

SEMINAR ON ANTI-CORRUPTION CHAMPION: SHARING SESSION WITH WINNERS OF THE SHEIKH TAMIM BIN HAMAD AL-THANI, INTERNATIONAL ANTI-CORRUPTION EXCELLENCE AWARD 2018

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Venue : AUDITORIUM, TINGKAT 2, INTEGRITI, MENARA INTEGRITI, PERSIARAN TUANKU SYED SIRAJUDDIN OFF JALAN TUANKU ABDUL HALIM, 50480 KUALA LUMPUR

Date : 10/12/2018

1. First of all, I would like to congratulate the winners of the prestigious Sheikh Tamim Bin Hamad Al-Thani International Anti-Corruption Excellence Award 2018 who are present here today.
2. The anti-corruption award should be applauded as it celebrates efforts and sacrifices made by those who combat corruption relentlessly. The award should motivate governments, academic institutions, the media and civil societies to look at the anti-corruption drive as a noble cause and that they should be steadfast in combating the scourge which had proven to be the cause for the downfall of many civilisations.
3. It is in this context that they should all adopt and understand the principles of the United Nations Convention Against Corruption (UNCAC) and collaborate towards its implementation.
4. By hosting the winners of the Sheikh Tamim bin Hamad Al-Thani International Anti-Corruption Excellence Award today, Malaysia re-affirms its seriousness and commitment in fighting corruption.

5. Malaysia is indeed honoured to host this prestigious event for the first time in collaboration with the Rule of Law and Anti-Corruption Centre (ROLACC) which is based in Doha, Qatar.

6. I am pleased to know that today's Sharing Session with the Winners of the Sheikh Tamim bin Hamad Al-Thani International Anti-Corruption Award 2018 has provided a platform for the winners to discuss, share knowledge and experiences as well as exchange innovative ideas and good practices in promoting integrity and combating corruption.

7. In addition, this seminar is also an opportunity for those present to strengthen strategic networking and alliances between institutions and individuals that champion integrity and good governance. It is an understatement to say how important this networking is, given the extent of cross-border white collar crimes which are usually successfully committed with the assistance of corrupt officials.

8. Malaysia is currently in a new era with a new Government that took over a corrupt one. As such, the new Government's commitment to eradicate corruption is paramount. We realise, our restoration and rehabilitation of the nation from the damage suffered under the previous administration will not be successful unless we address the root cause of the problem, which is corrupt practices.

9. We are moving forward in restoring the nation's pride through the reinstatement of the rule of law, redressing miscarriages of justice and bringing about reforms to the institutions of government. All these are pursued alongside new initiatives in the war against corruption and efforts to instil integrity.

10. One of the initiatives is the establishment of the National Centre for Governance, Integrity and Anti-Corruption or GIACC. Since its establishment, a number of major steps have been taken which include coordinating and implementing tasks related to governance, integrity and anti-corruption with all ministries and ministerial departments as well as being the Secretariat to the Special Cabinet Committee on Anti-Corruption. GIACC is the central governance planning unit that helps the Government to formulate national policies, such as assets declaration, gifts policy, as well as the Political Funding to combat money politics.

11. Thus far, Malaysia's effort in combating corruption and our initiatives to enhance good governance have been well accepted by the public and have also received international recognition.

12. Another initiative undertaken by the Malaysian Government involving the private sector is the formation of Integrity and Governance Units that will be placed under the supervision of the companies' respective Board of Directors. This is aimed at ensuring that corrupt activities are monitored and curbed apart from making good governance customary.

13. Furthermore, Corporate Liability Law has been gazetted this year in order to strengthen the corporate sector's administration.

14. At the same time, all Ministries, agencies, departments and government-linked companies that have been categorised as high risk will have to implement the international organisational standards of ISO 37001, the Anti-Bribery Management System. This system is aimed at combating corruption and instilling the culture of integrity.

15. With the implementation of ISO 37001 in the identified Ministries, agencies, departments and GLCs, Malaysia will probably be the first

country in the world to have its public sector adopt the ISO 37001 certification.

16. Apart from the Anti-Bribery Management System, companies and organisations are also encouraged to run a Corruption Risk Management (CRM) exercise. CRM is a management process that helps organisations identify the risks of corruption, abuse of power and embezzlement. It offers a systematic risk management plan in establishing good governance which reduces the opportunity for corruption.

17. I am also happy to announce the latest initiative that Malaysia is putting into place is the Ministerial Guidelines on “Adequate Procedures”. This document entails corporate liability strategies that are pursuant to subsection (5) of the new section 17A of the Malaysian Anti-Corruption Commission Act 2009. These guidelines will ensure commercial organisations employ the fundamental measures to minimise the risk of corruption.

18. The Malaysian Anti-Corruption Commission (Amendment) Act 2018 was passed by Parliament and was given Royal Assent on 27 April 2018. The main purpose is to introduce the new Section 17A – offence by commercial organisation.

19. Under Section 17A of the MACC Act 2009, the commercial organisation may be liable for the corrupt practices of its employees and/or persons associated with the commercial organisation in cases where such corrupt practices were carried out for the organisation’s benefit or advantage.

20. Under subsection (5) of section 17A, the Minister is required to issue guidelines relating to “adequate procedures”. Therefore, guidelines have been drawn up to assist commercial organisations in understanding what

are the “adequate procedures” that should be implemented to prevent the occurrence of corrupt practices in relation to their business activities on the basis of five principles of T.R.U.S.T as follows:

- i) Top level commitment
- ii) Risk assessment
- iii) Undertake control measures
- iv) Systematic review, monitoring and enforcement
- v) Training and communication.

21. The guidelines may be used as reference points for any anti-corruption policies, procedures and controls the organisation may choose to implement towards the goal of having “adequate procedures” as required under the above statutory provision.

22. The enforcement of Section 17A will be effective on 1st June 2020. I am happy to launch the guidelines today and we hope that the commercial organisations will have ample time to prepare themselves for the new obligation, which without doubt will bring manifold benefits to the business’s bottom line.

23. Another anti-corruption initiative in the pipeline is the National Anti-Corruption Plan which is scheduled to be launched in January next year. It is a 5-year plan which aims to clearly set out practical targets and initiatives that will be taken up in tackling corruption domestically from 2019 to 2023.

24. Integrity is the key in fighting corruption. No government can prosper without integrity leading to good governance. It is my fervent hope that the various agencies tasked to fight corruption will do so with determination and "without fear or favour" because corruption is corruption, and it is a crime no matter who commits it.

25. The rule of law is crucial in combating corruption. It is only when we abide by the law of the country that corruption can be reduced. The society at large must understand that corruption is a crime and a deterrent to nation building. People must play their part in efforts to eradicate corruption by working hand in hand with the government and its machinery. When someone is regarded as being above the law, then corruption will ensue.

26. I am pleased to see so many anti-corruption champions that have come forward to make their voices heard today. Malaysia certainly needs more integrity champions in the fight for a corrupt-free country. These initiatives I believe will make Malaysia very attractive to bona fide foreign investors.

27. It is my hope that more Malaysians can emulate the champions and winners of the Sheikh Tamim bin Hamad Al-Thani International Anti-Corruption Excellence Award. I am sure, in the not too distant future, one of the organisations in Malaysia will be a winner of this prestigious award.

28. I would like to take this opportunity to thank the organisers of this sharing session today namely, the Rule of Law & Anti-Corruption Centre (ROLACC) which is the main organiser and supported by the National Centre for Governance, Integrity and Anti-Corruption (GIACC), the Malaysian Institute of Integrity (INTEGRITI), and the Malaysian Anti-Corruption Commission (MACC).

Thank you.

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