

# 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.

## 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**

<b>ETHICS</b>		
<b>NO</b>	<b>QUESTIONS</b>	<b>RESPONSE</b>
1.	<p>Are any of the current directors or current key employees of the Company also a Public Official?</p> <p>If so, please provide details.</p> <p><b><u>DESCRIPTIONS</u></b></p> <p>For ease of reference, "Public Official" shall include the following:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(ii) any other person who performs a public function, including for a public agency or public enterprise, or provides a public service; or</li> <li>(iii) any other person defined as a "public official" in the domestic law of a country.</li> </ul>	
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>	
3.	<p>Have any payments been made by or on behalf of the Company during the past five years to any Public Official?</p> <p>If so, please provide details.</p>	
4.	<p>Does the Company has any affiliation with current PETRONAS employee who is involved in this transaction?</p> <p>If yes, please provide details:</p> <ul style="list-style-type: none"> <li>• Full Legal Name of the Individual</li> <li>• Position Held</li> <li>• The Duty/Duties of the Position(s)</li> <li>• Tenure (start &amp; end dates)</li> </ul>	
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> <p>If Yes, please list the nature and extent of any such interest or control.</p>	
6.	<p>Does the Company have and disseminate to its employees the following:</p> <ul style="list-style-type: none"> <li>i) a written employee code of conduct;</li> <li>ii) a written anti-bribery and corruption policy; and</li> <li>iii) a policy and process for reporting bribery if discovered?</li> </ul>	
7.	<p>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 by public authority, in relation to bribery or corruption? Provide details, if any.</p>	

ETHICS		
NO	QUESTIONS	RESPONSE
8.	<p>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)?</p> <p>If Yes, please provide details to what extent does the Company monitor the integrity of its third parties.</p>	
9.	<p>Has the Company (or any person or entity listed in this questionnaire) ever been barred from competing for government contracts in any country?</p> <p>If Yes, please provide details.</p>	

SANCTIONS & EXPORT CONTROL		
NO	QUESTIONS	RESPONSE
1.	<p>Is the Company or any of its affiliates are incorporated, located within or operating from any countries subject to Comprehensive Sanctions?</p> <p>If yes, please specify.</p> <p><b>Definitions:</b></p> <p>“<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>(a) the United Nations;</li> <li>(b) Malaysia;</li> <li>(c) the European Union;</li> <li>(d) the United Kingdom (including those administered by HM Treasury);</li> <li>(e) 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> <p>“<b>Country Subject to Comprehensive Sanctions</b>” as at June 2018:</p> <ul style="list-style-type: none"> <li>(a) Cuba;</li> <li>(b) Iran;</li> <li>(c) Venezuela;</li> <li>(d) North Korea;</li> <li>(e) Syria; and</li> <li>(f) Crimea Region.</li> </ul> <p>“<b>Person</b>” means any natural person, corporation, limited liability company, trust, joint venture, association, company, partnership, Governmental Authority or other entity.</p>	
2.	<p>Is the Company or any of its affiliates are engaged in transactions, investments, business or other dealings that directly or indirectly involve or benefit any countries subject to Comprehensive Sanctions or any person or entity which is the target or subject of any Sanctions.</p> <p>If yes, please specify.</p>	
3.	<p>Are any of the goods and/or services that will be supplied an item 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?</p>	

<b>SANCTIONS &amp; EXPORT CONTROL</b>		
<b>NO</b>	<b>QUESTIONS</b>	<b>RESPONSE</b>
4.	<p>Has the Company ever been the subject of any convictions or prosecutions, or is it the subject of any pending investigations by a public authority, in relation to economic sanctions &amp; export control regulations?</p> <p>If yes, please provide details.</p>	

## Document Checklist

No.	Documents to be Submitted	Yes/ No	Remarks
1	Completed and signed KYC Questionnaire Form (Section A, Section B and Section C)		
2	Certified copy of Business Registration Certificate/ Certificate of Incorporation		
3	Memorandum and Article of Association		
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 Section 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. All documents sourced from outside of Malaysia must be in English. Should the original document is not in English, please provide a certified translation to the original.
2. PETRONAS personnel may request for further clarification and additional document(s) during registration process. Please ensure the contact person(s) given in Section A is the person in charge of this application and related matters.

## Notice of Disclosure

### Personal Data Protection Act 2010 (“PDPA 2010”)

Pursuant to the enforcement of PDPA 2010, we hereby wish to give this notice and seek your consent on the processing of your personal data as well as to give an assurance of our commitment to ensure that your data is securely processed, kept and not used or disclosed for any other purpose than the commercial dealings we have with you. 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:

Telephone Number:

Email Address:

## 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	