



Monitoring and Review

Corporations should monitor, review and adjust their policies and procedures designed to prevent an associate from bribing foreign public officials. This will assist to test the effectiveness of existing policies and procedures and to adapt them to changes in the business environment.

The bribery risks that a company faces are likely to change over time, so the procedures required to mitigate those risks are also likely to change. Entering new markets, changes to the corporation's activities, a bribery incident or changes in the governmental or regulatory environment in which the corporation operates are also events that may prompt an evaluation.

Monitoring and Review Mechanisms

The following internal and external mechanisms for monitoring the effectiveness of a corporations' policies and procedures:

- Surveying staff and other associates to test awareness of the corporation's policies and procedures
- Providing confidential and anonymous channels for staff and other associates to report concerns about bribery risks (for example through an online form)
- Collecting feedback about the effectiveness of anti-bribery mechanisms
- Formal periodic reviews conducted by suitable experts (internal or external) to be provided to top-level management
- Commissioning an independent report of the effectiveness of anti-bribery mechanisms by an external provider

Record Keeping

Corporations should keep records of all steps they have taken towards compliance. This will assist if allegations are ever made against a corporation that they have inadequate procedures. Maintaining accurate records of transactions and assets is likely to indicate a corporation has adequate procedures in place, as this enables the identification of improper conduct.

Independent Reports

Engaging an independent third party to evaluate and report on the effectiveness of the corporation's anti-bribery mechanisms and procedures can assist in identifying areas for improvement. This will also assist in demonstrating the corporation's commitment to ensuring adequate procedures are in place.

However, corporations must be willing to respond to the findings of an independent report. If a report identifies issues with the corporation's approach to anti-bribery obligations – and the corporation does not attempt to remedy the issues – this is likely to indicate that a corporation does not have adequate procedures in place.

Get Assistance

- Auditors,
- Investigators,
- Law firms
- Austrade (<https://www.austrade.gov.au/contact/contact>)