

TRAINING WORKSHOP PROGRAMME

[Note: The following is a proposed programme for the training workshop which will be provided at the office of the organisation requiring training. The particular requirements of the organisation will be discussed prior to the workshop, and some modification may be possible.]

TIME: 10.00 a.m. – 4.00 p.m. (timing can be adjusted to suit organisation)
 DATE: To be arranged
 VENUE: Organisation's office

Each topic below will be covered by a brief presentation, followed by a general question and discussion session on that topic.

1. The cost of corruption

- a) Why corruption is damaging to the global economy, business and individuals.
- b) The estimated cost of corruption.
- c) Which countries and business sectors are worst for corruption (TI's "Bribe Payers Index" and "Corruption Perceptions Index").
- d) The necessity for co-ordinated international anti-corruption actions.

2. Recent international developments which relate to corruption

- a) International conventions against corruption.
- b) Changes to anti-corruption laws in OECD countries as a result of the anti-corruption conventions.
- c) Compulsory exclusion from EU public sector tenders in the event of a conviction for corruption.
- d) Revised anti-corruption procedures of international financing institutions and export credit agencies (including anti-corruption warranties, due diligence and debarment).
- e) The requirement on UK Government officials to report allegations of overseas bribery which they hear about to the UK authorities for investigation.
- f) Current corruption investigations by UK authorities for overseas bribery.
- g) Major international corruption prosecutions.
- h) The possible collapse of some international infrastructure projects due to corruption.
- i) Significant international anti-corruption developments.

3. UK laws on bribery, fraud and money laundering

Summary of UK law:

- Bribery.
- Fraud.
- Money laundering.

4. Liability for corrupt acts

- a) Liability of companies:
 - for their own corrupt acts;
 - for the corrupt acts of their agents, joint venture and consortium partners, sub-contractors and suppliers.

- b) Liability of the individual directors and employees:
 - for their own corrupt acts;
 - for the corrupt acts of their employers or other parties.

5. **Examples of corrupt practices**

- a) Pre-qualification and tendering:
 - Bribing to win projects.
 - Manipulation of project design.
 - The use of agents.
 - Collusion and price fixing.
- b) Project Execution:
 - Bribing to obtain variations, extensions of time, certificates and payments.
 - Wrongful withholding of certificates and payments.
 - Extortion and blackmail.
 - Facilitation payments.
 - Independence of architect/engineer.
 - Sub-contractor and supplier corruption.
 - Termination of contracts due to bribery.
- c) Dispute Resolution:
 - Bribing witnesses, experts and the tribunal.
 - False and inflated claims.
 - False evidence.
 - Concealment of evidence.

6. **Actions which could be taken to reduce corruption in business**

- a) Corporate and individual codes of conduct.
- b) Management, financial and audit controls.
- c) Due diligence on agents, joint venture and consortium partners, sub-contractors and suppliers.
- d) Contractual protection.
- e) Sector and project non-bribery agreements.
- f) Independent monitoring of project integrity.
- g) Claims management agreements.
- h) International ethical standards (ISO or equivalent).
- i) Improved reporting and enforcement.
- j) Debarment.

7. **General Discussion**

This session will be a general discussion session in which participants in the workshop can discuss concerns in their areas of activity, and possible solutions to these concerns.

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