Declaration to immediately report such act(s) to:
 - i. Integrity and Governance Department, MDEC at:
 - a. Write to: Head, Integrity and Governance Department, MDEC HQ, 2360, Persiaran APEC, 63000, Cyberjaya Selangor
 - b. Call Integrity and Governance Department at +603 8315 3293
 - c. Send an email to mdec_wb@mdec.com.my
 - d. Complete the whistleblowing e-form available at www.mdec.my
 - OR
 - ii. Lodge a report to the Malaysian Anti-Corruption Commission (MACC)'s office or the nearest police station.
3. I agree that this declaration obligation shall remain in full force until the contract has been fully executed and implemented.

For and on behalf of the

Witnessed by,

[Company's Name]

Name:

NRIC No:

Date:

Company Stamp:

Name:

NRIC No:

Date:

INTEGRITY DECLARATION BY MDEC AWARDED SUPPLIERS

*Upon Issuance of Purchase Order and/or Upon Issuance of Letter of Award
(Pursuant to Clause 4, Stage 4, Integrity Pact)*



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INTEGRITY DECLARATION

Tender/Quotation Title and Reference No.: _____

1. I, _____, (NRIC No: _____), the Managing Director / Chief Executive Officer of _____ (name of Company) with Company registration number _____ hereby declare that I, or any individual(s) representing this Company including employees, agents and/or subcontractors and representatives, covenant and undertake as follows:

- a) Shall not directly or indirectly offer, give or agree or promise to give any individual(s) in Malaysia Digital Economy Corporation Sdn. Bhd and/or any of its subsidiaries (collectively referred to as MDEC) or any other individual(s), money, goods or a service or any form of gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 {Act 694} as a consideration or reward for the decision, opinion, recommendation, vote or other favors to be selected in the aforementioned tender/quotation*;
- b) Shall not collude with any other Suppliers and/or individual(s) in MDEC or any other individual(s), in any type of practices including but not limited to “bid rigging” and corruptly procuring withdrawal of tender that may affect the transparency and fairness during any procurement process or activities and during the contract implementation period;
- c) Agree to keep confidential all proprietary information and documentations relating to the tender and/or contract in strictest confidence and under no circumstances, would the details of information related to the tender and/or contract be discussed or disclosed with or to other tenderers or third party;
- d) In the event where there is any individual(s) of MDEC or any other individual(s) who corruptly solicit or attempt to obtain any bribe from me or any individual(s) representing this company an money, goods or service(s) or any form of gratification as defined under the Malaysian Anti-Corruption Commission Act 2009 [Act 694] for being selected for the aforementioned tender/quotation, I shall immediately report such matters to Head, Integrity and Governance, MDEC or relevant authority(s);
- e) Shall abide by MDEC Code of Business Ethics and any other MDEC’s policies applicable during the tender/quotation process and/or the execution of a formal agreement and its implementation thereof; and
- f) The company has and/or will implement an anti-corruption framework including a compliance program that clearly rejects the practice of bribes and other unethical behavior throughout the company.

I attach herewith a Letter of Authorization via a Company Board resolution, which empowers me, as a representative of the aforementioned company, to make this declaration.

2. If I, or any individual(s) representing this company, is found to have breached any of the declaration stated above, I hereby agree, as a representative of the aforementioned company, for the following actions to be taken:
 - a) Revocation of the Letter of Acceptance/Letter of Intent/Letter of Award for the aforementioned tender/quotation;

- b) Termination of the contract in accordance with the terms of the Agreement;
- c) Forfeiture of the bid security and/or performance bond;
- d) Suspension or blacklisting from participating in any of MDEC's procurement activities;
- e) Liable for damages due to the termination of the tender award and/or the contract; and/or
- f) Other actions in accordance to MDEC's policies and/or MDEC's procurement rules and regulations

3. I agree that this declaration obligation shall remain in full force until the contract has been fully executed and implemented.

For and on behalf of the
 _____,
 [Company's Name]

Witnessed by,

Name:
 NRIC No:
 Date:
 Company Stamp:

Name:
 NRIC No:
 Date:

TERMINATION ON CORRUPTION, UNLAWFUL OR ILLEGAL ACTIVITIES

Template to be included in Letter of Award and Procurement Contracts

(Pursuant to Clause 4, Stage 5, Integrity Pact)



Malaysia Digital Economy Corporation Sdn Bhd (389346-D)

2360 Persiaran APEC, 63000 Cyberjaya

Selangor Darul Ehsan, Malaysia

T +60 3 8315 3000 F +60 3 8315 3115

INTEGRITY AGREEMENT

- a) Without prejudice to any other rights of MDEC, if the _____ (Company/Firm), its personnel, servants or employees is/are convicted by a court of law for corruption or unlawful or illegal activities in relation to this _____ (Agreement/Contract) or any other agreement that _____ (Company/Firm) may have with MDEC, MDEC shall be entitled to terminate this _____ (Agreement/Contract) at any time, by giving a written notice with immediate effect.
- b) Upon such termination, MDEC shall be entitled to all losses, costs, damages and expenses (including any incidental costs and expenses) incurred by MDEC arising from such termination.
- c) For the avoidance of doubt, the Parties hereby agree that the _____ (Company/Firm) shall not be entitled to any form of losses including loss of profit, damages, claims or whatsoever against MDEC upon termination of this Agreement/Contract.

END OF DOCUMENT

**Produced by:
Integrity and Governance Department, MDEC
February 2021**