



Document Title : Whistleblower Policy (Translation)  
Effective Date: 25 July 2024  
Edition: 3

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## Whistleblower Policy

### KEX Express (Thailand) Public Company Limited

#### Objectives

KEX Express (Thailand) Public Company Limited (“**the Company**”) operates its business under the framework of good governance, transparency, and traceability. Therefore, the Company has issued this Whistleblower Policy in accordance with good corporate governance with the following main objectives:

- 1) To formulate a proper and effective principle in receiving complaints, fraudulent evidence, misconduct, and practices against the Company’s regulations
- 2) To have Directors, employees, and any person acting on behalf of the Company be compliant with laws, good corporate governance, and Company’s regulations and to conduct businesses with governance, transparency, fairness, and traceability
- 3) To provide a channel for anyone to inform the Company of suspicions of misconducts performed by Directors, employees, or any person acting on behalf of the Company
- 4) To protect the Complainant or Whistleblower or any person cooperating with the Company in good faith from any consequent harassment due to the appropriate and ethical accusation

#### Definitions

“**Company**” means KEX Express (Thailand) Public Company Limited.

“**Director**” means Company Directors.

“**Employee**” means management, employees, contract workers, consultants, workers.

“**Regulation**” means terms, practices, other regulations called otherwise which are enforced as the Company’s business conduct.

“**Misconduct**” means an act that is against or not in compliant with laws or Company’s policies and regulations as well as Good Corporate Governance Policy and Code of Business Conduct. This includes a wrongful act in a form and situation listed in Clause 1.



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“**Fraud**” means committing an act in order to procure for himself/herself or another person, any advantage to which he/she is not entitled by law, which includes the following actions:

- “**Burglary**” means an act to take property belonging to another person, or of which another person is a co-owner, by attempting to possess the property for himself/herself or to sell or give it to a third person.
- “**Asset Misappropriation**” means possessing an asset belonging to another person, or of which another person is a co-owner, and during the possession converting such asset for himself/herself or a third person.
- “**Corruption**” means demanding, accepting, agreeing to accept, give or ask, or promising to give assets or any other benefits to a government official, a government agency, an officer of a private organization, or any person, in order to convince the said person or agency to exercise the authority in committing, not committing, hastening, or delaying any act which is an abuse of power, so as to obtain wrongful benefits.
- In addition, the term includes, but is not limited to, receiving gifts, treats or any other improper benefits, procurement, and improper contracting as well as any act that causes conflicts of interest.

## Scope of Policy

### 1. Scope of Complaints and Whistleblowing

1.1 Directors, employees, or any person acting on behalf of the Company may be subject to a complaint following this regulation if there is a violation of or not complying with the law or Company’s regulations including the Good Corporate Governance Policy and the Company’s Code of Business Conduct.

Events that may lead to the exercise of this Policy may cover wrongful acts in several forms, including but not limited to the following events:

- Criminal acts or an instigation to commit wrongful acts.
- Any risky conduct, including fraud, bribery, and extortion.
- Failure to perform legal duties that results in a significant impact to the Company.



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---

- Actions, conduct or omissions of compliance in accounting, reports, records and guidelines and/or financial reporting or suspicious internal controls or those not meeting the general standards or guidelines.
- Occurrences which are harmful to health or safety of any person.
- Occurrences which cause damage to the environment.
- Acts that are serious offences.
- Acts with the intention for the Company to be damaged or disadvantaged.
- Unresolved matters or irrational doings that may inevitably cause expenses or serious damage to the Company.
- Intentional concealment of the above offences.

Personal work-related grievances are not protected concerns under this policy.

1.2 The Company allows whistleblowers the opportunity to report anonymously. However, the solid evidence shall be submitted to ensure it can be fully and promptly handled and/or investigated.

1.3 Upon receiving a complaint, the complaint coordinator shall evaluate whether the complaint consists of sufficient information and clear evidence. The coordinator may not accept the complaints if they fall into the following cases:

- Matters that do not specify witnesses, evidence, circumstances, or misconduct that are sufficiently indicative for conducting a fact investigation.
- Matters that the management or an authorized unit have fairly made their ruling to which no further important evidence is submitted.

## **2. Complaint Filing or Whistleblowing**

Any person who is aware of the complaint or becomes suspicious in good faith that Directors, employees, or any person acting on behalf of the Company have misconducted against the ethics code can file the complaint or whistleblowing to the Company regardless of whether he/she is affected.



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For those who wish to file a complaint or whistleblowing can submit the case to the Board of Directors via the Audit Committee, head of Internal audit team, Company Secretary, and KEX Nokweed channel (for staffs only). Further information regarding each reporting channel can be found in the Company website under “Corporate Governance” section.

### **3. Required Information**

- 3.1. Name and Surname of the person who is accused in the complaint
- 3.2. Date that misconduct is found
- 3.3. Factual information and description of complained actions and evidence

### **4. Reporting of False Information**

In cases where there is sufficient evidence that the Complainant has filed a complaint or accused the person who is the subject of the complaint in bad faith (for example, disclosing information for personal complaint or having an intention to cause disharmony within the Company) or the Complainant has provided information that is skeptical to himself/herself (such as rumors) or for his/her personal benefits, such filing or provision shall be considered a disciplinary offence and may be considered a serious wrongdoing. The Company shall arrange an investigation to consider penalties according to the Company’s regulations and to protect the reputation of the person who is the subject of the complaint as follows:

- 4.1 If the Complainant or Whistleblower is an employee, an investigation has to be conducted and a penalty is to be imposed in accordance with the regulations and working rules of the Company.
- 4.2 If the Complainant or Whistleblower is an outsider and the Company is damaged, the Company may as well consider imposing a penalty on the Whistleblower.

### **5. Protection of Whistleblowers**

- 5.1. The Company commits to use its best efforts to protect whistleblowers against retaliation. Whistleblowing complaints will be handled with sensitivity, discretion, and confidentiality to the extent allowed by the circumstances and the law. Generally, this means that whistleblower complaints will only be shared with those who have a need to know so that the Company can conduct an effective investigation, determine what action to take based



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---

on the results of any such investigation, and in appropriate cases, with law enforcement personnel. (Should disciplinary or legal action be taken against a person or persons as a result of a whistleblower complaint, such persons may also have the right to know the identity of the whistleblower.)

- 5.2. The Company will not retaliate against a whistleblower for informing about an activity which that person believes in good faith to be fraudulent or dishonest with the intent or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or incentives.

## 6. Investigation

- 6.1. The person handling complaints must be an independent person or parties with no conflict of interests. The Company may authorize a trusted person or agency to investigate the facts.
- 6.2. Investigation will be undertaken carefully but quickly as possible in line with the nature and severity of the allegation / complaint without affecting the quality and efficiency of the investigation. Initial stages of investigation will be to seek for a conclusion of the enquiry within two weeks. In case of complexity, the investigation process may take longer time.
- 6.3. In case the accused person is staffs or management, the decision maker to file a penalty will be the Chief Executive Officer or Deputy Chief Executive Officer. In case the accused person is member of the Board of Directors or sub-committees or Chief Executive Officer, the decision maker to file a penalty will be the Audit Committee. While, if the accused person is member of the Audit Committee, the decision maker to file a penalty shall be the Chairman of the Board of Directors with the consultation with independent party or parties who is or who are involved in investigation process.

## 7. Penalty

Any person who intentionally acts or negligently does not follow this regulation including showing an inclination of harassment, imposing a disciplinary penalty or discrimination by unjust means following the complaint filing against the Complainant or Whistleblower or Related Person according to this regulation, that person shall be deemed to have committed a disciplinary



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offence and must be responsible for compensation to the Company or to those affected by such actions which includes civil and/or criminal liability and/or other liabilities stated in relevant laws and in the Company's policy framework.

Ms. Xin Wang  
Chairman of the Board of Directors  
KEX Express (Thailand) Public Company Limited