



MTDC

MALAYSIAN TECHNOLOGY
DEVELOPMENT CORPORATION

Whistle Blowing Policy

Version 2.0, 22 Jun 2020

WHISTLEBLOWING POLICY V1.0

TABLE OF CONTENTS

		page
01. THE PURPOSE		03 - 05
02. WHISTLEBLOWING GUIDELINES		06 - 34
A. DEFINITION (06)	B. OBJECTIVE (07)	C. APPLICATION (08)
D. COMMUNICATION CHANNEL (09)	E. MULTIPLE REPORTING AUTHORITY (10)	F. WHO COULD BECOME A WHISTLEBLOWER (11)
G. WHAT WRONGDOINGS ARE FOR WHISTLEBLOWING (12)	H. WHEN TO BLOW THE WHISTLE ON WRONGDOINGS (13)	I. PROCEDURES IN HANDLING WHISTLEBLOWING OF WRONGDOINGS (16)
J. EXTERNAL DISCLOSURES (24)	K. PROTECTION (26)	L. THE LIMITS AND RETENTION OF RECORDS (28)
M. CIRCULATION AND REVIEW (29)	N. PRIVACY (30)	O. APPENDICES (31) A. WHISTLEBLOWER HOTLINE B. ROLES AND RESPONSIBILITIES C. WHISTLEBLOWER CHECKLISTS
03. APPENDIX 1 – LEARNED ON POSSIBLE RED FLAGS		35-36

WHISTLEBLOWING POLICY V1.0

01. The Purpose

MTDC is committed to ensuring that every part of its operation is carried out professionally in accordance with relevant laws, rules, regulations, business ethics and conduct, and recognise that all employees have an important role to play in achieving this goal.

As such, the Board of MTDC has formulated this Whistleblowing Policy to protect the values of transparency, integrity, impartiality and accountability in where MTDC conducts its businesses and affairs.

The Board of MTDC believes that employees will usually be the first to know when an improper or illegal act is being or has been committed. Employees are encouraged to blow the whistle, in good faith, on any such potential violations or concerns according to the procedures established in this Whistleblowing Policy.

WHISTLEBLOWING POLICY V1.0

01. The Purpose

MTDC's Whistleblowing Policy will:

- Govern the process through which employees and others may report potential violations or concerns relating to relevant laws, rules, regulations, business ethics and conduct, including any violations or concerns relating to illegal, immoral, embezzlement and fraudulent activities;
- Establish a mechanism for responding to any reports from employees and others regarding such potential violations or concerns;
- Prohibit retaliation against employees raising such potential violations or concerns; and
- Establish procedures for the retention of records of reports.

WHISTLEBLOWING POLICY V1.0

01. The Purpose

Employees who blow the whistle on wrongdoings will be protected against victimisation or other adverse treatment provided that the whistleblowing is done in good faith. However, any whistleblowing which is not made in good faith and is found to be deliberately falsified with malicious intent will be subjected to Disciplinary Action by MTDC in accordance with the Human Resource Guidelines and Procedures.

All employees of MTDC and its subsidiaries must follow this Whistleblowing Policy and cooperate with any review and investigation initiated pursuant to this Whistleblowing Policy. Any person can provide input & comment in event that they are in view that the Policy is inadequate, through the established communication channel.

BIGC and CEO of MTDC shall have overall responsibility for the implementation of this Whistleblowing Policy. The administration of the policy is to be carried out by the Head of Integrity & Governance Department (“IGD”) and he/she shall exercise the oversight function over the administration of the policy.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

A. Definition

- The word whistleblowing in the context of this Whistleblowing Guidelines (“Guideline”) refers to a situation where a person (internal or external) raising serious concerns at an early stage about risks of wrongful activities or reporting a wrongdoing.
- The person who initiates or raises serious concerns of wrongful activities or wrongdoings is referred as “whistleblower”.
- For the purpose of this Guideline, the wrongful activities and wrongdoings refers to any potential violations or concerns relating to any laws, rules, regulations, business ethics and conduct, including any violations or concerns relating to illegal, immoral, embezzlement and fraudulent activities.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

B. Objective

- The objective of the Whistleblowing Policy is to protect the values of transparency, integrity, impartiality and accountability in where MTDC conducts its business and affairs.
- Through an effective implementation of this Guideline, MTDC will enhance its accountability in preserving its integrity and will be able to stand up to public scrutiny. This in turn enhances and builds credibility of our stakeholders.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

C. Application

- This Guideline is intended to complement the normal channels of communication and reporting lines within MTDC.
- This Guideline will be applied in MTDC covering all employees of MTDC and its subsidiaries.
- This Guideline will not apply to personal grievances concerning an individual's terms and conditions of employment, or other aspects of the working relationship, complaints of bullying or harassment, or disciplinary matters. Such complaints will be dealt with under existing Human Resource Guidelines and Procedures on grievance, bullying and harassment, discipline and misconduct in MTDC.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

D. Communication Channel

Disclosure of information: < <https://www.mtdc.com.my/eWhistleB/form/> >; or [Whistleblower Hotline](#) as per Appendix A.

To ensure integrity and independence of handling of the disclosure of information, the Board has designated the Head of IGD to only have access to the designated e-mail address and the hotline shall be addressed to the Head of IGD and shall only be opened by the Head of IGD, in event that the disclosure of information is not related to the Head of IGD.

The Head of IGD shall report and address all contents of received whistle-blowing to the CEO and / or Chairman of BIGC and / or Chairman of MTDC and / or any members of the Board, subject to relativeness of the disclosure of information.

In event that the disclosure of information is related to the Head of IGD, kindly refer to subsequent paragraph on the Multiple Reporting Authority. Employees & stakeholders who have raised concerns will be informed of who is handling the matter, how they can make contact with them and if there is any further assistance required and the outcome of the investigation.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

E. Multiple Reporting Authority

NO.	DISCLOSURE ABOUT	DISCLOSURE TO	COMMUNICATION CHANNEL
1	<ul style="list-style-type: none">StakeholderEmployeeCEO; orChairman of BIGCAny members of the BoardChairman of MTDC	<ul style="list-style-type: none">Head of IGD	Designated MTDC e-WB platform at https://www.mtdc.com.my/eWhistleB/form/ or Whistleblower Hotline Number 019 269 2775
2	Head of IGD	<ul style="list-style-type: none">CEO; orChairman of BIGCAny members of the BoardChairman of MTDC	Designated MTDC e-WB platform and choose respective personnel as "Disclosure To"; or Mail the respective personnel as "Disclosure To".

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

F. Who Could Become A Whistleblower

Any of the following people could become a whistleblower:

- MTDC and its subsidiaries' employees including employees on contract terms, temporary or short-term employees and employees on secondment; and
- People performing services for MTDC including contractors and consultants.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

G. What Wrongdoings are for Whistleblowing

A qualified disclosure may be made if it relates to one or more of the following wrongdoings by any employees in the conduct of MTDC's business or affairs that is being, has been, or is likely to be, committed:

Failure to comply with legal obligations; - Criminal offence - Misuse or abuse of MTDC's funds or assets; - Gross mismanagement within MTDC; - Serious financial irregularity or impropriety within MTDC; Corruption or fraud; - Repeated ill treatment of a client/customer/supplier despite a complaint being made; Serious breach of MTDC's Code of Business Conduct and Ethics or Conflict of Interest Code for its employees and directors; Actions which endanger the health or safety of employees or the public; - Failure to comply with the provisions of the Government Laws and Regulations where the wrongdoer, knowingly, disregards or does not comply with such provisions; Knowingly directing or advising a person to commit any of the above wrongdoings; and - Any action which is intended to conceal any of the above.

An employee will not be expected to prove the truth of an allegation but he or she should be able to demonstrate that there are sufficient grounds to have a reasonable belief that something is wrong.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

H. When to Blow the Whistle on Wrongdoings

- A whistleblower should immediately come forward with any information that he or she, in good faith, reasonably believes discloses a wrongdoing is likely to happen, is being committed or has been committed.
- However, he or she is not expected to first obtain substantial evidence of proof beyond reasonable doubt when making a disclosure. If he or she knows as a matter of fact that there are serious risks that a wrongdoing is going to take place, such bona fide concerns should be raised immediately i.e. the employee is able to show the reasons for concern.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Initial Step

- When an employee is of the opinion that a specific concern falls within the scope of this Guideline and cannot be solved through existing procedures, he or she can choose to make a report orally or in writing and submit it to Head of IGD (**Refer to Appendix A: Whistleblowing Hotline**).
- The employee can also directly contact the CEO when he or she has a reasonable belief that there is serious malpractice relating to any of the wrongdoings and it would not be properly dealt with by reporting to the Head of IGD.
- The Whistleblowing Hotline is a confidential telephone service which offers employees the possibility to report concerns in confidence without any party in MTDC, other than the Head of IGD, knowing about the disclosure initially.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Initial Step (cont'd)

- The roles and responsibilities are provided in **Appendix B: Roles and Responsibilities**.
- The whistleblower is required to disclose his or her particulars including, name, designation, current address and contact numbers. Anonymous complaints would not be entertained and covered by this Guideline.
- The whistleblower should inform the Head of IGD of all details of his or her concerns as reasonably possible, including:
 - Nature of wrongdoing; - The date of incidence;
 - Time and place of its occurrence; - The identity of the alleged wrongdoer;
 - Particulars of witnesses, if any; - Particulars or production of documentary evidence, If any.

(Refer to **Appendix C** for other preparations to be made prior to contacting the Head of IGD).

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Initial Step (cont'd)

- The whistleblower may be asked to provide further clarifications and information from time to time, for example, if an investigation is conducted.
- In respect of an employee who reports a suspected violation in good faith and is not engaged in questionable conduct, MTDC will attempt to keep its discussions and actions confidential to the greatest extent possible.
- However, there may be circumstances where the employee may be needed as a witness. Should this be the case, MTDC will discuss the matter with the employee at the earliest opportunity. In addition, in the course of investigation, MTDC may need to share information with others on a “need to know” basis.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Screening

- The Head of IGD will screen and assess the whistleblower's disclosure to determine whether it is related to a wrongdoing or excluded from the scope of the Whistleblowing Policy and Guidelines, and will prepare general recommendations to BIGC and the CEO, where deemed necessary.
- This initial process should not take more than one (1) month from the day the Head of IGD receives the whistleblower's disclosure. It may be completed immediately if the wrongdoing is capable of causing irreparable harm to MTDC.

If the whistleblower's disclosure involves the Head of IGD, CEO, members of BIGC or Board, the alleged wrongdoer or any other implicated persons will be excluded from performing the activities of screening, action, investigation and recommendation described in this Guideline.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Preliminary Action

- BIGC, together with the general recommendations made by Head of IGD, will make decisions including but not limited to any of the following:
 - Rejection of the whistleblower's disclosure;
 - Directing investigation by the Internal Audit or any other outside party;
 - Suspending the alleged wrongdoer or any other implicated persons from work in accordance with the Human Resource Guidelines and Procedures to facilitate any fact-finding or to avoid any employee's exposure to a threat or harm; and
 - Referral to the police or any other appropriate enforcement authority.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

- Preliminary Action
 - All decisions made and reasons of action thereof shall be minuted in the minutes of meetings of BIGC.
 - Subject to legal constraints, the whistleblower will be notified of the status of his or her whistleblower's disclosure based on the preliminary action taken by BIGC as far as reasonably practicable.
 - The alleged wrongdoer will also be informed of the allegations and given an opportunity to answer the allegations at the upcoming investigation.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Investigation

- The investigation would be carried out under the terms of strict confidentiality, by not informing the subject of the whistleblower's disclosure to any other party other than BIGC until (or if) it becomes necessary to do so.
- The whistleblower and the alleged wrongdoer are expected to give his or her full cooperation in any investigation or any other process carried out pursuant to this Guideline and/or the Disciplinary Action of the Human Resource Guidelines and Procedures.

In the event the whistleblower is implicated or discovered to be or have been involved in any wrongdoing, he or she may also be investigated so as to complete the fact-finding process in accordance with this Guideline and/or the Disciplinary Action of the Human Resource Guidelines and Procedures.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Investigation (Cont'd)

- If the alleged wrongdoer or any other implicated persons has/have, or is/are found to have:
 - committed a wrongdoing; or
 - taken serious risks which would likely cause a wrongdoing to be committed. The action to be taken against that alleged wrongdoer or any other implicated persons will be determined based on the Disciplinary Action of the Human Resource Guidelines and Procedures, which may include formal warning or reprimand, demotion, suspension or termination of employment or services with MTDC.

BIGC will have the final decision on whether to pursue any legal actions against alleged wrongdoer or any other implicated persons.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

➤ Reporting of Outcome

- Subject to any legal constraint, the whistleblower and, if applicable, the alleged wrongdoer will be notified in writing of the decision on the investigation (e.g. the wrongdoing occurred or not; the alleged wrongdoer is guilty or not), and the basis thereof.
- The notification letter should be signed by the CEO of MTDC.
- If the employee is unhappy with the outcome of the investigation, the employee may submit another detailed report explaining why this is the case and the employee's concern will be investigated again if there is good reason to do so.
- The Head of IGD will furnish a quarterly report to BIGC stating the number and nature of wrongdoings reported by whistleblower(s) including the follow up action and the unresolved cases of wrongdoings. After a review is made by BIGC, a summarised result and a follow up measure will be tabled to the Board for information and action, if required.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

I. Procedures in Handling Whistleblowing of Wrongdoings

- Appeal

Any appeal of wrongdoing will be handled in accordance with the Human Resource Guidelines and Procedures.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

J. External Disclosure

- If the procedures under this Guideline have been exhausted, or the whistleblower is still not satisfied with the MTDC's response and reasonably believes that the information disclosed, and any allegation contained in it, are substantially true, he or she is at liberty to take the matter further by raising it with the relevant governmental, regulatory authorities and enforcement agencies in Malaysia or in the country concerned. External disclosure may further be made in case of an important and urgent public interest or required by the law.
- Whilst the whistleblower is able to report issues externally, the whistleblower must be aware that there is a difference between reporting internally through the Head of IGD or the CEO of MTDC, and externally. To report internally, the whistleblower must be suspicious that there is malpractice whereas to report externally, the whistleblower must have reasonable belief that malpractice has or is taking place and some evidence to support the report.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

J. External Disclosure (cont'd)

- The instrument of external reporting should in reasonable opinion of the whistleblower to be in balance with the relevant matter and there should not be a less potentially damaging option available.
- The whistleblower should minimise the possible impact of his or her actions to MTDC and to the people involved. The external party that the whistleblower considers disclosing information to, should be a party which will be able to effectively organise action against the alleged contravention.
- A whistleblower that makes an external complaint in good faith to any of the relevant governmental, regulatory authorities and enforcement agencies in Malaysia or in the country concerned after exhausting MTDC's procedure will be protected against victimisation or other adverse treatment.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

K. Protection

- Upon making a disclosure in good faith, based on reasonable grounds and in accordance with the procedures pursuant to this Guideline:
 - the whistleblower's identity will be protected i.e. kept confidential unless otherwise required by law or for purposes of any proceedings by or against MTDC.
 - the whistleblower will be protected from harassment or victimisation within MTDC as a direct consequence of his or her disclosure.
- MTDC will not tolerate punishment or unfair treatment when concerns are raised in good faith. Any employee who reports a contravention or a concern will be given protection and shall in no way be put at a disadvantage as a result of his or her report.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

K. Protection (cont'd)

- Where it is determined that there is a prima facie case that the whistleblower has suffered adverse treatment, harassment or victimisation as a result of his or her disclosure, a further investigation may take place and disciplinary action may be taken against the perpetrator in accordance with the relevant procedure in this Guideline and/or the Disciplinary Action of the Human Resource Guidelines and Procedures.
- If the complaint was made by the whistleblower otherwise than in good faith and based on reasonable grounds, the whistleblower will automatically lose the protections. In addition, MTDC will determine the action to be taken which may include disciplinary measures, formal warning or reprimand, demotion, suspension or termination of employment or services with MTDC in accordance with Disciplinary Action of the Human Resource Guidelines and Procedures.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

L. Time Limits and Retention of Records

- Time limits should be allocated for each stage of the procedure. If the time limits pass without any satisfactory action being taken, the concerns should be raised at the next level.
- The IAD will retain for a minimum period of seven (7) years all records relating to any whistleblower case(s) and its related investigation report, if any.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

M. Circulation and Review

- The Whistleblower Policy and Guidelines will be circulated to all existing and newly recruited employees of MTDC and its subsidiary.
- The Whistleblower Policy and Guidelines will be reviewed every two (2) years by BIGC or upon the request of the Head of IGD of MTDC.
- The Whistleblower Policy and Guidelines whether revised or not upon such review, shall again be circulated to existing employees after the said review.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

N. Privacy

MTDC is committed to protect the privacy of the persons involved to the fullest extent possible and in accordance with applicable laws. Any personal data obtained, as part of this Guideline will only be used for the purposes explained in this Guideline and will only be provided to those who have a need to know about these data for these purposes or to comply with the law or an important public interest.

WHISTLEBLOWING POLICY V1.0

02. Whistleblowing Guidelines

O. Appendix A: WhistleBlower Hotline

Appendix B: Roles and Responsibilities

Appendix C: Whistleblower Checklist

The Whistle Blowing Hotline is a confidential telephone line to receive and report any wrongdoings as prescribed as above.

The particular of the Head of IGD is as follows:

APPENDIX A

ITEM	DETAIL
<p>Head of IGD</p>	<p>Rozita Mansor Level 9, Menara Yayasan Tun Razak, Jalan Bukit Bintang 55100 Kuala Lumpur</p>
<p>Hotline Number</p>	<p>Fixed Telephone : 03 – 2172 6049 Mobile Phone: 019– 269 2775</p>
<p>Offering Hours</p>	<p>9.00 a.m to 6.00 p.m on Monday to Fridays (Excluding Public Holidays)</p>
<p>Preparation required prior to calling the hotline</p>	<ul style="list-style-type: none"> • To accomplish an effective call, you are expected to prepare the following information prior to calling the hotline: <ul style="list-style-type: none"> ✓ Nature of the wrongdoing to be reported ✓ The date of the wrongdoing took place ✓ Time and place of its occurrence ✓ The identity of the alleged wrongdoer ✓ Particulars of witnesses, if any ✓ Particulars or production of documentary evidence, if any; and ✓ Other details deemed to be useful to facilitate preliminary screening and action to be carried out

APPENDIX B

ROLE	RESPONSIBILITIES
BIGC	<ul style="list-style-type: none"> Review reports and any matters arising there from or in connection therewith, and establish whether there is sufficient ground for further action; Recommend, if need be, procedures to be put in place to manage reports that require immediate or urgent action; Initiate investigations when required; and Review and report to the Board the results of the investigations and recommendations for corrective or remedial actions, or (as the case may be) administrative or disciplinary actions, to be taken.
Head of IGD	<ul style="list-style-type: none"> Furnish a quarterly report to BIGC stating the number and nature of whistle blowing issues received the results thereof, follow up action and the unresolved issues; Administer, implement and oversee ongoing compliance with this policy; Assist BIGC, in administrative and, if directed by BIGC, to investigative work; Be accessible to persons who wish to discuss any matter raised in or in connection with a report; Work with the relevant officers towards ensuring that all efforts are taken to protect the whistleblower(s) and persons who participate (or who intend to participate) in the investigation arising from a report from reprisal; Ascertain that the relevant supervisors promptly execute the corrective and / or remedial actions recommended by BIGC; Managing the telephone hotline based on the prescribed hours; Promptly receive, record (if the disclosure is made orally), a report and any matter arising there from or in connection therewith; Ensure that documents related to reports are retained in a safe, secure and proper manner; and Attend, in confidence, to inquiries about this policy and provide informal advice to persons who are considering making a disclosure under this policy.
Whistleblower	<ul style="list-style-type: none"> To make a report orally or in writing and submit it to the Head of IGD or the CEO of MTDC if necessary; To assist in the information/evidence gathering stage; To assist in the investigation/domestic inquiry stage if required; and To appear as a witness if required.

APPENDIX C

NO.	CHECKLIST
1	<p>PERSONAL INFORMATION</p> <ul style="list-style-type: none"> ✓ Your Name ✓ Your preferred phone number ✓ Your preferred e-mail address ✓ Best time for communication with you ✓ Best way of communication with you #Phone #E-mail #Physical
2	<p>REPORT OF WRONGDOING</p> <ul style="list-style-type: none"> ✓ What is the wrongdoing or concern you want to report? ✓ Do you have a serious suspicion or are you sure? <ul style="list-style-type: none"> • Serious suspicion • I am sure ✓ When did it occur? ✓ Where did it occur? ✓ Who are, in your opinion, the person involved? ✓ What is, in your opinion, the potential damage (financially or otherwise) to MTDC or other interested parties? ✓ Do you think it will happen again? # No # Yes, when?
3	<p>PERSONAL ACTION</p> <ul style="list-style-type: none"> ✓ How did you become aware of the situation? ✓ Do you know of any other person(s) who are aware of the situation, not being personally involved? <ul style="list-style-type: none"> # No # Yes ✓ Do you have any physical evidence, which can be handed over? <ul style="list-style-type: none"> # No # Yes

03. APPENDIX 1 – LEARNED ON POSSIBLE RED FLAGS

- a. Become aware that a 3rd party engages in, or has been accused of engaging in, improper business practices;
- b. Learn that a 3rd party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a “special relationship” with foreign government officials;
- c. A 3rd party insists on receiving a commission or fee payment before committing to sign up a contract with us, or carrying out a government function or process for MTDC;
- d. A 3rd party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoices or receipt for a payment made;
- e. A 3rd party requests payment in made to a country or geographic location different from where the 3rd party resides or conducts business;
- f. A 3rd party requests an unexpected additional fee or commission to “facilities” a service;
- g. A 3rd party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;

03. APPENDIX 1 – LEARNED ON POSSIBLE RED FLAGS

- h. A 3rd party requests that a payment is made to “overlook” potential legal violations;
- i. Receive an invoice from a 3rd party that appears to be non-standard or customized;
- j. A 3rd party insists on the use of side letters or refuses to put terms agreed in writing;
- k. Notice that MTDC has been invoiced for a commission of fee payment that appears large given that service stated to have been provided;
- l. A 3rd party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or know to MTDC; or
- m. Been offered an unusually generous gift or offered lavish hospitality by a 3rd party.