

TEKS UCAPAN

YBHG. DATO' INDERA JUNIPAH BINTI WANDI

TIMBALAN KETUA PESURUHJAYA

(PENGURUSAN DAN PROFESIONALISME) SPRM

MAJLIS PENSIJILAN ANTI-BRIBERY MANAGEMENT SYSTEM

(ABMS) 37001:2016 DAN MAJLIS MENANDATANGANI

MEMORANDUM PERSEFAHAMAN DI ANTARA LEMBAGA

PELABUHAN KELANG DAN AGENSI KERAJAAN, TERMINAL

OPERATOR DAN PEMAIN INDUSTRI PADA 8 JUN 2023 BERTEMPAT

DI DOUBLE TREE HOTEL, SHAH ALAM

Yang Berhormat, Tuan Loke Siew Fook,

Minister of Transport Malaysia,

YBhg. Dato' Razali Bin Mohamad,

Deputy Secretary General (Management),

Ministry of Transport,

YBhg. Dato' Indera Dr. Hj Ahmad Sabirin Arshad

President and Group Chief Executive

Sirim Berhad

Yang Berusaha, Captain K. Subramaniam,

General Manager Port Klang Authority

Stakeholders, government representatives, Tan Sri-Tan Sri, Datuk-Datuk, Datin-Datin, Ladies and Gentlemen.

1. First of all, I would like to express my heartiest appreciation and gratitude to the Port Klang Authority for inviting MACC to witness the Anti Bribery Management Systems (ABMS) certificate presentation and the MOU signing ceremony between LPK and the various stakeholders within the maritime industry in Port Klang.
2. On behalf of the MACC, I also like to congratulate Port Klang Authority (PKA) for successfully obtaining the Anti-Bribery Management Systems (ABMS) 37001:2016 Certification.
3. MACC as the custodian of the ABMS 37001 standard in Malaysia appreciates the effort and determination by Port Klang Authority in leading the fight against corruption within the industry. This effort deserves praise and should be exemplified by other organisations who are yet to obtain ABMS certification.

Ladies and gentlemen,

4. Corruption presents a major threat to the economic growth and democratic stability of any nation. Corruption is a form of dishonesty or criminal offence undertaken by a person or organisation entrusted with a position of authority, to acquire illicit benefits or involved in the abuse of power for one's private gain. It brings a pernicious effect on investment and governance, draining precious resources and undermining public trust.

5. One of the main reasons behind corruption is the lack of transparency of bureaucratic and governmental functions and processes. Ports for example may be regarded as a administrative monopoly providing essential services for businesses to function. This creates a breeding ground for 'coercive' corruption where port officials extract bribes from companies for performing routine functions which otherwise should have been straight forward.

Ladies and gentlemen,

6. Corruption has by far been one of the most deep-rooted, pervasive problems that has crippled economies around the world. The Corruption Perception Index (CPI) 2018 ranked Malaysia on the 61st place out of 180 countries. The launch of the National Anti-Corruption Plan (NACP) 2019-2023 was one of the government's initiatives in realizing Malaysia's manifesto towards a nation with integrity and free from corruption.
7. The Transparency International report for the year 2022 indicates that Malaysia's position in the transparency index ranking has deteriorated compared to 2021. Based on statistics researched by the MACC, the total number of arrests for crimes related to bribery in 2022 is 909 people involving 323 public officials or 35.5% of the total.
8. In the period of the first 5 months of 2023, the total number of arrests involving public officials is 186 people compared to 125 people in the same period last year. This significantly higher number of arrests

appears to be a cause for concern and indicates that the fight against corruption needs to be intensified.

9. Section 17A (1) of the MACC (Amendment) Act 2018 addresses corporate liability for corruption where directors and senior management will be held personally liable for acts of corruption committed by the organisation, either by personnel or parties acting on behalf the organisation. However the organisation may seek defence under the law if it is able to prove that sufficient efforts had been taken to deter such acts from being committed.
10. Coincidentally, the first case that was prosecuted under the new corporate liability regime involving Section 17A was an offshore company engaged in chartering out vessels to oil companies. The case is expected to go to trial in September.
11. Ladies and Gentlemen, besides being an enforcement agency entrusted by law to investigate and prosecute corrupt practices, MACC also works tirelessly with public agencies and private companies to conduct anti-bribery advocacy to nurture awareness and proper understanding in combatting and prevention of corruption.
12. The success of addressing bribery in an organisation depends on 2 main factors, i.e., nurturing the culture of integrity among all personnel and a strong display of undivided commitment by the top management to send a strong message across the organization that such despicable acts will not be tolerated.

13. I am confident that the ABMS certification audit has proven that Port Klang Authority has displayed strong commitment by developing and putting in place the required mechanisms, strategies and measures to address all issues related to corruption including risk management and prevention.

14. Let me take this opportunity to congratulate Port Klang Authority on successfully obtaining the Anti-Bribery Management Systems (ABMS) 37001:2016 Certification. Kudos too to all stakeholders in Port Klang for your initiative in collaborating towards eradicating corruption in the maritime industry through the signing of a MOU and I hope the other ports in Malaysia will follow your shining example.

15. Thank you.