

CORPORATE LIABILITY TO CORPORATE RELIABILITY

UNDERSTANDING SECTION 17A OF THE MACC ACT

(HRD CORP CLAIMABLE COURSE 10001578880)

Since the enforcement of the Corporate Liability provision under Section 17A of the Malaysian Anti-Corruption Act 2009 (amended 2018) from June 1, 2020, commercial organizations in Malaysia are compelled to undergo Anti-Corruption training and awareness.

Commercial Organizations will understand the nature of corruption, its symptoms and causes, the criminal offences and ways to prevent corruption.

Company employees and its relevant stakeholders will also be exposed to the various corruption prevention approaches that can be used to record as much as possible and credible adequate procedures to prevent corruption.

The Course Content

This Program takes the participant through the following:

INTRODUCTION AND OVERVIEW OF CORRUPTION – THE CORRUPTION DNA	<p>This module covers among others:</p> <ul style="list-style-type: none"> • Academic and Legal definition of Corruption. • Types, Causes and Symptoms of Corruption – scanning of Root Cause Analysis. • Corruption Offences and Penalties under the Malaysian Anti-Corruption Act 2009. • Corruption Offences in other Malaysian Acts
LEGAL IMPLICATIONS OF CORRUPTION	<p>This module touches on the Introduction and overview of the Corporate Liability offence under Section 17A of the MACC Act 2009. It invites participant to understand the various definitions under the Corporate Liability provision as well as in – depth analysis and understanding of the offence and penalties.</p>
LEGAL IMPLICATIONS OF CORRUPTION OFFENCES IN COMMERCIAL ORGANIZATIONS	<p>This module provides an understanding on the requirements for Adequate Procedures to Prevent Corruption to protect the commercial organization from legal implications. In addition, participants learn core prevention tools and approaches in developing the organization anti – corruption framework.</p>
CORRUPTION PREVENTION & ACTION PLANS FOR CORRECTIVE ACTIONS	<p>This module focuses on prevention efforts and reporting offences. It covers fundamentals in reporting corruption and the various reporting channels as well as the requirements in reporting corruption.</p> <p>Defining Whistleblower and Protection under the Whistleblower Protection Act 2010.</p> <p>Implementation of the Whistleblowing policy and procedure.</p>

CORRUPTION OFFENCES CORPORATE LIABILITY OFFENCES CORRUPTION PREVENTION ADEQUATE PROCEDURES



Course Objectives

After this program, participants will:

- Knowledge on the Nature of Corruption, Corruption Offences and the legal requirements regarding Corporate Liability under the MACC Act 2009.
- Identify possible corruption and potential liabilities in the workplace involving internal and external stakeholders.
- Awareness on tools and good practices to comply with the legal requirement and implement adequate procedures as part of the Anti-Corruption framework.

Course Details

Type of Training	: Non-Technical
Training Mode	: Full Time
Method	: Face to Face
Medium	: English
Duration	: 7 hours (1 day)
Target Industry	: Any industry
Target Group	: Directors Top Management Comp. Sec General Employees
Specific Instructional Methods	: Training, Assessment, Case studies, Discussion, Role – play

Benefits of the Program

Provides participants with:

- ✓ Comprehension of the nature of corruption
- ✓ Tips on identifying corruption at the workplace
- ✓ Knowledge on corruption offences under the MACC Act 2009
- ✓ Formulate corruption prevention measures – tools and mechanisms.

Time	Day 1 Content
0900 – 1030	Module 1: INTRODUCTION AND OVERVIEW OF CORRUPTION – THE CORRUPTION DNA Definition of Corruption - general and legal definitions Types, Causes and Symptoms of Corruption - scanning of Root Cause Analysis. Activity - Group Discussion
1030 – 1050	Break
1050 – 1230	Module 2: LEGAL IMPLICATIONS OF CORRUPTION Corruption Offences and Penalties under the Malaysian Anti-Corruption Act 2009. (Case studies.) Corruption Offences in other local Acts Activity - Group Discussion
1230 – 1300	Case study
1300 – 1400	Lunch
1400 – 1530	Module 3: LEGAL IMPLICATIONS OF CORRUPTION OFFENCES IN COMMERCIAL ORGANIZATIONS Applicable local & international Anti-Corruption laws that may impact local commercial organizations Impact of Corruption – a 360° view on the nation, organization and society Activity – Q & A, Evaluation
1530 – 1550	Break
1550 – 1700	Module 4: CORRUPTION PREVENTION & ACTION PLANS FOR CORRECTIVE ACTIONS Describe solutions on corrupt actions Use of tools and platforms for effective Decision Making Show corrective action plan using 5W,2H format Designing a Corruption Prevention Plan Activity – Q & A, Evaluation



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TRAINER'S PROFILE

Jayantha Kumar holds a Masters in Business Administration (MBA) from University of Malaya, Malaysia and an Honors Degree in Economics from University of London, United Kingdom.

His last work experience was with the Malaysian Anti-Corruption Commission (MACC) for 11 years as an Officer primarily attached with the Community Education Division at Putrajaya. He is also a Certified Integrity Officer (CeIO), under the auspices of the Malaysia Anti-Corruption Academy (MACA) and specializes in the area of Integrity and Anti-Corruption Management.

His tenure at MACC developed him as a subject matter expert in the area concerning Corporate Liability offences (Section 17A, MACC Act) and was a member of the MACC's Prevention Task Force related to investigations on Section 17A offences, in particular drafting investigation and inspection procedures and guidelines pertaining to the Adequate Procedures.

His specialization in MACC was as a Speaker-Trainer in forging engagements with the Private Sector in designing anti-corruption outreach and training programs involving BOD's and Top Management of leading GLC's, MNC's and local corporate organizations. In addition, he was also appointed as a focal point on matters related to the Tax Deduction for Anti-Corruption Initiatives and has been a key speaker representing the MACC in presenting conference papers at local and international conferences, panelists and moderator at various anti-corruption and integrity forums both local and international.

Prior to serving the MACC, Jayantha was attached to the Star newspaper (currently known as Star Media Group) in Marketing Services. His tasks involved event management of Sports, Environment, Health and Social Charity and Special projects. Some of the notable events include, Manchester United Tour of Malaysia (2002), PJ Half Marathon, SJ 10K Run, JE and Afghan Fund Campaign, Shaolin Kung Fu Masters Tour of Malaysia (2002) and the Star Learning Skills Workshop Series.

At present, he advocates Ethical Values Management as a trainer, specializing in Integrity and Anti-Corruption Management. In addition, he also serves the Malaysian Cricket Association as the Head of Anti-Corruption Unit that oversees Anti-Corruption procedures for International and Domestic cricket matches.

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