

# **ISO 37001:2016**

## **Anti-Bribery Management System**



# Bribery as business and social problem.

- Bribery is one of the most destructive and complex problems of our times.
- Despite national and international efforts to combat it, it remains widespread.
- No sector is immune to bribery and corruption.



# Bribery's impacts.

- Financial Losses.
- Low motivations of Shareholders and Investors to stay with the company.
- Damaged Company Reputation.
- Weakened Business Development.
- Business Inefficiency.



# Our knowledge.

- We are trained for the implementation of **Anti-Bribery Management System (ABMS)** by RINA SERVICES, the first organization in the world to receive the accreditation for such audit.

## Competence



- **Our offer:**
- Implement **new** compliance system.
- Adapt existing compliance to **ABMS standard**.
- Ongoing improvements.

## Support



- **Our assistance:**
- Preparation for certification.
- Local contact during the certification process **ISO 37001:2016**.

## Certification



RINA Services is accredited by **ACCREDIA** for the performance of certification of the activities in compliance with the ISO 37001:2016 standard. Thanks to its extensive background in the field of company compliance, RINA Services provides audit teams with expertise in the sectors where the company operates

# The law in the Czech Republic.

Act No. 40/2009 Coll., Czech Criminal Code;  
Act No. 418/2011 Coll., on Criminal Liability of Legal Entities

The criminal code defines a bribe as “offering, giving, requesting or accepting (directly or indirectly) in the public or private sector , an unauthorised benefit consisting in a direct material enrichment or other advantage which is obtained or is intended to be obtained by the bribed person or another person with his/her agreement, and to which she/he has no right”

## Major Offences

Acceptance  
of a bribe

Active  
bribery

Indirect  
bribery

## Penalties includes:

### INDIVIDUALS

- Imprisonment for up to 12 years
- Forfeiture of property, protective measures (i.e. confiscation of an item/property - in part of whole)
- Monetary penalties up to **CZK 36,5m** (approx. **EUR 1,35m**)
- House arrest, community service, prohibition of entry to sporting, cultural and other social events, deportation and prohibition of residence

### COMPANIES

- Monetary penalty up to **CZK 1,46bn** (approx. **EUR 54m**)
- Forfeiture of property, forfeiture of a possessed item, protective measures (i.e. confiscation of an item/property - in part of whole)
- Publication of judgment, punishment by disqualification from participating in public tenders and applying for subsidy and grant programmes
- If held liable, the company may be dissolved (in extreme cases)

# What is ISO 37001:2016.

- **Practical complementary tool** for both **fulfilling legal obligations** in relation **to combating bribery**, and for **certifying the voluntary initiatives** that are applicable to your activities.
- Includes practical aspects and practical tools to be used in the development of action plans, of performance indicators, standard action plan structures, devising coordination, and a monitoring mechanism.
- Designed for a wide range of organizations, including the following:
  - Large organizations,
  - Small & medium enterprises,
  - Public and private sector organizations,
  - Non-governmental organizations.

# Strengths.

**1**

## **Prevent, detect, respond to bribery**

Reduces the risk of sanctions (ability to detect violations and to react adequately)

**2**

## **Compliance with anti-bribery law**

Is flexible: can be applied to a segment or whole organization

**3**

## **Support for implementing measures in dealing with corruption**

Can be integrated with other existing management systems and controls

**Base for management system**

# Business benefits.

## Competitive advantage.

- Assures stakeholders that an organization is taking steps in the prevention of bribery (therefore it generates benefits in the relationships with investors, lenders, governments, authorities, business partners)

## Increased ethical image.

- The benefits of demonstrating organizational integrity go beyond the avoidance of penalties and can actually improve business performance

## Legal safeguard. Increased rating.

- It may be a defense or mitigate liability to show implemented controls designed to prevent the relevant act of bribery.
- Legal, corporate, and improved financial rating
- It promotes trust

## International recognition.

- ISO 37001 Standard is international; the certified Anti-Bribery System is therefore “spendable” in the various countries where the company operates



# Main requirements for certification.

Organization must implement a series of measures to help prevent, detect, and deal with bribery, including:

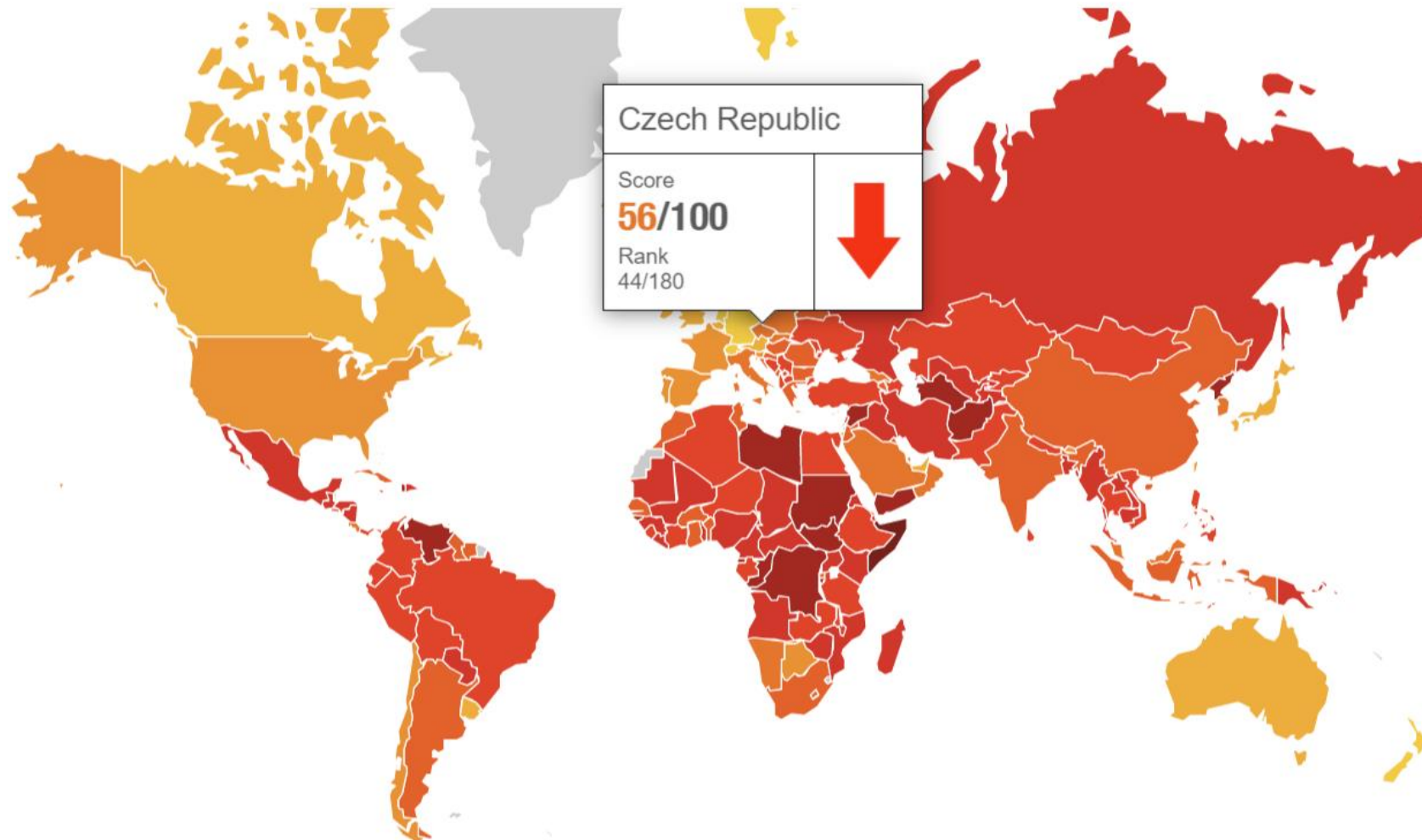
- The adoption of a documented anti-bribery policy & communication to all interested parties (employees, business partners, etc.).
- Defining of top management's roles and responsibilities in relation to combating bribery.
- Appointing a person to supervise compliance, training, and risk assessment activities.
- Undertaking bribery risk assessments.
- Providing personnel training.
- Undertaking compliance due diligence on projects and business associates.
- Implementing of suitable controls in financial, commercial and contractual areas, and in procurement processes.
- Defining of suitable reporting, investigating, and accounting procedures & monitoring.
- Corrective actions and ongoing improvement.

# Administrational work.

**No unnecessary bureaucracy is required...** the system should be **proportionate and reasonable** to relevant factors, such as:

- the size and structure of the organization
- the locations where you operate
- the sectors where you operate
- the nature, scale, and complexity of your activities
- the bribery risk.

# Corruption perception index 2019. [by Transparency International](#)



## Hungary

Score	44/100
Rank	70/180



## Slovakia

Score	50/100
Rank	59/180



## Poland

Score	58/100
Rank	41/180



# CONTACT



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ATTESTATO DI PARTECIPAZIONE AL CORSO

"IMPLEMENTARE UN SISTEMA  
ANTICORRUZIONE SECONDO LA NORMA UNI  
ISO 37001:2016"

discente

**ROBERTO DI CURSI**

MILANO, 25 MARZO 2019

A handwritten signature in black ink, likely belonging to Roberto Di Corsi.



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