“STRENGTHENING INTEGRITY AND
COMBATING CORRUPTION – MALAYSIAN
EXPERIENCE”

by

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SEMINAR ON PROMOTING INTEGRITY
AND FIGHTING CORRUPTION IN THE PUBLIC SERVICE
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CORRUPTION - REALITIES -

Not new
Every country and society is faced with this problem
Greed
Opportunity
Mutually beneficial
Secret
Hampers economic growth, social and political developments
Undermine nation-building efforts
Destroy the efficient functioning of any society
CHALLENGES

• To eradicate corruption, abuse of power and malpractices

• To mould and uphold integrity

• Firm commitment and drive
Already in place...

- Firm commitment at the highest political and administrative levels
- Necessary legislations
- Enforcement agencies
- Adequate logistical supports
THE ESTABLISHMENT OF THE ANTI-CORRUPTION AGENCY (ACA) 1967

ACA → NBI → ACA

Strategic Approach

1. Education
   • Prevention
   • Investigation & Prosecution
   • Public relations
LEGAL ASPECTS

- **LEGAL PARAMETERS**

- **LEGAL MEANS**
An important weapon in the fight against corruption, abuse of power and malpractices.
ENFORCEMENT/
REGULATORY
AGENCIES
LEGAL MEANS

ANTI-CORRUPTION ACT 1997
DETECTION

INVESTIGATION

PROSECUTION

PREVENTION

COMMUNITY EDUCATION
6. DECLARATION OF ASSETS
7. SEIZURE OF PROPERTY
8. FORFEITURE
9. CONFISCATION
10. DUTY TO REPORT CORRUPTION
   • PROTECTION OF WITNESSES
OFFENCES

- Soliciting
- Accepting
- Obtaining
- Agreeing to accept
- Attempting to obtain
- Giving
- Agreeing to give
- Offering any gratification

as an inducement or reward for doing or forbearing to do anything for the benefit or advantage of the offerer or bribe giver (section 10 and 11 ACA 1997). These sections apply to both an officer of a public body as well as persons in the employment of companies, commercial and corporate entities.
Penalty:

Imprisonment
- Minimum 14 days,
- Maximum 20 years; and

Fine
- Not less than 5 times the value of the gratification; or
- RM10,000.00 whichever is the higher
Information received and the identity of the informers shall be kept secret and shall not be disclosed in any civil, criminal or other proceedings in any court, tribunal or other authority.
When an offence is committed in any place outside Malaysia by any citizen or permanent resident, he may be dealt with in respect of such offence as if it was committed at any place within Malaysia.
PUBLIC SECTOR

National program to eradicate corruption and uphold integrity in the public service
INTEGRITY MANAGEMENT COMMITTEE

Proposed by ACA

Approved by Cabinet
Objective

Efficient and disciplined Government Administration and Public Service

Highest level of integrity

Practice of noble values

Ensuring efficient and dynamic management

Zero tolerance towards corruption, abuse of power and malpractices
MECHANISM OF THE INTEGRITY MANAGEMENT COMMITTEE
MEMBERS OF THE SPECIAL CABINET COMMITTEE ON INTEGRITY MANAGEMENT
Chairman: Deputy Prime Minister

Members:
- Minister of Work and Utilities
- Minister of Education
- Minister of Primary Industries
- Minister of Information
- Minister of Human Resources
- Minister in the Prime Minister’s Department
- Chief Secretary to the Government
IMC AT MINISTERIAL LEVEL

Chairman: Secretary General of the Ministry

Members:
- Director General
- Head of Department
- Legal Advisor
- Counselor
- Internal Auditor

Secretariat: Head of Disciplinary Division
IMC OF FEDERAL GOVERNMENT DEPARTMENT OR AGENCY AT THE FEDERAL LEVEL

Chairman: Head of The Government Department or Agency

Members:
  a. Director or Chief of every division
  b. Legal Advisor
  c. Counselor
  d. Internal Auditor

Secretariat: Head of Disciplinary Division
INTEGRITY MANAGEMENT COMMITTEE
(STATE GOVERNMENT)

Chairman:
- Chief Minister

Members:
- a. Executive Councilor in-charge of Development, Land, Religion and Local Government;
- b. State Secretary;
- c. Legal Advisor of the State;
- d. State Financial Officer;
- e. Director of the State Economic Planning Unit;
- f. State Mufti (Religious Head);
- g. State Director of Lands and Mines;
- h. State Development Officer;
- i. State Auditor General
- j. State ACA Director;
- k. Director of Man Power Planning Unit; and
- l. Other members deemed necessary.

Secretariat:
- i. Head of Disciplinary Division
- ii. Deputy Director of the ACA
Identify, study and amend existing laws and department regulations, so as to rectify weaknesses in management and enhance supervision to eradicate corrupt practices, abuse of power and malpractices.
Identify, study and verify changes in systems and Government work procedures towards uplifting efficiency, effectiveness, transparency and accountability to prevent corruption, abuses of power and mismanagement.
POSITIVE VALUES AND ETHICS

Carrying out activities that are motivational, and practicing positive values and ethics, in enhancing integrity.
Disciplinary actions against officers and staff found to have violated the Public Servants Regulations (Conduct and Discipline) (Amended) 2002 or any other departmental regulations and code of ethics, and to inform the ACA of any corrupt activities or abuse of powers.
Giving recognition to government servants who have performed excellent services/portrayed positive values
To formulate, upgrade and implement code of ethics at work place
Ensuring supervision be carried out at all levels
To take necessary measures to improve performance of staff with low level of productivity/unmotivated and problem officers.
- Punch Card
- Total Quality Management
- Client’s Charter
- Quality Control Circles
- Code of Ethics
- Implementation of MS ISO 9000
- Administrative Circulars
- Excellent Work Culture Movement
- E-Government
- Letter of Undertaking
INTEGRITY VETTING

- Promotions
- Optional retirement
- Conferrment of awards – Federal or State
FOCUS POINTS
Practical and efficient procedures

- Code of ethics
- Code of conduct
- Recognition
- Declaration of assets and liabilities
- Monitoring
- Auditing
- Internal control
- Protection of whistle-blowers
- Accountability and responsibility
- Transparency
- Recruitment and training
- Excellent work culture TQM, QCC,
INTERNATIONAL COOPERATION

- United Nations Convention Against Corruption
- Bilateral Arrangement
- Anti-Corruption Action Plan for Asia and the Pacific
- Asia-Pacific Group on Anti-Money Laundering
- Mutual Legal Assistance in Criminal Matters
ANTICORRUPTION ACTION
PLAN FOR ASIA AND
THE PACIFIC

Malaysian Priority Areas
for Reform in 2002
LETTER OF UNDERTAKING

To ensure ethical and administrative codes of conduct in the public and private sectors be practiced and adhered to effectively.
LEGISLATIVE MEASURES AGAINST CORRUPTION

To adopt more pro-active enforcement strategy in combating corruption and to enhance effort in tracing and recovery of proceeds of corruption by keeping the legislation under constant review for further improvement and deterrence.
NATIONAL SURVEY - PERCEPTION OF THE MALAYSIAN SOCIETY TOWARDS CORRUPTION

To enable a better perception of the public opinion on corruption in Malaysia
THANK YOU

“UPHOLDING INTEGRITY
ERADICATE CORRUPTION”