Introduction
Hello, my name is [] and I am [], Austrade, the Australian Trade Commission.

Austrade is excited to help you in the many offshore trade opportunities
[Opportunities in region]
We are excited to work closely with you and all Australian business.

We will help seek out opportunities. We will help liaise between agents and customers. We will provide market intelligence and very basic services like language skills.

With the opportunities, comes an increasing risk of bribery and corruption
Increasingly we all find ourselves working in places rated by Transparency International as high on their corruption perception index. Countries like [] have issues with enforcement of ethics and transparency on transactions that involve foreign officials.

Bribery and corruption are serious risks for Australians doing business offshore. Years of poverty and social disruption in some countries have led to widespread corruption. Bribery is often seen as an inevitable part of doing local business. Yet it is a serious crime under both Australian and foreign laws. Corruption corrodes offshore trade, damages investor confidence and adds to bottom line cost. It prolongs poverty for communities.

Bribery is illegal
Most importantly for you and your business, bribery is illegal.
[] has laws. Australia has laws. Both ban bribery.

You will need to get your own legal advice on all the applicable and local laws.

What I can say is that bribery is a serious crime in Australia and the consequences are serious. For individuals, you could get 10 years imprisonment or A$1.8m.

Companies could be fined the greater of A$17m OR 3 times the value of the benefit OR 10% of annual turnover.

There is also reputational damage to your business.

The bottom line is, if it’s not possible to do business cleanly, we say the consequences are not worth it. We say leave the market.

If you decide to stay in a market, then we recommend that you take active steps to protect yourself from the very real risks of bribery and corruption.

Be aware of the common red flags
You need to examine your business model and be aware of the indicators of bribery. More red flags may mean your business is exposed to more risk of bribery and corruption. The bigger the risk, the more you need rigorous internal controls. Red flags include:

- Location -perceived to have high levels of local corruption.
- Sector - mining, defence, currency, security, aerospace
- Involvement of foreign public officials (including close relations or associates)
- Large contracts in state run economies
- Businesses unexpectedly winning tenders
- Incomplete documentation or phoney invoices
- Meetings in luxury holiday locations
- Political donations
- Requests for secrecy/lack of media
- Agents and business partners
  - vaguely described services and deliverables
  - lack of experience / in a different line of business
  - merely a shell company
  - part of the transaction at the request of the foreign public official
  - large commissions, high expenses
  - upfront fees
  - urgent payments
  - payments in cash, in multiple smaller amounts, to personal bank accounts, to offshore bank accounts, to trusts

**Austrade can help you to a point**
The good news is that we have long experience in assisting Australian business in dealing with a less than ethically perfect business world. We can point you in the right direction and point out some of the pitfalls.

On the other hand, we cannot navigate your business dealings for you. We stay out of our clients’ commercial dealings, decision-making and disputes. Our challenge is to be useful and practical but remain an island of ethical and legal practice in (at times) a sea of wrongdoing.

**An ABC compliance program can help your business to prepare and respond**
The best way to protect yourself is with a proactive, comprehensive, robust and dynamic anti-bribery and corruption program.

**Some of the steps in an ABC program**
The Austrade website is a good place to start. It identifies some of the steps to take. You will need to set the tone from the top of your business, with a clear statement of intention. Then you will design a program, develop and publish an anti-bribery and corruption policy.

Ensure relevant people, including board members and other staff, are trained to recognize and deal with bribery. Give them incentives to be good corporate citizens. Consider detailed policies and internal controls on things like:
- Due-diligence checks on all agents and business partners
- Approval of all payments and expenditure, so that the basis and calculation of any payments such as commissions are properly recorded, transparent, explainable and relate legitimately to the services provided;
- Encouraging whistleblowers;
- Avoiding facilitation payments; and
- Keeping records.

Companies who demonstrate a commitment to anti-bribery laws and active practices stand a far better chance in court.

**Report corruption**
Whether or not you have an ABC program, what if you are asked for a bribe or you suspect corruption?
We say report it to the Australian Federal Police.
Austrade will report credible evidence of bribery to the Australian Federal Police

We are a federal government agency. We uphold law and will report evidence of corrupt illegal activity particularly bribery.

Our job is to help you win trade legally.

We have very limited capacity to intervene in legal situations, other than to recommend a lawyer.

Let’s help stamp out corruption

Although it might look to you like business cannot be done here without bribes and corruption, there ARE ways that clean business can be done. That is the type of business we want to attract and promote.

At Austrade we take a zero tolerance approach to any form of bribery and we like to think that our customers do the same. The poor ethical behaviour of one business can muddy the waters for all Australians doing business in another country. Together, let’s gradually stamp out the corrosion of corruption.

Thank You