ISO 37001:2016 – Anti-Bribery Management System Overview

March24th 2017

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IRCA 2245 holder QMS.BCMS.EnMS

President Director, PT NQA Media International

GUNUNG ES KORUPSI

TINDAK PIDANA KORUPSI TPK

CORRUPTION HAZARDS (CH)

POTENSI MASALAH PENYEBAB KORUPSI (PMPK)

lokasi :
• pemasok anggaran
• pengguna anggaran,
• disparitas pendapatan

Manusia berjiwa koruptor

Barang
• asset negara,
• barang sitaan

Kegiatan :
• proyek pembangunan
• pengadaan barang / jasa
• perijinan / pelayanan publik

Korupsi sbg Kejahatan terjadi, apabila terdapat :
• Desire to Act
• Ability to Act
• Opportunity
• Suitable Target

Kelemahan bangsa
• Kesisteman
• Kesejahteraan / Pengghasilan
• Mental / moral
• Internal, sosial, self control
• Budaya ketaatan hukum

2

Sejarah Pemberantasan Korupsi

- Tahun   Kegiatan Utama   Lingkup   Dasar Hukum

- **1957** Operasi Militer   (Kegiatan tidak terstruktur)   PRT/PM/06/1957
- **1967** Tim Pemberantasan Korupsi (Represif)   Keppres 228 Tahun 1967
- **1977** Opstib   (Penertiban Sistem)   Inpres 9 Tahun 1977
- **1987** Pemsus Restitusi Pajak   (Kebenaran restitusi)   Surat MENKEU S-1234/MK.04/1987

- **1997-1998 → Krisis Moneter & Ekonomi**

- **1999** KPKPN   (Preventif)   UU 28 Tahun 1999
- **1999** TGTPK   (Represif)   PP 19 Tahun 2000

    PELAJARAN
    - **Tidak memadai pada komponen pencegahan**, walaupun mandat yang diberikan mencakup pencegahan
    - Diarahkan hanya untuk penghukuman, tidak cukup perhatian pada upaya pelacakan aset (hasil korupsinya)
    - **Sistem manajemen SDM** tidak diarahkan untuk mendukung kinerja
    - **Sistem manajemen keuangan** tidak diarahkan untuk mendukung kinerja

- **2003 KPK**   **(Penindakan & Pencegahan)   UU 30 Tahun 2002**
- Tugas: Koordinasi, Supervisi, Penindakan, Pencegahan, Monitor

- **2005** Timtas   (Represif)   Keppres 11 Tahun 2005

Sekilas KPK:

Beberapa gambaran:

- Lembaga Negara Independen bebas pengaruh dari eksekutif, legislatif, yudikatif dan kekuatan lainnya

- Bertanggung jawab kepada publik

- Yurisdiksi hanya pada tindak pidana korupsi

Gambaran lain:

- 5 Pimpinan

- 4 Penasihat (saat ini: 1 Penasihat)

- 700 Pegawai

Koordinasi
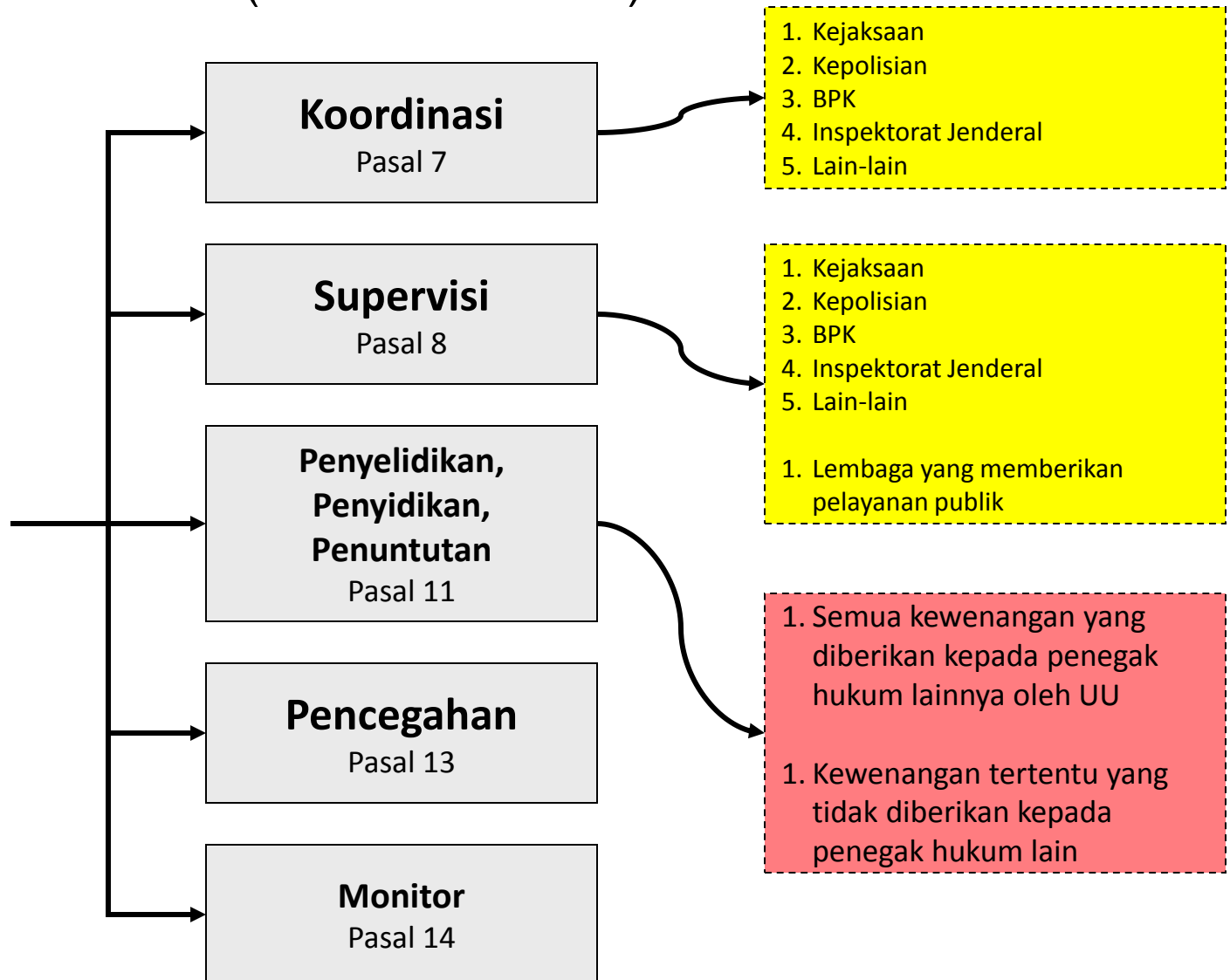(Pasal 7)

Supervisi
(Pasal 8)

Monitoring
(Pasal 14)

TUGAS
KPK
(Pasal 6)

Penyelidikan,
Penyidikan &
Penuntutan
(Pasal 11)

Pencegahan
(Pasal 13)

5

Mekanisme Anti Korupsi KPK
(UU No. 30/2002)

Tugas KPK

Pasal 6

- **Koordinasi**

  Pasal 7

- **Supervisi**

  Pasal 8

- **Penyelidikan, Penyidikan, Penuntutan**

  Pasal 11

- **Pencegahan**

  Pasal 13

- **Monitor**

  Pasal 14

1. Kejaksaan
2. Kepolisian
3. BPK
4. Inspektorat Jenderal
5. Lain-lain

1. Kejaksaan
2. Kepolisian
3. BPK
4. Inspektorat Jenderal
5. Lain-lain

1. Lembaga yang memberikan pelayanan publik

1. Semua kewenangan yang diberikan kepada penegak hukum lainnya oleh UU

1. Kewenangan tertentu yang tidak diberikan kepada penegak hukum lain

Alasan *KPK harus ada*

- **Pasal 6 UNCAC* (UU No.7 th. 2006) bahwa:**
  - **(1)"Setiap negara peratifikasi (peserta) UNCAC <u>wajib</u>, berdasarkan prinsip-prinsip dasar sistem hukumnya, <u>menjamin/memastikan keberadaan/eksistensi satu</u> atau beberapa lembaga, sejauh diperlukan dalam mencegah korupsi….**
  - **(2) Setiap negara peratifikasi <u>wajib</u> menjaga independensi lembaga tersebut….agar mampu menjalankan fungsinya secara efektif dan bebas dari pengaruh yang tidak diinginkan**

*)The United Nations Convention against Corruption (UNCAC) mulai berlaku (entry into force) sejak tanggal 14 Desember 2005. Hingga saat ini, sebanyak 140 negara telah menandatangani Konvensi tersebut dan 165 negara telah meratifikasinya.

UNCAC memberikan suatu standardisasi dalam pencegahan dan pemberantasan korupsi yang mencakup 5 (lima) aspek utama, yaitu pencegahan, kriminalisasi dan penegakan hukum, kerjasama internasional, pemulangan asset (asset recovery), serta bantuan teknis dan pertukaran informasi.

Korupsi DPRD

Memperbesar mata anggaran untuk tunjangan dan fasilitas anggota dewan

Menyalurkan Dana APBD bagi anggota dewan melalui yayasan fiktif

Memanipulasi perjalanan dinas

Menerima gratifikasi

Menerima Suap.

Sumber : dari berbagai sumber seperti Studi World Bank, data KPK

Korupsi Pejabat Daerah

Pengadaan Barang dana Jasa Pemerintah dengan mark up harga dan merubah spesifikasi barang.

Penggunaan sisa dana tanpa dipertanggungjawabkan & tanpa prosedur

Penyimpangan prosedur pengajuan & pencairan dana kas daerah

Manipulasi sisa APBD

Manipulasi dalam proses pengadaan/perijinan/konsensi hutan

Gratifikasi dari BPD penampung dana daerah

Bantuan Sosial tidak sesuai peruntukannya

Menggunakan APBD untuk keperluan Keluarganya dan koleganya

Menerbitkan Peraturan Daerah untuk upah pungut pajak;

Ruislag/tukar guling tanah dengan mark down harga

Penerimaan Fee Bank

LgS

Sumber : dari berbagai sumber seperti Studi World Bank, data KPK

KEKUATAN GENERASI MUDA DALAM PEMBERANTASAN KORUPSI

Kenali Hukum,
Jauhkan Hukuman

PENGERTIAN KORUPSI
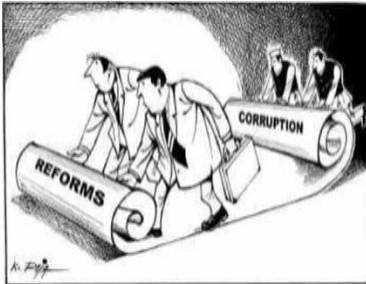
KEBUSUKAN, KEBURUKAN, KEBEJATAN, KETIDAK JUJURAN, DAPAT DISUAP, TIDAK BERMORAL.

DELIK – DELIK KORUPSI :

1. Merugikan keuangan negara atau perekonomian negara
2. Penyuapan yang bersifat aktif (yang menyuap) maupun yang bersifat pasif (yang disuap) serta gratifikasi
3. Penggelapan
4. Pemerasan dalam jabatan
5. Pemalsuan
6. Pemborongan, Rekanan

Indonesia
Bumi ciptaan Tuhan

Dengan keindahan dan kekayaan alam yang

Luar biasa

Kenali Hukum,
Jauhkan Hukuman

Indonesia luar biasa

Kekayaan hutan

Sebagian dari hutan tropis (paru-paru dunia) di dunia terdapat di Indonesia

Hutan terluas no. 3 di dunia

Kaya dengan keanekaragaman hayati 15,3 % dari 5.131.100 keanekaragaman hayati di dunia terdapat Indonesia
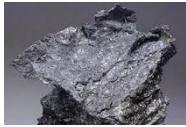
Indonesia luar biasa

Penghasil timah no. 2 di dunia

Pengekspor batu bara terbesar no. 3 di dunia

Penghasil tembaga terbesar no. 3 di dunia

Pengekspor LNG terbesar no. 3 di dunia

Salah satu negara penghasil minyak bumi

Kenali Hukum,
Jauhkan Hukuman

Indonesia luar biasa

👍 **Luas wilayah perairan Indonesia :**
5,8 juta km² = 70 % dari luas total Indonesia

👍 Posisi strategis sebagai poros utama
lalu lintas perdagangan internasional

👍 Sumber daya laut dengan potensi ekonomi :
USD 800 M = Rp. 7.200 T/tahun = 6 X APBN 2011

Pasal 33 ayat 3 UUD 1945
"Bumi dan air dan kekayaan alam yang terkandung didalamnya dikuasai oleh negara dan dipergunakan untuk sebesar-besar kemakmuran rakyat".

Sudah makmurkah Rakyat Indonesia ?

Kenali Hukum,
Jauhkan Hukuman

Mengapa kekayaan yang Dimiliki negara Indonesia Belum membuat rakyat Indonesia makmur ?

Kenali Hukum,
Jauhkan Hukuman

Prof Robert Klitgaard :

$$C = D + M - A$$

Corruption = Discretionary + Monopoly -

Accountability

Korupsi dapat terjadi jika ada monopoli kekuasaan yang dipegang oleh seseorang yang memiliki kemerdekaan bertindak atau wewenang yang berlebihan, tanpa ada pertanggungjawaban yang jelas.

Kenali Hukum,
Jauhkan Hukuman
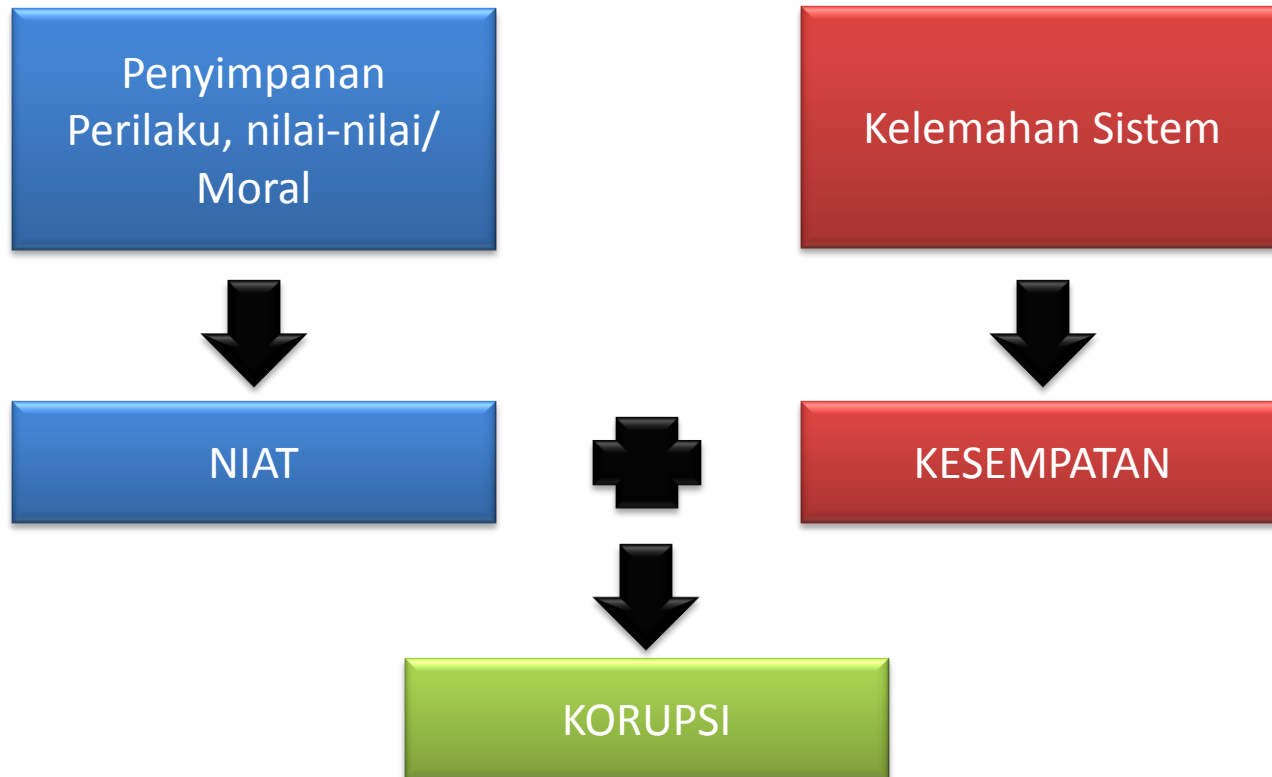
Bentuk-bentuk korupsi

1. Penyuapan
2. Konflik Kepentingan
3. Penggelapan
4. Kecurangan
5. Pemerasan
6. Kerugian Negara
7. Gratifikasi

Kenali Hukum,
Jauhkan Hukuman

KORUPSI YANG DILAKUKAN PEMUDA

1. Bolos kuliah

2. Terlambat masuk kuliah

3. Mencontek

4. Memberi sesuatu pada dosen agar mendapat nilai bagus

5. Titip absen

Program yang harus dilakukan

1. Memasukkan nilai anti korupsi dalam Kurikulum Perkuliahan
2. Membuat program kantin kejujuran
3. Memberi reward and punishment secara tegas
4. Melaksanakan kegiatan pengabdian masyarakat

1 Pembentukan Lembaga Anti-Korupsi (KPK)

2 Pencegahan Korupsi di Sektor Publik

3 Pencegahan Sosial dan Pemberdayaan Masyarakat

4 Pengembangan dan Pembuatan berbagai Instrumen Hukum yang mendukung Pencegahan dan Pemberantasan Korupsi

5 Monitoring dan Evaluasi

6 Kerjasama Internasional

Upaya Pemberantasan Korupsi

21

TINDAK PIDANA KORUPSI

PERATURAN MENGENAI KORUPSI :

UNDANG-UNDANG NO 31 TH 1999

diubah
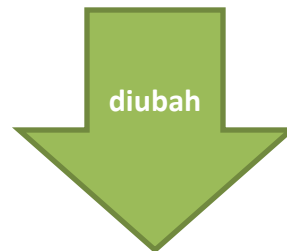
UNDANG-UNDANG NO 20 TH 2001

Mengikuti kegiatan pembekalan mahasiswa untuk memahami arti, dampak, pencegahan maupun pemberantasan korupsi yang diselenggarakan oleh kampus ataupun pihak lain melalui seminar, sosialisasi anti-korupsi atau perkuliahan

- Membentuk kelompok mahasiswa pegiat anti korupsi di dalam kampus sebagai *watch-dog* (seperti kelompok kegiatan mahasiswa lain).

- Mengkritisi kebijakan internal kampus yang berpotensi rawan korupsi (mis: proses penerimaan mahasiswa dan kegiatan lainnya)

- Melakukan pengawasan terhadap pengelolaan dana pembangunan di lingkungan kampus yang bersumber dari pemerintah maupun pihak lain.

- Melakukan kajian dan masukan konstruktif terhadap sistem pengelolaan keuangan kampus yang lebih transparan dan akuntabel.

- Mengadakan diskusi terbuka dengan pimpinan Perguruan Tinggi mengenai pengelolaan keuangan di kampus
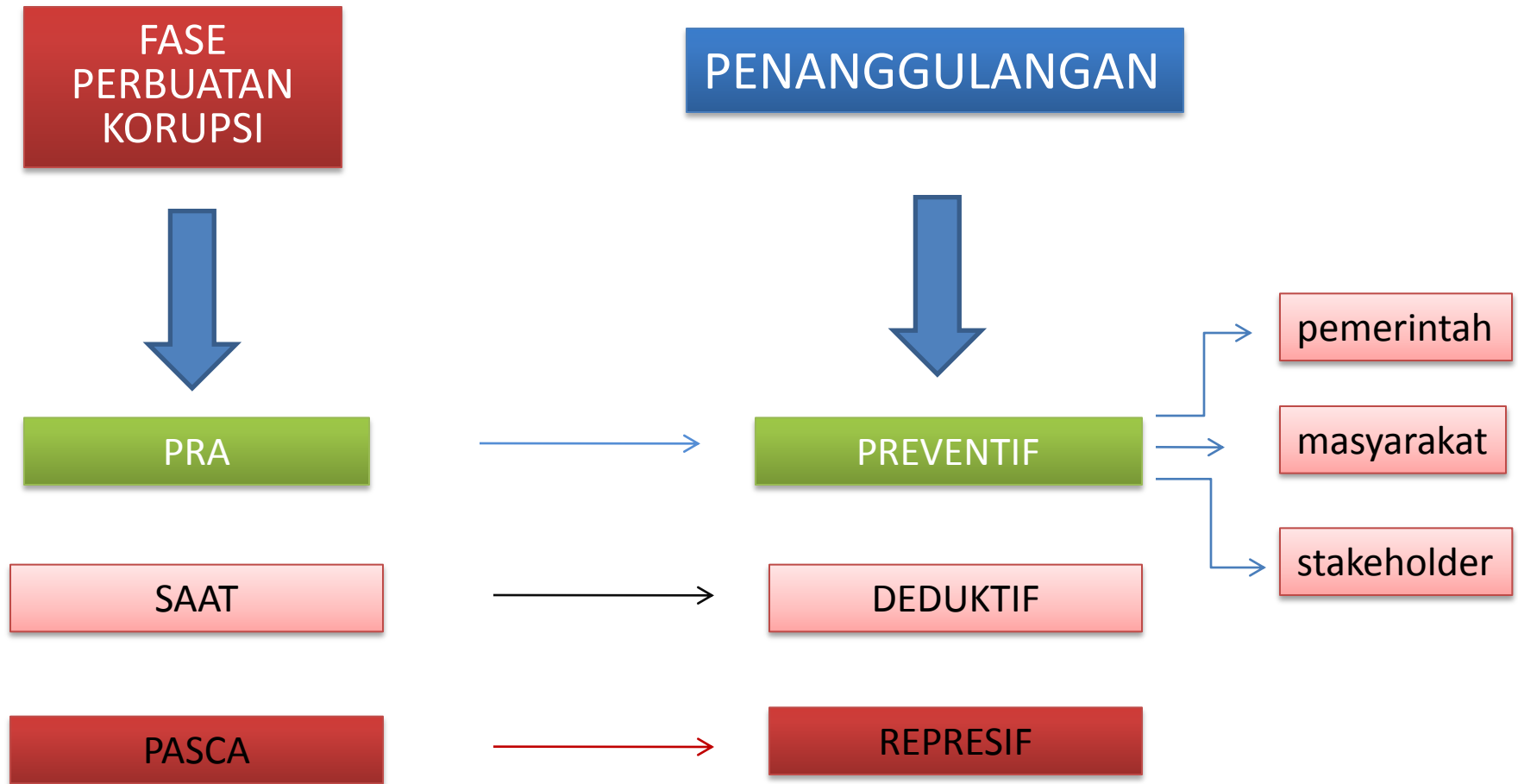
PENCEGAHAN TINDAK PIDANA KORUPSI PADA PERGURUAN TINGGI

PENEGAK HUKUM / KEJAKSAAN

CIVITAS AKADEMIKA

PENGUATAN JARINGAN MASYARAKAT ANTI KKN

LUHKUM / PENKUM PROG BINMATKUM

PENGUATAN DUKUNGAN KEGIATAN UKM2

Kenali Hukum,
Jauhkan Hukuman

SIAPA YANG MENANGANI KORUPSI?

KEPOLISIAN

KEJAKSAAN

KPK

PROSEDUR PENANGANAN KASUS
KORUPSI DI KEJAKSAAN RI
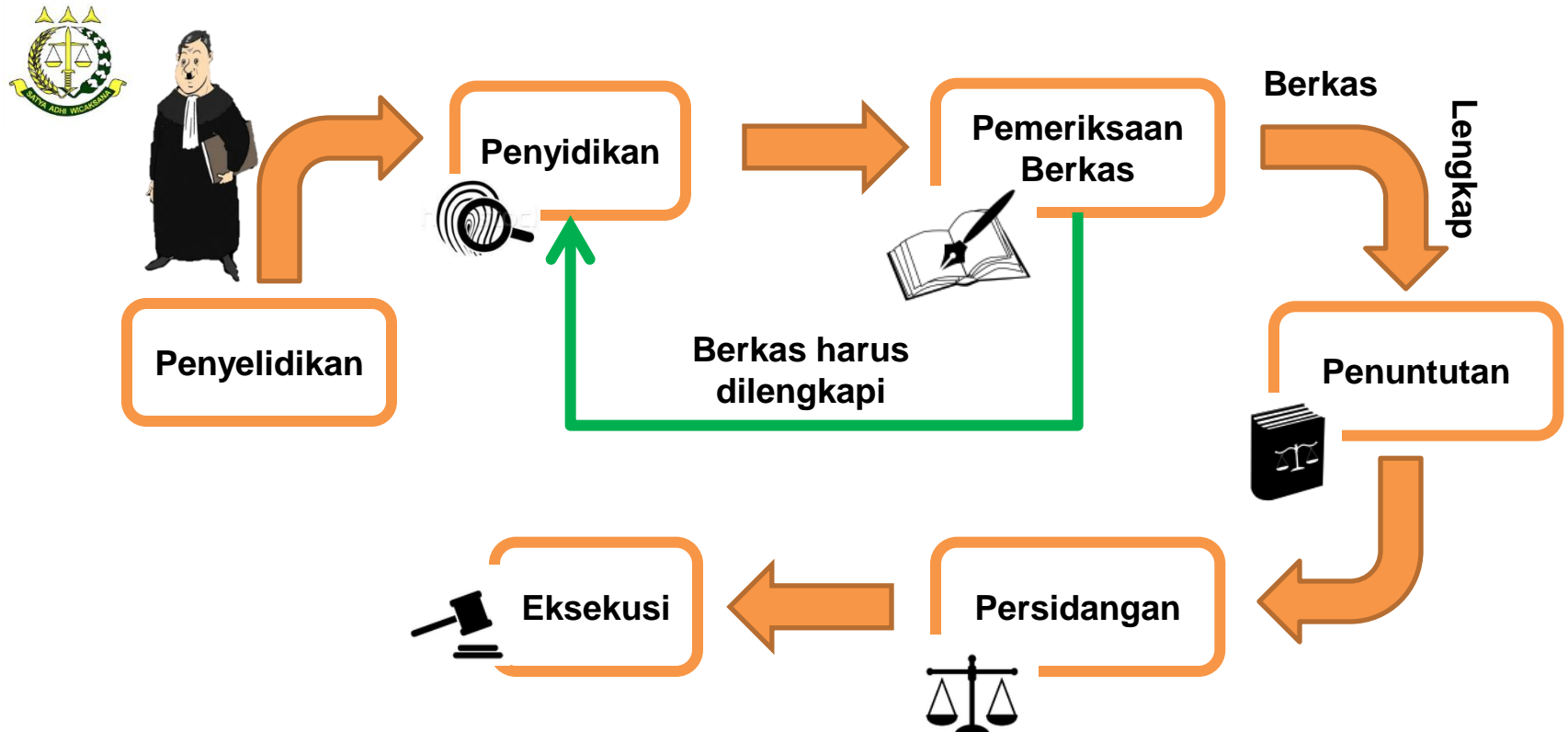
PROSEDUR LAPORAN TINDAK PIDANA

APA JENIS HUKUMAN BAGI KORUPTOR ?

PIDANA PENJARA

PIDANA MATI

*Dalam keadaan tertentu

PIDANA DENDA

What is ISO 37001?

International Organization for Standardization

Promotes the development of technical standards, standardization and related activities in the world.

Established on Feb. 23, 1947 - Geneva, Switzerland.

Total :

163	**Country members**
238	**Technical Committees**
521	**Subcommittees**
2,592	**Working Groups**
21,300*	**Standards**

*At August 2016

Who develops ISO standards?

Technical / Project Committees comprising experts on loan from the industrial, technical and business sectors which have asked for the standards, and which subsequently put them to use.

These experts may be joined by others with relevant knowledge, such as representatives of government agencies, testing laboratories, consumer associations, environmentalists, and so on.

These experts participate as national delegations, chosen by the ISO national member institute for the country concerned.

These delegations are required to represent not just the views of the organizations in which their participating experts work, but of other stakeholders.

Technical Committee

⬇

Subcommittees

⬇

Workgroups

ISO
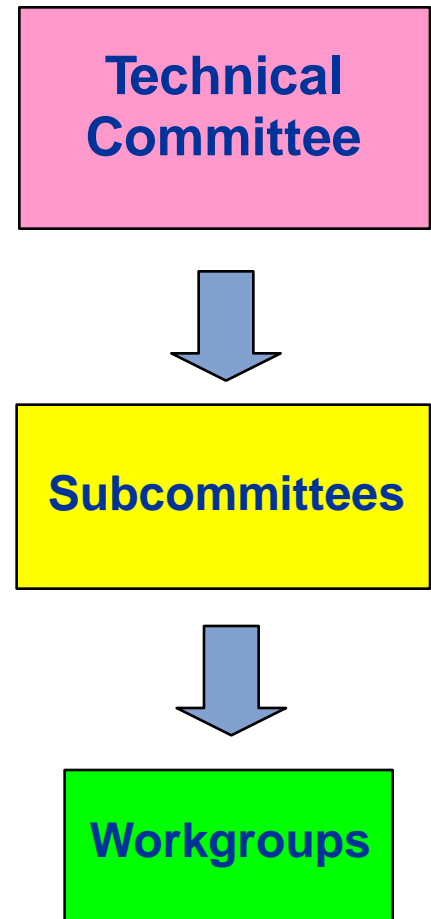
Stages of Standards

The national delegations of experts of a technical committee meet to discuss, debate and argue until they reach consensus on from a working draft to committee draft to an agreement where it is then circulated as a Draft International Standard (DIS) to ISO's membership as a whole for comment and balloting.

Many members have public review procedures for making draft standards known and available to interested parties and to the general public.

International Standard

↑

Final Draft International Standard

↑

Draft International Standard

↑

Committee Draft

↑

Working Draft

ISO
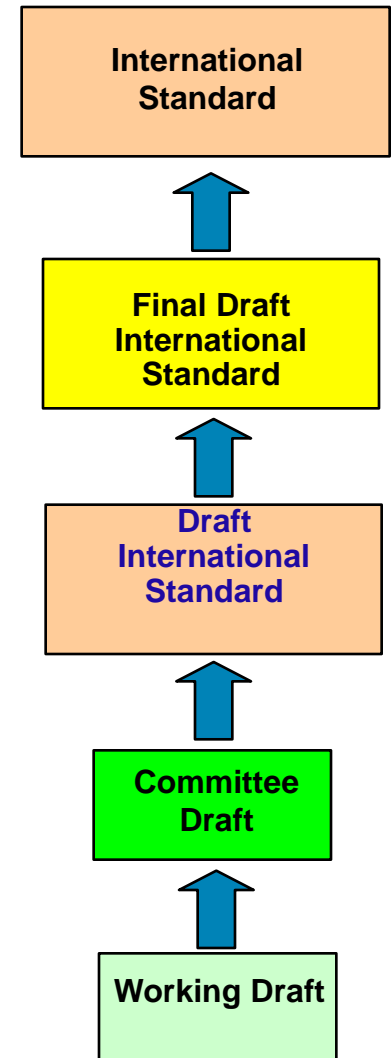
The ISO members then take account of any feedback they receive in formulating their position on the draft standard.

If the voting is in favour, the document, with eventual modifications, is circulated to the ISO members as a **Final Draft International Standard** (FDIS).

If that vote is positive, the document is then published as an **International Standard.**

International Standard

↑

Final Draft International Standard

↑

Draft International Standard

↑

Committee Draft

↑

Working Draft

ISO
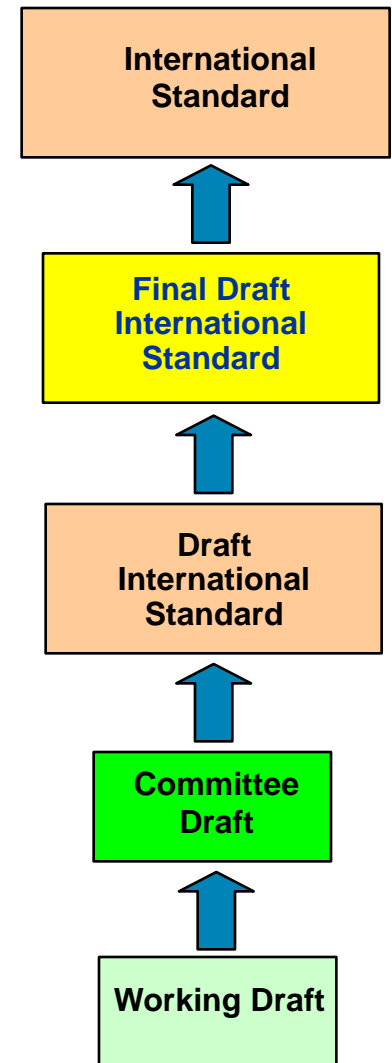
Recommended Timeframe

Project stage	Milestones	Sub-stage	Project time
Preparatory stage	Registration of approved new work item (NWI)	20.00	0
Committee stage	Registration of Committee Draft (CD)	30.00	12
Enquiry stage	Registration of draft International Standard (DIS)	40.00	18
Approval stage	Registration of final draft International Standard (FDIS)	50.00	30
Publication stage	Publication of International Standard (IS)	60.60	36

ISO

Evolution of Management System

1959
- MIL-Q-9858 - Quality Program.
- MIL-I-45208 - Inspection System.
- MIL-C-45662 - Calibration System.

1968
- NATO-AQAP 1 - QC System.
- NATO-AQAP 4 - Inspection System.
- NATO-AQAP 6 - Measurement & Calibration.
- NATO-AQAP 9 - Basic Inspection.

1970
- UK MOD - 05-08 (AQAP 1).

1972
- BS 4891 - Guide to Quality Assurance.

1974
BS 5179 - Operational Evaluation of QA System.

1979
- BS 5750 - Quality System
- BS 5781 - Measurement & Calibration.

1984
- Revised BS 5750

1987
- ISO 9001 : 1987

1994
- ISO 9001 : 1994

2000
ISO 9001 : 2000

2008
ISO 9001 : 2008

ISO 9001:2015

Responsible for developing and maintaining ISO 9000 family of standards.

Chairperson : Mrs Katie Altoft

Secretariat – Standards Council of Canada.

Standardization in the field of quality management, as well as quality management standardization in specific sectors at the request of the affected sector and the ISO Technical Management Board

ISO/TC 176 Sub-Committee

SC 1   Concepts and Terminology

SC 2   Quality Systems

SC 3   Supporting Technologies

Year	Dec 2013	Dec 2014	Dec 2015
No: of Organizations certified to ISO 9001	1,022,877	1,036,321	1,033,936
Certified Organizations in Malaysia	12,002	11,464	11,963

Certified Organizations - Indonesia

ISO \ Year	Dec 2013	Dec 2014	Dec 2015
ISO 9001 (QMS)	**7,890**	**7,150**	**8,613**
ISO 14001 (EMS)	**1,558**	**1,644**	**2,239**
TS 16949 (AUTOMOTIVE)	**379**	**261**	**301**
ISO 22000 (FOOD)	**262**	**311**	**413**
ISO 27001 (SECURITY)	**25**	**66**	**88**

ISO

Bribery raises serious social, moral, economic, and political concerns, undermines good governance, hinders development, and distorts competition, in addition to being negatively impactful to human rights.

Bribery is, in many ways, an archaic activity of corruption that has unfortunately found its way into the Modern Age.

Bribery is one of the greatest challenges to international development and poverty relief. Its consequences can be catastrophic for the economy, infrastructure, health, education, quality and safety.
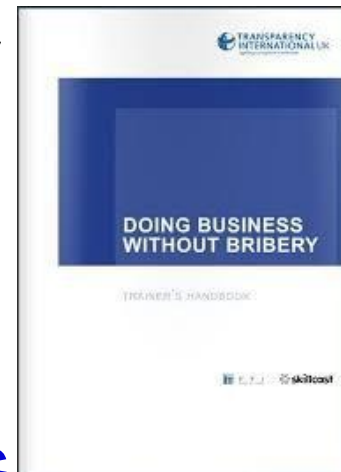
During the past 15 years, many countries have made efforts at the national and international level to tackle bribery.

Treaties have been signed and laws improved, and many countries are now prosecuting bribery offences. However, there is still work to be done.

Bribery and Corruption Regulations

US Foreign Corrupt Practices Act, 1977
(Enacted in 1977; amended in 1988.)

UK Bribery Act, 2010
(Passed on 8 April 2010; Enforced on 1 July 2011.)

UK Prevention of Corruption Act, 1916

UK Prevention of Corruption Act, 1906

UK Public Bodies Corruption Practices Act, 1889

Malaysian Anti-Corruption Commission Act,   2009

Anti-Corruption Act, 1997

Anti-Corruption Agency Act 1982

Prevention of Corruption Act, 1961

Bribery and Corruption Regulations

Indonesian Anti-Corruption Laws & Regulations

Law No. 30 of 2002 on the Commission for the Eradication of Corruption ("KPK Law").

Law No. 46 of 2009 on the Corruption Tribunal.

Law No. 5 of 2014 on Civil Servants.

Presidential Decree No. 37 of 2009 on the establishment of the Legal Mafia Eradication Task Force.

This Task Force is tasked with tackling corruption within law enforcement bodies

Bribery and Corruption Conventions

The Inter-American Convention Against Corruption of the Organization of American States (March 1996).

OECD Convention on Combating Bribery of Foreign Officials in International Business Transactions (December 1997).

Criminal and Civil Law Conventions on Corruption of the Council of Europe (May 1999)

South African Development Community Protocol Against Corruption (August 2001).

Asian Development Bank/OECD Anti-corruption Action Plan (2001).

Bribery and Corruption Conventions

African Union Convention on Preventing and Combating Corruption (July 2003)

United Nations Convention Against Corruption (December 2005).

Indonesia signed the UNCAC on 18th December 2003 and ratified it on 19th September 2006.

Guidelines on Preventing and Combating Fraud and Corruption in Projects Financed by IBRD Loans and IDA Credits and Grants (October 2006).

ISO 37001:2016

Corporate Compliance Programs

In 1990s, health care industry has compliance programs to detect and prevent misconduct.

Sarbanes-Oxley (SOX) Act 2002 sets new and enhanced regulations of corporate governance and financial practices for US public companies.

US Federal Sentencing Guidelines (2004) - "promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law."

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ISO 37001:2016

ISO 37001:2016

Top Level Commitment

Polices & Procedures

- Anti-Bribery & Corruption Policies
- Communication & Training
- Internal Controls

Proactive

- Risk Assessment
- Monitoring

Reactive

- Due Diligence
- Investigations
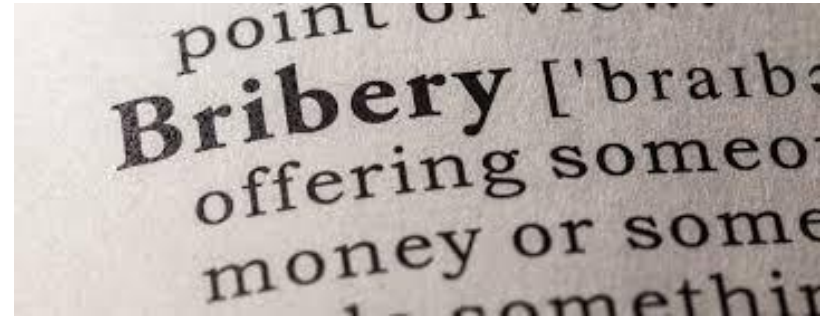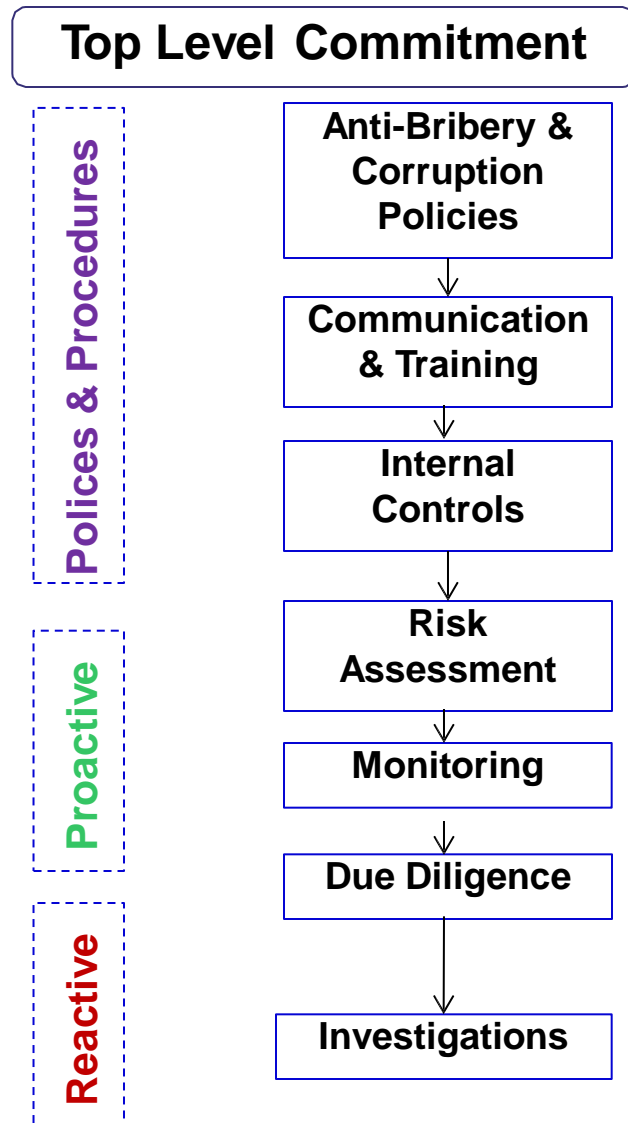
Management System Control

At the organizational level, bribery affects tendering and contract implementation, and **increases costs and risks.**

Organizations can help address this issue is by **implementing anti-bribery management controls** equivalent to those for quality, environmental and safety.

Date:

ISO 37001:2016

In 2011, BSI Standards published British Standard (BS) 10500 : Anti-bribery Management System, which was developed by a working group of 30 experts from the public and private sector and representing several different industry sectors.

BS 10500 is intended to help an organisation to implement an effective anti-bribery management system.

ISO 37001:2016

BS 10500:2011

BSI Standards Publication

Specification for an anti-bribery management system (ABMS)

bsi.

making excellence a habit
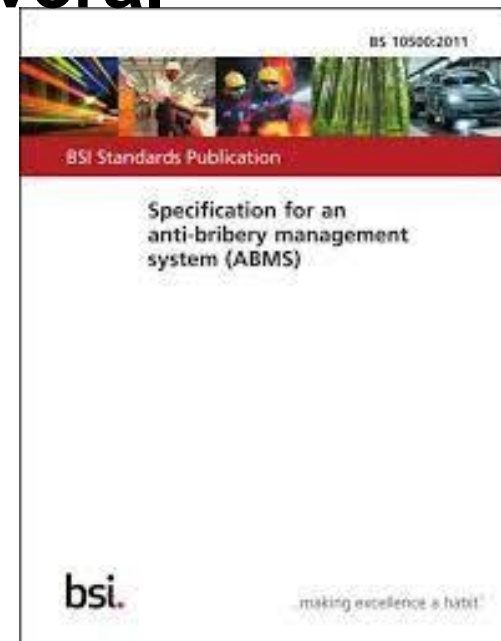
BS 10500 Certified Organizations

Balfour Beatty, 50 countries – 50,000

Network Rail Consulting Ltd – 36,000

Morgan Sindall Group – 2,042

Mabey Bridge Ltd, UK - 500

Smith & Ouzman, UK - 100

Collinson Hall, Hertfordshire - 24

Responsible for developing of ISO 37001 : Anti-bribery Management Systems - Requirements with guidance for use

Chairperson : Mr. Neill Stansbury

Vice Chair : Dr. KM Loi

Secretary: Mr. Mike Henigan

Secretariat – British Standards Institute

ISO 37001:2016

- **ISO 37001 : ABMS strives to meet this current vacancy in the efforts to curb bribery, by allowing for organizations to incorporate a management system that is intended to evaluate and improve current compliance practices.**

- **While it is not meant to address any other corrupt practices, such as fraud or money-laundering, an organization can choose to extend the scope of the management system to include such activities.**

ISO 37001:2016

- **Participating countries (37):**

Australia, Austria, Brazil, Cameroon, Canada, China, Colombia, Croatia, Czech Republic, Denmark, Ecuador, Egypt, France, Germany, Guatemala, India, Iraq, Israel, Kenya, Lebanon, Malaysia, Mauritius, Mexico, Morocco, Nigeria, Norway, Pakistan, Saudi Arabia, Serbia, Singapore, Spain, Sweden, Switzerland, Tunisia, UK, USA, Zambia.

- **Observing countries (22):**

Argentina, Armenia, Bulgaria, Chile, Cyprus, Cote d'Ivoire, Finland, Hong Kong, Hungary, Italy, Japan, Korea, Lithuania, Macau, Mongolia, Netherlands, New Zealand, Poland, Portugal, Russia, Thailand, Uruguay.

- **Liaison organisations (8):**

ASIS, European Construction Industry Federation (FIEC), Independent International Organisation for Certification (IIOC), International Federation of Consulting Engineers (FIDIC), IQNet, OECD, Transparency International, World Federation of Engineering Organisations (WFEO).

ISO 37001:2016 – ISO/PC 278

Objective and background

- **To develop ISO anti-bribery management standard for public , private and non-profit sector. Generic and applicable to all sizes & types of organizations**

Participating entities

- **Multiple countries including:**
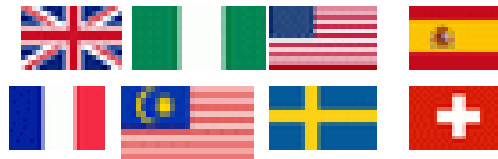
Approach

- **85 experts working towards this International Standard**

Publication

- **October 2016**

- New Work Item Proposal (NWIP) : Nov 2012 – Feb 2013

- Preliminary Meeting ISO/PC 278 : 27 Experts met in London from 24 – 27 June 2013.

- 1st Plenary Meeting ISO/PC 278 : 35 Experts met in Madrid from 25 – 27 March 2014.

- 2nd Plenary Meeting ISO/PC 278 : 65 Experts met in Miami from 16 – 19 Sept 2014.

- 3rd Plenary Meeting ISO/PC 278 : 65 Experts met in Paris from 23 – 27 March 2015

- 4th Plenary Meeting ISO/PC 278 : 65 Experts met in Kuala Lumpur from 28 Sept – 02 Oct 2015.

- 5th Plenary Meeting ISO/PC 278 : 65 Experts met in Mexico City from 30 May – June 03, 2016.

ISO 37001:2016

5th Plenary Meeting of ISO/PC 278
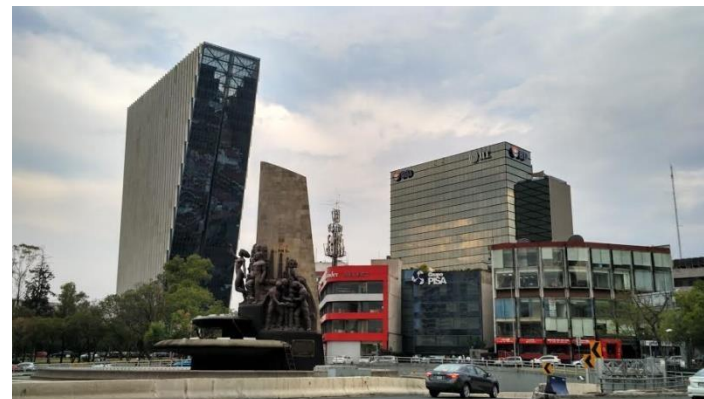
Mexico City, Mexico
30 May – 03 June, 2016

ISO 37001:2016

ISO 37001:2016 Development Process

- **International ballot agreed the need for revision**

- **There are several distinct stages when developing an ISO standard; the key ones being:**

  1. **Working Drafts (WDs)**

  2. **Committee Draft (CD)**

  3. **Draft International Standard (DIS)**

  4. **Final Draft International Standard (FDIS)**

  5. **International Standard (IS)**

     The standard is published after approval of the CIB IS by participating national standards bodies and is reviewed at regular intervals after then.

ISO 37001:2016

YES	YES	NO	ABSTAIN
Australia	Mexico	Egypt	Austria
Brazil	Nigeria	France	Croatia
Canada	Norway	Morocco	Czech Republic
Colombia	Pakistan		Lebanon
Denmark	Saudi Arabia		
Ecuador	Serbia		
Germany	Singapore		
Guatemala	Spain		
India	Sweden		
Iraq	Switzerland		
Israel	Tunisia		
Kenya	United Kingdom		
Malaysia	United States		
Mauritius	Zambia		

DID NOT CAST	COMMENT
Cameroon	Argentina
China	Transparency International

90% (+)ve VOTE

ISO 37001
Anti-bribery management systems

ISO 37001:2016

World Standards Day 2016

STANDARDS BUILD TRUST

ISO 37001:2016 was published and released on October 14, 2016 – 47th World Standards Day 2016

Management System Standard High Level Structure

4 Context of organization	5 Leadership	6 Planning	7 Support	8 Operation	9 Performance Evaluation	10 Improvement

- 4.1 Organization and its Context
- 4.2 Interested parties
- 4.3 Scope of QMS
- 4.4 QMS and its Processes

- 5.1 Leadership and commitment
- 5.2 Quality Policy
- 5. ole s, responsibilities and authorities

- 6.1 ons to address risks & opportunities
- 6 uality Objectives and Planning

- 7.1 Resources
- 7.2 Competence
- 7.3 Awareness
- 7.4 Communication
- 7.5 Documented Information

- 8.1 ro ional Planning and Control

- 9.1 itoring, Measurement, Analysis and Evaluation
- 9.2 Internal audit
- 9.3 Management Review

- .1 Nonconformity and Corrective Action
- 10.2 Continual Improvement

- 1. Scope
- 2. Normative References
- 3. rms and Definitions

ISO 9001   ISO 14001   ISO 45001

Annex SL

The Standard for Standards

HLS and ISO 9001:2015 Structure

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┌─────────────────┐   ┌─────────────────┐   ┌─────────────────┐   ┌─────────────────┐   ┌─────────────────┐   ┌─────────────────┐   ┌─────────────────┐
│ 4 Context of    │◄─►│ 5 Leadership    │──►│ 6 Planning      │──►│ 7 Support       │──►│ 8 Operation     │──►│ 9 Performance   │──►│ 10 Improvement  │
│ organization    │   │                 │   │                 │   │                 │   │                 │   │ Evaluation      │   │                 │
└─────────────────┘   └─────────────────┘   └─────────────────┘   └─────────────────┘   └─────────────────┘   └─────────────────┘   └─────────────────┘
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- **4 Context of organization**
  - 4.1 Organization and its Context
  - 4.2 Interested parties
  - 4.3 Scope of QMS
  - 4.4 QMS and its Processes

- **5 Leadership**
  - 5.1 Leadership and commitment
  - 5.1.2 Customer Focus
  - 5.2 Quality Policy
  - 5. Roles, responsibilities and authorities

- **6 Planning**
  - 6.1 Actions to address risks & opportunities
  - 6. Quality Objectives and Planning
  - 6.3 Planning of Changes

- **7 Support**
  - 7.1 Resources
  - 7.1.2 People
  - 7.1.3 Infrastructure
  - 7.1.4 Environment for the Operation of Processes
  - 7.1.5 Monitoring and Measuring Resources
  - 7.1.6 Organizational knowledge
  - 7.2 Competence
  - 7.3 Awareness
  - 7.4 Communication
  - 7.5 Documented Information

- **8 Operation**
  - 8.1 Operational Planning and Control

- **9 Performance Evaluation**
  - 9.1 Monitoring, Measurement, Analysis and Evaluation
  - 9.1.2 Customer Satisfaction
  - 9.1.3 Analysis and Evaluation
  - 9.2 Internal audit
  - 9.3 Management Review

- **10 Improvement**
  - .1 Nonconformity and Corrective Action
  - 10.2 Continual Improvement

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HLS and ISO 9001:2015 Structure

8 Operation

8.1 Operational Planning and Control
- 8.2 Determination of Requirements for Products and Services
- 8.2.1 Customer Communication
- 8.2.2 Determination of Requirements related to Products and Services
- 8.2.3 Review of Requirements related to Products and Services

8.3 Design and Development of Products and Services
- 8.3.1 General
- 8.3.2 Design and Development Planning
- 8.3.3 Design and Development Inputs
- 8.3.4 Design and Development Controls
- 8.3.5 Design and Development Outputs
- 8.3.6 Design and Development Changes

8.4 Control of Externally Provided Products and Services
- 8.4.1 General
- 8.4.2 Type and Extent of Control
- 8.4.3 Information for External Providers

8.5 Production and Service Provision
- 8.5.1 Control of Production and Service Provision
- 8.5.2 Identification and Traceability
- 8.5.3 Property Belonging to Customers or External Providers
- 8.5.4 Preservation
- 8.5.5 Post-delivery Activities
- 8.5.6 Control of Changes

8.6 Release of Products and Services

8.7 Control of Nonconforming Outputs

Date:

HLS and ISO 14001:2016 Structure

```
4 Context of      5 Leadership  →  6 Planning  →  7 Support  →  8 Operation  →  9 Performance  →  10 Improvement
organization  ↔                                                                  Evaluation
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4 Context of organization
- 4.1 Organization and its Context
- 4.2 ds and Expectation of Interested Parties
- 4.3 Scope of EMS
- 4.4 E ronment Management System

5 Leadership
- 5.1 L dership and commitment
- 2 Environmental Policy
- 5.3 es and responsibilities authorities

6 Planning
- 6.1 ons to address risks & opportunities
- 6.1.1 General
- 6.1.2 Environmental Aspects
- 6.1.3 Compliance Obligations
- 6.1.4 Planning Action
- 6 MS Objectives and Planning
- 6.2.1 Environmental Objectives
- 6.2.2 Planning Actions to Achieve EMS Objectives

7 Support
- 7.1 Resources
- 7.2 Competence
- 7.3 Awareness
- 7.4 Communication
- 7.4.1 General
- 7.4.2 Internal Communication
- 7.4.3 External Communication
- 7.5 Documented Information
- 7.5.1 General
- 7.5.2 Creating and Updating
- 7.5.3 Control of Documented Information

8 Operation
- 8.1 onal Planning and Control
- 8.2 Emergency Preparedness and Response

9 Performance Evaluation
- 9.1 itoring, Measurement, Analysis and Evaluation
- 9.1.1 General
- 9.1.2 Evaluation of Compliance
- 9.2 nternal Audit
- 9.2.1 General
- 9.2.2 Internal Audit Program
- 9.3 M agement Review

10 Improvement
- 10.1 General
- .2 Nonconformity and Corrective Action
- 10.3 Continual Improvement

- 1. Scope
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ISO 14001 ENVIRONMENTAL MANAGEMENT SYSTEM

HLS and ISO 37001:2016 structure

4 Context of organization	5 Leadership	6 Planning	7 Support	8 Operation	9 Performance Evaluation	10 Improvement

4 Context of organization
- 4.1 Organization and its Context
- 4.2 ds and Expectation of Stakeholders
- 4.3 Scope of ABMS
- 4.4 A -bribery Management System
- 4.5 Bribery Risk Assessment

5 Leadership
- 5.1 L dership and commitment
- 5.2 Anti-bribery Policy
- 5.3 es and responsibilities authorities

6 Planning
- 6.1 ons to address risks & opportunities
- 6 BMS Objectives and Planning

7 Support
- 7.1 Resources
- 7.2 Competence
- 7.3 Awareness and Training
- 7.4 Communication
- 7.5 Documented Information

8 Operation
- 8.1 g ional Planning and Control
- 8.2 Due Diligence
- 8.3 Financial Control
- 8.4 Non-financial Control
- 8.5 Anti-bribery Controls
- 8.6 Anti-bribery Commitments
- 8 Gifts, Hospitality, Donations and Benefits
- 8.8 Managing Ina of Anti-bribery Controls
- 8.9 Raising Concerns
- 8.10 I esti gating and Dealing with Bribery

9 Performance Evaluation
- 9.1 itoring, Measurement, Analysis and Evaluation
- 9.2 Internal Audit
- 9.3 Management Review
- 9. To p Management Review
- 9.3.2 ver ning Body Review
- 9.4 Review by Anti-bribery Compliance Function

10 Improvement
- .1 Nonconformity and Corrective Action
- 10.2 Continual Improvement

ISO 37001:2016

ISO FAQS
ISO 37001
anti-bribery management systems standard
FAQS –Summary

Date:

Plan

4 Context of organization

- **4** Context of organization
- **4.1** Organization and its Context
- **4.2** Needs and Expectations of Stakeholders
- **4.3** Scope of ABMS
- **4.4** Anti-bribery Management System
- **4.5** Bribery Risk Assessment

5 Leadership

- **5** Leadership
- **5.1** Leadership and Commitment
- **5.1.1** Governing Body
- **5.1.2** Top Management
- **5.2** Anti-Bribery Policy
- **5.3** Roles, responsibilities and authorities
- **5.3.1** Roles and Responsibilities
- **5.3.2** Anti-bribery Compliance Function
- **5.3.3** Delegated Decision-making

6 Planning

- **6** Planning
- **6.1** Actions to address ABMS Risks and Opportunities
- **6.2** ABMS Objectives & Planning

7 Support

- **7** Support
- Resources
- Competence
- General
- Employment Process
- Awareness and Training
- Communication
- Documented information
- **7.5.1** General
- **7.5.2** Creating and Updating
- **7.5.3** rol of Documented Information

Do

8 Operation

- **8** Operation
- **8.1** Operational Planning and Control
- **8.2** Due Diligence
- **8.3** Financial Controls
- **8.4** Non-financial Controls
- **8.5** Anti-bribery Controls
- **8.6** Anti-bribery Commitments
- **8.7** Gifts, Hospitality, Donations and similar Benefits
- **8.8** Managing Inadequacy of AB Controls
- **8.9** Raising Controls
- **8.10** Investigating and Dealing with Bribery

Check

9 Performance Evaluation

- **9** Performance Evaluation
- **9.1** Monitoring, Measurement, Analysis & Evaluation
- **9.2** Internal Audit
- **9.3** Top Management Review
- **9.3.1** Top Management Review
- **9.3.2** Governing Body Review
- **9.4** Review by Anti-bribery Compliance Function

Act

10 Improvement

- **10** Improvement
- **10.1** Nonconformity and Corrective Action
- **10.2** Continual improvement

ISO 37001:2016

1   Scope

2   Normative References

3   Terms and Definitions

4   Context of the Organization
4.1 Understanding the Organization and its Context
4.2 Understanding Needs and Expectations of Stakeholders
4.3 Determining the Scope of Anti-bribery Management System
4.4 Anti-bribery Management System and its Processes
4.5 Bribery Risk Assessment

5   Leadership
5.1 Leadership and Commitment
5.1.1 Governing Body
5.1.2 Top Management
5.2 Anti-bribery Policy
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

ISO 37001:2016

6 **Planning for the QMS**
6.1 Actions to Address Risks and Opportunities
6.2 Anti-bribery Objectives and Planning to Achieve Them

7 **Support**
7.1 Resources
7.2 Competence
7.2.1 General
7.2.2 employment Process
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7.4 Communication
7.5 Documented Information
7.5.1 General
7.5.2 Creating and Updating
7.5.3 Control of Documented Information

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Date:

8 Operation

8.1 Operational Planning and Control

8.2 Due Diligence

8.3 Financial Control

8.4 Non-financial Controls

8.5 Implementation of Anti-bribery Controls by Controlled Organizations and by Business Associates

8.6 Anti-bribery Commitments

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

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

10 Improvement

10.1 General

10.2 Nonconformity and Corrective Action

10.3 Continual Improvement

NO BRIBES
SAYA ANTI RASUAH

ISO 37001:2016

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Date:

AUTOMOTIVE QMS IATF 16949:2016

ISO 37001:2016

International Automotive Task Force

**TRANSITION STRATEGY
ISO/TS 16949 › IATF 16949**

www.iatfglobaloversight.org

1st OCTOBER 2016

5.1.1.1 Corporate Responsibility The organization shall define and implement corporate responsibility policies, including at a minimum an **anti-bribery policy**, an employee code of conduct, and an ethics escalation policy ('whistle-blowing policy").

What is ISO 37001:2016?

- An anti-bribery management system (ABMS) designed to instil an **anti-bribery culture** within an organization and implement appropriate controls, which will in turn increase the chance of detecting bribery and reduce its incidence in the first place.

- ISO 37001 provides the requirements and guidance for **establishing, implementing, maintaining and improving** an ABMS.

Anti-bribery management systems

What is ISO 37001:2016?

- **It is designed to help an organization establish, implement, maintain, and improve an anti-bribery compliance program or "management system."**

- **It includes a series of measures and controls that represent global anti-bribery good practices.**

ISO 37001: Anti-Bribery Management System Standard

- **Now, there is an internationally-recognised minimum set of measures for an organisation to have in place to prevent, detect and response to bribery.**

ISO 37001:2016

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, SOEs and private organizations**
- **Non-governmental organizations (NGOs)**

The standard can be used by organizations in any country.

MORE THAN 1 IN 4 PEOPLE AROUND THE
WORLD REPORT HAVING PAID A BRIBE

Stand-alone Management System?

- The measures required by ISO 37001 are designed to be integrated with existing management processes and controls.

- Follows the common **high-level structure for management system standards,** for easy integration with, for example, ISO 9001 or ISO 14001.

- New or enhanced measures can be **integrated into existing systems.**

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Date:

What does ISO 37001 address?

Bribery in the public, private and not-for-profit sectors :

• (Active) Bribery by the organization or by its personnel or business associates acting on its behalf or for its benefit

• (Passive) Bribery of the organization or of its personnel or business associates acting on its behalf or for its benefit

• Direct and indirect bribery (e.g. a bribe paid or received through or by a third party)

ISO 37001:2016

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Date:

"Bribery" is the offering, promising, giving, accepting or soliciting of an undue advantage of any value (which could be financial or non-financial), directly or indirectly, and irrespective of location(s), in violation of applicable law, as an inducement or reward for a person acting or refraining from acting in relation to the *performance* of that person's duties.

"Bribery" is defined by the anti-bribery law applicable to the organization and anti-bribery management system designed by the organization.

Does ISO 37001 defines bribery?

Bribery can take place in or through any location, it can be of any value and it can involve financial or non-financial advantages or benefits.

The Standard provides guidance on what is meant by bribery to help users to understand the intention and scope of the Standard.

Date:

ISO 37001:2016

Bribery : Rose by any other name…

Football Money

Kickback

Makan Suap

Kowtean

Grease

Under Table

Under Table

Duit Kopi

Tea Money

ISO 37001:2016

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Date:

What does ISO 37001 require?

A series of measures and controls to help prevent, detect, and respond bribery, among them:

- An anti-bribery policy, procedures, and controls
- Top management leadership, commitment and responsibility
- Oversight Governing body
- Anti-bribery training
- Bribery risk assessments
- Due diligence on projects and business associates
- Reporting, monitoring, investigation and review
- Corrective action and continual improvement

Implementing ISO 37001 ABMS

- **Help organization implement an ABMS or enhance the current measures and controls.**

- **Implementing a series of measures such as adopting an anti-bribery policy, appointing someone to oversee compliance, vetting and training employees, undertaking risk assessments on projects and business associates, implementing financial & commercial controls, and instituting reporting and investigation procedures.**

Implementing ISO 37001 ABMS

- **Requires leadership and input from top management,** and the policy and programme must be communicated to all staff and external parties such as contractors, suppliers and joint-venture partners.

- **Reduce the risk of bribery occurring** and can demonstrate to your stakeholders that you have put in place internationally recognized good-practice anti-bribery controls. It can also provide evidence in the event of a criminal investigation that you have taken **reasonable steps or adequate procedures** to prevent bribery.

ISO 37001:2016

Date:

How will ISO 37001 benefits an organization?

By providing:

- Minimum requirements and supporting guidance for implementing or benchmarking an anti-bribery management system

- Assurance to management, investors, employees, customers, and other stakeholders that an organization is taking steps to prevent bribery risk

- Evidence that an organization has taken reasonable steps to prevent bribery

Can my organization be ISO 37001 certified?

ISO 37001 is being developed as a requirements with guidance for use (Type A), making it certifiable and will be an excellent tool for companies of all sizes including small ones with limited resources. It will assist companies in the design, implementation and benchmarking of their anti-bribery compliance procedures.
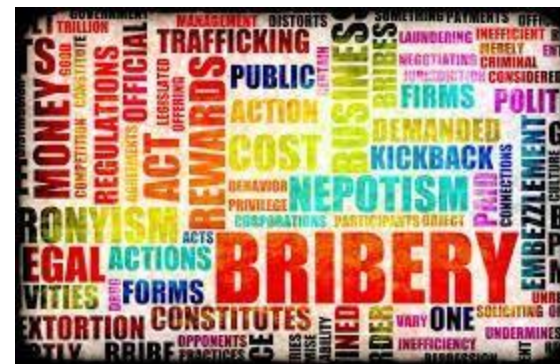
ISO 37001 Certification

3rd party certification bodies can certify an organization's compliance with ISO 37001 standard in the same way they do for other ISO standards (ISO 9001, ISO 14001, etc)

While it cannot guarantee that there will be no bribery in relation to your organization, certification or compliance with this ISO 37001 standard can help you implement robust and proportionate measures that can substantially reduce the risk of bribery and address bribery where it does occur.

Date:

ISO 37001:2016

ISO 37001 Certification

ISO 37001 certification demonstrates to customers, stakeholders, business associates, regulatory authorities, personnel, and the public that your organization is committed to ethical business practices.

In a time of enormous media scrutiny of business ethics, certification also provides a substantial competitive advantage.

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Date:

ISO/IEC TS Conformity Assessment – Requirements for bodies providing audit and certification of management systems – Part 9: Competence requirements for auditing and certification of anti-bribery management systems (ABMS).

Oct 15, 2016

ISO 37001:2016

Way Forward

Badan Standardisasi Nasional (BSN) has expressed intention to adopt ISO 37001:2016 as 'identical' to become your Indonesia National Standard (Standar Nasional Indonesia).

ISO 37001:2016

Date:

ISO 37001 to be adopted into MS standard and can be used as management tool to address corporate liability provision to be incorporated into the revised MACC Act.

Moving forward, Neill Stansbury says one of the key indicators of the ISO 37001's impact will be the degree to which governments adopt it. "It will be a big breakthrough if public sector procurement agencies require the standard to be a pre-qualification requirement for contracts over a certain value."

ISO 37001:2016

Anti-bribery Good Practice

Neill Stansbury, Chair of ISO/PC 278, said, "ISO 37001 will help an organization **comply with international anti-bribery good practice and legal requirements.** It will also reassure the organization's owners, management, employees and business associates that the organization is following **ethical business practices and reducing risks of financial loss and prosecution**. It will therefore, ultimately, provide a **competitive advantage** to organizations."

Date:

Corporate Criminal Liability

Corporate criminal liability is the liability imposed upon a corporation for **any criminal act done by any natural person.**

Liability is imposed so as to regulate the acts of a corporation.

The principle of corporate criminal liability is based on the doctrine of respondent superior which is also commonly known as the theory of vicarious liability, where **the master is made liable for the acts of his servant.**
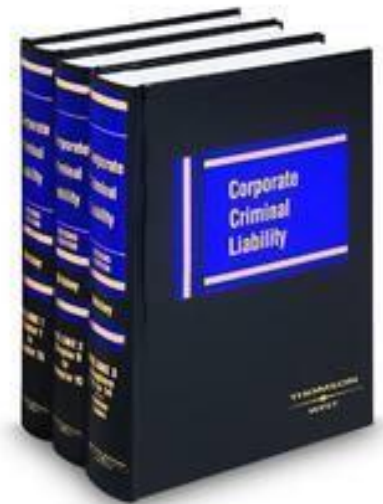
Corporate Criminal Liability

Corporations or most other legal entities may be criminally liable for the crimes of their employees and agents.

Any corporation can be made liable for act of its agent or servant if s/he :

ECONOMIC CRIME

1. **commits a crime;**
2. **acts within the scope of employment;**
3. **with the intent to benefit the corporation.**

"Adequate Procedures"

A defence to a prosecution available to an organization is one of having "adequate procedures" in place to prevent bribery. Such procedures refer to having an effective anti-bribery & corruption compliance program in place.

"(6)…commercial organisations should adopt a risk-based approach to managing bribery risks. Procedures should be proportionate to the risks faced by an organisation. No policies or procedures are capable of detecting and preventing all bribery. A risk-based approach will, however, serve to focus the effort where it is needed and will have most impact. A risk-based approach recognises that the bribery threat to organisations varies across jurisdictions, business sectors, business partners and transactions."

ISO 37001:2016

Bribery Act

ISO 37001:2016

Adequate Procedures

- Scope of ABMS
- Risk Assessment
- Anti-Bribery Policy
- ABMS Objectives
- Training
- Internal Control
- Due Diligence
- Monitoring
- Audit & Investigation
- Enforcement & Review
- Financial Control
- Continual Improvement
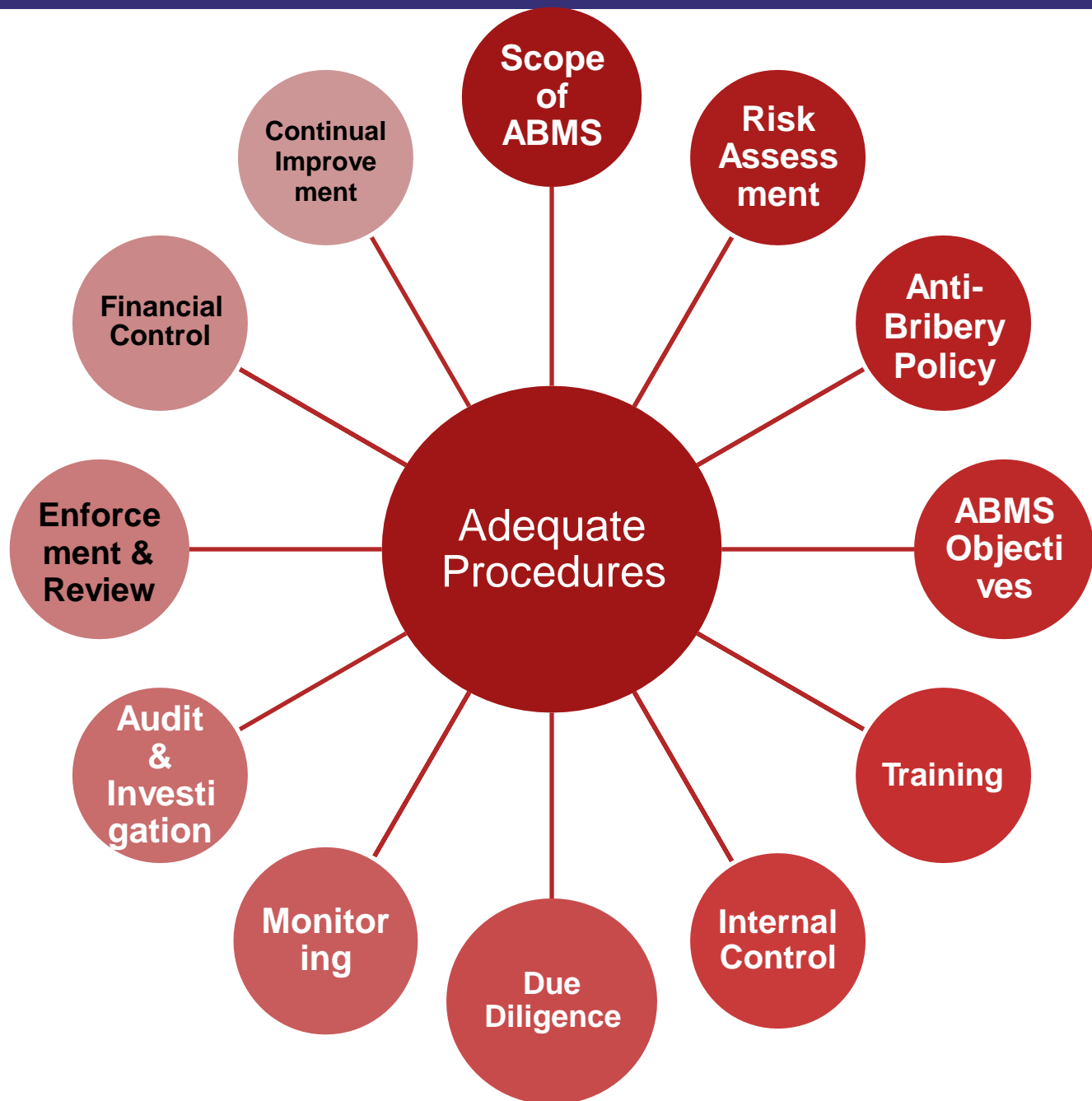
"Adequate Procedures"

This ISO 37001 gives more clarity to the Bribery Act's 'adequate procedures' defence.

Obtaining certification will not make a company immune to prosecution.

However, it will make prosecution much less likely in the first place, and it can certainly demonstrate to outsiders that adequate procedures are in place.

ISO 37001:2016
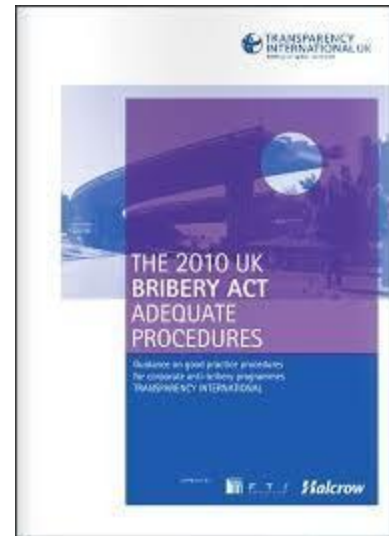
"Adequate Procedures"

Although "adequate procedures" are **not a formal defence to prosecution under the FCPA**, the Department of Justice has declined to prosecute companies where it considers that good **ABC** controls were in place and bribery was the work of a rogue actor (some would call this a de facto "adequate procedures" defence to FCPA violations).

There is similar guidance under the US Foreign Corrupt Practices Act, and several NGOs including the OECD have published their own similar interpretations.

IMPLEMENTATION OF THE
OECD ANTI-BRIBERY CONVENTION
SHARING EXPERIENCES FOR
IMPLEMENTING UNCAC ARTICLE 16

Patrick Moulette
Head, OECD Anti-Corruption Division

6th Conference of the States Parties to the United Nations
Convention Against Corruption, St. Petersburg, Russia

OECD

ISO 37001:2016

"Adequate Procedures"

Some components of ISO 37001 standard mirror the steps set forth in FCPA Resource Guide (https://www.justice.gov/iso/opa/resources/2952012 1114101438198031.pdf) issued by the U.S. Department of Justice and the Securities and Exchange Commission and the UK Bribery Act Guidance on Section 9 about adequate procedures (https://www.justice.gov.uk/downloads/legislation/br ibery-act-2010-guidance.pdf) document issued by the UK Ministry of Justice.
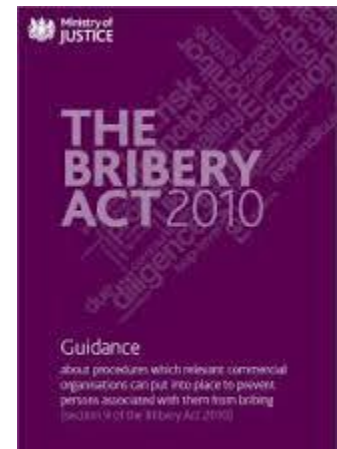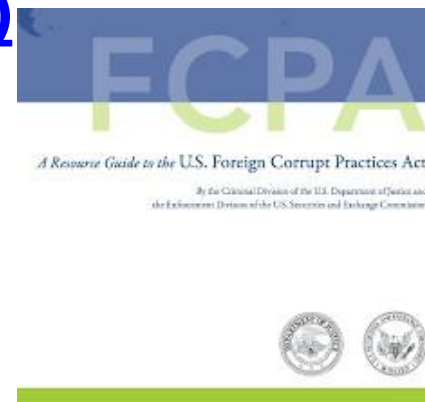
"Adequate Procedures"

For example, the U.S Attorneys' Manual (**https://www.justice.gov/usam/usam-9-28000-principles-federal-prosecution-business-organizations**) lists the prior existence of an effective compliance program as a factor to be considered when determining whether to charge a business organization, and the U.S. Sentencing Guidelines (**http://www.ussc.gov/guidelines/2015-guidelines-manual/2015-chapter-8**) list it as a mitigating factor to be considered at sentencing.

"Adequate Procedures"

While, US federal prosecutors will certainly continue to execute independent discretion, an organization may be able to support compliance to an ISO 37001 certification as evidence that it made every effort to implement an **effective anti-bribery and corruption (ABC) program**, and therefore **deserves lenient treatment.**

Similarly, the US authorities may start to point to the absence of ISO 37001 certification as a basis for denying leniency.
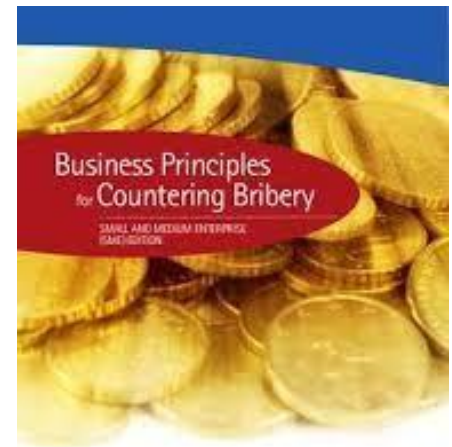
Can it be done?

Where anti-bribery legislation does exist, such as in the United States, Canada, and the United Kingdom, the ISO 37001 standard provides **additional, practical guidance to help companies ensure and maintain compliance.**

ISO 37001 ABMS has the potential to **complement the U.S. government's guidance and case law** as it provides a readily accessible framework relating to the development and deployment of a anti-bribery compliance program**.**

Anti-Bribery and Corruption

ISO 37001:2016

Can it be done?

With many of the critical elements of an anti-bribery compliance program out there for companies to decide, oftentimes, even the most sophisticated compliance professionals find themselves struggling to determine how much, how deep and how far-reaching is enough when it comes to mitigating and meeting anti-bribery compliance regulatory expectations.

Now, ISO 37001 ABMS represents a step forward, and could provide the impetus that companies need to establish or revisit their ABC program.

ISO 37001:2016
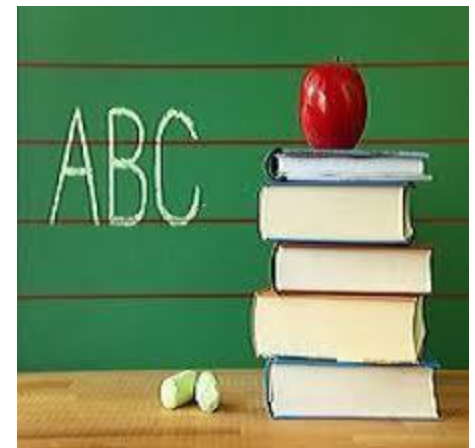
Date:

Each company **undertakes its own risk assessment, writes its own code of conduct and designs its corruption prevention policies** hoping they will be appropriate, adapted to risk and respect the various national legislations applicable to their operations.

ISO 37001 will be there to help Compliance Officers build, improve and evaluate their anti-corruption compliance systems while ensuring their efforts receive international recognition.

This ISO standard could produce a domino effect in the matter of integrity in business. Imagine that companies certified ISO 37001 require that their partners, intermediaries and supply chain be certified. It could lead to widespread, global transparency in business.

KEEP CALM AND STOP BRIBERY

According to a Transparency International study in 2011, **27.0%** of the 3,016 business people surveyed across 30 countries reported that they had **lost business due to bribery** by their competitors. What's more, damage caused by bribery to countries, organizations and individuals:

1. Lowers economic growth
2. Discourages investment
3. Marginalizes and restricts global markets
4. Erodes support for economic aid
5. Puts a heavy economic burden on the poor
6. Lowers the standard of living of the people

ISO 37001:2016

Global Economic Crime Survey

According to the Global Economic Crime Survey 2016 (Malaysia report), almost 98% (Global : 91%) of companies surveyed make it clear to staff that bribery and corruption are unacceptable.

Yet, it reported that incidents of bribery and corruption increasing from 19% (2014) to 30% (2016). (Global : 18% to 13%)

BRIBERY AND CORRUPTION
Navigating the Global Risks

However, 29% of respondents believe their companies will experience bribery or corruption in the next two years.

(6,337 respondents in 115 countries conducted from 16 July – 30 September, 2015).

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ISO 37001:2016
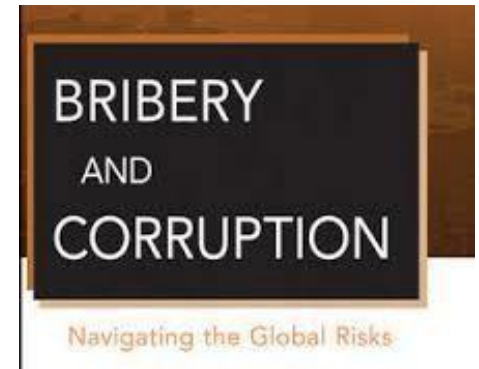
SCORES OF ASEAN COUNTRIES 2015

Rank	ASEAN	Position (168)	CPI Score	GDP per capita	
1	Singapore	8	85	56,284	
2	Malaysia	54	50	11,307	- 4
3	Thailand	76	38	2,765	+ 9
4	**Indonesia**	**88**	**36**	**5,977**	+ 19
5	Philippines	95	35	2,873	- 10
6	Vietnam	112	31	2,052	+ 7
7	Laos	139	21	1,794	+ 6
8	Myanmar	147	22	1,204	+ 9
9	Cambodia	150	21	1,095	+ 6
10	Brunei	N/A	N/A	40,980	-

ISO 37001:2016

Date:

SCORES OF ASEAN COUNTRIES 2015

Rank	ASEAN	Position (168)	CPI Score	GDP per capita	Rank Difference
1	Singapore	8	85	56,284	- 1
2	Malaysia	54	50	07	- 4
3	Thailand	76	38		+ 9
4					+ 19
5					10
6					+ 7
7					+ 6
8	Myanmar	147	22		+ 9
9	Cambodia	150	21		+ 6
10	Brunei	N/A	N/A	40,980	-

CPI 2016

25th Jan. 2017

ISO 37001:2016

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Date:

ISO/TC 309 – Governance of Organizations

May 21 – 26, 2017
Quebec City,
Quebec, Canada

TC 309

Standardization in the field of governance relating to aspects of direction, control and accountability of organizations

Ad Hoc Group Strategic Business Plan

Chairman's Advisory Group

Communication & Engagement Advisory Group

Terminology Co‑ordination Group

WG Compliance (ISO 19600)

WG ABMS (ISO 37001)

PWI Ad Hoc Group Governance

PWI Ad Hoc Group Whistleblowing

ISO/TC 309 – Governance of Organizations

- **Participating countries (24):**

Angola, Argentina, Australia, Austria, Canada, Cuba, Czech Republic, Egypt, France, Germany, Ireland, Italy, Japan, Kenya, Malaysia, Netherlands, Nigeria, Norway, Singapore, South Africa, Sweden, Switzerland, Tunisia, United Kingdom.

- **Observing countries (15):**

Denmark, Finland, India, Indonesia, Iran, Republic of Korea, Lithuania, New Zealand, Poland, Serbia, Spain, Thailand, Trinidad & Tobago, United States, Zimbabwe
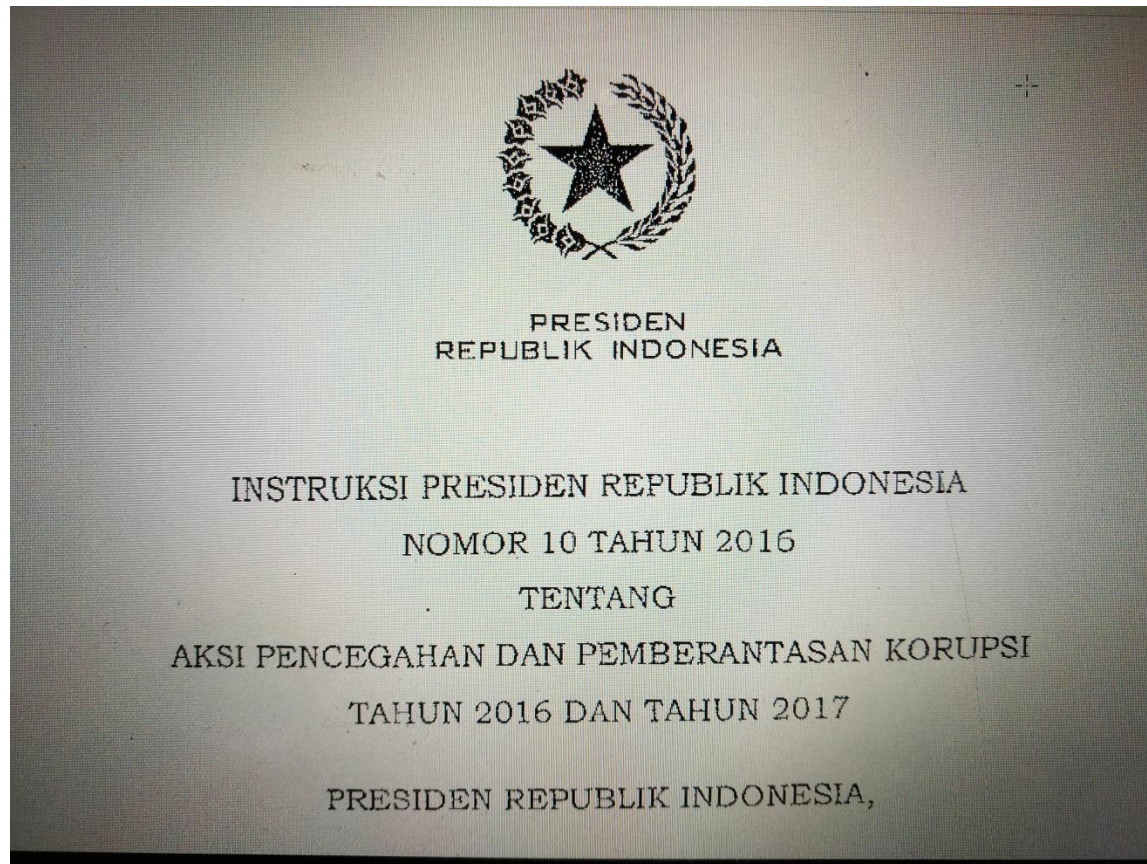
- **Internal Liaison organisations (4):**

ISO/TC 262 (Risk Management); ISO TC292 (Security & Resiliance); ISO/IEC JTC1 (Information Technology); ISO/IEC JTC1/SC40 (IT Service Management and IT Governance).
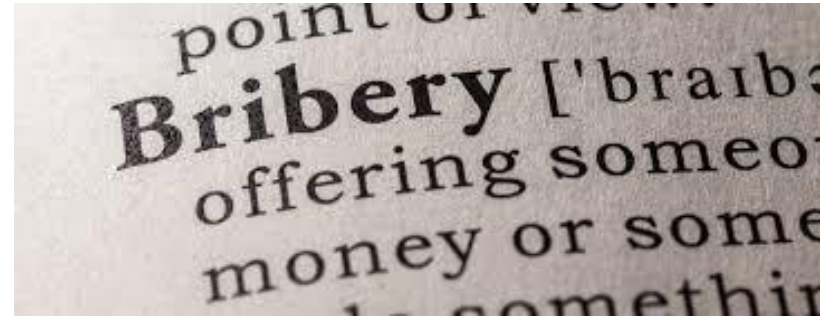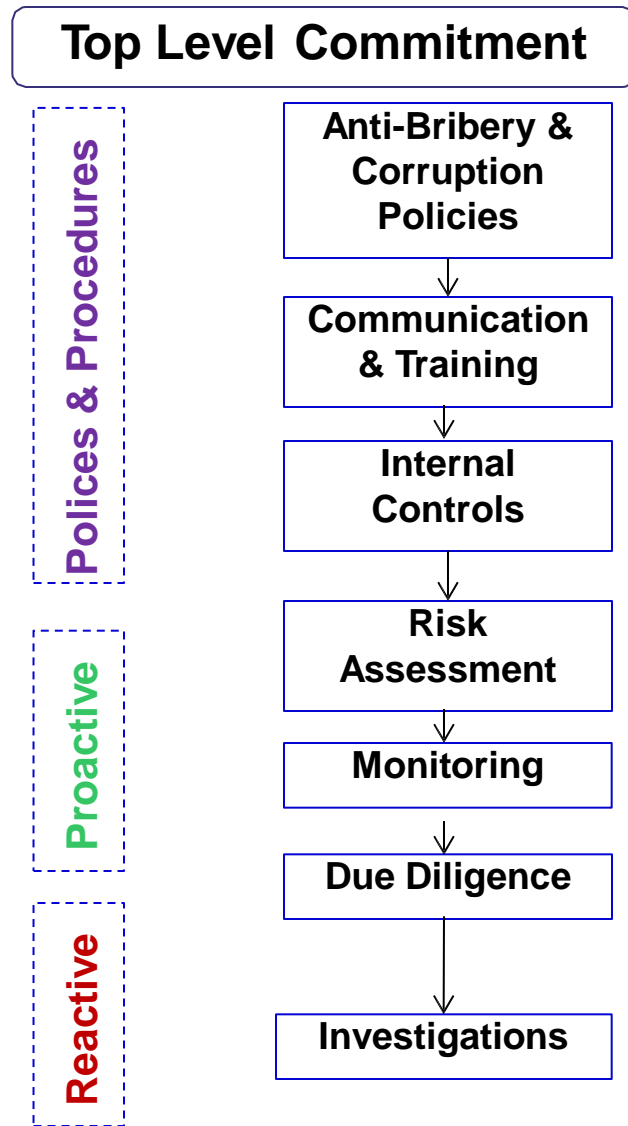
- **External Liaison organisations (0):**

Date:

Aksi Pencegahan Dan Pemberantasan Korupsi

Tahun 2016 dan Tahun 2017

Guiding Principles

Top Level Commitment

Polices & Procedures
- Anti-Bribery & Corruption Policies
- Communication & Training
- Internal Controls

Proactive
- Risk Assessment
- Monitoring
- Due Diligence

Reactive
- Investigations

Anti-Bribery & Corruption Program

No:	PRINCIPLES	TOOLS & PROGRAMS
1.	Top Level Commitment	▪ Setting tone at the top through policies and procedures ▪ Proactively identifying bribery risks and monitoring internal controls to prevent, detect and respond fraud risks. ▪ Developing reactive protocols to respond to bribery and corruption.
2.	ABMS Policies	▪ Code of Conduct ▪ Whistle-Blowing Process ▪ Anti-Bribery& Corruption Policy ▪ Gifts, hospitality, donations and similar benefits policy ▪ Political and charitable support ▪ Facilitating payment ▪ Other high risk areas, transactions, mergers and acquisitions. ▪ Compliance Certification Program

ISO 37001:2016

Date:

Anti-Bribery & Corruption Program

No:	PRINCIPLES	TOOLS & PROGRAMS
3.	**Communications and Training**	**Internal and External Communication (5W&1H) – Employees and business associates.** **Education, training and awareness -** on-line module, or by in-person methods (e.g. classroom sessions, workshops, roundtable discussions between relevant personnel, or by one-to-one sessions **"Whistle-blowing" channels**
4.	**Internal Controls & SOPs**	**Financial and commercial controls** **Non-Financial controls** **Employment procedures –** Full-time, Part-time, Contract or associates **Decision-making processes** – Conflict of interest. **Anti-bribery contract terms** **Supply chain / procurement procedures**

Date:

ISO 37001:2016

Anti-Bribery & Corruption Program

No:	PRINCIPLES	TOOLS & PROGRAMS
5.	Risk Assessment	- **Conduct Risk Analysis and Evaluation –** Country, business-sector, transactional, business opportunity and business partnership risk. Enterprise-wide; Work-type and project-specific risks. - **Gap Analysis, Mitigate & Reporting Risks and to improve ABMS.**
6.	Monitoring, Enforcement & Review	- **Auditing the processes and procedures** - **Measurement, Analysis & Evaluation** - **Use of data analysis for monitoring** - **Investigating and dealing with bribery** - **Managing inadequacy of ABMS controls** - **Maintaining and retaining documented information** - **Top Management & Governing Body Review** - **Continual improvement**

ISO 37001:2016

Date:

Anti-Bribery & Corruption Program

No:	PRINCIPLES	TOOLS & PROGRAMS
7.	Due Diligence	- **Conduct High-level Understanding of Operations** - **Analyse its Policies and SOPs** - **Interview key personnel.** - **Understand role of third-party intermediaries and transactional records.** - **Identify potential 'Red Flags'.** - **Enhance SOPs related to identified 'Red Flags'.** - **Establish a reasonable judgment on the level of bribery risk.**
8.	Investigations	- **Trigger Events –** Internal Controls and External Monitoring - **Triage –** Filtering process - **Response –** Investigation - **Remediation –** Disciplinary measures, training, enhanced internal controls, etc.

ISO 37001:2016

Date:

An overview of ISO 37001

Anti-bribery management system standard

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End of Workshop