

# Anti-Bribery Management System

## THE ISO APPROACH (37001:2016)

*Let's open a discussion*



## Introduction.

- In almost all the organizations, areas like Data Protection, Product Safety, Information Security, Anti Money Laundering and others are already ensured by compliance activities to avoid legal risks and to protect company's reputation and its brands.
- **We believe that even if at today a certified Anti-Bribery Management System is not mandatory by law, it could represent a value that can improve the overall success of the company.**



**LET'S GO THROUGH THE TOPIC**

## Corruption perception (of public sectors) index 2021.

### POLAND

Score change

= 0 since 2020

Score  
56/100

Rank  
42/180

### SLOVAKIA

Score change

↑ +3 since 2020

Score  
52/100

Rank  
56/180

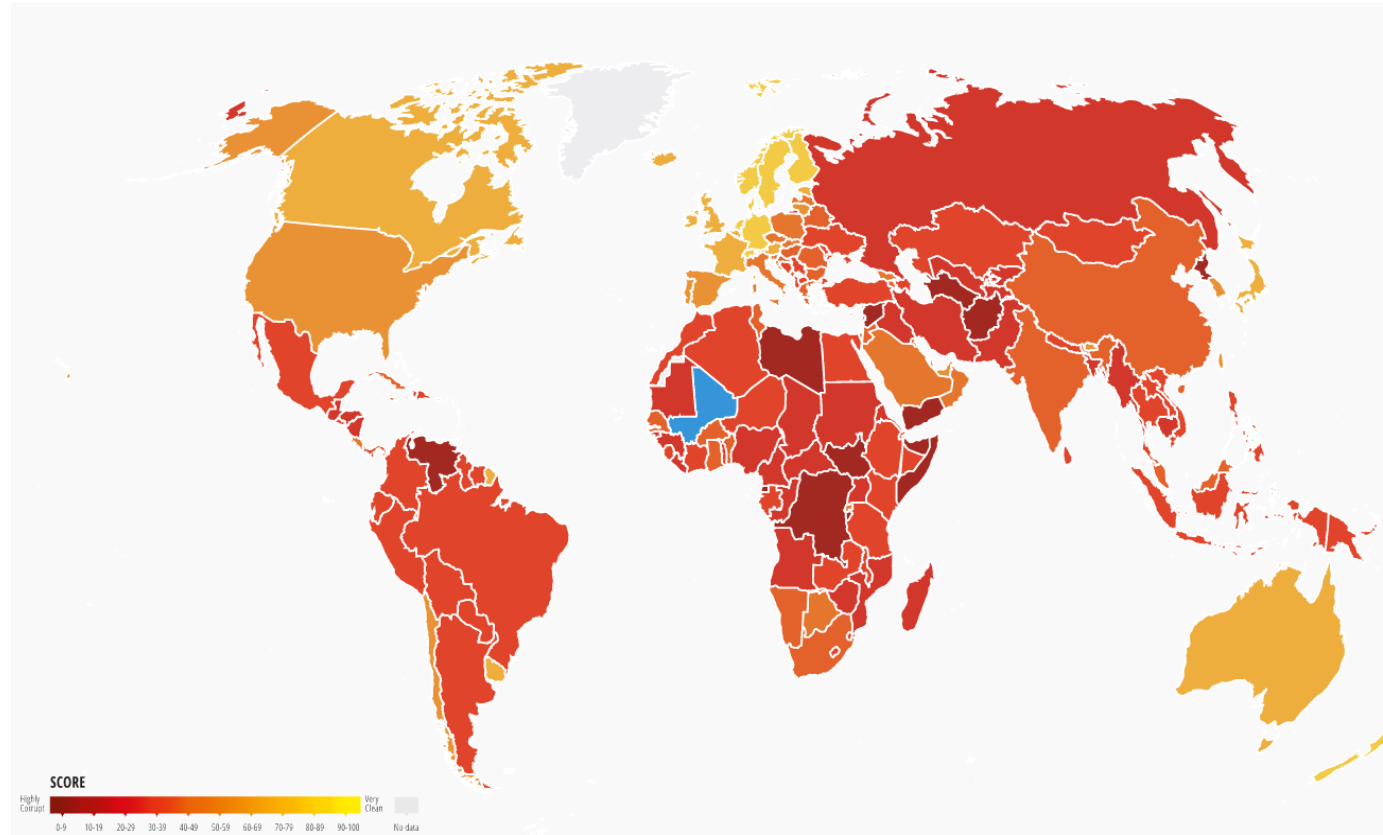
### HUNGARY

Score change

↓ -1 since 2020

Score  
43/100

Rank  
73/180



### CZECH REPUBLIC

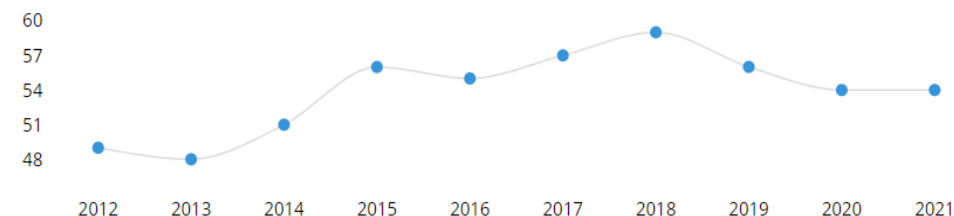
Score  
54/100

Rank  
49/180

Score change

= 0 since 2020

Score changes 2012 - 2021



### NEW ZEALAND

Score change

= 0 since 2020

Score  
88/100

Rank  
1/180

### GERMANY

Score change

= 0 since 2020

Score  
80/100

Rank  
10/180

### AUSTRIA

Score change

↓ -2 since 2020

Score  
74/100

Rank  
13/180

by [Transparency International](https://www.transparency.org/)

## 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.



## 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
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## 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.

- It is a tool which specifies requirements and provides guidance for making an ABMS to a wide range size of organizations
- It can easily integrated with other existing management systems and controls



## Business benefits of ABMS certification.

### Competitive advantage

- Choosing business partners with same values.

### Increased ethical image

- Promote trust and confidence

### Legal safeguard.

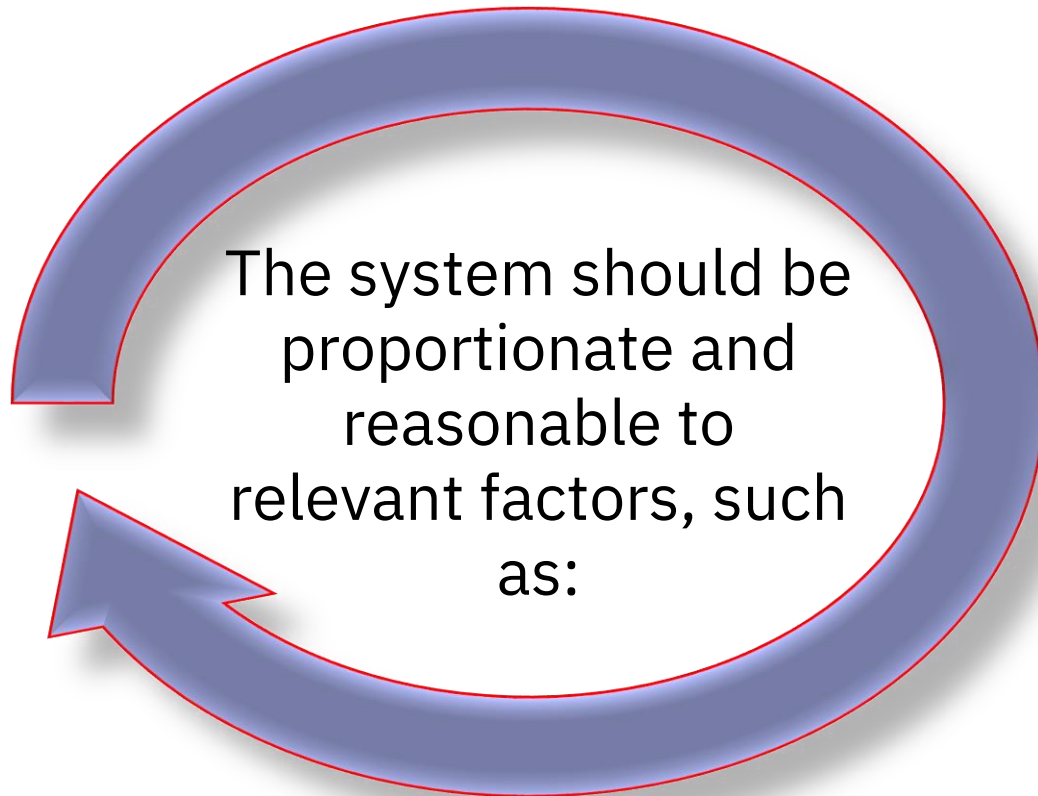
- Shows implemented controls.

### International recognition

- Worldwide applicability.



## Administrational work.



- 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.

# The structure of ISO 37001:2016.

## Introduction

- Purpose
- Reference standards
- Terms and definitions

## Requirements

- Organization Context
- Leadership
- Planning
- Support
- Operating Activities
- Performance Evaluation
- Improvement

# Main requirements for certification (1/2).

## Organization Context

- Anti-bribery policy adoption and self-evaluation
- Bribery risk assessment

## Leadership

- Tone from the Top
- Empower the compliance function of necessary powers

## Planning

- How to react to bribery, how to evaluate, resources

## Support

- For implementation and maintaining of ABMS
- Personnel training - Communication



# Main requirements for certification (2/2).

## Operating Activities

- Due diligence on projects and business associates.
- Controls in financial, commercial areas, in procurement processes.

## Performance Evaluation

- Reporting, investigating, internal audit, set KPIs
- Periodical monitoring.

## Improvement

- Corrective actions and ongoing improvement.



# Our knowledge and our solutions.

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.

## Scenario 1 IMPLEMENTATION

we can help you building or implementing a **new** compliance system.

## Scenario 2 ADAPTATION

we can help to **adapt** your policy and ABMS (or other compliance system) to the standards required by ISO 37001.

## Scenario 3 ANALYSIS

we can analyze your ABMS and providing local contact during the certification process **ISO 37001:2016** done by third company

According ISO, outsourcing of the anti-bribery compliance functions is possible.  
**Upon request, we can provide this service.**



It is not  
guarantee of  
immunity from  
bribery

It is a clear  
demonstration of  
adequate  
measures to  
detect and  
prevent bribery

It is a valuable  
investment for  
any business  
and it can  
represent a  
valuable asset  
for the future

In case of any questions,  
please, contact us:

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Email: [administration@lucaprague.eu](mailto:administration@lucaprague.eu)

**WE ARE HERE TO HELP!**







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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, located at the bottom right of the certificate.



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