

Australia

1 Project Summary

Project Title:

Foreign Bribery Awareness Campaign

Priority Area for Reform:

Increase the level of awareness in the public sector, the community and business about the Commonwealth offence of bribing foreign public officials, and the appropriate actions to take if a person suspects that a foreign official has been bribed by an Australian citizen, resident or company operating overseas.

Implementing Institution:

Attorney-General's Department

Contact Person:

Mr. Peter Thomson

Beginning and End of the Project:

Beginning: August 2006

End: Information pack to be fully developed by January 2007. The dissemination of the information will be ongoing.

2 Project Context

Which deficiencies and/or problems that allow corruption to proliferate does the project address and aim to resolve? Please outline the related current legal or institutional framework and its weaknesses or the exact circumstances that require improvement:

Media reports indicate that only 51 percent of businesses are aware of the foreign bribery offence and its implications. Public sector and general community awareness would probably be at the same levels.

There is anecdotal evidence that there is a lack of understanding of what constitutes foreign bribery, particularly the difference between a facilitation payment and a bribe.

3 Expected Outcome of the Project

In relation to the above mentioned deficiencies and/or problems, which concrete improvements are expected to be achieved through the project? In which way does the project help to curb corruption?

The project will raise awareness of the offence of foreign bribery and what to do if foreign bribery is suspected.

Expected improvements could be an increase in reporting suspected foreign bribery and changes to internal company controls to prevent, monitor and detect foreign bribery.

It is also intended to raise awareness of the social and economic costs and negative impacts of foreign bribery as an incentive to non-corrupt business dealings by Australian organizations.

4 Components – Main Activities – Method

What are the project's components, implementation steps, main activities and/or methods to achieve the above mentioned outcome and objectives?

The project involves developing a comprehensive information pack on the foreign bribery offence, including the impact of bribery on the economy of developing nations, the scope of the Commonwealth offence and how to report suspected foreign bribery.

The information pack will be distributed through mail-outs to representative organizations, the top 100 Australian companies and the largest 1,000 small to medium enterprises and be made available at meetings (e.g. APEC 2007), seminars and training courses related to the offence of foreign bribery.

The information pack is to include:

- Fact Sheet 1 – Why you need to know about foreign bribery and its implications
- Fact Sheet 2 – The offence
- Fact Sheet 3 – How to report suspected foreign bribery
- Fact Sheet 4 – Taxation Implications of foreign bribery
- Fact Sheet 5 – Identification of suspicious transactions and notification requirements
- Fact Sheet 6 – Australia's international obligations
- Fact Sheet 7 – Frequently Asked Questions
- Fact Sheet 8 – Useful links
- Foreign Bribery Powerpoint presentation for training purposes
- Foreign Bribery Brochure
- Foreign Bribery Poster
- Information Paper – Australia's Domestic Approach to Corruption

5 Involvement of non-governmental actors and donors

In which way does the project involve civil society actors or other stakeholders and have they been consulted during the project development phase?

Non-government groups and business groups (e.g. domestic business councils) with particular expertise in the area of foreign bribery or with connections to targeted sectors (e.g. industry representative bodies) will be asked to comment on the draft information pack prior to its finalization.

Once the information pack is finalized, assistance will be sought from these organizations to distribute the packs and to arrange training sessions and seminars.

6 Related Projects under the 2nd Implementation Cycle

Is the project linked to reforms accomplished under the Action Plan's 2nd Implementation Cycle? In which way does this project follow up previous activities?

This project expands on the actions undertaken in the 2nd Implementation Cycle.

The awareness project conducted under the 2nd Implementation Cycle generated significant interest from the private sector and resulted in requests for additional information and training materials.

The project under the 3rd Implementation Cycle seeks to fulfill the requests of the private sector and expand the scope of the awareness campaign to target more entities and individuals.

7 Project Financing and Budget

Approved or estimated overall project budget:

The funding will be sourced from core agency funding.

Is external funding required?

No

If external funding is required, have donor organizations been approached yet, and have any commitments been made?

N/A

If external funding is required, what percentage of the total project costs requires external funding?

N/A

8 Technical Assistance

Is external technical assistance required? Have relevant agencies been approached and have they made any commitments?

Technical assistance from the Australian Federal Police is required to specify the information that should be provided when reporting suspected foreign bribery offences.

Technical assistance is also required from the Australian Taxation Office on the taxation implications (and definitions) of facilitation payments and bribery.

Both agencies have agreed to assist in the preparation of documents that provide the relevant information.