



Bank of Bahrain and Kuwait B S C

BANK OF BAHRAIN AND KUWAIT BSC

POLICY ON PROTECTED DISCLOSURE

Preamble:

As a measure for strengthening financial stability and with a view to enhancing public confidence in the robustness of the financial sector, RBI has issued instructions vide their circular No.DO DBS.FrMC No.BC 5/23.02.011/2006–07 dated April 18, 2007 on 'Protected Disclosures' in banks.

Bank of Bahrain & Kuwait BSC is committed to the highest standards of ethics. The Bank encourages transparency in all its dealings between staff, managers, customers and all people with whom it comes into contact. Accordingly, the policy on 'Protected Disclosures Scheme' in the bank has been evolved based on RBI guidelines.

1. Objective:

1.1 The policy aims at quickly spotting aberrations and dealing with them at the earliest. It will be disseminated among the public / employees assuring confidentiality and protection to whistle-blowers against any personal vindictive actions such as humiliation, harassment or any other form of unfair treatment. It shall be displayed on the website of the Bank.

2. Scope and Coverage:

2.1 The Scheme covers the areas such as corruption, misuse of office, criminal/civil offences, suspected/actual fraud, failure to comply with existing rules and regulations such as Reserve Bank of India Act, 1934, Banking Regulation Act, 1949, etc. and acts resulting in financial loss/operational risk, loss of reputation, etc. detrimental to depositors' /public interest.

2.2 Under the Scheme, employees of the Bank, customers, stakeholders, NGOs and members of public can lodge complaints.

2.3 Anonymous / pseudonymous complaints will not be covered under the Scheme and such complaints will not be entertained.

2.4 Reserve Bank of India (RBI) will be the Nodal Agency to receive complaints under the Scheme. RBI would keep the identity of the complainant secret, except in cases where complaint turns out to be vexatious or frivolous and action has to be initiated against the complainant as mentioned at para 2.5 below or where the complainant himself / herself has made the details of the complaint public.

2.5 The Bank may take action against complainants in cases where motivated / vexatious complaints are made under the Scheme, after being advised by RBI, by using its own mechanism / the law enforcing agencies as the Bank deems fit. In such cases, the Bank shall intimate RBI about the action taken by the Bank against the complainant. An opportunity of hearing will however be given by the bank to the complainant before taking such action.

2.6. Final action taken by RBI on the complaint will be intimated to the complainant.



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3. Procedure for lodging the complaint under the Scheme:

- 3.1 The complaint should be sent in a closed / secured envelope.
- 3.2 The envelope should be addressed The General Manager, Reserve Bank of India, Department of Banking Supervision, Central Fraud Monitoring Cell,13/3/08, Nrupatuga Road, Bangalore 560001. The envelope should be super scribed "Complaint under Protected Disclosures Scheme for Banks".
- 3.3 The complainant should give his / her name and address in the beginning or end of the complaint or in an attached letter together with details such as designation, department, institution and place of posting etc.
- 3.4 Complaints can be made through e-mail also giving full details as specified above. For this purpose, a specific e-mail address has been created at RBI (dbspd@rbi.org.in).
- 3.5 The complainant should ensure that the issue raised by him involves dishonest intention/moralangle/practice detrimental to the interest of the Bank/customers/shareholders/employees/public-at-large He should study all the relevant facts and understand their significance. He should also make an effort, if possible, to resolve the issue through internal channels in order to avoid making the complaint.
- 3.6 The text of the complaint should be carefully drafted so as not to give any details or clue to the complainant's identity. The details of the complaint should be specific and verifiable.
- 3.7 In order to protect the identity of the complainant, RBI will not issue any acknowledgement of receipt of the complaint and the complainants are advised not to enter into any further correspondence with the RBI in their own interest. RBI assures that, subject to the facts of the case being verifiable; it would take necessary action, as provided under the scheme. If any further clarification is required, RBI will get in touch with the complainant.

4. Procedure inquiry under the Scheme:

- 4.1 If the complaint is accompanied by particulars of the person making the complaint, the RBI shall take the following steps:
 - a) If necessary, it would ascertain from the complainant whether he was the person who made the complaint or not.
 - b) The identity of the complainant will not be revealed unless the complainant himself has made the details of the complaint either public or disclosed his identity to any other authority.
 - c) If the identity of the complainant is concealed, RBI shall make discreet inquiries to ascertain if there is any basis for proceeding further with the complaint.
 - d) Either as a result of the discreet enquiry, or on the basis of complaint itself without any inquiry, if RBI is of the opinion that the matter requires to be investigated further, RBI may consider calling for the comments / response from the Chief Executive Officer of the Bank-
 - e) After obtaining the response of the concerned bank and / or on the basis of an independent scrutiny conducted / ordered by RBI, if RBI is of the opinion that the



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allegations are substantiated, the RBI shall recommend appropriate action to the concerned bank. These shall, inter alia, include the following:

- i) Appropriate action to be initiated against the concerned official.
- ii) Appropriate administrative steps for recovery of the loss caused to the bank as a result of the corrupt act or mis-use of office, or any other offence covered by the Scheme.
- iii) Recommend to the appropriate authority / agency for initiation of criminal proceedings, if warranted by the facts and circumstances of the cases.
- iv) Recommend taking corrective measures to prevent recurrence of such events in future.
- v) Consider initiating any other action that it deems fit keeping in view the facts of the case.

5. Protection available to the complainant:

- 5.1 If any person, including an employee of the Bank, is aggrieved by any action on the ground that he is victimized due to filing of the complaint or disclosure, he may file an application before the RBI seeking redressal in the matter. RBI shall take such action, as deemed fit. RBI may give suitable directions to the Bank, preventing initiation of any adverse personal action against the complainant.
- 5.2 Either on the basis of application of the complainant or on the basis of information gathered, if the RBI is of the opinion that the complainant or the witnesses in the case need protection, the RBI shall issue appropriate directions to the Bank.
- 5.3 The system evolved herein shall be in addition to the existing grievances redressal mechanism in place in the bank. However, secrecy of identity shall be observed, only if the complaint is received under the scheme.
- 5.4 In case RBI finds that the complaint is motivated or vexatious, RBI shall be at liberty to take appropriate steps.
- 5.5 In the event of the identity of the informant/complainant being disclosed in spite of RBI's directions to the contrary, RBI shall be authorized to initiate appropriate action as per extant regulations against the person or agency or the Bank making such disclosure. RBI may also direct such person or agency or the Bank to suitably compensate the complainant.
- 5.6 The bank will protect the identity of employees making disclosure under the scheme and no adverse personnel action initiated against them.

6 Responsibility of the Bank Management:

- 6.1 The Country Head & CEO – India shall be responsible for monitoring the implementation of the scheme in the Bank.
- 6.2 The Chief of Internal Vigilance of the Bank shall maintain a register of such complaints received from RBI, duly noting the serial number of the complaint and the date of receipt. The complaint shall be brought to the notice of the Chief Executive Officer of the Bank immediately on receipt.
- 6.3 On receipt of the complaint forwarded by RBI, the Bank will conduct an internal inquiry / investigation and RBI will be informed of the findings of the inquiry / action taken within a period of two months. RBI will be informed even in cases where it is revealed through inquiry / investigation that the complaint is without substance.



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- 6.4 The Audit Committee of the Bank (India Operations) will have the responsibility of overseeing of this policy and its implementation. It will review the functioning of the scheme in the Bank on a quarterly basis, in its meetings.
- 6.5 The Human Resources Department of the Bank shall make all the staff and newly recruited employees aware of the existence of such scheme in the bank.