

The Institution of Engineers, Malaysia (IEM)
Bangunan Ingenieur,
Lot 60 & 62, Jalan 52/4,
P.O. Box 223 (Jalan Sultan),
46720 Petaling Jaya,
Selangor Darul Ehsan.

Department Corporate Sales / Baljeet Singh Sandhu
E-mail baljeet@simedarby.com
Date 10th November 2023
Subject BYD Corporate Program

Dear Ir. Prof. Dr. Zuhaina Binti Zakaria,

We wish to take this opportunity to thank The Institution of Engineers, Malaysia (IEM) for expressing interest in selecting Sime Darby Beyond Auto Sdn. Bhd. as your preferred mobility partner for 2023/2025. Please find below the detailed BYD Corporate Program.

The BYD Corporate Program is designed to enhance The Institution of Engineers, Malaysia (IEM) and its employees benefit when purchases of new BYD cars from Sime Darby Beyond Auto Sdn. Bhd. or its authorized dealers are made within a period of 24 months, starting from the invoice date of the first new BYD car to be purchased in 2023.

1. BYD CORPORATE PROGRAM DISCOUNT STRUCTURE

Purchased Units / Models	Corporate Program Discount Recommended Retail Price Off the Road
1st to 5th unit	2%
6th to 9th unit	3%
10th unit onwards	4%

*New models launched within the license period is subject to Sime Darby Beyond Auto Sdn. Bhd.'s approval to be included in the Corporate Program Discount Structure.

2. TERMS & CONDITIONS:

a. The Corporate Program Discount Structure above is applicable to purchases of new BYD cars from Sime Darby Beyond Auto Sdn. Bhd. or its authorized dealers under the BYD Corporate Program made by The Institution of Engineers, Malaysia (IEM), its employees as well as by their respective spouses during the year 2023/2025.

b. The discount as stated in the Corporate Program Discount Structure above is applicable to the published Recommended Retail Price OFF-THE-ROAD of the NEW car, excluding registration, road tax, hire purchase endorsement fee and insurance ("Purchase Price").

c. All cars sold by Sime Darby Beyond Auto Sdn. Bhd. or its Authorized Dealers under any other promotional offers are NOT entitled to the discount as stated in the Corporate Program Discount Structure. This includes but is not limited to cars purchased / sold during any promotional offers i.e. Demo/Registered car, and Promotional Campaign discount (kindly refer to below):

i. Demo / Registered cars - a new car which had been registered under Sime Darby Beyond Auto Sdn. Bhd. or the respective authorized BYD Dealer's name, which has been used and is subsequently sold to customer under the BYD Corporate Program.

ii. Promotional Campaign - a discount which is offered to the customer in the form of a rebate and/or special financing interest rates.

d. If a car to be purchased by The Institution of Engineers, Malaysia (IEM), its employees as well as their respective spouses under the BYD Corporate Program is included under other promotional offer(s) or is a demo / registered car, this fact and the non-applicability of the discount as stated in the Corporate Program Discount Structure above, will be communicated by the respective BYD Authorized Dealer to the purchaser prior to any confirmation of purchase.

e. Any purchases made by The Institution of Engineers, Malaysia (IEM), its employees as well as their spouses, irrespective of whether it consists of new or demo/registered car, will be accumulated towards the total volume of purchases (Purchased Units) made under the BYD Corporate Program during the validity of the prevailing BYD Corporate Program. This is for the purpose of ascertaining the percentage of discount applicable under the Corporate Program Discount Structure for each Purchased Unit eligible for discount under the Corporate Program Discount Structure and terms and conditions herein contained.

f. All new cars purchased by The Institution of Engineers, Malaysia (IEM), its employees as well as their respective spouses within the validity of the prevailing BYD Corporate Program shall be computed collectively to determine entitlement to the percentage discount as stated in the Corporate Program Discount Structure. If the applicable discount is greater than the percentage of discount that was actually given by a BYD Authorized Dealer in respect of any purchase under the BYD Corporate Program, the value of the balance discount shall be paid directly to the purchaser by that respective BYD Authorized Dealer.

g. The above Corporate Program Discount Structure is also applicable to all related companies (within the meaning of Section 7 of the Companies Act 2016) of The Institution of Engineers, Malaysia (IEM) upon proof of the company's relationship to The Institution of Engineers, Malaysia (IEM) being furnished to the BYD Authorized Dealer.

Where a corporation -

- i. Is the holding company of another corporation;
- ii. Is a subsidiary of another corporation; or
- iii. Is a subsidiary of the holding company of another corporation,

that first-mentioned corporation and that other corporation shall for the purposes of this Act be deemed to be related to each other.

h. Please provide Sime Darby Beyond Auto Sdn. Bhd. with a "To Whom It May Concern" letter (sample copy as enclosed herewith) to be signed by an authorized personnel from The Institution of Engineers, Malaysia (IEM), for purchases made by The Institution of Engineers, Malaysia (IEM) employees under the BYD Corporate Program. The Institution of Engineers, Malaysia (IEM) employees shall be solely responsible to submit their respective (i) name card; (ii) latest payslip or commission statement, as the case may be; (iii) company forms and (iv) marriage certificate if the employee wishes to register the car under his/her spouse's name to Sime Darby Beyond Auto Sdn. Bhd.

i. The applicability, computation and allowances of the discount percentage in each purchase shall be subject to approval by Sime Darby Beyond Auto Sdn. Bhd. at its absolute discretion.

j. Sime Darby Beyond Auto Sdn. Bhd. & Sime Darby Motors reserve the right to, at any time and from time to time, vary, add, delete or amend any part of the BYD Corporate Program terms and conditions without prior notice. Sime Darby Beyond Auto Sdn. Bhd. reserves the right to, at any time discontinue or terminate the BYD Corporate Program with seven (7) days prior written notice without assigning any reason therefore.

k. Miscellaneous:

i) Neither party shall be liable to the other party for any loss, damages or claims relating to this Agreement, regardless of the nature of the claim, including, without limitation incidental, consequential, indirect or punitive damages.

ii) These terms and conditions shall commence from the date of The Institution of Engineers, Malaysia (IEM) acceptance of the terms and conditions of this agreement and shall continue to be valid unless terminated accordance with paragraph 2(j) of this agreement.

iii) These terms and conditions shall be governed by the laws of Malaysia and the parties submit to the exclusive jurisdiction of the Malaysian courts.

iv) Neither party shall disclose any information (whether in writing, orally or any other means, directly or indirectly) relating to the products, operations, processes, plans, intentions, trade secrets, customer data (all of which shall be referred to as the "Confidential Information") of the disclosing party to any third party/ies during the performance on this Agreement without first obtaining the disclosing party's written consent. Such restriction shall not apply if: (a) disclosure is required by laws, (b) such Confidential Information comes into public domain other than through the breach of this Agreement; or (c) such Confidential Information is disclosed to the receiving party by a third party without similar restrictions on that third party's right of disclosure; and (d) is approved for release by written authorization of the disclosing party.

3. ORDER CONFIRMATION

Upon confirmation of any purchase under the BYD Corporate Program and issuance of the 2nd Schedule by the relevant financial institution (for purchases under hire purchase), payment of a booking fee of 1% of the total "on the road" retail selling price (which includes the purchase price, road tax, registration fee, hire purchase endorsement but excludes insurance) or a Purchase Order (PO) is required. Payment of the booking fee should be made to the Authorized Dealers. The balance of the purchase price must be fully paid by the purchaser to the relevant financial institution prior to the registration of the vehicle.

We trust the above proposal meets with your expectation and we look forward to your acceptance and confirmation by returning a countersigned copy of this letter as indicated below.


We look forward to developing and heightening this fine business relationship between our organizations. Should you have any further queries or need to make any purchase orders, please feel free to contact me personally at baljeet@simedarby.com.

Yours sincerely,



Davis Lim
Head of Sales - Retail
Sime Darby Beyond Auto Sdn. Bhd.

Acknowledged & Accepted
for and on behalf of
The Institution of Engineers, Malaysia (IEM)



Ir. Prof. Dr. Zuhaina Binti Zakaria
Honorary Secretary



Calvin Tze Tho
Head of Sales - Distribution
Sime Darby Beyond Auto Sdn. Bhd.