



Anti-Bribery & Corruption (Personal & Corporate Liability) Awareness & Compliance

Trainer: Suresh Kumar

Date: 2 August 2023 (Wednesday)

Time: 9AM – 5PM

Mode: Virtual Training

Platform: Zoom / Microsoft Team

Course Description

This programme is designed to give participants a solid understanding in bribery and corruption detection and prevention in Malaysia in accordance to the Malaysian Anti-Corruption Commission Act 2009 & 2018 (Amendments) and other relevant Laws in Malaysia and its application within the organization and the related industries & trade.

Effective 1st June 2020, Section 17A of MACC Act 2009 enables prosecution of commercial organizations involved in corruption activities unless these commercial organizations can establish the defense of... NO CONSENT & ADEQUATE PROCEDURES

This session shall focus on, methods of establishing these defenses.

Course Objective

By the end of the course you will be able to:

- Understand background, structure and intent of Malaysian Anti-Corruption Act 2009, particularly S.17A.
- Interpret the requirements for 'adequate procedures' as per MACC Act 2009 based on the principles of T.R.U.S.T
- Understand and learn methods of conducting due diligence within the parameters of legal provisions
- Ability to identify existing / potential ethical conduct within the organization or emanating from 3rd party engagement, which may have an impact on Business Continuity activities
- Legal Impact(s) due to ineffective management of unethical business conduct.
- Define malpractices & Spotting The Red Flags during the course of hiring, sourcing and contract management and also Account Payables
- Describe the Plan-Do-Check-Act management system and how it relates Adequate Procedures
- Understand about Pre-Employment Screening & Whistle-Blowing
- Understand Malpractices Detection & Profile Auditing
- Obtaining, collation and preservation of Digital Evidence

Who Should Attend

- Anyone involved in managing corporate governance and integrity practices of the organisation



- Anyone involved in contracting of any kind, especially holding a portfolio for evaluating and sourcing for suppliers, contractors, etc. Whether a team member, project manager, or executive.

Training Methodology will be based on the following

- : Highly Interactive Session, with a bilateral approach to the subject matter allowing Participants to share incidences at respective work locations.
- : Breakout Sessions
- : Virtual Learning / Classroom Face To Face Session
- : Case Studies on various reported Cases
- : Ice Breaking / Monotony Breaking Sessions – Purpose of rejuvenating the mind

Course Outline

Fundamentals on MACC Act 2009 – Strategic Values

- Laws and Standards governing Ethics, Bribery & Corruption
 - MACC Act 2009
 - Evidence Act 1950
 - Employment Act 1955
 - Contracts Act 1950
 - Competition Act 2010
- Definition of Integrity
 - Business Integrity
 - Professional Integrity
- Definition Bribery & Corruption
- Definition of False Claim
- Definition of Asset Misappropriation
- Case Studies*
- Corruption Risk and Corporate Governance
 - Fundamentals
 - Processes & SOPs
 - Ingredients
 - Environment, People and Opportunity
 - Dominant factor
 - Corporate governance in jeopardy
 - Generic reasons for bribery and Corruption
 - Risk (Reality vs Myth)
 - The risk domains in an organisation



- Red Flags of Bribery & Corruption
- Corruption Risk Assessment and Management Based on ISO 31000 (Risk Management)
 - Threat / Hazard Identification
 - Identifying the Risk Level
 - Risk Probability
 - Risk Assessment / Management Approach
 - Internal Auditing Technique (Risk Based Auditing)

Guideline and Implementation of No Consent Requirement & Adequate Procedures To Support Requirements of MACC Act 2009 (S. 17A)

- Definition of Corporate Liability and the relevant punishments stipulated in Section 17A MACC Act 2009
- Defences under S.17A
 - No Consent
 - Definition
 - How to prove no consent
 - Exercise of Due Diligence To Prevent Bribery
 - Method of proving
 - Action Items
 - Adequate Procedures
 - Commercial Organisation to have adequate procedures in place based on the Guidelines on Adequate Procedures issued by the Prime Minister's Office
 - Guidelines on Adequate Procedures Encompass The Following
 - Principles of T.R.U.S.T
 - Top Level Commitment
 - Risk Assessment & Management
 - Undertaking Control Measures
 - System Review, Monitoring & Enforcement
 - Training & Communication
- Points To Consider in Developing and Implementing Anti Bribery and Compliance Programme (An overview of Framework)
 - Top Down Exercise – Management Support
 - Due Diligence and Risk Management
 - Investigation
 - Policy
 - 3rd Party communication & management
 - Internal Controls and documentation
 - Communication and training
 - Promoting and incentivizing ethics and compliance

- Seeking guidance – Detecting and reporting violations addressing violations
- Periodic reviews and evaluation of the anti-corruption programme
- Due Diligence – Background Checks and Verification (An Overview)
 - Methods of Conducting Background in the hiring process (Human Resources)
 - Methods of Conducting Background checks in the sourcing and engagement of 3rd parties process (Procurement / Purchasing / Vendor Management) -
 - Laws governing Personal Data and Financial Records Searches (PDPA 2010, FSA 2013) and how to manage searches within the ambits of the law
 - Best practices
 - Maintaining Records for Due Diligence
 - Chain of Custody of records and evidence of Due Diligence
 - Digital and Manual Records – Evidential Weightage
 - Usage of 3rd Parties to conduct Due Diligence – Cogency and Integrity of Data
 - Evidential Burden
- Improving Ethical Behavior in Business
 - 3 Key Elements that Influences Ethical / Unethical Decisions in an Organisation
 - Individual Standards & Values
 - Managers & Co- Workers Influence
 - Opportunity (Codes & Compliance Requirements)
 - Corporate Governance (Organisational Policy)
 - HR Policies (Employee Relations & Code of Ethics)
 - Whistleblowing (Whistle-blower Protection Act 2010)
 - Standard Operating Procedures (SOP) Compliance in line with Business Ethics and Key Risk Indicators (KRI)
 - Joint Responsibility Approach
 - Compliance to related regulations, laws and standards.
- Selection & Performance Management of Suppliers
 - Methodology
 - Reporting
 - Escalation Path



Trainer Profile

S. Suresh Kumar LL.B (UK)

S. Suresh Kumar is a trained and certified Risk Management professional in the area of Supply Chain Management and Brand Protection. He attained his Bachelor's Degree in Law from the University of Wolverhampton (UK). He then went on to be trained and certified as an auditor and practitioner in the specialized area of Risk Management under the auspices of United States of America Customs and Border Protection(CTPAT Standards); and; Transported Asset Protection Association (TAPA Standards), Asia. He is also a Human Resources Development Trainer certified by the Human Resources Ministry.

He is currently the Managing Director of Paradigm Resources (his own business entity), specialized in providing risk management / assessment services for internal / external associates; Consultation on Brand Standards / Management / Protection; Contract Management; Outsourcing & Subcontracting; and; Human Resources training and development programmes on various specialized topics, predominantly, Risk Management related subject matters, either on an one off or Project basis.

Due to his passion for training and knowledge sharing, he is also currently a Lecturer for Asia e University, lecturing both undergraduate and post graduate students on Risk Management module.

In his capacity as a trainer, he has conducted trainings on the following topics:-

Core Programmes

- Operational Risk Management – Approach & Methodology (ISO 31000; ISO 9001:2015)
- Crisis Management & Business Continuity– Synergy Workshop
- Supply Chain Security Programme - Customs Trade Partnership Against Terrorism (C-TPAT); Transported Asset Protection Association (TAPA) – ISO 28000
- Asset Management – ISO 55000; ISO 55001:2015
- Transportation and Logistics Security – A Risk Management Perspective
- Security Professional Training - Guards / Supervisory / Management Level.
- Brand Management & Protection – A Risk Management Perspective
- Interviewing Skills During Investigation
- Corporate Governance
- Debt Collection & Recovery
- Debt Collection and Legal Procedures
- Business Ethics and Compliance - A Risk Management Perspective
- Human Resource Management – A Risk Management Perspective
- Fraud Management – A Risk Management Perspective
- Anti – Bribery & Corruption – Implementation, Compliance and Enforcement
- Investigation Skills & Techniques – A Risk Management Perspective
- Loss Prevention Programme – Approach, Design & Execution Method
- Organizational Restructuring – During Challenging Times

WWW.AZEO.COM.MY



- Personal Data Protection Act 2010 – A Risk Management Perspective
- Contract Management – A Risk Management Perspective
- OSHA – The Law and Application
- SA8000 – Standards and Compliance Methodology
- Electronic Industry Citizenship Coalition (EICC) (RBA)– Code of Conduct and Application
- Labour Laws – The Risk Management Perspective
- Contract Management – A Risk Management Perspective
- OSHA – The Law and Application
- SA8000 – Standards and Compliance Methodology
- Electronic Industry Citizenship Coalition (EICC) (RBA)– Code of Conduct and Application
- Labour Laws – The Risk Management Perspective
- Contract Management – A Risk Management Perspective
- Contract Drafting – A Risk Management Perspective
- Industrial Relations – The Risk Management Perspective
- Domestic Inquiry – Approach & Method
- Intellectual Property – A Risk Management Perspective

Soft Skills

- Critical Communication Skills
- Effective Presentation Skills
- Time Management & Professional Effectiveness at Work

With his background of a law degree, he is able to invoke legal implications in his programmes to make it more comprehensive and value added substance. In addition, his fluency in English and Bahasa Malaysia enables him to conduct training programmes effectively in both languages.

Prior to his involvement in this field, the facilitator has wide working experience throughout his 15 years of working career in the specialized area of Risk Management, Security Management and Investigations (HR, Security (Operational and Information Security) and Safety, Corporate Governance and Ethics). Being a Head of Department in each of this portfolios, he has acquired substantial job related knowledge and experience in sectors comprising of Manufacturing, Telecommunications, Hospitality Management (Brand Standard & Management) and Contract Manufacturing (Brand Protection and Management). He is also a trained Workplace Counselor and by virtue of his portfolio of having to deal with people of different job hierarchy, he has very profound people management skills, negotiation skills and effective interaction skills.