

GLOBAL POLICY ON PROTECTED DISCLOSURE (WHISTLEBLOWING)

ARTICLE 1. INTRODUCTION

As ASICS Group we wish to present a clear guideline on protected disclosure (hereinafter referred to as “Whistleblowing”) (hereinafter referred to as “Policy”). ASICS Group means ASICS Corporation (hereinafter referred to as “ASICS”), its subsidiaries and its affiliates (hereinafter referred to as “Group Companies or Group Company”).

From our corporate philosophy and the values, it is clear that known or suspected incidents of illegal, unacceptable or undesirable conduct by our Officers and Employees are not tolerated.

Malpractice and business misconduct are harmful to business and society.

It is our policy and conviction to ensure that we do business according to the highest standards and that our practices comply with all applicable laws, in any country we operate in through directly related companies or third parties

ASICS Group encourages an open communication to its Officers, Employees and Business Partners. Effective and honest communication is essential in order that malpractice is to be effectively dealt with.

ASICS Group’ Officers, Employees and Business Partners are allowed to report to Global Whistleblowing System (as defined in Article 5) and Group Companies’ Whistleblowing System at their own choice.

ARTICLE 2. DEFINITION

(1) “Whistleblower(s)” means someone who discloses malpractice or business misconduct to people or authorities that have the power to or are perceived to be willing to take corrective action. Under this Policy, ASICS Group’ Officers, Employees and Business Partners can be Whistleblowers.

(2) “Reportable Conduct” means conduct that is illegal, unacceptable or undesirable, or concealment of such conduct.

(3) “Business Partners” means ASICS Group’ suppliers, (sub)contractors, intermediaries, commercial agents, consultants and other service providers.

(4) “Officer(s)” means a member or members of the board, auditors and/or executive officers of ASICS Group.

(5) "Employee(s)" means a worker or workers engaged in the operations of ASICS Group, including advisors, senior advisors and dispatched Employees of ASICS Group.

ARTICLE 3. EXAMPLES OF REPORTABLE CONDUCTS

Examples of Reportable Conduct are:

- (1) A criminal offence;
- (2) The use of deception to obtain an unjust or illegal financial advantage, either for the business unit or personally;
- (3) Intentional misrepresentations directly or indirectly affecting financial statements (including questionable accounting or auditing practices);
- (4) A failure to comply with any legal obligations (legal or regulatory non-compliance)
- (5) A miscarriage of justice;
- (6) Danger to the health and safety of any individual;
- (7) Environmental damage;
- (8) A serious breach of fundamental control;
- (9) Serious non-professional or non-ethical behavior;
- (10) The deliberate concealment of information tending to show any of the matters listed above;
- (11) Adverse behavior (including breaches of Policy or local policies of Group Companies, Codes of Conduct, Corporate Culture and its values);
- (12) Fraudulent or corrupt behavior; and
- (13) Research Misconduct.

ARTICLE 4. PROTECTION OF WHISTLEBLOWERS

1. This Policy is designed to encourage Officers, Employees and Business Partners to report alleged malpractices or misconduct, to ensure that all allegations are thoroughly reviewed or investigated and suitable action is taken where necessary.
2. Any Whistleblower is protected against adverse (employment) actions (discharge, demotion, suspension, harassment, or other forms of discrimination) for raising allegations of business misconduct. Any Whistleblower is protected even if the allegations prove to be incorrect or unsubstantiated. Those who participate or assist in an investigation will also be protected.
3. Every effort will be made to protect the anonymity of Whistleblower, if Whistleblower requests so. However there may be situations where it cannot be guaranteed.

4. ASICS Group undertakes to comply with all applicable laws relating to the prohibition of retaliation against Whistleblowers.

5. Assuming the requirements under applicable laws have been met, ASICS undertakes to protect the individual from any personal claims and from any victimization, harassment or bullying resulting from a disclosure being made. ASICS Group also undertakes not to initiate any disciplinary action against Whistleblower as far as such disclosure is protected under applicable laws. The aim is that the employment or relation of any Officer, Employee or with any Business Partner should not in any way be harmed or hindered as a result of making a disclosure, as long as it meets the conditions described in the applicable laws. Individuals, who were originally involved in the malpractice, decide to 'come clean' cannot necessarily be guaranteed immunity from investigation.

6. Any reprisal or similar action taken against an individual making a disclosure under this Policy may be regarded as gross misconduct and may result in disciplinary action.

ARTICLE 5. GLOBAL WHISTLEBLOWING SYSTEM

(1) Whistleblowers may report any Reportable Conducts to Global Whistleblowing System below. Whistleblowers to Global Whistleblowing System can remain anonymous if they wish.

- Email: ahq-compliance-committee@asics.com

- Letter

Attn.: Compliance Committee, Legal and Compliance Division of ASICS Corporation

Address: 7-1-1 Minatojima Nakamachi, Chuo-ku, Kobe, Japan

Zip code: 650-8555

(2) It is the policy of ASICS Group to report illegal acts to the appropriate authorities and to fully cooperate in any subsequent investigation.

(3) All concerns raised directly to any of those mentioned under this chapter will be reviewed and, if necessary, investigated.

(4) It is recommended that, before reporting, Whistleblowers gather as much information, evidence or relevant documentation as possible, taking one's personal risk into consideration, so that the concern can be effectively evaluated.

(5) Any Whistleblower who reports possible acts of misconduct in good faith will be given protection for such reporting.

(6) All reports of possible acts of misconduct shall be handled in a confidential manner, if so requested by Whistleblower. Confidentiality will be maintained to the fullest extent possible, consistent with the need to conduct an adequate investigation of the report and to perform subsequent remedial measures.

ARTICLE 6. PROCEDURE

1. When disclosing any concerns, Whistleblowers will not be expected to have absolute proof of malpractice or business misconduct, he/she should clarify the following details;

(1) Name, department or division of the person who committed Reportable Conduct

(2) Specific details pertaining to Reportable Conduct

(3) Reason why Whistleblowers have come to consider that Reportable Conduct is committed

(4) Thoughts about Reportable Conduct

(5) Other matters related to Reportable Conduct

2. Once the report is made, ASICS Group promptly examines the necessity of investigation and report the result of such examination to Whistleblower, except when Whistleblower remains anonymous.

3. Wherever possible, the report to Whistleblower will:

(1) Indicate the proposed way forward with regard to the matter

(2) Advise whether initial investigations have been made

(3) Advise whether further investigations are to take place, and if not why not, and

(4) Give an estimate of how long the investigation may take place

4. An investigation may include internal reviews, reviews by the external auditors, lawyers or some other external body.

5. Once the investigation is complete, Whistleblower will be informed of the result of the investigation, whether the report was well founded or not, as well as any corrective steps that are being taken, except when Whistleblower remains anonymous.

6. If Whistleblower of Group Companies is unhappy about the outcome of an investigation, he/she may make a further report to Global Whistleblowing System and if there is a good reason to do so, the concern will be investigated again.

7. Employees who believe they are being penalized in any way for whistleblowing or who believe that there has been cover up of the action disclosed, may contact the HR General Manager of each Group Company, its administrating (controlling or parental) company or Global Whistleblowing System.

ARTICLE 7. RESPONSIBILITY OF MANAGEMENT

It is the responsibility of the management to provide relevant training to Employees with the aim of helping them understand this Policy.

ARTICLE 8. COMMUNICATION AND TRAINING

Communication and training are being implemented in ASICS Group so that this Policy is fully understood.

ARTICLE 9. MONITORING AND REVIEW

The effectiveness of the implementation of this Policy will be monitored and reviewed regularly considering its suitability, adequacy and effectiveness.

[↑](#)
Back to the top

ADDITIONAL LINKS

POLICY

© 2019 ASICS Corporation

[日本語](#) • [English](#)