

United Taiwan Bank

Whistleblowing Policy

Article 1.

In order to avoid irregularities, to promote a robust operation and to protect the whistleblower, the Bank has set up the policy in accordance with Article 34-2 of the “Implementation Rules of Internal Audit and Internal Control System of Financial Holding Companies and Banking Industries” of the Financial Supervisory Commission of the ROC and Article 21, § 1, 8° of the Belgian Banking Law.

Article 2.

With whistleblower is meant the bank insiders and outsiders who provide evidence of undetected relevant wrongdoing or irregularity and who are assisting the bank to investigate in accordance with the measures and the procedures of the policy.

Article 3.

Anyone may file a report to the compliance officer when discovering that a bank staff is involved with any of the following wrongdoings or irregularities during the business operations via the designated email or direct line:

1. In order to acquire or maintain advantage, directly or indirectly provides, accepts, promises or requests any illegitimate interest, or engages in other conducts that violate integrity or breach the fiduciary duty.
2. Any crime, corruption, or potential legal violation.

The Bank shall set up and announce the email and direct line for the whistleblower on the bank’s website.

The reported case from email or direct line will be reviewed by the Compliance Officer. The case will be either investigated by himself or the designated independent personnel member based on its type, specificity and pattern.

Article 4.

The reported case referred in paragraph 3, Article 3 shall be handled in accordance with the following procedure:

1. The Compliance Officer will be in charge of the investigation when a Director or the Deputy Managing Director or above of the bank is involved in the reported case;
2. The designated personnel member referred in paragraph 3, Article 3 will be in charge of the investigation when a manager or the staff member is involved in the reported case.

The reported case referred in 2nd subparagraph, if necessary, will be investigated by the Compliance Officer directly.

The whistleblower shall at least provide the following information:

1. Name, ID number and the reachable contact details such as address, telephone number and email of the whistleblower.
2. Name of the accused person or other information which can be used to identify the accused person’s identity.

3. Supporting facts available for investigation.

Except for the information referred to in the 2nd and 3rd subparagraph of the previous paragraph and provided by the whistleblower, the bank will not accept any case reported in an anonymous and impersonative, false way.

Article 5.

The bank shall do the necessary investigation about the reported case referred to in Article 4. The related department and staff of the bank shall cooperate with the investigation and provide assistance.

Any person with conflict of interests shall recuse himself from the acceptance and investigation of the reported case.

The bank will not investigate or cease the investigation if the reported case meets any of the following criteria :

1. No supporting facts;
2. The reported case is a malicious attack or false.
3. The reported case is the same case as the one where the investigation process is ended and the whistleblower can not provide any new facts or new evidence.
4. The reported case has been under judicial investigation, brought to trial by the judiciary, or not prosecuted, deferred prosecution or a final judgement.
5. Unrelated to the operations of the bank.
6. Related to the private moral of the bank staff, the gender equality in employment, the working conditions, other stipulations from related law and regulation or the bank policy or the reported case does not meet the criteria referred in Article 3.

In case there are different reported cases for the same accused person and the facts are identical, the bank may investigate the cases simultaneously.

If the accused person is a Director or the Deputy Managing Director or above, the Compliance Officer must prepare the investigation report and submit it to the Audit and Risk Committee for deliberation and report it to the Board of Directors and the parent bank.

When material misconduct or likelihood of material impairment to the bank comes to the awareness upon investigation, the bank shall immediately prepare the report and notify the Audit and Risk Committee, the Board of Directors and the parent bank in a written form. The bank shall report or file the major incident, or material violation discovered with the relevant authorities. Except in case the whistleblower cannot be reached, the bank must notify the whistleblower of the results in writing or otherwise within 30 days after the investigation is concluded. The notification also has to be done for the cases not to be investigated or ceased from investigation referred to in the 3rd paragraph of this article.

The investigation report, including the reported case, the investigation processes and the follow-up of the improvement measures taken, must be submitted to the Audit and Risk Committee and the Board of Directors.

Article 6.

The bank shall keep the documentation of the case acceptance, investigation process, investigation results and relevant documents in either hard copy or electronic form for 10 years.

In the event of a lawsuit with respect to the reported case before the retention period expired, the relevant information shall continue to be retained until the conclusion of the litigation.

Article 7.

1. The identity of the whistleblower shall be kept confidential. No information that may be used to identify that person shall be disclosed.
2. The whistleblower shall not be terminated, dismissed, downgraded/relocated, given a reduction in pay, impairment to any entitlement under the law, contract or customs, or other unfavorable disposition due to the reported case.

Article 8.

The bank shall remind the staff on an annual basis of the existence of the whistle blowing policy and give training about the whistle blowing procedure system for its personnel.

Article 9.

If the reported case is identified to be true, the bank shall give the accused person and the persons involved the necessary disciplinary actions in accordance with the related regulations, and give reward to the whistleblower based on the reported case.

Insiders who have made a false report or malicious accusation shall be subject to punishment.

Article 10.

This policy and any amendments hereto, shall come into in force after adoption by a resolution of the Board of Directors.