

ISO 37001:2016 ANTI-BRIBERY MANAGEMENT SYSTEM (ABMS)

*AN INITIATIVE TO STRENGTHEN THE
CORPORATE INTEGRITY*

FAUZIAH SULAIMAN
SIRIM QAS INTERNATIONAL SDN BHD

HOTEL ISTANA, KUALA LUMPUR
9-10 JANUARY 2019



OUTLINE

1. The Development of ISO 37001
2. What is ISO 37001?
3. ISO 37001 Requirements
4. Implementation Journey
5. Challenges & Benefits
6. The certification process

The Development of ISO 37001



Project Committee ISO /PC 178

Published October 2016

New Paradigm in Management System Standard

Risk based thinking

Strategic thinking

Sustainable development

Improved alignment with other management systems standards

RISK-BASED APPROACH MS

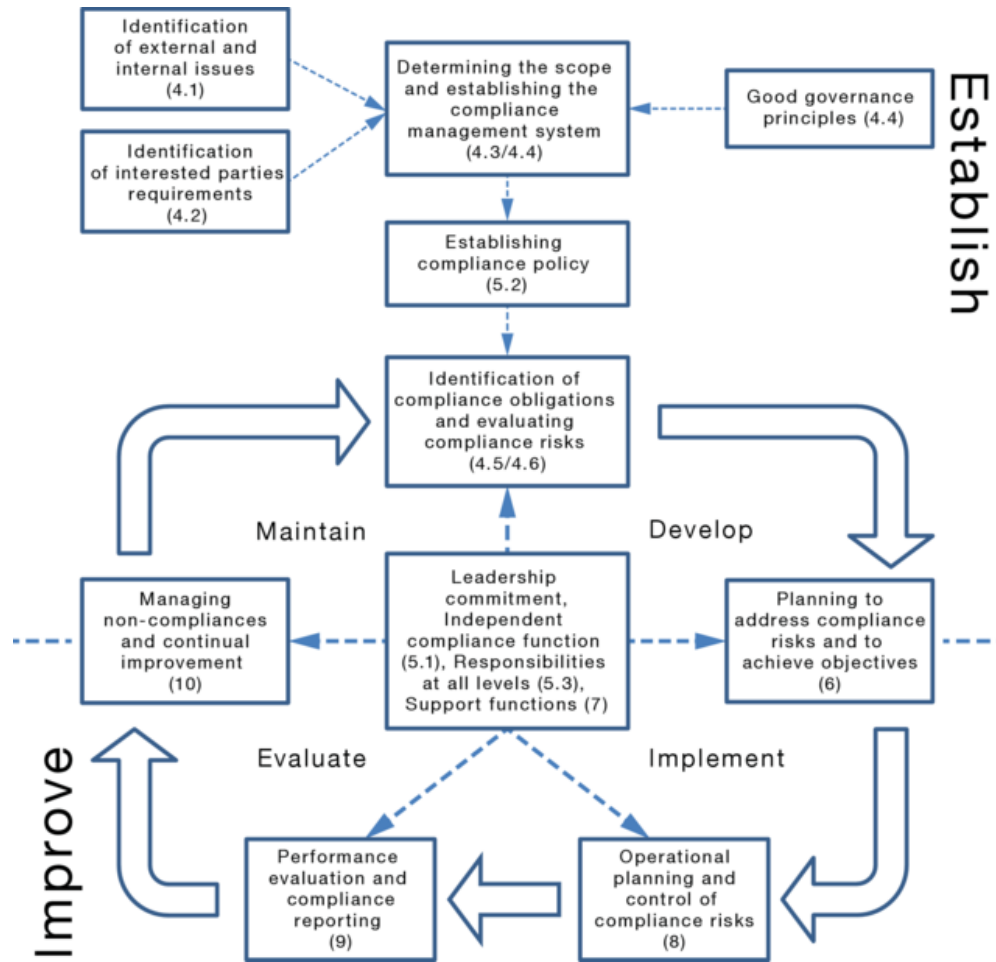
ISO 9001 : 2015	Quality Management Systems
ISO 14001 : 2015	Environment Management Systems
ISO 45001 : 2018	Health & Safety (OH&S) Management Systems
ISO 37001 : 2016	Anti-Bribery Management Systems
ISO 28000 : 2007	Supply Chain Security Management Systems
ISO 21001 : 2018	Education Management Systems
ISO 22000 : 2018	Food Safety Management Systems
ISO 50001 : 2018	Energy Management Systems
ISO 20000-1 : 2018	IT Service Management Part 1
ISO 39001 : 2012	Road Safety Management Systems
ISO 27001 : 2013	Information Security Management Systems
ISO 55001 : 2014	Asset Management Systems

All management systems supports sustainable development goals

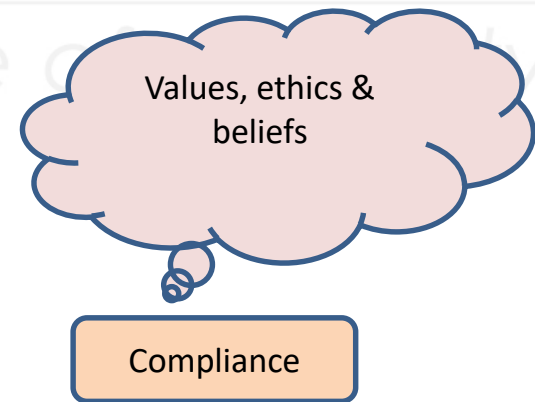
THE ISO HIGH LEVEL STRUCTURE (HLS)

ISO 9001:2015	ISO 14001:2015	ISO 45001:2018	ISO 37001:2016	ISO/IEC 27001:2013
0. Introduction	0. Introduction	0. Introduction	0. Introduction	0. Introduction
1. Scope	1. Scope	1. Scope	1. Scope	1. Scope
2. Normative reference	2. Normative references	2. Normative reference	2. Normative references	2. Normative references
3. Terms and definitions	3. Terms and definitions	3. Terms and definitions	3. Terms and definitions	3. Terms and definitions
4. Context of the organization	4. Context of the organization	4. Context of the organization	4. Context of the organization	4. Context of the organization
5. Leadership	5. Leadership	5. Leadership and worker participation	5. Leadership	5. Leadership
6. Planning	6. Planning	6. Planning	6. Planning	6. Planning
7. Support	7. Support	7. Support	7. Support	7. Support
8. Operation	8. Operation	8. Operation	8. Operation	8. Operation
9. Performance evaluation	9. Performance evaluation	9. Performance evaluation	9. Performance evaluation	9. Performance evaluation
10. Improvement	10. Improvement	10. Improvement	10. Improvement	10. Improvement

ISO 19600:2014 COMPLIANCE MANAGEMENT - GUIDELINE



The ISO 19600 standard (December 2014) is not certifiable but provides useful guidelines for a variety of compliance needs including anti-bribery, anti-money laundering, export control. The ISO 37001 standard (October 2016) is a certifiable standard, consistent with ISO 19600 and dedicated to Anti-Bribery Management Systems.



CORPORATE INTEGRITY SYSTEM MALAYSIA (CISM) & ISO 37001 REQUIREMENTS

CISM

- 1 • CODE OF ETHICS & ANTI-BRIBERY POLICY
- 2 • CONFLICT OF INTEREST DETERRENCE POLICY
- 3 • WHISTLEBLOWING POLICY
- 4 • REFERAL POLICY
- 5 • CORRUPTION RISK MANAGEMENT
- 6 • TRAINING ON ETHICS, EDUCATION & COMMUNICATION
- 7 • COMPLIANCE PROGRAMME
- 8 • ANTI-CORRUPTION PREVENTION REPORTING
- 9 • LEADERSHIP
- 10 • CORPORATE SOCIAL RESPONSIBILITY

ISO 37001

- An anti-bribery policy, procedures, & controls
- Top management leadership, commitment & responsibility
- Governing body Oversight
- Anti-bribery training and awareness
- Risk assessment
- Due diligence on projects & business associates
- Reporting, monitoring and investigation
- Management review, corrective action & continual improvement

ISO 37001

| Anti-Bribery
| Management System



What is 37001?

Anti- Bribery Management System

WHAT IS ISO 37001?

- It is designed to help an organization establish, implement, maintain, and improve an anti-bribery compliance programme.
- It includes a series of measures and controls that represent global anti-bribery good practice.

WHAT IS ISO 37001 ?

Helps to
Reduce

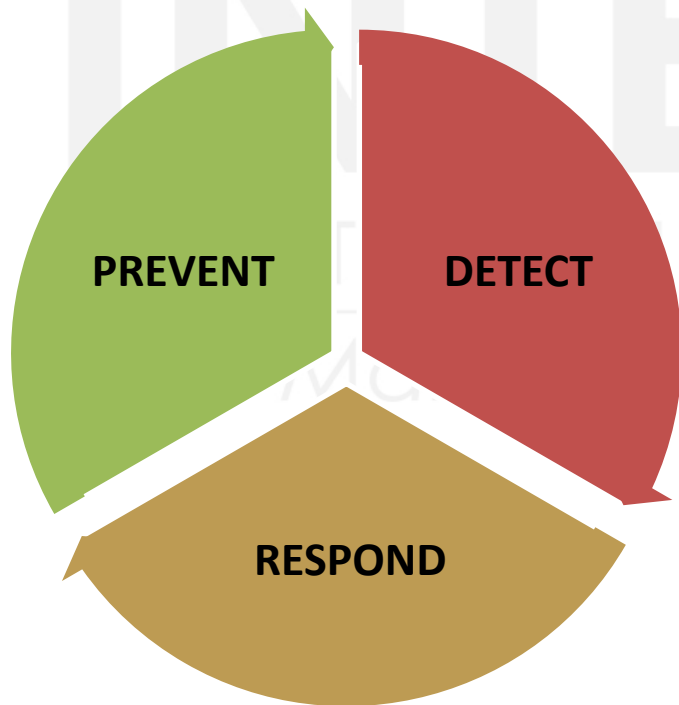
- **bribery risks and demonstrate** a culture of integrity transparency, openness and compliance.

Conformity
to ISO
37001

- **cannot provide assurance that no bribery will occur** as it is not possible to completely **eliminate** the risk of bribery.
- helps organizations **implement reasonable measures to prevent, detect and respond to bribery.**

WHAT IS ISO 37001?

ISO 37001-ABMS : Series of measures to help organisation to



✓ Which include

1. An anti-bribery policy & objectives

2. Appointing a person(s) to oversee anti-bribery compliance

3. Training

4. Risk assessments & due diligence on projects & business associates

5. Implementing financial & commercial controls

6. Instituting reporting & investigation procedures

WHAT DOES ISO 37001 ADDRESS?

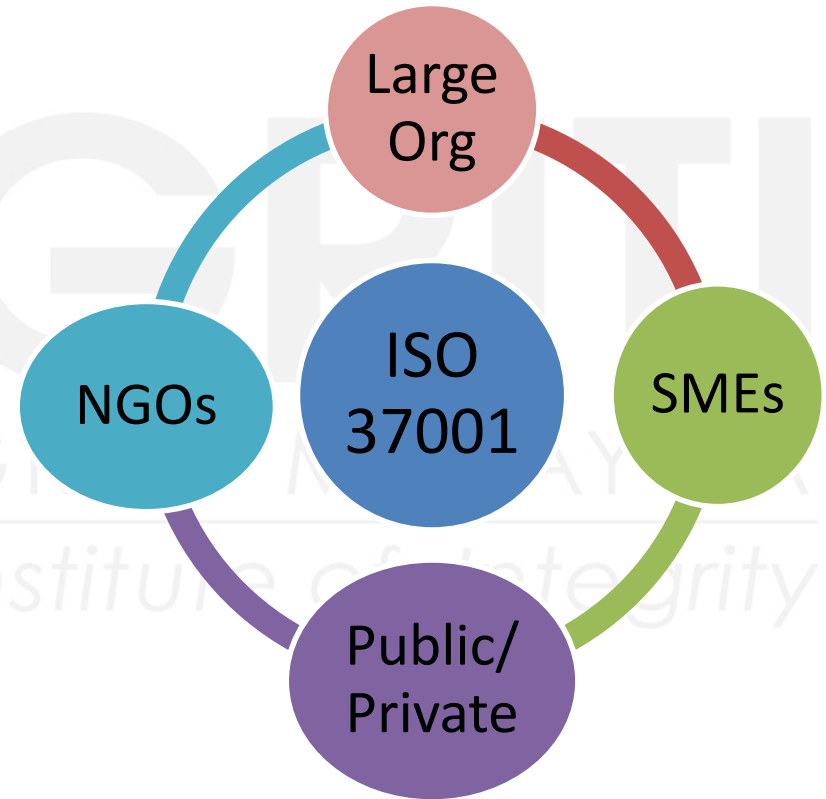
- Bribery by the organization, or by its personnel or business associates acting on the organization's behalf or for its benefit.
- Bribery of the organization, or of its personnel or business associates in relation to the organization's activities.

WHO CAN USE ISO 37001:2016 ?

The standard is flexible and can be adapted to a wide range of organizations, including:

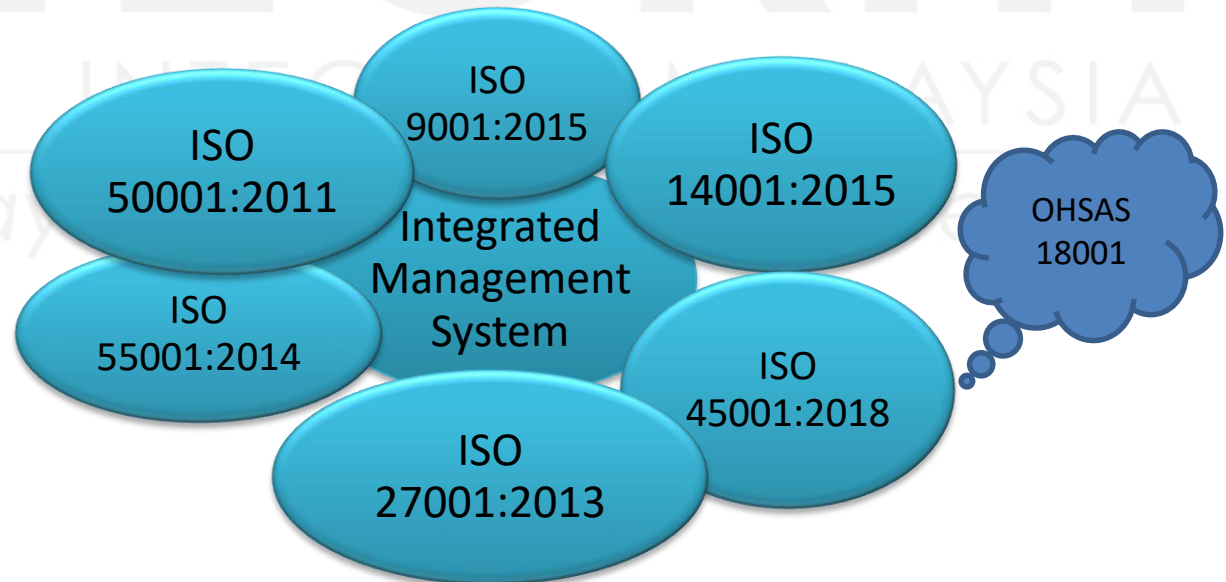
- **Large organizations**
- **Small & medium sized enterprises (SMEs)**
- **Public and private sector organizations**
- **Non-governmental organizations (NGOs)**

The standard can be used by organizations in any country.



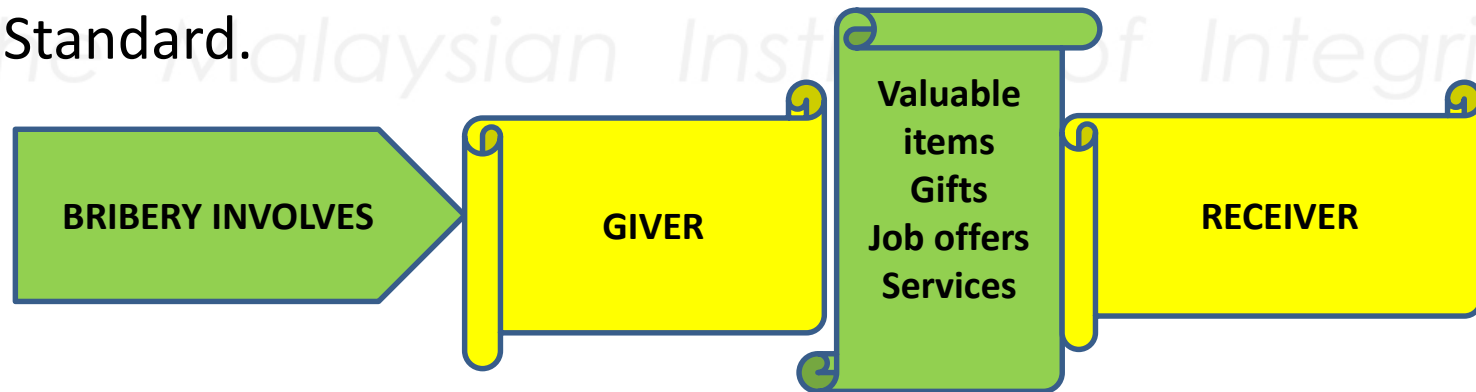
DOES THE STANDARD REQUIRE A STAND-ALONE MANAGEMENT SYSTEM?

- The measures required by ISO 37001 are designed to be integrated with existing management processes and controls.
- It follows the common high-level structure for ISO management system standards, for easy integration with, for example QMS, EMS, OSHMS, EnMS, ISMS, AMS.



DOES THE STANDARD DEFINE BRIBERY?

- Bribery is defined by law which varies between countries. Therefore the Standard provides a generic definition of bribery, but the actual definition will depend on the laws applicable to the organization.
- The Standard provides guidance on what is meant by bribery to help users understand the intention and scope of the Standard.



✓ The standard does not specifically address

➤ Fraud

➤ Cartels and other anti-trust/competition offences

➤ Money-laundering or

➤ Other activities related to corrupt practices

However an organization can choose to extend the scope of management system to include such activities.

INTEGRITI

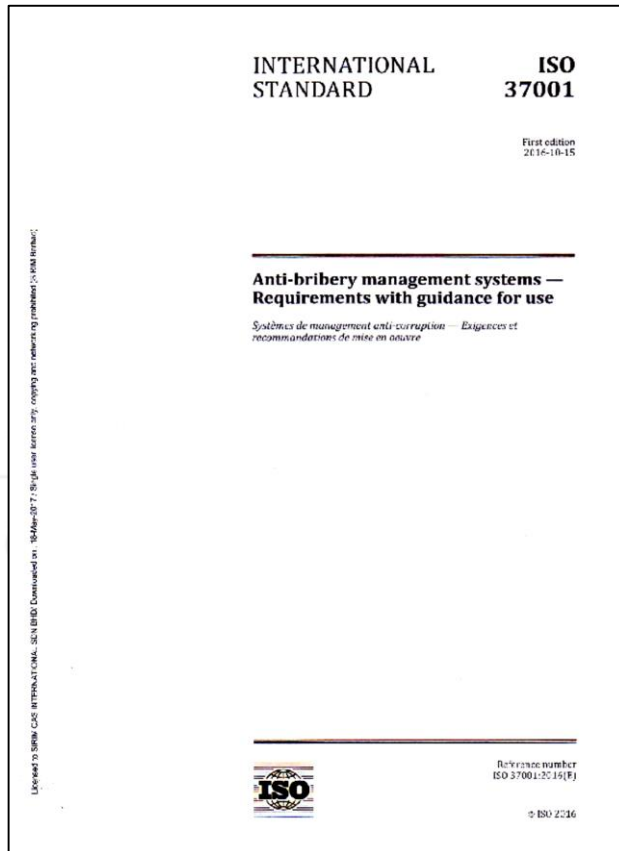
REQUIREMENTS

ISO 37001:2016

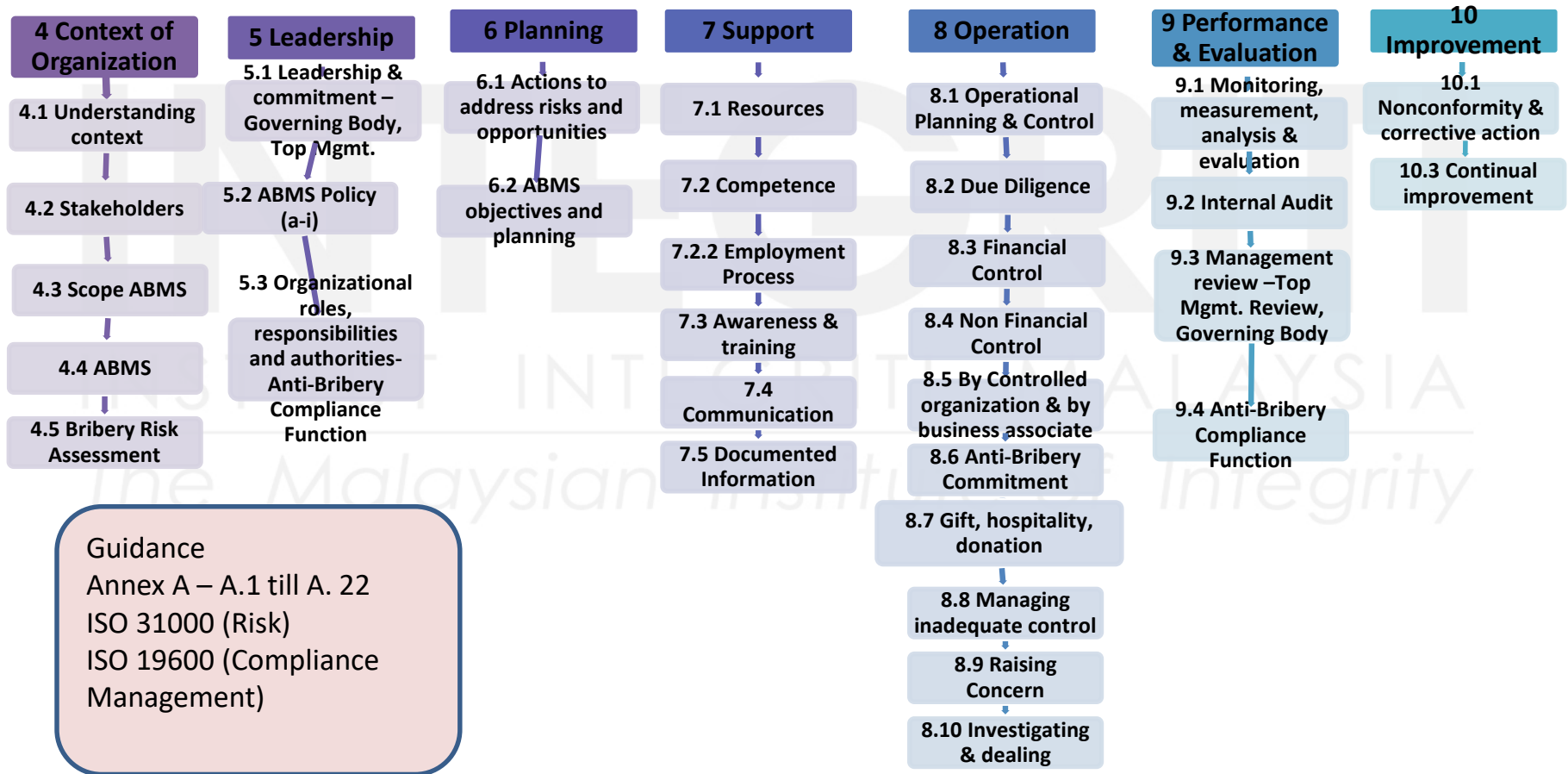


INTEGRITI MALAYSIA
Malaysian Institute of Integrity

**ISO 37001:2016 ANTI-BRIBERY MANAGEMENT SYSTEMS
REQUIREMENTS
WITH GUIDANCE FOR USE**



REQUIREMENTS



CLAUSE 4 : CONTEXT OF THE ORGANIZATION

4 Context of the organization

4.1 Understanding the organization and its context

4.2 Understanding the needs and expectation of stakeholders

4.3 Determining the scope of the anti-bribery management system



4.4 Anti-bribery management system

4.5 Bribery risk assessment

4.1 Understanding the organization and its context

The organization shall determine

external & internal issues

that are relevant to its purpose and

that affect its ability to achieve the objectives of its anti-bribery management system.

4.1 Understanding the organization and its context

The issues will include (without limitation)

- Size, structure and delegation decision-making authority of the organization
- Locations and sectors in which the organization operates or anticipates operating
- Nature, scale and complexity of the organization's activities and operations
- Organization's business model

4.1 Understanding the organization and its context

The issues will include (without limitation)

- The entities over which the organization has control and entities which exercise control over the organization
- The organization's business associates
- The nature and extend of interaction which public officials
- Applicable statutory, regulatory, contractual and Professional obligations and duties

4.2 UNDERSTANDING THE NEEDS AND EXPECTATIONS OF STAKEHOLDERS

STAKEHOLDERS	NEED & EXPECTATIONS
GOVERNMENT, LOCAL AUTHORITIES, CONCESSIONAIRES, UTILITY PROVIDERS	Governance compliance Applicable laws (Construction & Building By Law) Industrial and workplace relation Environmental and safety management
SHAREHOLDERS, JV PARTNERS	Efficient operations –sustainable profitability Long term growth and stability Board governance sustainability
EMPLOYEE	Organization’s growth, strategies and performance Employees safety and well-being Capability development Employee performance
CUSTOMERS & CONSUMERS	Standards of customer relations Safety and security Innovative and trend setting practices
SUPPLIERS, SERVICE PROVIDERS, CONTRACTORS, CONSULTANT	Fair practices Transparent tender, procurement process Compliance with law and regulations
COMMUNITY	Health and safety impact environmental impact Service delivery
MEDIA	Operational issue and financial impact Corporate responsibility reputation

Open

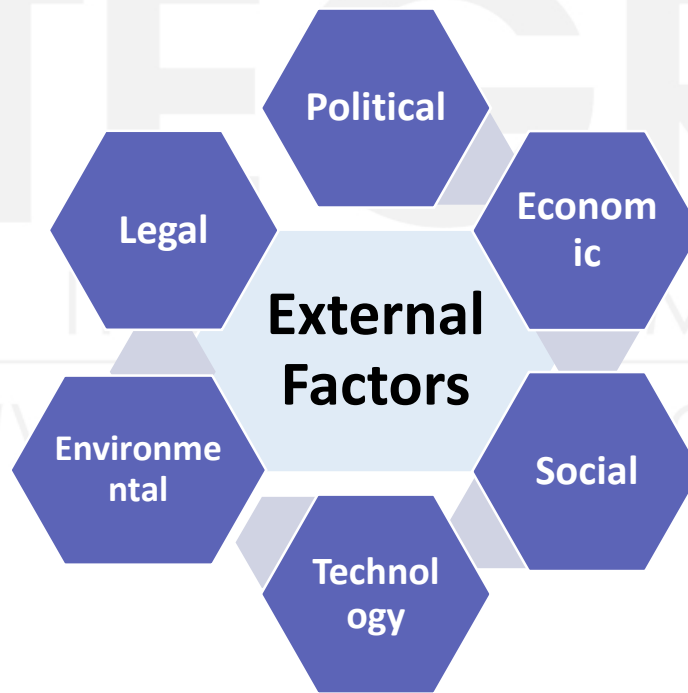
4.3 (a) DETERMINING THE SCOPE OF THE ANTI-BRIBERY MANAGEMENT SYSTEM (INTERNAL- *values, culture , performance & knowledge*)

Factors that may impact level of integrity and exposure to bribery & corruption



Open

4.3 (a) DETERMINING THE SCOPE OF THE ANTI-BRIBERY MANAGEMENT SYSTEM
(EXTERNAL-legal, technological, competitive, market, cultural, social and economic environments)
Factors that may impact level of integrity and exposure to bribery & corruption



Open

GUIDANCE FOR SAMPLING

INTERNAL ISSUES		EXTERNAL ISSUES	
STRATEGY	overall performance of the organization	ECONOMY	money exchange rates, economic situation, inflation forecast, credit availability;
RESOURCE	as infrastructure (see ISO 9001:2015, 7.1.3), environment for the operation of the processes (see ISO 9001:2015, 7.1.4), organizational knowledge (see ISO 9001:2015, 7.1.6); 3) human aspects such as competence of persons, organizational behavior and culture, relationships with unions;	SOCIAL	as local unemployment rates, safety perception, education levels, public holidays and working days
PEOPLE	competence of persons, organizational behavior and culture, relationships with unions;	POLITICAL	as political stability, public investments, local infrastructure, international trade agreements;
OPERATIONAL	process or production and service provision capabilities, performance of the quality management system, monitoring customer satisfaction	TECHNOLOGY	new sector technology, materials and equipment, patent expirations, professional code of ethics
GOVERNANCE	rules and procedures for decision making or organizational structure.	MARKET	competition, including the organization's market share, similar products or services, market leader trends, customer growth trends, market stability, supply chain relationships;
		STATUTORY & REGULATORY	affect the work environment (see ISO 9001:2015, 7.1.4) such as trade union regulations and regulations related to an industry;

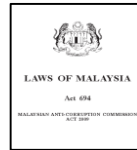
Open

Internal Issues	External Issues
Bribery and corruption exposures within high risk operations are not adequately mitigated	Increasing political influence
Employees behavior and culture not fully support the substantive implementation of requisite Governance, Risk and Compliance culture	Increasing public awareness on the governing anti-corruption laws and regulations
Abuse of position, affecting important and strategic decision making	Economic slowdown compounded with the rising cost of living
Lack of competency/knowledge	Third party agreements are entered into with individuals/businesses via JV partnership etc who may have questionable ethics
Weak internal control, lack of enforcement	Gifts & Entertainment occur throughout organization by third parties (suppliers, contractors, counterparts, top management) may influence decision making
Trust deficit/perception issues/complaint channel	Increasing imposition of guidelines or adequate procedures by anti-corruption laws and jurisdiction
Leadership crisis	

Open

4.1 h - LAW REGULATIONS & OTHER REQUIREMENTS

- MACC Act 2009 (ACT 694)



- Whistleblower Protection Act 2010 (ACT 711)
 - Enforcement Agencies :SPRM, JPI, JIM, PDRM, KASTAM,SSM, SC SIAP(Suruhanjaya Intergriti Agensi Penguatkuasa)



Related acts & documents:

- Private

- Companies Act 1965 ~ 2016 (Act 777)
- Securities Commission Act 1993 (Act 498)
- Corporate Governance 2016 (Code of Conducts / Code of Business Ethics)



4.1 h ACT & RELATED DOCUMENTS

Government –Pekeliling & Arahan –Arahan

- Arahan Perbendaharaan
- Pekeliling Perkhidmatan Bil 3, 1998 –Garis panduan pemberian & penerimaan hadiah di dalam perkhidmatan awam



- Pekeliling Perkhidmatan Bil 6 Tahun 2013 – Penubuhan Unit Intergriti Di Semua Agensi Awam



- Peraturan pegawai awam (kelakuan dan tatatertib) 1993



4.1 h ACT & RELATED DOCUMENTS

Pekeliling Perkhidmatan Bil 6 Tahun 2011- Pindaan Tapisan Keselamatan Bagi Pegawai Yang Dilantik Dalam Perkhidmatan Awam

Manual Pengguna Sistem eVetting

INTEGRITI
INSTITUT INTEGRITI MALAYSIA
The Malaysian Institute of Integrity

ARAHAN YAB PERDANA MENTERI - NO.1 TAHUN 2014

Jun 2014



ARAHAN YAB PERDANA MENTERI - NO.1 TAHUN 2018

Jun 2018

Gerakan Pemantapan Governans, Intergriti dan Anti-Rasuah Dalam Pengurusan Pentadbiran Kerajaan Malaysia



ARAHAN YAB PERDANA MENTERI - NO.1 TAHUN 2014



KERAJAAN MALAYSIA

ARAHAN YAB PERDANA MENTERI
NO.1 TAHUN 2014

**GERAKAN PEMANTAPAN KEUTUHAN SISTEM
PENGURUSAN PENTADBIRAN KERAJAAN MALAYSIA:
PENUBUHAN JAWATANKUASA INTEGRITI DAN TADBIR
URUS (JITU)**

JABATAN PERDANA MENTERI
MALAYSIA

JUN 2014

KANDUNGAN

1.	Pengenalan	1
2.	Objektif	2
3.	Terma Rujukan	3
4.	Struktur dan Mekanisme	5
5.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Khas Kabinet Mengenai Keutuhan Pengurusan Kerajaan (JKMKPK)	7
6.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Kebangsaan	9
7.	Keanggotaan, Peranan dan Tanggungjawab Pasukan Khas Perunding Jawatankuasa Integriti dan Tadbir Urus (PKP JITU)	12
8.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Kementerian	14
9.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Kerja kepada Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Kementerian	16
10.	Peranan dan Tanggungjawab Urus Setia Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Kementerian dan Jawatankuasa Kerja kepada Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Kementerian	18
11.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Negeri	19
12.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Kerja kepada Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Negeri	21
13.	Peranan dan Tanggungjawab Urus Setia Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Negeri dan Jawatankuasa Kerja kepada Jawatankuasa Integriti dan Tadbir Urus (JITU) Peringkat Negeri	23

2. OBJEKTIF

2.1 Objektif pementapan keutuhan sistem pengurusan pentadbiran Kerajaan ialah:

- i. Mewujudkan pentadbiran Kerajaan dan perkhidmatan awam yang cekap, berdisiplin serta mempunyai integriti yang tinggi melalui pembudayaan dan pengamalan nilai-nilai murni dan etika;
- ii. Merancang dan melaksanakan tindakan-tindakan pencegahan dan pemulihan bagi mengatasi masalah-masalah dan kelemahan-kelemahan terutamanya dalam pengurusan kewangan Kerajaan, pentadbiran awam, pengendalian kes-kes tatatertib, rasuah, penyalahgunaan kuasa dan penyelewengan yang ditegah oleh agama serta perundangan dan peraturan; dan
- iii. Mengenal pasti dan menyelesaikan isu-isu semasa berimpak tinggi yang merentasi agensi secara proaktif melalui mekanisme musyawarah, permuafakatan dan tindakan segera untuk rakyat.

ARAHAN YAB PERDANA MENTERI - NO.1 TAHUN 2018

KERTAS DERAJAT



KERAJAAN MALAYSIA

ARAHAN YAB PERDANA MENTERI NO. 1 TAHUN 2018

GERAKAN PEMANTAPAN GOVERNANS, INTEGRITI DAN ANTI- RASUAH DALAM PENGURUSAN PENTADBIRAN KERAJAAN MALAYSIA:

PEMERKASAAN MEKANISME PENGURUSAN GOVERNANS, INTEGRITI DAN ANTI-RASUAH KEBANGSAAN

JABATAN PERDANA MENTERI
MALAYSIA

KANDUNGAN

1.	Tujuan	4
2.	Latar Belakang	4
3.	Objektif	6
4.	Dasar Anti-Rasuah Nasional	7
5.	Terma Rujukan	7
6.	Struktur dan Mekanisme	8
7.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Khas Kabinet Mengenai Anti-Rasuah (JKKMAR)	9
8.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Anti-Rasuah (JAR) Peringkat Kebangsaan	11
9.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Anti-Rasuah (JAR) Peringkat Kementerian / Jabatan / Agensi Persekutuan	13
10.	Keanggotaan, Peranan dan Tanggungjawab Jawatankuasa Anti-Rasuah (JAR) Peringkat Kerajaan Negeri	14
11.	Hubungkait Peranan Jawatankuasa-Jawatankuasa Dalam Pemantapan Governans, Integriti Dan Anti-Rasuah Dalam Pengurusan Pentadbiran Kerajaan	16
12.	Laporan Maklum Balas	18
13.	Pelaksanaan Arah	19
14.	Penutup	20
15.	Lampiran A - Struktur Aliran Pelaksanaan Jawatankuasa Khas Kabinet Mengenai Anti-Rasuah (JKKMAR) Dan Jawatankuasa Anti-Rasuah (JAR)	21
16.	Lampiran B - Format Laporan Maklum Balas Jawatankuasa Anti-Rasuah (JAR)	22

3. OBJEKTIF

- 3.1 Objektif pemantapan governans, integriti dan anti-rasuah dalam sistem pengurusan pentadbiran Kerajaan ialah:
- Memastikan kualiti sistem penyampaian perkhidmatan Kerajaan adalah berlandaskan kepada pentadbiran efektif, efisien, berintegriti, tiada karenah birokrasi dan terhindar daripada gejala rasuah;
 - Memastikan agenda pencegahan rasuah dilaksanakan di setiap peringkat pentadbiran Kerajaan berteraskan kepada risiko-risiko yang dikenalpasti;
 - Merancang dan melaksanakan tindakan-tindakan pencegahan dan pemulihan bagi mengatasi masalah-masalah dan kelemahan-kelemahan dalam governans, integriti dan anti-rasuah;
 - Mengenal pasti dan menyelesaikan isu-isu semasa yang berimpak tinggi yang merentasi agensi secara proaktif melalui mekanisme permuafakatan dan tindakan segera untuk rakyat; dan
 - Meningkatkan imej negara melalui sistem pentadbiran Kerajaan yang cekap dan berdaya saing serta menekankan aspek governans, integriti dan anti-rasuah.

PP Bil 6/2013 : PENUBUHAN UNIT INTEGRITI AGENSI

JPA(BPO)(S)215/65/5 Jld.13 (8)

No. Siri :



KERAJAAN MALAYSIA

PEKELILING PERKHIDMATAN BILANGAN 6 TAHUN 2013

PENUBUHAN UNIT INTEGRITI DI SEMUA AGENSI AWAM

TUJUAN

1. Pekeliling Perkhidmatan ini bertujuan untuk memaklumkan mengenai keputusan Kerajaan menubuhkan Unit Integriti sebagai *focal point* kepada pengurusan isu-isu berkaitan integriti di semua agensi awam.

LATAR BELAKANG

2. Sistem tadbir urus sektor awam yang terbaik dan budaya kerja berkualiti merupakan landasan penting dalam meningkatkan keyakinan rakyat terhadap keupayaan Kerajaan melaksanakan dasar yang dimandatkan. Dalam hubungan ini, Kerajaan akan terus mengambil langkah untuk memantapkan integriti bagi menentukan penjawat awam menjunjung dan menegakkan prinsip integriti serta akauntabiliti ke arah mencapai sistem penyampaian awam yang lebih cemerlang.

Penubuhan Unit Integriti merupakan usaha kawalan dalaman oleh agensi untuk menguruskan integriti dalam organisasi. 6 fungsi teras seperti berikut:

- a) **Tadbir Urus**
Memastikan tadbir urus yang terbaik dilaksanakan;
- b) **Pengukuhan Integriti**
Memastikan pembudayaan, penginstitusian dan pelaksanaan integriti dalam organisasi;
- c) **Pengesanan dan Pengesahan**
 - i) Mengesan dan mengesahkan aduan salahlaku jenayah serta pelanggaran tatakelakuan dan etika organisasi serta memastikan tindakan susulan yang sewajarnya diambil; dan
 - ii) Melaporkan salahlaku jenayah kepada agensi penguatkuasaan yang bertanggungjawab;
- d) **Pengurusan Aduan**
Menerima dan mengambil tindakan ke atas semua aduan/maklumat mengenai salahlaku jenayah serta pelanggaran tatakelakuan dan etika organisasi;
- e) **Pematuhan**
Memastikan pemuatan terhadap undang-undang dan peraturan yang berkuatkuasa; dan
- f) **Tatatertib**
Melaksanakan fungsi urus setia Lembaga Tatatertib.

SUMMARY ~ CLAUSE 4 : CONTEXT OF ORGANISATION

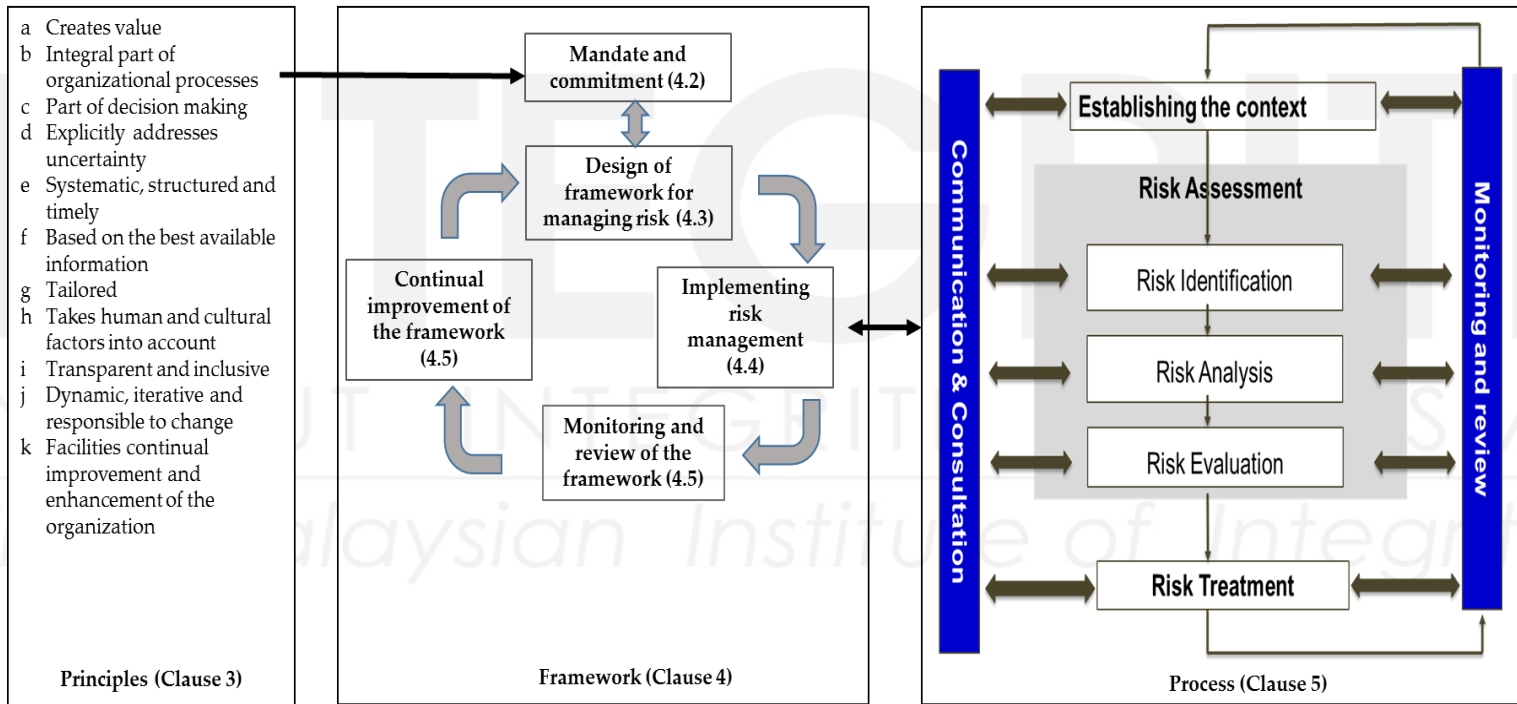
- Understand the organization (Refer A.13.1.3)
- Determine the scope of ABMS (Refer A.2)
- Conduct bribery risk assessment (Refer A.4)
- ISO 31000:2009 Risk Management – Principles and guidelines
- ISO/IEC 31010:2009 Risk Management – Risk assessment techniques



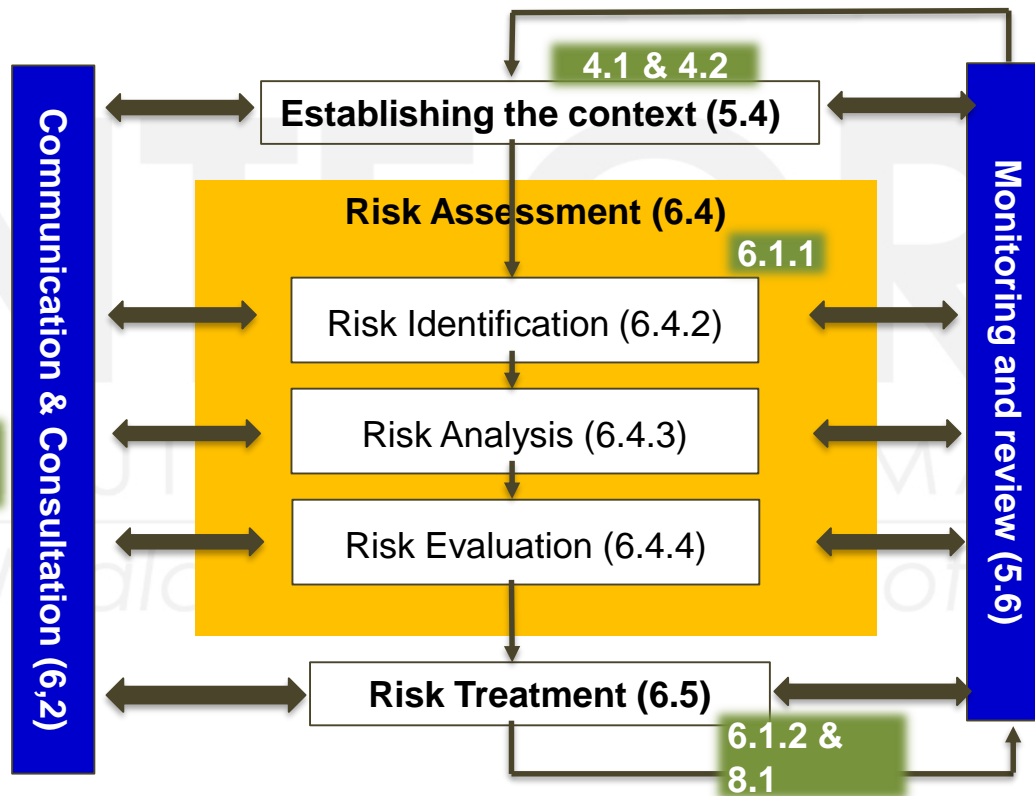
ISO 9001:2015 Vs ISO 31000:2009 & ISO 31000:2018

ISO 9001:2015/37001:2016		ISO 31000: 2009		ISO 31000:2018	
Clause	Title	Clause	Title	Clause	Title
4.1	Understanding the organization and its context	5.3	Establishing the context	5.4.1 6.3	Understanding the org & its Context Scope, context, criteria
4.2	Understanding the needs and expectations of interested parties	5.3	Establishing the context	5.4.1 6.3	Understanding the org & its Context Scope, context, criteria
6.1	Actions to address risks and opportunities	5.4	Risk assessment	6.4	Risk assessment
7.4	Communication	5.3	Communication and consultation	6.2	Communication and consultation
9.1	Monitoring, measurement, analysis and evaluation	5.6	Monitoring and review		Monitoring & review
9.3	Management review	5.6	Monitoring and review	6.6	Monitoring & review

Risk Management Principles, Framework & Process ISO 31000:2009



RISK MANAGEMENT PROCESS ISO 31000: 2018 and ISO 9001: 2015/ISO 37001:2016 integration



Legend:

ISO 31000 clause

ISO 9001/37001 clause

HIGH RISK AREAS:

- ✓ **Procurement**
- ✓ **Development Projects**
- ✓ **Enforcement**
- ✓ **Licensing/Permits**
- ✓ **Land Matters**
- ✓ **Revenue Collection**
- ✓ **Asset/Store Management**
- ✓ **Subsidies Management**
- ✓ **Human Resource**
- ✓ **Business Associates**

CLAUSE 5 : LEADERSHIP

5 Leadership

5.1 Leadership and commitment

5.1.1 Governing body

5.1.2 Top management

5.2 Anti-bribery policy (a-i)

5.3 Organizational roles, responsibilities and authorities

5.3.1 Roles and responsibilities

5.3.2 Anti-bribery compliance function

5.3.3 Delegated decision-making

5.1 LEADERSHIP AND COMMITMENT

5.1.1 GOVERNING BODY

- a) Approving the organization's anti bribery policy
- b) Ensuring organization's strategy and anti-bribery are aligned
- c) At planned intervals, receiving and reviewing information (content & operation of ABMS)
- d) Exercising reasonable oversight over implementation of organization's ABMS

EVIDENCE/DOCUMENT/PROCEDURES

ORGANIZATIONAL STRUCTURE
BOARD PAPER/APPROVAL
MINUTES OF MEETING
ANNUAL REPORT
WEBSITE

Open

5.1 LEADERSHIP AND COMMITMENT

5.1.2 TOP MANAGEMENT

EVIDENCE/DOCUMENT/PROCEDURES

ORGANIZATIONAL STRUCTURE
BOARD PAPER/APPROVAL
MINUTES OF MEETING
ANNUAL REPORT
WEBSITE

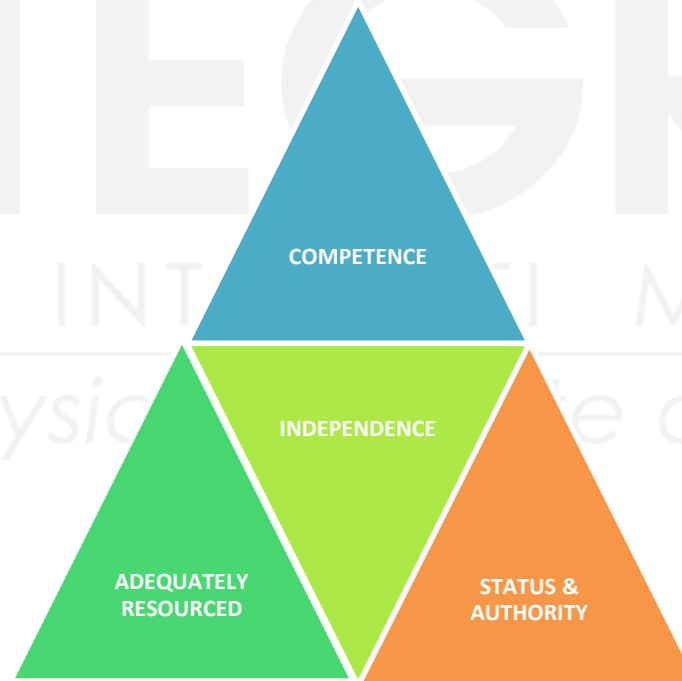
UNIT/BHGN
INTEGRITI

KSU

INTERNAL
GOVERNING
BODY-JAR
EXTERNAL -MACC

Open

5.3.2 ANTI-BRIBERY COMPLIANCE FUNCTION



EVIDENCE/DOCUMENT/PROCEDURES
APPOINTMENT LETTER
ORGANIZATIONAL STRUCTURE
JOB DESCRIPTION
KPI CERTIFICATES I.E CEO OR RELATED
ANTI-CORRUPTION FIELD

Open

5.1.1 a,b, c & d GOVERNING BODY FOR MINISTRY



5.1.1 a,b, c & d

GOVERNING BODY FOR STATE GOVERNMENT

MENTERI BESAR/KETUA MENTERI

MMKN/EXCO

SETIAUSAHA KERAJAAN NEGERI



5.1.1 a,b, c & d

GOVERNING BODY FOR LOCAL AUTHORITY

AHLI-AHLI MESYUARAT PENUH



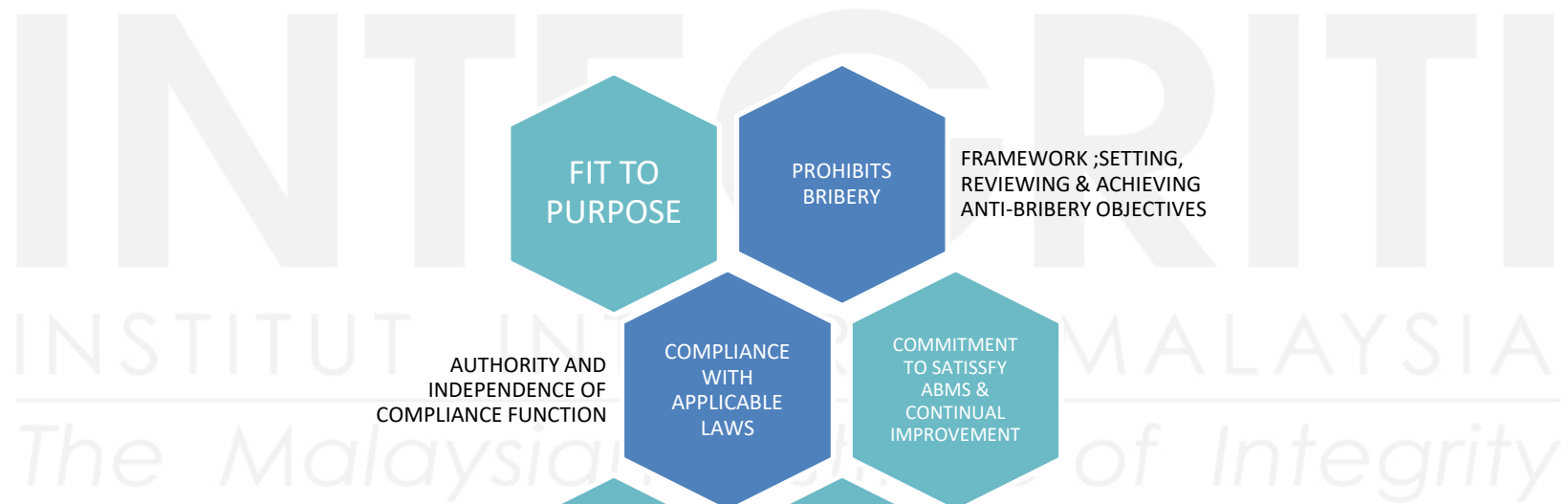
PENGURUSAN TERTINGGI

INTEGRITI
INSTITUT INTEGRITI MALAYSIA
The Malaysian Institute of Integrity

5.1.1 e) REPORTING LINE

	LEVEL	CHAIRMAN
JAR KEBANGSAAN	KEBANGSAAN	PM
JAR KEMENTERIAN	KEMENTERIAN	KSN
JAR NEGERI	NEGERI/KEMENTERIAN	MB/KM/KSU
JAR AGENSI	AGENSI	KP/YDP/CEO

5.2 ANTI BRIBERY POLICY



- EVIDENCE/DOCUMENT/PROCEDURES
- WEBSITE
- BUNTINGS
- POSTERS
- ANNUAL REPORT
- EMPLOYEE HANDBOOK
- TENDERS & CONTRACT

Open

POLISI ANTI RASUAH

JABATAN IMIGRESEN

[https://www.imi.gov.my/images/fail_sudut_integriti/2018/13072018/merge Polisi Anti Rasuah.pdf](https://www.imi.gov.my/images/fail_sudut_integriti/2018/13072018/merge_Polisi_Anti_Rasuah.pdf)

PENDAHULUAN

Polisi ini menerangkan dasar Jabatan mengenai larangan terhadap sebarang aktiviti berbentuk rasuah bagi memastikan Polisi Anti Rasuah Jabatan adalah selaras dengan peruntukan di bawah Akta Suruhanjaya Pencegahan Rasuah Malaysia 2009 dan lain-lain akta yang berkaitan.

Bersesuaian dengan hala tuju Jabatan, polisi ini diwujudkan bagi memastikan segala ruang dan peluang rasuah, penyelewengan dan salahguna kuasa dapat ditangani dengan cekap dan berkesan.

Semua warga JIM dan pihak-pihak yang terlibat secara langsung atau tidak langsung dalam urusan keimigresenan, termasuklah pekerja di mana-mana bahagian, negeri, cawangan atau manamana entiti yang dikawal oleh agensi, pekerja agensi sementara, ejen bukan pekerja yang bertindak bagi pihak agensi, dan pekerja secara kontrak, di mana sahaja lokasinya adalah tertakluk kepada polisi ini.

JIM tidak akan bertoleransi, membenar, melibatkan diri atau bertolak ansur terhadap amalan keimigresenan yang tidak mematuhi Polisi Anti Rasuah ini.

Open



Attachment 3 – MISC Anti-Bribery & Corruption Policy

**THE MISC GROUP POLICY STATEMENT ON
Anti-Bribery and Corruption**

We at MISC Group (MISC) are committed to applying the highest standards of ethical conduct, integrity and accountability in all our business activities and operations. This Policy applies to all MISC business dealings and relationships.

MISC has a zero tolerance policy towards any form of bribery and corruption by, or of, its employees or any persons or companies acting for MISC or on its behalf. The MISC Code of Conduct and Business Ethics (MISC CoBE) and Anti-Bribery and Corruption Policy and Guidelines apply throughout the Group and reflect our commitment to fight any corrupt and unethical practices in the course of conducting business in the jurisdictions in which we operate.

The Board and management are committed to implementing and enforcing effective and robust policies and procedures to prevent, monitor and eliminate bribery and corruption, and to the continual improvement of MISC's Anti-Bribery Management System (ABMS). A Compliance function is assigned with the responsibility and authority to oversee the implementation of MISC Compliance and Ethics Programme and the ABMS, with direct access to the Board and management for issues relating to bribery and corruption.

Employees and others acting for or on behalf of MISC are strictly prohibited from directly or indirectly soliciting, accepting or offering bribes in relation to MISC's businesses and operations. Employees across MISC are expected to observe the MISC CoBE and uphold MISC's zero tolerance towards bribery and corruption. Employees who fail to comply with the CoBE will be subject to the appropriate disciplinary measures.

MISC provides avenues for all employees and members of the public to disclose any improper conduct within MISC, which is governed by the MISC Whistleblowing Policy.

POLICIES AND GUIDELINES

- CODE OF CONDUCT & BUSINESS ETHIC
 - DISCIPLINARY POLICY
 - GIFT /NO GIFT POLICY
 - WHISTLE-BLOWING POLICY
 - CHARITABLE CONTRIBUTIONS/ SPONSORSHIP/DONATION POLICY
 - FACILITATION PAYMENTS
 - HOSPITALITY/ENTERTAINMENT EXPENSES
 - CONFLICTS OF INTEREST
- and many others internal /external REFERAL POLICIES**
- DO WE NEED A STATEMENT OF POLICY???

SUMMARY ~ CLAUSE 5: LEADERSHIP

- Governing Body
- Top management (Refer A.5)
- Anti-bribery Compliance Function (Refer A.6) –guidance ISO 19600
- Anti-bribery Policy (a- i)



CLAUSE 6 : PLANNING

6 Planning

6.1 Action to address risks and opportunities

6.2 Anti-bribery objectives and planning to achieve them

- **Taking action from the risk assessment to achieve anti-bribery objectives**



CLAUSE 7 : SUPPORT

7 Support

7.1 Resources (Refer A.7: Human , Physical, Financial)

7.2 Competence

7.2.1 General

7.2.2 Employment process(Refer A.8)

7.3 Awareness and training(Refer A.9)

7.4 Communication

7.2.2 EMPLOYMENT PROCESS

7 Support

7.2 Competence

7.2.2 Employment process

7.2.2.1 In relation to all of its personnel, the organization shall implement procedures such that:

- a) conditions of employment require personnel to comply with the anti-bribery policy and antibribery management system, and give the organization the right to discipline personnel in the event of non-compliance
- b) within a reasonable period of their employment commencing, personnel receive a copy of, or are provided with access to, the anti-bribery policy and training in relation to that policy;
- c) the organization has procedures which enable it to take appropriate disciplinary action against personnel who violate the anti-bribery policy and anti-bribery management system;
- d) personnel will not suffer retaliation, discrimination, or disciplinary action (e.g. by threats, isolation, demotion, preventing advancement, transfer, dismissal, bullying, victimization, or other forms of harassment) for
 - 1) refusing to participate in, or turning down, any activity in respect of which they have reasonably judged there to be a more than low risk of bribery that has not been mitigated by the organization; or
 - 2) concerns raised or reports made in good faith, or on the basis of a reasonable belief, of attempted, actual or suspected bribery or violation of the anti-bribery policy or the antibribery management system (except where the individual participated in the violation).

7.2.2.1 IN RELATION TO ALL OF ITS PERSONNEL, THE ORGANIZATION SHALL IMPLEMENT PROCEDURES SUCH THAT:

- a) conditions of employment require personnel to comply with the anti-bribery policy and anti-bribery management system, and give the organization the right to discipline personnel in the event of non-compliance

Organization should have Anti-bribery Policy (refer to 5.2 Anti-bribery Policy and 4.4 Anti-bribery management system). Organization must provide sufficient awareness / training to all employees

- b) within a reasonable period of their employment commencing, personnel receive a copy of, or are provided with access to, the anti-bribery policy and training in relation to that policy;

Integrity pledge signed by CEO/GM/Mayor/YDP to show Top Management commitment. All employees sign Integrity Pledge. Evidence : Employees attendance list during the awareness / training. The pledge signed by employees. Publish in website, intranet internal circulation (memo or email)

- c) the organization has procedures which enable it to take appropriate disciplinary action against personnel who violate the anti-bribery policy and anti-bribery management system;
- d) personnel will not suffer retaliation, discrimination, or disciplinary action (e.g. by threats, isolation, demotion, preventing advancement, transfer, dismissal, bullying, victimization, or other forms of harassment) for
 - 1) refusing to participate in, or turning down, any activity in respect of which they have reasonably judged there to be a more than low risk of bribery that has not been mitigated by the organization; or

Organization should have sufficient Procedures to address ie Procedure related to Jawatankuasa Tata tertib or refer to General Order or SOP on Domestic Inquiry etc

- 2) **concerns raised or reports made in good faith**, or on the basis of a reasonable belief, of attempted, actual or suspected bribery or violation of the anti-bribery policy or the anti-bribery management system (except where the individual participated in the violation).

Whistle Blowing Policy

7.2.2 EMPLOYMENT PROCESS

7 Support

7.2 Competence

7.2.2 Employment process

7.2.2.2 In relation to all positions which are exposed to more than a low bribery risk, as determined in the bribery risk assessment (see 4.5), and to the anti-bribery compliance function, the organization shall implement procedure which provide that:

- a) due diligence (see 8.2) is conducted on persons before they are employed, and on personnel before they are transferred or promoted by the organization, to ascertain as far as is reasonable that it is appropriate to employ or redeploy them and that it is reasonable to believe that they will comply with the anti-bribery policy and anti-bribery management system requirements;
- b) performance bonuses, performance targets and other incentivizing elements of remuneration are reviewed periodically to verify that there are reasonable safeguards in place to prevent them from encouraging bribery;
- c) such personnel, top management, and the governing body (if any), file a declaration at reasonable intervals proportionate with the identified bribery risk, confirming their compliance with the anti bribery policy.

NOTE 1 The anti-bribery compliance declaration can stand alone or be a component of a broader compliance declaration process.

NOTE 2 See Clause A.8 for guidance.

7.2.2 Employment process

7.2.2.2 In relation to all positions which are exposed to more than a low bribery risk, as determined in the bribery risk assessment (see 4.5), and to the anti-bribery compliance function, the organization shall implement procedure which provide that:

- a) due diligence (see 8.2) is conducted on persons before they are employed, and on personnel before they are transferred or promoted by the organization, to ascertain as far as is reasonable that it is appropriate to employ or redeploy them and that it is reasonable to believe that they will comply with the anti-bribery policy and anti-bribery management system requirements;
- b) performance bonuses, performance targets and other incentivizing elements of remuneration are reviewed periodically to verify that there are reasonable safeguards in place to prevent them from encouraging bribery;
- c) such personnel, top management, and the governing body (if any), file a declaration at reasonable intervals proportionate with the identified bribery risk, confirming their compliance with the anti bribery policy.

NOTE 1 broader The anti-bribery compliance declaration can stand alone or be a component of a compliance declaration process.

NOTE 2 See Clause A.8 for guidance.

Due diligence through Tapisan Keselamatan (e-vetting) by CGSO

[Pekeliling Perkhidmatan Bil 6 Tahun 2011](#)

[MANUAL PENGGUNA SISTEM e-VETTING 2.0](#)

7.4 COMMUNICATION

- JABATAN IMIGRESEN

<https://www.imi.gov.my/index.php/ms/sumber-dan-arkib/pengumuman/1236-sudut-integriti.html>

Open

CLAUSE 7 : SUPPORT

7 Support

7.5 Documented information (Refer A.17)

7.5.1 General

7.5.2 Creating and updating

7.5.3 Control of documented information

CLAUSE 8 : OPERATION

8 Operation

8.1 Operational planning and control

8.2 Due diligence

8.3 Financial Control

8.4 Non-financial control

CLAUSE 8 : OPERATION

8 Operation

8.5 Implementation of anti-bribery controls by controlled organizations and by business associates

8.6 Anti-bribery commitments

3.26 Business Associates :

External party with whom the organization (3.2) has, or plans to establish, some form of business relationships.

Business associates includes but not limited to clients, customers, joint ventures, joint venture partners, consortium partners, outsourcing providers, contractors, consultants, subcontractors, suppliers, vendors, advisors, agents, distributors, representatives, intermediaries and investors.

CLAUSE 8 : OPERATION

8 Operation

8.7 Gifts, hospitality, donations and similar benefits

8.8 Managing inadequacy of anti-bribery controls

8.9 Raising concerns

8.10 Investigating and dealing with bribery

GARIS PANDUAN PENGURUSAN ADUAN DIBAWAH AKTA PERLINDUNGAN PEMBERI MAKLUMAT

- JABATAN IMIGRESEN

https://www.imi.gov.my/images/fail_sudut_integriti/2018/13072018/merge_Garis_Panduan_Pengurusan_FA.pdf

INTEGRITI
INSTITUT INTEGRITI MALAYSIA
The Malaysian Institute of Integrity

FLOWCHART PROCESS OF MAKING DISCLOSURE FOR WHISTLEBLOWER



EVIDENCE/DOCUMENT/PROCEDURES
SOP
TOR WB COMMITTEE
POLICY-Managing concerns relating to bribery (reporting, investigating, protect those making report
Resources (Human , Physical, Financial)
Competency
Awareness and Training
Communication-PORTAL,EFORM,REPORTING CHANNELS

SUMMARY ~CLAUSE 8 : OPERATION

- Control of operations to reduce bribery risks (gifts, hospitality, donations policy/procedures) (Refer A.15)
- Due diligence required for operations that is above low bribery risk (Refer A.10)
- Financial (Refer A.11) & Non-Financial Control (Refer A.12)
- Control of business associates to reduce bribery risks to the organization (Refer A.13 & Refer A.14)
- Managing concerns relating to bribery (reporting, investigating, protect those making report) (Refer A.18)
- Managing non-compliance of controls

CLAUSE 9 : PERFORMANCE EVALUATION

9 Performance evaluation

9.1 Monitoring, measurement, analysis and evaluation

9.2 Internal audit

9.3 Management review

9.3.1 Top management review

9.3.2 Governing body review

9.4 Review by anti-bribery compliance function

9.3 Management Review REPORTING LINE

	LEVEL	CHAIRMAN
JAR KEBANGSAAN	KEBANGSAAN	PM
JAR KEMENTERIAN	KEMENTERIAN	KSN
JAR NEGERI	NEGERI/KEMENTERIAN	MB/KM/KSU
JAR AGENSI	AGENSI	KP/YDP/CEO

SUMMARY ~ CLAUSE 9 : PERFORMANCE EVALUATION

- Monitoring and evaluate anti-bribery performance
- (Refer A.19)
 - Refer ISO 19600:2014 Compliance Management System – Guidelines
- Internal Audit (Refer A.16)
- Review by Anti-bribery compliance function
- Review by Top Management
- Review by Governing Body

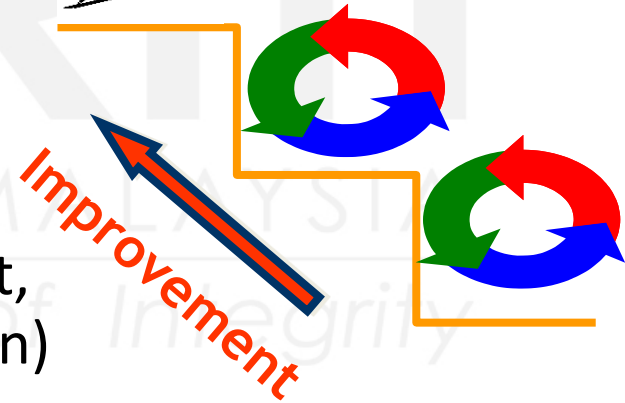
CLAUSE 10 : IMPROVEMENT

10 Improvement

10.1 Nonconformity and corrective action

10.2 Continual improvement

- Responding to non-conformities (React, Evaluate, Implement and Review Action)
- Refer A.20



ISO 37001 – Annex A

- A.1 General
- A.2 Scope of the anti-bribery management system
 - A.2.1 Stand-alone or integrated anti-bribery management system
 - A.2.2 Facilitation and extortion payments

- A.3 Reasonable and proportionate
- A.4 Bribery risk assessment
- A.5 Roles and responsibilities of governing body and top management

ISO 37001 – Annex A

- A.6 Anti-bribery compliance function
- A.7 Resources
- A.8 Employment procedure
 - A.8.1 Due diligence on personnel
 - A.8.2 Performance bonuses
 - A.8.3 Conflicts of interest
 - A.8.4 Bribery to the organization's personnel
 - A.8.5 Temporary staff or workers
- A.9 Awareness and training

ISO 37001 – Annex A

A.10 Due diligence

A.11 Financial controls

A.12 Non-financial controls

A.13 Implementation of the anti-bribery management system by controlled organizations and by business associates

A.13.1 General

A.13.2 Controlled organizations

A.13.3 Non-controlled business associates

ISO 37001 – Annex A

- A.14 Anti-bribery commitments
- A.15 Gifts, hospitality, donations and similar benefits
- A.16 Internal audit
- A.17 Documented information
- A.18 Investigating and dealing with bribery
- A.19 Monitoring

ISO 37001 – Annex A

- A.20 Planning and implementing changes to the anti-bribery management system
- A.21 Public officials
- A.22 Anti-bribery initiatives

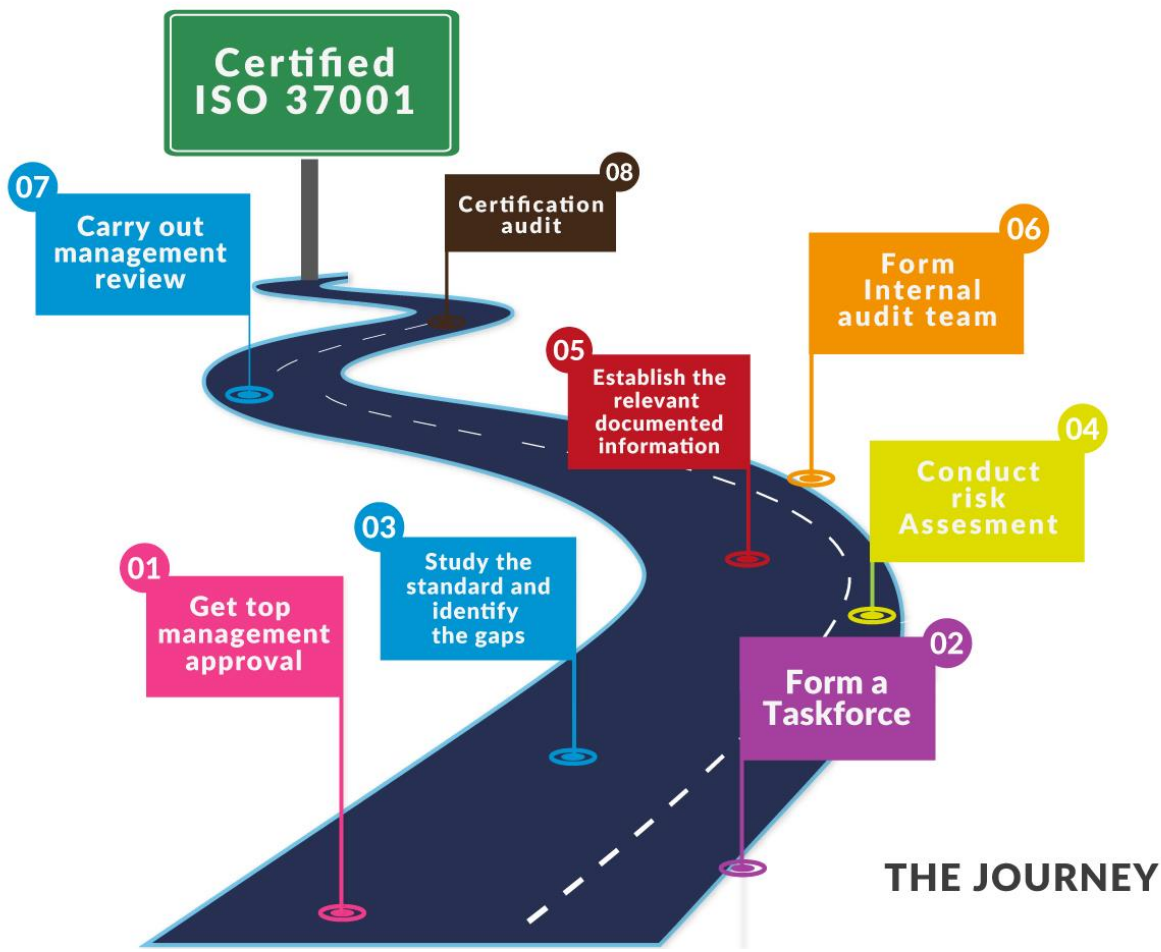
The Malaysian Institute of Integrity

INTEGRITI

Implementation Journey



The Malaysian Institute of Integrity



INTEGRITI

INS
The

Challenges & Benefits

n Institute of Integrity



CHALLENGES



- To get appointment to interview the members of the Board
- Lack of understanding of ABMS by the governing body and top management
- Scope of certification is minimal (activities covered by the ABMS is limited).
- Unfamiliar with bribery risk assessment (identify, analysis and evaluate bribery risks).
- Unable to access initial investigation records on bribery complaints/incidences.

CHALLENGES - ORGANIZATION

- System too dependent on Integrity Department / Integrity Officer
- Getting the buy-in from all levels of the organizations.
- Lack of budget and resources allocated to implement and maintain the system.



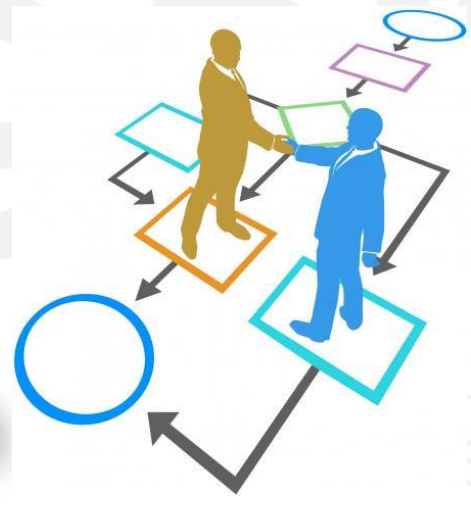
BENEFITS

- Establish a culture of integrity, transparency, openness and compliance.
- Assist organization to avoid or mitigate the costs, risks and damage due to bribery
- Promote trust and confidence in business
- Enhance reputation and improve employee morale
- Reduce cost of operation
- Have better financial standing
- Competitive advantage at national & international markets
- Comply to acts/regulations/code of practice related to integrity/corruption
- Create awareness to the public that the organization is implementing anti-bribery practices
- Encourage and enable persons (personnel and public) to report any attempted, suspected and actual bribery incidences. The persons are protected.



INTEGRITI
INSTITUT INTEGRITI MALAYSIA
The Malaysian Institute of Integrity

Certification Process



THE CERTIFICATE


CERTIFICATE



SIRIM QAS International hereby certifies that

XXXXX SDN. BHD.
JALAN XXX
TAMAN XXX
40000 SHAH ALAM
SELANGOR DARUL EHSAN
MALAYSIA

has implemented a Anti-Bribery Management Systems complying with

ISO 37001 : 2016
MS ISO 37001 : 2016
ANTI-BRIBERY MANAGEMENT SYSTEMS - Requirements with Guidance for use

Scope of Certification

ANTI-BRIBERY MANAGEMENT SYSTEM FOR XXXXXXXXXXXXXXXXXXXX.

Issue date : **03 November 2017**

Validity period : **03 November 2017 - 02 November 2020**

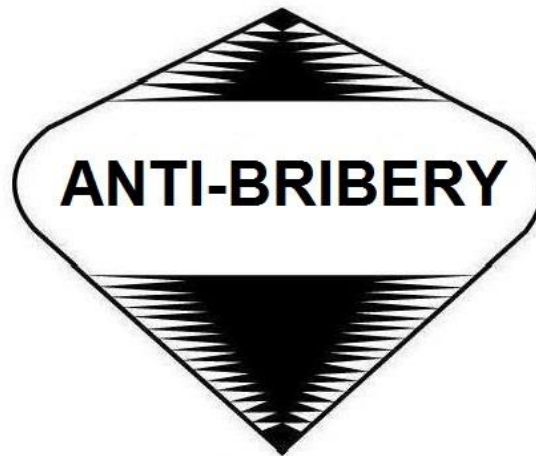
Certification No. : **ABMS XXXXX**


SIRIM QAS International Sdn Bhd
(Company No. 410354 - X)
1, Persiaran Citaru, Mentari
Section 2, P.O. Box 1058
47100, Shah Alam
Selangor Darul Ehsan
MALAYSIA
Tel: 60-3-5544 5454
Fax: 60-3-5544 6797
<http://www.sirim-qas.com.my/>
<http://www.mab.integrity.com.my/>


Mohd Azanuddin Salleh
Managing Director
SIRIM QAS International Sdn. Bhd.

This certificate is granted subject to the terms and conditions as stated in the Certification Agreement.

CERTIFICATION MARK



SIRIM

**CERTIFIED TO ISO 37001:YYYY
CERT. NO. : XXXXXX**

INT **GRITI**
INSTITUT INTEGRITI MALAYSIA
The Malaysian Institute of Integrity



Thank you



SIRIM QAS International Sdn. Bhd
fauziah@sirim.my
www.sirim-qas.com.my
Mobile : 012-383 5104



Connect with SIRIM QAS international to get the latest development on **industry topics, news and events**. Join us via our official social media platforms as below:

-  Facebook: <https://www.facebook.com/SIRIMQASInternational>
-  Twitter: <https://twitter.com/SIRIMQASIntl>
-  You Tube: <https://www.youtube.com/SIRIMQASInternational>
-  LinkedIn: <https://www.linkedin.com/SIRIMQASInternational>