

KNOW YOUR COUNTERPARTY QUESTIONNAIRE



1. Corporate Details

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.

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

Business Address	
Telephone Number	
Email Address	
Website	
Branch (if any)	
Branch Address	

2. Contact Details

Primary Contact Person			
Department			
Telephone Number		Email	

Secondary Contact Person			
Department			
Telephone Number		Email	

3. Shareholders

Parent Company (Full Legal Name)		Country	
Ultimate Parent Company (Full Legal Name)		Country	

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

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

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.

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

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.

Open

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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
Auditors	Name		Name		
	Address		Email		
			Phone		
Advocates & Solicitors	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

- Yes

Open

to the intended transaction?

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
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PART C

TPRM 5 Critical Legal Areas

ETHICS & INTEGRITY		
NO	QUESTIONS	RESPONSE
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><u>DESCRIPTIONS</u></p> <p>For ease of reference, “Public Official” shall include the following:</p> <ul style="list-style-type: none"> (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. 	
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"> • Full Legal Name of the Individual • Position Held • The Duty/Duties of the Position(s) • Tenure (start & end dates) 	

ETHICS & INTEGRITY		
NO	QUESTIONS	RESPONSE
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"> 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? 	
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>	
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>	

COMPETITION		
NO	QUESTIONS	RESPONSE
1.	<ul style="list-style-type: none"> a) Is the Company aware of the competition law in its respective jurisdiction? b) Does the Company provide competition law training for all its employees including its management? c) Does the Company have: <ul style="list-style-type: none"> i) a written competition law manual; ii) a written meeting protocol; iii) a written raid protocol; and/or iv) a policy and process for reporting anti-competitive conduct/activities if discovered? <p>If Yes, does the Company disseminate the above to all its employees?</p>	

COMPETITION		
NO	QUESTIONS	RESPONSE
2.	<p>Has the Company ever been the subject of any convictions or prosecutions, or is it the subject of any ongoing investigations by a public authority (e.g. Malaysia Competition Commission), in relation to competition or anti-trust laws?</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>Definitions:</p> <p>“Sanctions” 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"> (a) the United Nations; (b) Malaysia; (c) the European Union; (d) the United Kingdom (including those administered by HM Treasury); (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); <p>“Country Subject to Comprehensive Sanctions” as at June 2018:</p> <ul style="list-style-type: none"> (a) Cuba; (b) Iran; (c) Venezuela; (d) North Korea; (e) Syria; and (f) Crimea Region. <p>“Person” 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>	

	If yes, please specify.	
3.	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?	
4.	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 & export control regulations? If yes, please provide details.	

DATA PROTECTION

PART I: GENERAL CHECKLIST

NO	QUESTIONS	RESPONSE
1.	<p>Is the Company providing personal data processing services to PETRONAS or carrying out personal data processing activities for and on behalf of PETRONAS?</p> <p>Examples of personal data processing services:</p> <ul style="list-style-type: none"> • payroll management services, • data centre / cloud storage services, • development of new software or technology which involves processing or storage of personal data, • business process outsourcing services such as call centre services, • marketing agents, • any other services which involve processing or handling of personal data for and on behalf of PETRONAS. <p>Definitions:</p> <p>“Processing” is to be understood broadly to mean any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.</p> <p>“Personal data” means any information relating to an identified or identifiable natural person (“data subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.</p> <p>“Data processor” means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the data user / data controller; “data user” or “data controller” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.</p>	

DATA PROTECTION**PART II: DETAILED CHECKLIST**

to be answered if the answer to Part I above is “yes” and the transactions involve 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

NO	QUESTIONS	RESPONSE
1.	<p>Is there personal data protection law in place in your country?</p> <p>If yes, what are the laws that govern personal data protection and enforcement in your country?</p> <p>Descriptions: For example:</p> <ul style="list-style-type: none"> • In the European Union, the EU General Data Protection Regulation (GDPR); • In the United Kingdom, the Data Protection Act 2018 (superseding the Data Protection Act 1998); • In Malaysia, the Personal Data Protection Act 2010; • In Singapore, the Personal Data Protection Act 2012. 	
2.	<p>If yes, 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)?</p> <p>Descriptions: For ease of reference, Malaysian PDPA generally provides for the following principles:</p> <ul style="list-style-type: none"> (i) adequate consent to be obtained from data subjects; (ii) data subjects must be given notice and information in respect of the processing of their personal data; (iii) personal data must not be disclosed to third parties unless with consent or if exempted by the law; (iv) personal data must be kept secure and protected; (v) personal data can only be retained for the period necessary to fulfil the relevant purposes; (vi) personal data must be kept accurate, complete and up-to-date; (vii) data subjects must be given the right to access and correct their personal data. 	
3.	<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 personal data protection laws?</p> <p>If yes, please provide details of such convictions, prosecutions, or investigations.</p> <p>Descriptions:</p> <p>Examples would include investigations instituted or carried out by the data protection regulator, compounds issued by the data protection regulator, or even prosecution instituted by the data protection regulator in respect of non-compliance or breach of the applicable data protection laws.</p>	
4.	<p>Has the Company conducted an information audit to map data flows?</p>	

DATA PROTECTION**PART II: DETAILED CHECKLIST**

to be answered if the answer to Part I above is "yes" and the transactions involve 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

NO	QUESTIONS	RESPONSE
	<p><u>Descriptions:</u> Data mapping is the process of identifying the types of personal data processed, and location(s) in which the identified personal data is stored, to which other internal and external entities the personal data is transferred to, and other relevant criteria.</p>	
5.	<p>Does the Company document what personal data it holds, where it came from, who the Company share it with and what the Company do with it?</p> <p><u>Descriptions:</u> Essentially whether the Company has developed and maintained a data inventory or register which include details such as:</p> <ul style="list-style-type: none"> • name and contact details of the data controller and any joint data controller, representatives and DPO; • the purpose(s) of the processing; • description of categories of data subjects and personal data; • categories of recipients of personal data; • details of transfers to third parties; • time limits for erasure of different categories of data; etc. 	
6.	<p>Does the Company have an appropriate personal data protection policy? If yes, please provide a copy of the policy for Company's consideration.</p> <p><u>Descriptions:</u> This refers to the policy which the Company has developed and implemented to regulate processing of personal data within the Company, and to ensure the Company is in compliance with the applicable data protection laws.</p> <p>Generally, a company's data protection policy would address the following:</p> <ul style="list-style-type: none"> • Roles and responsibilities of senior management, data protection officer / committee (if any), employees and staff, in respect of processing personal data; • Processing and handling of different types of personal data, such as customer data, employee data, third parties' data, etc; • Technical and organisational security measures in order to protect and secure personal data; • Handling transfers of personal data to third parties; • Responding to data subjects' rights (e.g. access and correction to personal data); • Data storage periods; • Etc. 	
7.	<p>Does the Company have a data protection lead or Data Protection Officer (DPO)?</p> <p><u>Descriptions:</u></p>	

DATA PROTECTION**PART II: DETAILED CHECKLIST**

to be answered if the answer to Part I above is "yes" and the transactions involve 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

NO	QUESTIONS	RESPONSE
	<p>Data protection officers are generally officers within the companies made responsible for overseeing data protection strategy and implementation to ensure compliance with the requirements of the applicable data protection laws.</p> <p>Under certain data protection laws (e.g. GDPR), DPO is a mandatory requirement.</p>	
8.	<p>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)? If yes, please provide details or copy of policy.</p> <p>Descriptions: Adequate technical and organisational security measures shall be based on the requirements of the applicable data protection laws to the Company.</p> <p>Security measures must consider both personal data processed electronically as well as those processed non-electronically.</p>	
9.	<p>Is the Company currently accredited or certified in respect of its information security, cybersecurity, or data privacy practices? (e.g. ISO 27001 certification, or such other information security certification standard)</p> <p>Descriptions: Examples:</p> <ul style="list-style-type: none"> • ISO 27001 information security certification • Certified Information Systems Security Professional (CISSP) 	
10.	Does the Company provide personal data protection awareness training for all staff?	
11.	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?	
12.	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))?	
13.	<p>Does the Company have effective processes in place to identify and report any personal data breaches to your data user / data controller or relevant authorities?</p> <p>Descriptions: Company should have processes in place to detect and monitor any data breaches which occur in its systems which store personal data for and on behalf of PETRONAS.</p>	
14.	Does the Company have a process to respond to a data user / data controller's (in this case, PETRONAS') request for information following the individuals' or data subjects' request to access their personal data?	

DATA PROTECTION**PART II: DETAILED CHECKLIST**

to be answered if the answer to Part I above is “yes” and the transactions involve 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

NO	QUESTIONS	RESPONSE
	<p>Descriptions: Company must be able to comply with specific requests from PETRONAS to access and, where required, to correct personal data held for and on behalf of PETRONAS.</p>	
15.	<p>Does the Company have processes in place to ensure that the personal data the Company hold remains accurate and up to date?</p> <p>Descriptions: Company will need to ensure it has processes in place to allow for updating or corrections to personal data held for and on behalf of PETRONAS.</p>	
16.	<p>Does the Company have a process in place to routinely and securely dispose of personal data that is no longer required, in line with the agreed timescales as stated in your contract with the data user / data controller?</p> <p>Descriptions: Disposal here refers to destruction or permanent deletion of personal data, or where permissible, anonymization of personal data.</p>	
17.	<p>Does the Company have procedures in place to respond to a data user’s / data controller’s (in this case, PETRONAS’) request to limit or suppress the processing of specific personal data?</p> <p>Descriptions: The Company may be required to limit, restrict processing of personal data or even to remove specific personal data held for and on behalf of PETRONAS.</p>	

HUMAN RIGHTS

NO	QUESTIONS	RESPONSE
1.	Does the Company have any statement / commitment on human rights?	
2.	Does the Company provide human rights awareness training to employees?	
3.	<p>Does the Company have a grievance mechanism for employees and are the employees aware of the grievance mechanism?</p> <p>Definition</p> <p>“grievance mechanism” means a non-judicial process through which grievances can be raised and remedy can be sought by aggrieved party in a timely, fair and consistent manner.</p>	

HUMAN RIGHTS

NO	QUESTIONS	RESPONSE
4.	Is the Company aware of the PETRONAS Human Rights Commitment and its obligations?	

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: **Mohd Arrabe’ Ahmad Baei**

Telephone Number: **+(603) 2331 5000**

Email Address: **mohd.arrabe@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	