

Silergy Corp. <b>检举案件处理细则</b> Rules for Handling Whistleblower Cases	文件分类 File Classification	作业细则 Operational Rules
	文件编号 File No.	DR-10-15-01
	制定部门 Formulation Dep	稽核室 Auditing Dep
	版本 Version	A0

## 一、目的

为落实执行本公司「道德行为准则」及「诚信经营守则暨作业程序及行为指南」等规定，提供员工及相关检举人检举任何非法或违反准则或守则之行为，确保检举人及相关人之合法权益，强化公司治理与企业永续经营，特制定本细则。

## 二、范围及对象

- (一) 适用范围：本公司及集团所属子公司均适用本细则。
- (二) 适用对象：内部员工、供货商或客户等其他利害关系人员发现有以下情形时，均得提出检举：
1. 违反本公司道德行为准则及诚信经营守则暨作业程序及行为指南等涉及违法、违纪、舞弊及不正当行为之规定。
  2. 职场不法侵害案件，包括但不限于任何形式之歧视、性骚扰与其他类别骚扰行为之案件。

## 三、权责

- (一) 稽核室：受理、调查单位。
- (二) 法务部门：必要时予以协助，并负责和司法机关对接。
- (三) 行政人事部门：必要时予以协助，并负责检举案件之奖惩。
- (四) 被检举对象：应协助、配合调查并对检举所涉及的问题作出解释说明和提供相应资料。
- (五) 检举人：提供检举案件之具体信息。

## 四、作业内容

- (一) 检举方式：
1. 检举信箱：[audit@silergycorp.com](mailto:audit@silergycorp.com)
  2. 书面检举：浙江省杭州市滨江区联慧街6号19楼 稽核室（收）  
或 台湾新北市中和区板南路653号10楼 稽核室（收）。
- (二) 处理程序
1. 检举人应透过本细则所列检举管道填具「检举案件申诉表」，叙明涉及违反情形之具体事由及提供申诉表所需信息以利查证（包含相关人员的姓名、单位、事件发生日期及内容说明）。原则上不接受匿名检举，鼓励实名以便进行沟通及调查。若检举人选择匿名，仍应提供除真实姓名以外之前述所需信息以供查核，检举内容如有调查必要，受理单位可分案处理，并作为内部检讨之参考(不予以回复)。
  2. 检举事项若涉及普通员工，应呈报至总经理；涉及高阶主管或董事时，则呈报至董事长/董事会；上报层级涉及关系人或应回避对象时，应由更上阶层级或另行指派之非利害关系人受理。

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3. 受理部门仅稽核主管及其指定之人员有权限阅读邮件或相关资料，检举案件均交由稽核主管处理，由稽核主管指派合适稽核人员担任案件专员；稽核主管认为必要时，得先行将案件向董事长/董事会报告后决定调查方式与人员（必要时得请法务部门、行政人事部门或其他相关部门派员协助）。
4. 检举案件应于确认受理之翌日起二个月内结案，必要时得延长一个月。结案时应以「检举案件回复表」回复检举人，检举人若未能提供联系方式、联络无响应或匿名检举申诉者均不在此限。检举人如对处理结果不服时，应于收受回复之翌日起十日内，再次填具「检举案件申诉表」并提出新理由及具体之新证据申请复议（以一次为限）。
5. 检举案经查证属实者，本公司依法令或内部相关惩戒规定办理，或为法律责任之追诉。惟于做出惩处决定前，公司应提供检举案相对人陈述意见或申诉之机会，以维护检举案相对人之权利。如经调查发现重大违规事项或公司有受重大损害之虞时，受理检举部门应向董事长/董事会作个案报告。
6. 受理检举之部门或人员无正当理由而未处理，或被检举人之主管于被检举前已知悉有非法、不道德或不诚信行为之事项而未处理者，应依法令或内部惩戒规定办理。
7. 检举案件如有以下情形，且经要求补件或经事实调查后仍符合以下情形之一者，受理检举之部门不予受理或不予回复并径予结案：
  - (1) 未填具或完成上述 1. 及 4. 所订流程者。
  - (2) 检举事由明显属恶意攻讦或虚伪不实者。
  - (3) 检举事由不符合本细则适用范围者。
  - (4) 检举对象不符合本细则适用对象者。
  - (5) 同一事实经检核确认不予受理，或已处理结案者。但检举人已提出新事证证明该案有重新调查之必要者，不在此限。
  - (6) 匿名检举人，检举内容无具体内容可供核查，需补充说明或提供数据，经联系无着或不回应者。
  - (7) 检举人未能提供联系方式，经联系无着或不回应者。
  - (8) 同一检举案件，检举人以同一事由已向公司其他管道检举并经受理者。
8. 经查证属于「员工奖惩管理办法」规定的惩戒行为，由行政人事部门作出记过或辞退；构成犯罪的经法务部门确认后，移交司法机关处理。

### （三）回避、保密及奖励

1. 若承办检举案件之人员与检举人或被检举人具二等亲以内亲属关系、与被检举事项具有利害关系，或有其他可能影响检举案件被公正调查、处理之情况，承办检举案件之人员应主动回避，检举人或被检举人亦有权要求该人员回避。
2. 检举之当事人、检举人及负责处理案件之相关人员均不得对外公开，负有保密之责，以免检举人遭到不公平对待、报复或威胁，违者依奖惩规定办理。为保护检举人合法权益

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不受侵犯原则，受理单位应对检举人做到以下保密事项：

- (1) 不得私自摘抄、复制、借阅、扣押、销毁投诉、检举材料；
  - (2) 严禁泄露投诉、检举人的姓名、单位、住址等情况；
  - (3) 不得向被调查单位和被调查人出示投诉、检举材料；
  - (4) 宣传报道和对检举有功人员的奖励，除征得检举人的同意外，不得公开检举人的姓名、工作单位。
3. 检举当事人及相关人员有接受查询及忠实答复及提供有关资料之义务。
  4. 对于受理检举、调查过程及调查结果等数据，均应留存书面文件或电子文件，并保存五年，同时善尽保管保密责任。保存期限未届满前，发生与检举内容相关之诉讼时，相关资料应续予保存至诉讼终结止。
  5. 如有诬陷、欺瞒、侮辱他人或蓄意扰乱者，行政人事部门将依相关规章予以惩处。
  6. 检举揭发违反公司规章制度或侵害公司利益的行为，为公司挽回形象和较大损失者，行政人事部门将依奖惩规定给予检举人（内部员工）适当之奖励。

五、本办法经呈报总经理核准后实施，修改时亦同。

#### 六、参考文件

道德行为准则

诚信经营守则暨作业程序及行为指南

员工奖惩管理办法

#### 七、附件/表单

检举案件记录表

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检举案件回复表

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#### I. Purpose

In order to implement the provisions of the Company's "Code of Ethical Conduct" and "Procedures for Ethical Management and Guidelines Conduct", and to provide employees and related whistleblowers with the opportunity to report any unlawful or non-compliant behavior, to ensure the legitimate rights and interests of the whistleblowers and related parties, and to strengthen corporate governance and sustainable business operations, the Company hereby establishes these rules.

#### II. Scope and target audience

- i. Scope of application: The Company and subsidiaries of the Group shall be subject to these rules.
- ii. Applicable to: Internal employees, suppliers or customers and other interested parties may report any of the following situations:
  1. Violation of the Company's Code of Ethical Conduct, Code of Business Integrity, and Operating Procedures and Guidelines for Conduct, etc., which involve violations of the law, discipline, malpractice, and misconduct.
  2. Cases of workplace harassment, including but not limited to any form of discrimination, sexual harassment and other types of harassment.

#### III. Authority and responsibility

- i. Audit Office: acceptance, investigation unit.
- ii. Legal Affairs Department: To assist when necessary, and responsible for docking with the judicial authorities.
- iii. Administration and Personnel Department: To assist when necessary and be responsible for the rewards and punishments for whistleblowing cases.
- iv. The subject of the report: should assist, cooperate with the investigation and the report of the issues involved in the explanation and provide the appropriate information.
- v. The whistleblower: Provide specific information on the whistleblowing case.

#### IV. Operational content

- i. Reporting method:
  1. Whistleblowing mailbox: audit@silergycorp.com
  2. Written report: 19th Floor, No. 6, Lianhui Street, Binjiang District, Hangzhou City, Zhejiang Province (Received) Or 10th Floor, No. 653, Bannan Road, Zhonghe District, New Taipei City, Taiwan Audit Office (Received).
- ii. Handling Procedures

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1. The whistleblower shall fill out the "Whistleblower Complaint Form" through the whistleblower channels listed in these rules, stating the specific reasons for the violation and providing the information required in the complaint form for verification (including the name of the person concerned, the organization, the date of the incident, and a description of the content). In principle, anonymous complaints are not accepted, and real names are encouraged to facilitate communication and investigation. If the whistleblower chooses to remain anonymous, he or she should still provide the aforementioned information for verification, in addition to his or her real name. If the content of the report is necessary for investigation, the receiving unit may handle the report as a separate case and use it as a reference for internal review (without replying to the report).
2. If the report involves an ordinary employee, it shall be submitted to the general manager; if it involves a high-ranking executive or director, it shall be submitted to the chairman of the board of directors; if the report involves a related person or a person who should be avoided, it shall be accepted by a higher level or a non-interested person who should be assigned separately.
3. Only the audit supervisor and his/her designated personnel have the authority to read emails or related information in the receiving department, and the report cases will be referred to the audit supervisor, who will assign appropriate auditors to be the case commissioners; the audit supervisor may, if he/she deems it necessary, report the case to the chairman of the board of directors before deciding on the mode of investigation and the personnel (with the assistance of the legal department, the administrative personnel department, or other relevant departments, if necessary).
4. The report shall be submitted to the chairman/board of directors.
4. Reporting cases shall be closed within two months from the day following the confirmation of acceptance, and may be extended for one month if necessary. When the case is closed, the whistleblower shall be given a reply in the form of "Reply Form for Whistleblowing Cases", except if the whistleblower fails to provide contact information, or if there is no response to the contact, or if the whistleblower complains about the whistleblowing in an anonymous manner. If the whistleblower is not satisfied with the outcome of the case, he/she should fill out the "Whistleblower Complaint Form" again and apply for a reconsideration with new reasons and specific new evidence within ten days from the next day after he/she receives the reply (one time only).
5. If the report is found to be true, the Company will handle it in accordance with the law or internal disciplinary regulations, or pursue legal responsibility. However, before making a decision on punishment, the Company shall provide the complainant with the opportunity to state his/her opinion or appeal in order to protect the complainant's rights. If an investigation

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reveals a major violation or the company is in danger of suffering major damages, the department that receives complaints shall make a case report to the chairman/board of directors.

6. If the department or person who receives the report fails to handle the case without a valid reason, or if the supervisor of the person being reported is aware of illegal, unethical, or dishonest behavior prior to the report and fails to handle the case, the case shall be handled in accordance with the law or internal disciplinary regulations.
7. If a report is filed under any of the following circumstances, and after requesting for additional documents or after fact-finding, one of the following circumstances is still met, the department accepting the report will not accept the report or will not respond to it, and the case will be closed:
  - (1) Failure to fill out or complete the procedures set forth in 1. and 4. above.
  - (2) The subject matter of the report is obviously malicious or false.
  - (3) The subject matter of the report does not conform to the scope of application of these rules.
  - (4) The subject of the report does not conform to the scope of application of these rules.
  - (5) The same fact has been verified and confirmed as inadmissible, or the case has been closed. However, if the whistleblower has submitted new evidence to prove the necessity of re-investigating the case, it is not subject to this limitation.
  - (6) An anonymous whistleblower who has no specific content to be verified and needs to provide additional explanation or data, but has been contacted to no avail or does not respond.
  - (7) A whistleblower who fails to provide contact information, is unavailable for contact or does not respond.
  - (8) The whistleblower has already reported to other channels of the Company for the same reason in the same whistleblowing case and has been accepted.
8. If it is found to be a disciplinary action as stipulated in the "Employee Reward and Punishment Management Measures", the administration and personnel department will make a demerit or dismissal; if it constitutes a crime, it will be transferred to the judicial authority after confirmation by the legal department.

iii. Evasion, Confidentiality and Reward

1. If the person who undertakes the whistleblowing case is related to the whistleblower or the person being whistleblowing within the second degree of kinship, has an interest in the matter being whistleblowing, or there are other circumstances that may affect the fair investigation and handling of the whistleblowing case, the person who undertakes the whistleblowing case shall take the initiative to disqualify himself/herself, and the whistleblower or the person being whistleblowing has the right to request that he/she disqualify himself/herself.

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2. The parties involved in the whistleblowing, the whistleblower and the relevant personnel in charge of handling the case shall not be disclosed to the public, and shall be responsible for maintaining confidentiality in order to prevent the whistleblower from being subjected to unfair treatment, retaliation or threats, and the violators shall be handled in accordance with the provisions of the Awards and Penalties. In order to protect the whistleblower's legitimate rights and interests of the principle of inviolability, the receiving unit should be the whistleblower to do the following confidentiality matters:

- (1) shall not be privately excerpted, copied, borrowed, seized, destroyed complaints, whistleblowing materials;
- (2) It is strictly prohibited to disclose the name, unit and address of the complainant or whistleblower;
- (3) Complaints and whistleblower materials shall not be shown to the unit under investigation or the person under investigation;
- (4) Publicity reports and rewards for persons who have made a meritorious report, except with the consent of the whistleblower, shall not disclose the name and work unit of the whistleblower.

3. The parties to the whistleblower's complaint and related persons shall be obliged to accept inquiries and respond faithfully and provide relevant information.

4. Data on the acceptance of the report, the investigation process, and the results of the investigation shall be kept in written or electronic files for five years, and the responsibility of maintaining confidentiality shall be fulfilled at the same time. Before the expiration of the retention period, in the event of a lawsuit related to the content of the report, the relevant information shall be retained until the end of the lawsuit.

5. If there is any false accusation, deception, insult to others or intentional disturbance, the administration and personnel department will punish them according to the relevant regulations.

6. If the whistleblower reveals any violation of the company's rules and regulations or any infringement of the company's interests, and if the whistleblower saves the company's image and suffers a large loss, the Administration and Personnel Department will give the whistleblower (an internal staff member) appropriate rewards according to the rules on rewards and punishments.

V. These regulations shall enter into force upon approval by the general manager, and the same shall apply when amended.

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VI. Reference Documents

- i. Code of Ethical Conduct
- ii. Code of Conduct and Operating Procedures and Behavioral Guidelines
- iii. Employee Rewards and Punishments

VII. VII. Annexes/Forms

- i. Reporting Case Record Form DR-10-15-01-01
- ii. Reporting Case Response Form DR-10-15-01-02

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 受控细则文件