

# ANNUAL NATIONAL PROCUREMENT AND INTEGRITY FORUM 2019

**Prevention of Procurement Fraud and Corruption in the Public and Private Sectors  
“Integrity and Good Practice in Combatting Procurement Fraud”**

Multi-billion-ringgit Malaysian Government procurement is constantly under the radar and is subjected to public scrutiny. The systems of procuring goods and services and awarding of tenders in the public sector need full-proof and effective framework with well instituted control systems that will generate public confidence in Government spending.

The landscape of Corporate Malaysia is in the process of being reformed where bribery and corruption will be eradicated through:

- 1) The Malaysian Government implementation of a Zero-Based Budgeting System as part of its procurement process in the pursuit of Good Governance Practice.
- 2) The full implementation of the Corporate Liability Provision under the MACC Act 2018 on its way.
- 3) The upcoming Government Procurement Act to be tabled in early 2019.
- 4) The establishment of the National Centre for Governance, Integrity and Anti-Corruption (GIACC) to coordinate and monitor all activities related to governance, integrity and combatting graft.

With all the above in place and fully implemented, the Malaysian economy is vibrant and corrupt-free. In addition, the seriousness that is shown by the new Malaysian Government in cleaning up the government machinery from the dangerous level of corrupt practice will surely reflect in the improved standing of Malaysia in the Transparency International Corruption Perception Index 2018.

It is generally recognized, a competitive procurement market based on open tendering is the best guarantee of value for money for government agencies and the public at large, in terms of both price and quality of the goods, services and works procured. Malaysia needs to continue improving the transparency of its procurement system by putting in place more effective measures to address the prevalent loopholes and to remove impediments to reform, which would eventually lead to greater public accountability.

This 1- Day FORUM provides an avenue for participants both from the private and public sectors to learn and understand that clear and comprehensive regulations for the conduct of public procurement are the fundamental prerequisites for curbing corruption in public contracting.



**SPECIAL ADDRESS BY:**  
YBhg. Tan Sri Abu  
Kassim Mohamed,  
Director General,  
National Centre for  
Governance, Integrity  
and Anti-Corruption  
(GIACC)



**DATE:**

**25<sup>th</sup> MARCH  
2019**

**(9.00am – 5.30pm)**



**VENUE:**

**HOTEL ISTANA,  
KUALA LUMPUR**



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## PROGRAMME SCHEDULE

TIME	ACTIVITIES
8:00am – 8.50am	Registration
8.50am – 9.00am	Safety Briefing by Hotel Staff
<b>MORNING SESSION</b>	
Chairperson/Moderator	<b>Mr. Mohd Shah bin Hashim</b> President of Business Integrity Alliance (BIA) & Senior Associate of Azmi & Associates, Advocates & Solicitors
9:00am – 10.15am	<b>Special Session with: YBhg. Tan Sri Abu Kassim Mohamed, Director General, National Centre for Governance, Integrity and Anti-Corruption (GIACC),</b> In this interactive session YBhg. Tan Sri will answer questions from participants on relevant issues on the role of GIACC in fighting and eliminating corruption in Malaysia.
10.15am – 10:30am	<b>Refreshments / Networking</b>
10.30am–11.30am	<b>PRINCIPLES FOR ENHANCING INTEGRITY IN PUBLIC PROCUREMENT- “The Important Role of Internal Auditors”</b>  <b>YBhg. Tan Sri Ambrin Buang,</b> Chair of Special Investigation Committee on Procurement, Governance & Finance
11.30am -12.30pm	<b>INTERNATIONAL LEGAL TOOLS TO HELP REGULATION OF PUBLIC PROCUREMENT</b> International rules and regulations with particular emphasis to combat anti-corruption measures in public procurement are vital and they provide a framework for shaping national public procurement legislation. Due to the volume of public funds spent on public procurement in all countries and the multiple negative effects of corruption in public procurement, several international organisations promote the implementation of appropriate safeguards in public procurement. These include measures to improve transparency and integrity or to otherwise directly tackle corruption-related issues. It is clear that corruption issues arise, to a greater or lesser extent, in every national system of public procurement. Against that background, this paper explores some of the international instruments that assist the drive for improved transparency and anti-corruption initiatives in public procurement. <b>Datin Grace Xavier</b> Research Fellow, Faculty of Law, University of Malaya
12:30pm – 2:00pm	<b>Lunch Break</b>
<b>AFTERNOON SESSION</b>	
2.00pm – 4.00pm	<b>DECEPTION DURING PROCUREMENT FRAUD AND DETECTION WORKSHOP</b> “How to Detect, Manage and Prevent Procurement Fraud” <b>Mr Prabhat Kumar, FCA, DIFA, CFE, CA(M)</b> Chief Consultant and Executive Director, Alliance IFA (M) Sdn Bhd
4.00pm – 4.15pm	<b>Refreshment / Networking</b>
4:15pm – 5:30pm	<b>ORGANISATIONAL CULTURE IN VIEW OF THE CHANGING LEGAL LANDSCAPE (MACC AMENDMENT ACT 2018). WHAT POLICY MAKERS AND TOP MANAGEMENT SHOULD CONSIDER?</b>  <b>Michael Sprake</b> Director PwC Malaysia <b>Jeeva Rajoo</b> PwC Manager, PwC Consulting Services
5:30 pm	<b>END OF FORUM</b>

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## Prevention of Procurement Fraud and Corruption in the Public and Private Sectors

### “Integrity and Good Practice in Combatting Procurement Fraud”

## SPEAKER'S PROFILE



**YBhg. Tan Sri Abu Kassim Mohamed,**

Director General, National Centre for Governance, Integrity and Anti-Corruption (GIACC)

YBhg Tan Sri Abu Kassim bin Mohamed has a total of 32 years of experience as an anti-corruption practitioner, with more than 6 years as the Chief Commissioner at the Malaysian Anti-Corruption Commission (MACC). He is a member of the IACA Board of Governors since 2012 and was the Vice-Chairperson (2012-2015). He was the Chief Consultant at the Centre for Governance & Integrity at MARA University of Technology (UiTM) and is now the Director General at the National Centre for Governance, Integrity & Anti-Corruption, Malaysia. He first graduated with Bachelors in Social Science from University Science of Malaysia and later obtained a Masters in Criminal Justice from Michigan State University, USA.



**YBhg. Tan Sri Ambrin Buang,**  
Chair of Special Investigation Committee on Procurement, Governance & Finance

Tan Sri Ambrin Buang has served the Malaysian civil service for 46 years, including 11 years as the Auditor-General until February 2017. He has served in several positions in MITI, Malaysian Timber Industry Board, National Institute in Public Administration, Embassy of Malaysia Tokyo, KLIA Bhd, State Secretary of Selangor and Secretary-General of Education. Currently, he is Chairman of Bank Islam Holdings Bhd, Chairman of LITRAK Holdings Bhd, and an independent Director of Gamuda Bhd. He was also appointed by the Malaysian Government as Chairman, Special Investigation Committee on Governance, Procurement and Finance in July 2018. He is also a Professor Ajung at Universiti Utara Malaysia. He graduated from University of Malaya in Economics and obtained a Master in International Business from University of South Carolina. He was also accorded an Honorary Doctorate by Universiti Kebangsaan Malaysia in 2017.



**Datin Grace Xavier**  
Research Fellow,  
University of Malaya  
LLB (Hons)(Lond), LLM(Mal), LLM  
(Bond Univ. Australia) CLP,  
Dip.Int.Comm.Arb

Datin Grace Xavier is a Research Fellow with the Faculty of Law, University of Malaya. She specializes in Construction Law, Housing Law and Alternative Dispute Resolution (Arbitration, Mediation and Negotiation). Her current research projects include aspects of Construction Law, ADR mechanisms, and the Law Governing Public Procurement in Procurement issues in construction contracts. She incorporates Public Procurement guidelines in the subject of Construction Law to the LLM students of the Faculty of Law. Mrs Xavier was a member of the research group, the EU-Asia Inter-University Network for Teaching and Research in Public Procurement Regulation, conducted by Nottingham University UK with other partners, from 2007 till 2011 and has since then been actively involved in research and teaching of public procurement. Mrs Xavier has published extensively in local and international journals and is the author of the book, “Law and Practice of Arbitration in Malaysia”.



**Mr Prabhat Kumar, FCA, DIFA, CFE, CA(M)**

Chief Consultant and Executive Director, Alliance IFA (M) Sdn Bhd

Prabhat Kumar is a Fellow member of Institute of Chartered Accountants of India and holds a two-year diploma in Investigative and Forensic Accounting from the University of Toronto Canada, is a Certified Fraud Examiner (ACFE Texas, USA) and a member of the Malaysian Institute of Accountants (2016). In August 2006, Prabhat Kumar founded his own forensic accounting practice – Alliance IFA (M) Sdn. Bhd. The firm specializes exclusively in litigation support services, fraud risk management, financial statement analysis and forensic accounting services. The Prabhat has presented several papers at various seminars organised by the Asia Pacific ACFE Conference Singapore, World Security Congress, Universities in Malaysia and India, Professional Accounting Bodies (Malaysia, Singapore & India) NGOs, Securities Commission, Bar Council Selangor and Kuala Lumpur and the Minority Shareholder Watch Dog Group. He has also presented papers at International Symposiums and Conferences in Malaysia, Singapore and India. In addition to his conference appearances, he has conducted workshops regularly from 2006 to 2015 to provide practical skills related to quantification of economic losses and Investigation and Forensic Accounting techniques at the Academy of the Auditor General of Malaysia. He has also provided collaborative training to the Royal Malaysia Customs (Level I & II Training) for four consecutive years to train its enforcement officers. For the Open University Malaysia, he developed and lectured a seven week Certificate Course for Investigative and Forensic Accounting along with PIERRE ST-LAURENT CA.IFA from Montreal.

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**Mr Michael Sprake**  
Director, PwC Malaysia

Michael is a Director in PwC Malaysia with extensive experience in Financial crime risk management. Prior to joining PwC, he spent over 12 years working for UK Law Enforcement, with a focus on complex fraud and money laundering investigations and intelligence and in his most recent role, he led the Financial Crime Compliance for a leading international bank in Malaysia, with responsibility for overseeing risk management for all financial crime matters including Fraud, Money Laundering, Sanctions and Bribery and Corruption. He is an expert in the analysis of data and intelligence in relation to complex fraud, money laundering, prohibitions and restrictions and strategic exports. Michael's holds a Bachelor of Arts (Hons) in Politics & International Relations and a number of professional qualifications from his time in law enforcement around the areas of investigation and analysis.



**Jeeva Rajoo**  
PwC Manager, PwC Consulting  
Services

Jeeva Rajoo is a Manager in PwC's Forensics' team in Kuala Lumpur. He has experience in fraud & corruption investigation, litigation support and regulatory compliance work. Jeeva's experience has seen him involved in cross border investigations which span various industries including; manufacturing, oil and gas, banking, government linked entities and sports confederations. His investigations have uncovered various types of fraud, employee misconduct, corruption and bribery where findings have been adduced as evidence in litigation proceedings. Jeeva also has experience working with client's lawyers as well as enforcement agencies such as the Royal Malaysian Police (PDRM) and the Malaysian Anti-Corruption Commission (MACC) when reports to authorities, as a result of our work, are made.