



Top Level Commitment

The top-level management of a company's commitment to preventing bribery by persons associated with it is a key factor in fostering a culture within the organisation in which bribery is never acceptable.

An important element of any anti-bribery and corruption programme is to ensure that the organisation and its staff operate in an environment that helps them to comply with anti-bribery legislation and regulatory expectations. This relates as much to behaviours and corporate culture as to written policies and procedures. Top-level commitment is therefore essential.

Procedures

Whatever the size, structure or market of a company, top level management commitment to bribery prevention is likely to include:

- communication of the organisation's anti-bribery stance, and
- an appropriate degree of involvement in developing bribery prevention procedures.

Practical examples of how this can be achieved are outlined below.

Communications of a Commitment to Zero Tolerance to Bribery

This could take a variety of forms and messaging should be targeted both internally and to the public. A formal statement appropriately communicated can be very effective in establishing an anti-bribery culture within an organisation. The statement would probably need to be drawn to people's attention on a periodic basis and could be generally available, for example on an organisation's intranet and/or internet site.

Effective communications that demonstrate top-level commitment are likely to include:

- a commitment to adhere to anti-bribery laws and regulations
- a commitment to zero tolerance towards bribery
- a commitment to carry out business fairly, honestly and openly
- details of internal activities relating to interactions with public officials, sponsorship, political and charitable donations
- the consequences of breaching the policy for employees and managers
- for other associated persons the consequences of breaching contractual provisions relating to bribery prevention (this could include a reference to avoiding doing business with others who do not commit to doing business without bribery as a 'best practice' objective)



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- articulation of the business benefits of rejecting bribery (reputational, customer and business partner confidence)
- reference to the range of bribery prevention procedures the commercial organisation has or is putting in place, including any protection and procedures for confidential reporting of bribery (whistle-blowing)
- key individuals and departments involved in the development and implementation of the organisation's bribery prevention procedures
- reference to the organisation's involvement in any collective action against bribery in, for example, the same business sector

Sample Corporate Anti-Bribery Statement

The following statement is intended to provide companies with a basic example of an anti-bribery statement that a company might issue. This statement is provided for information only - companies should prepare their own statements that align with and are appropriate to their own circumstances.

Company A Anti-bribery Policy

Company A is committed to complying with the laws and regulations of the countries in which it operates and to applying the highest standards of conduct and integrity in its business activities in Australia and overseas.

Bribery misallocates resources, reinforces poverty, undermines the integrity of government and community decision making, and results in waste of the opportunities that arise from resource development.

A bribe is monetary or non-monetary benefit given to, or received by, a company or individual to perform public or corporate functions or duties improperly. Bribery can take many forms and may involve non-cash gifts, political or charitable contributions, loans, reciprocal favours, business or employment opportunities or lavish corporate hospitality.

Company A does not tolerate any form of bribery by, or of, its employees, officers, agents or any other persons or companies acting for it or on its behalf. The board and senior management are committed to implementing and enforcing a zero-tolerance policy to bribery through effective systems to prevent, monitor and eliminate bribery.

Any concerns regarding bribery must be reported immediately.



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