AMEC

Association of Malaysian Express Carriers

(PPM-001-10-01112001)

CODE OF ETHICS

AMEC Business Principles

AMEC is dedicated to upholding the highest standards of integrity, ethical conduct, professionalism, and compliance with all relevant laws in all facets of its operations for its members.

CODE OF ETHICS

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1.0 Purpose and Scope of the Code

1.1 The primary objective of the AMEC Code of Ethics is to offer guidance and foster ethical conduct in addressing any business, legal, and ethical dilemmas that may arise in the course of conducting business, as well as to outline the standards of behavior expected from its members and partners in the express service industry.

1.1.1 This Code establishes a framework that ensures equitable, transparent, and effective practices within the express delivery industry through advocacy, communication, and education for its members.

1.1.2 This Code is not an exhaustive manual that encompasses every ethical dilemma members may encounter in the course of their business. In situations not explicitly addressed by this Code or in instances of uncertainty, Members are encouraged to seek clarification or guidance from the AMEC Secretariat.

1.2 This Code shall be applicable to all Members, excluding Associate Member B as stipulated in clause 6.3.2 of the Constitution, concerning their licensed activities, and to other individuals or groups as instructed by the Commission periodically.

1.2.1 No such regulation, variation, or rescission shall be in any way contradictory to the Constitution or Code of Conduct, nor come into effect until it has been communicated to all Members in writing not less than 60 days prior. During this period, any half of its Members may, through written notice to the Honorary Secretary, request an extraordinary General Meeting (EGM) to be arranged for the purpose of deliberating, confirming, or annulling the same.

1.2.2 If a grievance in written form, substantiated by evidence, is lodged with the Honorary Secretary alleging that a Member has engaged in any improper or unprofessional conduct, the Council may, upon deeming reasonable grounds for such action, designate a Code of Ethic Committee on Professional Conduct comprised of no fewer than three or five Council Members, entirely or partially constituted by Members of the Council, to probe into the grievance.

1.2.3 Prior to convening any meeting of the Code of Ethic Committee, the Honorary Secretary shall dispatch within 14 days before via email a notification to the respective Member, stating the precise time and venue of the meeting. The notification shall also outline the nature of the subjects to be deliberated upon, emphasizing the Member's entitlement to attend and be accompanied by a representative.

1.2.5 Any Member whose actions are the subject of such an investigation may attend such meeting to present their case and may summon witnesses and submit written statements. The member shall be presented by the Chief Executive Officer, OR Managing Director OR to appoint an authorised representative to the meeting. However, if the Member is absent, the Code of Ethic Committee reserves the right to disregard any written submissions that are not in the form of a statutory declaration.

1.2.6 AMEC shall not be responsible for any expenses incurred by the Member in connection with the investigation. However, the Council, at its discretion and without prejudice or admission of liability, may grant the Member reimbursement to cover some or all of such expenses.

1.2.7 In the event that the Member fails to appear at the designated time and location or to provide representations as stipulated in Section 1.2.4 above, subject to the level of inquiry, the Code of Ethic Committee reserves the right to proceed in their absence.

1.2.8 If, in the judgment of the Code of Ethic Committee, the grievance lacks substantiation, this determination shall be conveyed to the Council and the respective Member.

1.2.9 If, in the view of the Code of Ethic Committee, the allegation is validated, the Committee shall present the facts to the Council, which will deliberate on the report during a Council Meeting with a quorum of not less than two-thirds of its Members present.

1.2.10 If, during such Council meeting where the case is presented, not fewer than two-thirds of the Members of the entire Council determine that the Member whose conduct is under investigation has engaged in improper or unprofessional behaviour, the Council is empowered to issue one or more of the following directives:

i. Expulsion from membership of AMEC; or suspension from membership for any duration.
ii. Reprimand or admonition.
iii. Obligation to make a financial contribution towards the costs and expenses of AMEC and incidental to any hearing before the Code of Ethic Committee, the amount of which shall be decided by the Council.

1.3 This Code is of general application. Sub-codes will be formulated to address specific industry requirements, if deemed necessary.

1.4 The Association of Malaysian Express Carriers (AMEC) appreciates and values all feedback and inquiries from members and other stakeholders.

1.5 Kindly visit our official website at www.amec.my and feel free to reach out to us via email at secretariat@amec.my / admin@amec.my or get in touch with our Secretariat at 012-785 5085.

2.0 Responsibility and Compliance with The Code

2.1 Each Member is required to adhere to the principles and guidelines outlined in this Code, as well as any subsequent revisions or modifications issued by the Association periodically.

2.2 It is imperative for members to report any violations or suspected violations of this Code and aid in its enforcement. Any infraction or suspected infraction of this Code must be promptly reported to the President of the Association or any other designated officer.

3.0 Amendment to the Code

3.1 The Management of the Association has endorsed this Code. Revisions or modifications to this Code may be implemented periodically to align with any alterations in applicable guidelines and regulations, or adjustments to the Association's vision and mission, or other pertinent factors. Members will be duly notified of any updates or modifications to the Code through email and Announcement in the Association website.

4.0 DEFINITIONS

4.1.“AMEC” means the Association of Malaysian Express Carriers.

4.2.“Code of Ethic Committee” means the committee selected by the Council to investigate a breach committed by a Member.

4.3.“Constitution” means the AMEC Constitution.

4.4.“Customer” means a person who receives, acquires, uses or subscribes to services relating courier services.

4.5.“Council” means the Council Members of AMEC.

4.6.“Courier Company” means the company that provides express courier services.

4.7.“Members” mean Ordinary and Associate Members of AMEC.

4.8.“MCMC means” the Malaysian Communications and Multimedia Commission.

4.9.“Personal Information” means information collected by the Courier Company from the Consumer.

PART II : CODE OF ETHICS

5.0 Fundamental Principles

5.1 Members across the courier express services industry shall continuously uphold and abide by the following ethical principles that are vital to the achievement of a high standard of professionalism and ethics across the industry.

5.1.1 Principle 1: Competence

Members are expected to cultivate and uphold the requisite knowledge, expertise, and conduct to ensure the proficient and professional execution of their tasks. This entails demonstrating diligence, as well as acquiring and routinely updating the necessary qualifications, training, skills, and practical know-how.

5.1.2 Principle 2: Integrity

Members are expected to conduct themselves with integrity and transparency in all their interactions. This entails acting in a responsible and reliable manner, and refraining from any behavior that could tarnish the reputation of, or bring dishonor to the industry at any point.

5.1.3 Principle 3: Fairness

Members are expected to conduct themselves with responsibility and embody a culture of equity and openness. This entails treating individuals with whom they have professional connections with dignity and ensuring that they carefully deliberate the consequences of their decisions and behaviors on all stakeholders.

5.1.4 Principle 4: Confidentiality

Members are obligated to safeguard the confidentiality and sensitivity of the information entrusted to them. This entails utilizing the information solely for its designated purposes and refraining from disclosing it to any unauthorized individuals, including third parties, without the requisite consent from the parties involved, unless mandated by law or regulation.

5.1.5 Principle 5: Objectivity

Members must not allow any conflict of interest, bias, or external pressure to override their business and professional judgment. It is imperative that they disclose any factors that could potentially compromise their impartiality to the relevant parties.

i. Members are encouraged to cultivate self-discipline in order to consistently deliver exceptional and top-notch services within the industry.
ii. Furthermore, it is essential to continually improve members' skills and to be adaptable to various environments.

6.0 Equal Opportunity and Non-discrimination

6.1 The Association and its Members upholds the principles of workforce diversity, equal opportunity, non-discrimination, and equitable treatment in all aspects of employment, including recruitment, hiring, remuneration and benefits, working conditions, training, recognition, career progression, and retirement practices.

6.2 Members must strive to establish a workplace characterized by equity and impartiality, refraining from any form of discrimination in their professional endeavors. This includes but is not limited to discrimination based on age, gender, race, ethnicity, national origin, religion, sexual orientation, disability, health condition, marital status, parental status, or genetic information, among other relevant criteria.

7.0 Workplace Health and Safety

7.1 Shared Commitment

The Association recognizes that workplace health and safety is a shared responsibility between the Association and its Members. A safe and healthy working environment is fundamental to employee well-being, productivity, and sustainable business operations.

7.2 Members' Responsibilities

Members shall:

Comply with all applicable occupational health and safety laws, regulations, and industry standards.

Provide appropriate training, resources, and supervision to ensure employees understand and fulfill their health and safety obligations.

Promote a culture of safety by identifying hazards, reporting risks, and taking reasonable steps to prevent accidents, injuries, and work-related illnesses.

8.0 Harassment, Threat and Violence

8.1 The Association and its Members does not condone any form of harassment or violence. This includes making derogatory remarks based on gender, race, or ethnicity, as well as unwelcome sexual advances. The Association strictly prohibits the dissemination of malicious rumors through emails, voicemails, or any other communication channels to propagate derogatory or discriminatory content.

8.2 Harassment and unlawful discrimination are not tolerated at any stage of membership, regardless of race, color, religion, national origin, age, disability, disease, sexual orientation, gender identity, marital status (including pregnancy), family responsibilities, or social background.

8.3 Harsh or inhumane treatment is unequivocally condemned; this includes all forms of harassment (sexual/physical/verbal), sexual abuse, corporal punishment, slavery, mental or physical coercion, or verbal abuse of employees. Moreover, the mere suggestion or insinuation of such treatment is strictly prohibited.

9.0 Managing Relationships with Stakeholders

9.1 The Association acknowledges that members may engage in activities organized by non-governmental organizations (NGOs), such as charitable, humanitarian, or environmental initiatives. The Association commends their dedication in these endeavors. Nevertheless, it is incumbent upon members to ensure that their involvement with NGOs does not give rise to conflicts of interest with the Association.

9.2 If the member has any personal relationship with the vendor, supplier, or consultant that could potentially result in a conflict of interest, such a relationship must be disclosed. The Association must then abstain from participating in any decision-making processes regarding business relationships involving the respective vendor, supplier, or consultant.

SECTION B : ASSOCIATION INFORMATION, RECORDS AND ASSETS

10.0 Data Integrity and Data Protection

10.1 This Code should be interpreted in conjunction with the associated legislation, namely the Personal Data Protection Act 2010.

11.0 Documentation, Reporting and Confidential Information

11.1 Members are obligated to safeguard the Association's confidential information and shield it from unauthorized disclosure or use.

11.2 Members are obligated to safeguard third-party confidential information they have access to. This includes data, business strategies, customer lists, and unpublished financial information. Members are prohibited from divulging or utilizing confidential information without proper authorization, unless mandated by law or sanctioned by the Association. It is imperative that Members refrain from disclosing confidential information or permitting its disclosure, as well as abstaining from utilizing such information for unauthorized purposes.

SECTION C : DUTIES OF GOOD FAITH, DILIGENCE AND INTEGRITY

12.0 Conflict of Interest

12.1 A conflict of interest arises when an individual or company exploits their position within the Association for personal benefit, potentially undermining the Association’s interests.

12.2 A conflict of interest may arise even in the absence of any unethical or improper conduct. The mere perception of undue influence in member decision-making process can raise a significant concern.

12.3 A conflict of interest will compromise the principles of good faith, loyalty, diligence, and integrity in the execution of members' duties and responsibilities as stipulated by the Association of Malaysian Express Carriers (AMEC).

12.4 Members must therefore refrain from engaging in conflicts of interest between their personal affairs and their duties and obligations in the execution of AMEC's operations. Specifically, the use of one's AMEC office position, confidential information, assets, and other resources for personal benefit, or for the advantage of individuals with whom one is affiliated, is strictly prohibited.

12.5 The situations under which conflicts of interest may arise include, but are not limited to:

12.5.1 When members, in the exercise of their authority, prioritize their own interests or the interests of their family/household members, associates, or friends over the interests of AMEC.

12.5.2 Whenever members possess the capacity to exert influence on decisions to be made by AMEC regarding interactions with a business, enterprise, or entity owned or partially owned by the member, their family/household members, associates, or acquaintances.

12.5.3 In instances where a member engages in competition with or against AMEC, it is imperative to steer clear of conflicts of interest between their personal affairs and their obligations in conducting AMEC's business. Specifically, the exploitation of one's AMEC office position, privileged information, assets, and other resources for personal gain, or for the advantage of affiliated individuals, is strictly prohibited.

12.5.4 When a member possesses a financial stake in a supplier, contractor, competitor, or customer, and is engaged in AMEC's decision-making process pertaining to or relevant to them.

12.5.5 When a member possesses a financial stake in a transaction in which the member are aware that AMEC is engaged or intends to be engaged.

12.5.6 When a member receives remuneration, fees, or other perks from a supplier, contractor, competitor, or client.

13.0 Accepting & Providing Gifts and other Benefits

13.1 As a general guideline, Members are advised against giving or receiving gifts, entertainment, or other perks from business partners and/or stakeholders. Nonetheless, the Association acknowledges that the occasional acceptance or offering of modest gifts and entertainment may be a customary or conventional practice in business relationships.

13.2 The following guidelines shall be observed:

a) Members should not give or accept gifts or any other benefit or privilege that would in any way influence or appear to influence any business decision or gain an unfair advantage.

b) The receipt or provision of gifts, entertainment, and other benefits should not be associated with contractual negotiations, tender awards, or similar circumstances.

14.0 Solicitation, Bribery and Corruption

14.1 The Association is dedicated to conducting itself with professionalism, equity, and integrity in all its business transactions and partnerships worldwide, while also establishing and upholding robust mechanisms to combat bribery and corruption.

14.2 Members are prohibited from offering, providing, seeking, or receiving any bribes to gain a business or personal advantage for themselves or others, or engaging in any transactions that violate any relevant anti-bribery or anti-corruption laws.

14.3 The commission of corrupt practices results in the compromise of the proper execution of duties and the exercise of authoritative powers, thus undermining the integrity of the decision-making process and the resolutions pertaining to its operations and affairs. Such misconduct by a member also has the potential to implicate AMEC and its constituents.

14.4 AMEC upholds a strict policy of absolute intolerance towards corruption and bribery in any manifestation. Members are strictly prohibited from offering or bestowing any improper personal advantage, whether directly or indirectly, in exchange for illicit actions or benefits. It is imperative that the prescribed guidance, value thresholds, and authorization procedures are rigorously followed at all times.

14.5 AMEC also does not tolerate the provision of illicit benefits by consultants, agents, external sales representatives, or any other business associates during the member commercial transactions.

15.0 Money Laundering

15.1 Money laundering is a sophisticated process wherein individuals or groups attempt to obscure the proceeds of illicit activities or endeavor to legitimize the origins of the members unlawfully obtained funds.

15.2 Members should always ensure that they are engaging in transactions with reputable clients, for lawful business purposes and with legitimate funds. Members must be vigilant of the potential risk of AMEC's operations being utilized for money laundering activities. In the event of any suspicion of such illicit activities, Members are required to promptly report it to the Associaton and their respective Executive Committee or the designated individual appointed by the Association.

15.2 Members must always ensure that they are engaging in transactions with reputable clientele, for lawful business purposes and with legitimate funds.

15.3 Members must remain vigilant of the potential risk of the Association's operations being utilized for money laundering activities. Should any suspicion of such illicit activities arise, Members are obligated to promptly report it to the Association and their respective Executive Committee or the designated individual appointed by the Association.

16.0 Compliance to Legal Regulations

16.1 The Association is dedicated to conducting business in a manner that aligns with ethical principles and adheres consistently to the Code of Ethics ("Code"), its established policies, and all relevant laws, regulations, and statutes. Members are entrusted with an ongoing responsibility to acquaint themselves with the laws pertinent to their professional duties and organizational policies.

16.2 Ensuring that the licensees adhere to the prescribed service standards, contractual obligations, pertinent laws and guidelines, as well as ensuring full compliance with the Postal Services Act 2012 and Licensing Conditions.

16.3 Members shall adhere to all regulatory reference frameworks, guidelines, and parameters issued by the relevant authority from time to time, including but not limited to those related to minimum reference prices, cost-based pricing structures, service standards, and operational requirements. Members are responsible for ensuring that any service pricing, promotional activities, or commercial arrangements remain aligned with these regulatory expectations and do not contravene the prescribed minimum thresholds or conditions set by the regulator.

17.0 Whistleblower

17.1 The Association endeavors to uphold the highest standards of professionalism, integrity, and ethical conduct in the execution of its affairs and activities.

17.2 Members are required to promptly disclose legitimate concerns regarding actual or suspected unethical, unlawful, illicit, wrongful, or other inappropriate behavior within the Association to the Association's Executive Committee or the designated individual appointed by the Association.

18.0 Competitions Law

18.1 All members are required to adhere to the Anti-Competition legislation of Malaysia, which encompasses the Competition Act 2010 (Act 712) and the Competition Commission Act 2010 (Act 713).

18.2 Prohibited behaviors encompass agreements between competitors regarding maximum or minimum prices, discounts, rebates, or credit terms. The mere existence of such agreements is deemed illegal, regardless of whether the involved parties acted

upon them or if the member actions actually improved rather than hindered competition.

18.3 The principles of competition law and equitable trading safeguard the integrity of fair competition within the market. Breaches of these regulations can result in substantial penalties and inflict significant harm upon our reputation. It is imperative that all members strictly adhere to these stipulations without any deviations.

18.4 Every Member is required to strictly adhere to the regulations of competition law policy.

18.5 Members are prohibited from engaging in the following activities:

a) Illegally soliciting commercially sensitive information.
b) - Exchanging commercially sensitive information with competitors.
c) Entering into forbidden anti-competitive agreements or other arrangements
d) Participate in trade associations, lobbying groups, or external benchmarking activities only with prior approval from the relevant parties and appropriate guidance from the appropriate party.

18.6 Price Dumping or Predatory Pricing

18.6.1 Price dumping, also known as predatory pricing, is a strategy where the member deliberately set their prices below cost or market value to eliminate competition and impact consumers negatively. This practice can harm competition and lead to monopolistic behavior, ultimately impacting consumers negatively.

18.6.2 Members are prohibited from engaging in predatory pricing to address issues of anti-competitive behaviour and the abuse of dominant positions. This directive should be interpreted in conjunction with the Competition Act, which falls under the jurisdiction of the Malaysia Competition Commission (MyCC) and has been in effect since 1 January 2012.

18.6.3 The notion of abuse remains undefined within the Competition Act. Nonetheless, section 10(2) of the Competition Act provides a non-exhaustive indication of behaviours that may constitute abuse of a dominant position, without prescribing a definitive list.

19.0 Unethical Practices

19.1 Anti-Employee Poaching

19.1.1 Members shall refrain from engaging in any activities that could be construed as poaching or soliciting employees from other companies within the sector. This includes, but is not limited to, directly or indirectly soliciting, recruiting, or hiring any employee or contractor of another courier service without explicit consent from that individual's current employer.

19.1.2 Members are encouraged to report any attempts at poaching, whether by internal or external parties, to the Association's Executive Committee or the designated individual appointed by the Association. By adhering to this policy, we uphold the integrity of our workforce and promote healthy competition within the industry.
19.1.3 The members should adhere to ethical recruitment practices and allocate substantial resources and time towards the training of their employees.

19.1.4 Employee poaching is an unethical practice, and the Association urges its members and business partners to uphold social responsibility and ethical standards. They should refrain from luring employees of other Members to join their ranks.

19.1.4 Collaborators engaging in the poaching of the Members' personnel will be perceived as engaging in unethical and unscrupulous behavior, potentially jeopardizing the business relationship.

19.2 Illegal subcontracting

19.2.1 Subcontracting refers to the practice of assigning delivery tasks to third parties or individuals not directly employed by the primary service provider. This practice must adhere to ethical and legal standards as outlined in this code.

19.2.2 Members shall not engage in illegal subcontracting practices. This includes, but is not limited to, hiring individuals or entities to perform delivery services without proper contractual agreements, necessary licenses, or regulatory compliance.

19.2.3 All subcontracting arrangements must comply with applicable local, state, and national laws. Members are responsible for ensuring that any subcontracted parties possess the necessary permits, insurance, and qualifications to perform the delivery services.

19.2.4 Members must maintain transparency regarding subcontracting practices. All agreements involving subcontracted services should be documented and made available for review, ensuring clarity on the roles and responsibilities of all parties involved.

19.2.5 Members are encouraged to report any suspected illicit subcontracting practices within the industry. Violations of this provision will be thoroughly investigated, and appropriate measures will be implemented to address any instances of non-compliance.

19.3 Integrity and Background Information Declaration

19.3.1 All members of the courier industry commit to conducting their business with integrity, ensuring that all actions reflect honesty and ethical practices. Members shall refrain from engaging in any form of deceit, fraud, or misrepresentation.

19.3.2 Members must report any changes to their background information that could impact their role or the company's operations. This includes changes in licensure, or other factors that may affect their ability to perform their duties safely and effectively.

19.3.3 Members are expected to uphold high ethical standards in all courier activities, including accurate representation of services, proper handling and delivery of packages, and safeguarding client privacy. Any unethical conduct, such as theft, negligence, or dishonesty, will be subject to disciplinary measures.

19.3.4 Members are encouraged to report any suspected violations of this code or unethical behavior through established reporting channels. The industry supports a non-retaliation policy to protect those who report concerns in good faith.

20.0 Environmental, Social and Governance

20.1 In our commitment to ethical practices, we recognize our responsibility to promote sustainable development within the courier industry. We strive to minimize our environmental impact through the following principles:

20.1.1 Eco-Friendly Practices: Promoting eco-friendly practices in our operations, including the use of energy-efficient vehicles, reduction of emissions, and the adoption of green packaging materials.

20.1.2 Resource Efficiency: We commit to optimizing resource use, reducing waste, and enhancing recycling efforts throughout our supply chain.

20.1.3 Sustainable Partnerships: Partnerships with suppliers and stakeholders who share our commitment to sustainability, ensuring that our collective efforts contribute to a more environmentally conscious future.

20.1.4 Community Engagement: Facilitating interactions with local communities to support and promote sustainability initiatives, fostering awareness and participation in environmental stewardship.

20.2 We are dedicated to fostering sustainable development in order to address the increasing global energy demands in a manner that is economically, ecologically, and socially conscious.

20.3 As we continue on our sustainability journey, the Association remains steadfast in its commitment to harmonizing its economic performance with conscientious environmental and social considerations. Our objective is to achieve sustainable excellence and enhance stakeholder value while ensuring the enduring creation of value in the long term.

20.4 The Association believes success is due to addressing economic, environmental, and social issues. The aim is to create social benefits, safeguard health and safety, minimize disruptions, lower emissions, impact on ecosystems, and use resources efficiently.