



# **SPEAK UP AGAINST CORRUPTION**

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## **CITIZEN'S HANDBOOK**



Published by:



TRANSPARENCY  
INTERNATIONAL  
MALAYSIA

# WE WANT YOU TO SPEAK UP TO FIGHT CORRUPTION

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Transparency International - Malaysia (TI-M) is an independent,  
non-governmental organization and the national chapter of  
Transparency International.

For more information, please visit:

[www.transparency.org.my](http://www.transparency.org.my)

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**BE AWARE,  
SPEAK UP,  
TO BRING  
CORRUPTION  
TO LIGHT**

## **SPEAK UP AGAINST CORRUPTION**

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Transparency International-Malaysia wants to join hands with you to fight corruption. Be the ears and eyes. Be aware and speak up to bring corruption to light.

The right to report wrongdoing is a natural extension of the right of freedom of expression. We all have the inherent right to protect the well-being of other citizens and society. Corruption has far reaching effects and can adversely affect the livelihood of people. We therefore have a duty to report bribery.

Call **1800 220 122**. Transparency International-Malaysia's new toll free service enables you to call Transparency International-Malaysia regarding complaints on corruption and we will assist you.

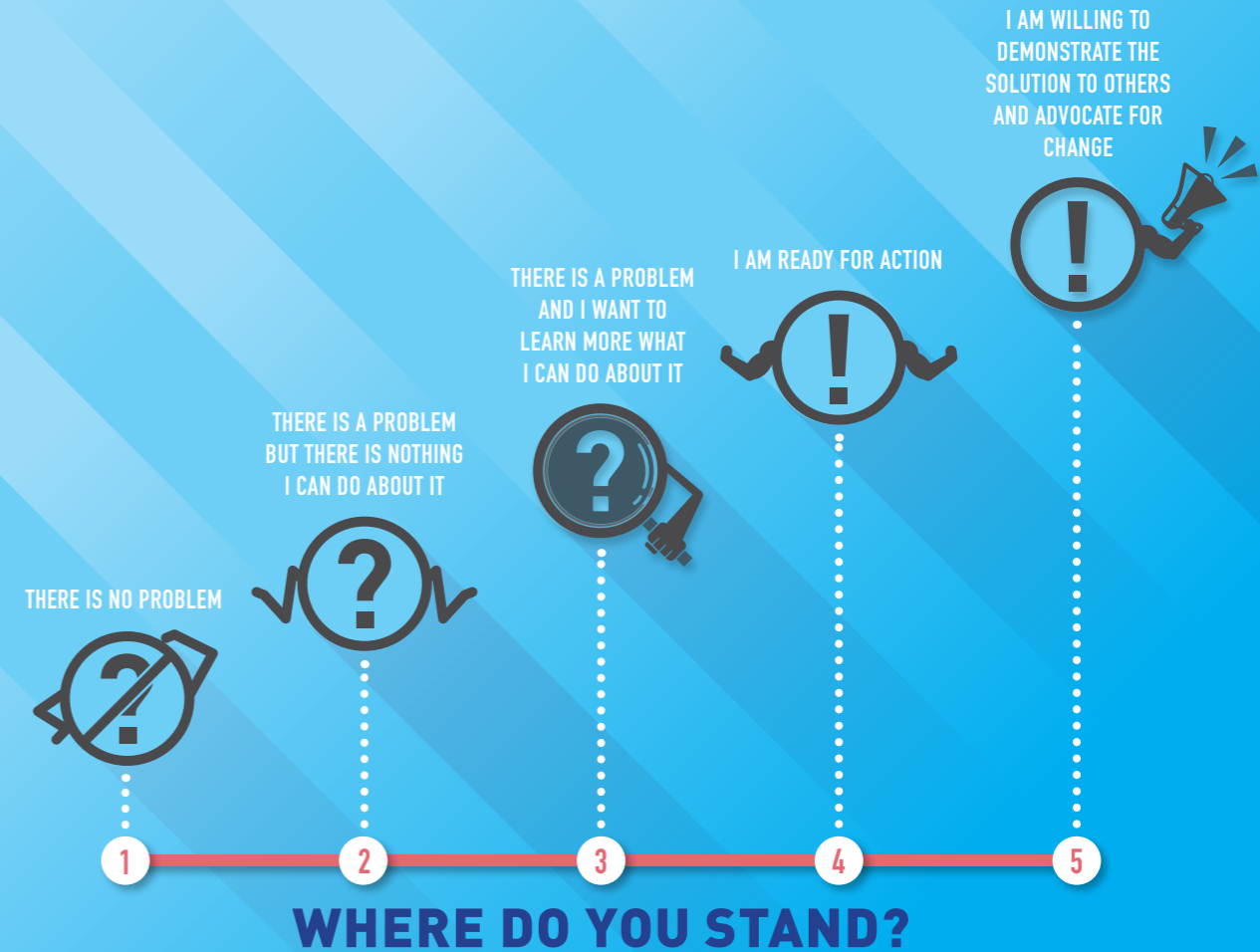
This handbook aims to inform you, engage you, empower you, to help improve your willingness to report corruption. Ultimately it is the people who can stop corruption. Become a part of the global movement for change.


Act now to fight corruption for a better Malaysia.

*Dato' Akhbar Satar*

President  
Transparency International-Malaysia

# WHAT IS YOUR STAND ON CORRUPTION






**WHAT  
IS  
CORRUPTION?**

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**CORRUPTION  
IS THE ABUSE OF  
ENTRUSTED POWER  
FOR PRIVATE GAIN**


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# MANY FORMS OF CORRUPTION

## EXAMPLES

- Actual money changing hands
- Demand for sexual favours
- Leak in exam questions
- Offer a job to a family member
- Promise of political support from powerful interest groups
- Cross-border transfer of stolen assets



**THE NEGATIVE  
EFFECTS**

**OF  
CORRUPTION**



# THE NEGATIVE EFFECTS OF CORRUPTION

## POLITICAL

Undermines democratic institutions and the rule of law.

Offices and institutions lose their legitimacy when they're misused for private advantage.

It is extremely challenging to develop accountable political leadership in a corrupt climate.

## ENVIRONMENTAL

Precious natural resources are carelessly exploited and ecological systems are ravaged due to non-enforcement of environmental law.

Companies across the globe continue to pay bribes in return for unrestricted destruction.

# THE NEGATIVE EFFECTS OF CORRUPTION

## SOCIAL

Citizens compelled to pay for services that should be free.

Affects lives. Substandard quality of goods and services – for example, buildings collapse, killing innocent people, due to contracts being awarded to inefficient companies who paid bribes to win the contracts.

Undermines people's trust in the political system, in its institutions and its leadership. A distrustful public can then become yet another hurdle to challenging corruption.

Depletes national wealth.

Public resources are diverted in projects that will line the pockets rather than benefit communities such as schools, hospitals and roads.

Hinders the development of fair market structures and distorts competition, which in turn deters investment.

## ECONOMICAL



Did you know that the World Bank estimated the total amount of bribes paid in developing and developed countries in 2001/2002 at 1 trillion dollars, about 3% of world GDP.

# OFFENCES AND PENALTY

## OFFENCES



### **SOLICIT OR RECEIVE BRIBE**

Any person soliciting or receiving bribes as an inducement or reward in an official transaction.

*s.16(a) and 17(a) MACC Act 2009*



### **OFFER OR GIVE BRIBE**

Any person offering or giving bribes to public or private sector officials in an official transaction.

*s.16(b) and 17(b) MACC Act 2009*



### **FALSE CLAIM**

Any person submitting false claims in payment requisitions.

*s.18 MACC Act 2009*



### **ABUSE OF PUBLIC OFFICE**

Abuse of office or position by a public official in making decisions for purposes of self interest.

*s.23 MACC Act 2009*

## PENALTY



### **IMPRISONMENT AND FINE**

Imprisonment: Up to 20 years, and  
Fine: RM10,000/- or 5 times the bribe amount;  
whichever is higher.

*s.24 MACC Act 2009*



# PROTECTION FOR WHISTLEBLOWERS



## WHO IS A WHISTLEBLOWER?

A person who discloses improper conduct (i.e. conduct which constitutes a disciplinary offence or a criminal offence) to an enforcement agency.

## TYPE OF PROTECTION GIVEN TO WHISTLEBLOWERS

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- Identity of whistleblower is kept confidential
- Information given by whistleblower is kept confidential
- Whistleblower given immunity from civil and criminal action and no disciplinary action will be taken
- Whistleblower will be protected against detrimental action such as intimidation, harassment, interference with lawful employment, action which causes injury, loss or damage
- Protection also granted to family members, relatives, friends and close associates of the whistleblower

*Whistleblower Protection Act 2010*

# LOGGING A REPORT WITH MACC

## INFORMATION NEEDED TO MAKE A REPORT

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- Details of person(s) involved.
- Date, time and location of the incident.
- Reasons for the transaction.
- Transaction amount and type.
- Identity of other witnesses (at the scene or having information), if any.
- Any document, information or physical evidence relating to the incident.



**Did you know that it is  
an offence if you fail to  
report bribery?**

s.25 MACC Act

# MACC'S CORRUPTION REPORTING CHANNELS

## AVENUES FOR REPORTING TO MACC



1800 886 000



info@sprm.gov.my



www.sprm.gov.my



019 600 0696



03 8889 4329



Did you know that you can post your complaint to MACC's P.O. Box 6000 without a stamp.



MACC, Block D6, Complex D,  
Federal Govt. Administrative Centre,  
P.O.Box 6000,  
62007 Putrajaya, Malaysia



OR  
any of its branches  
in other states

# CORRUPTION DATA

BY

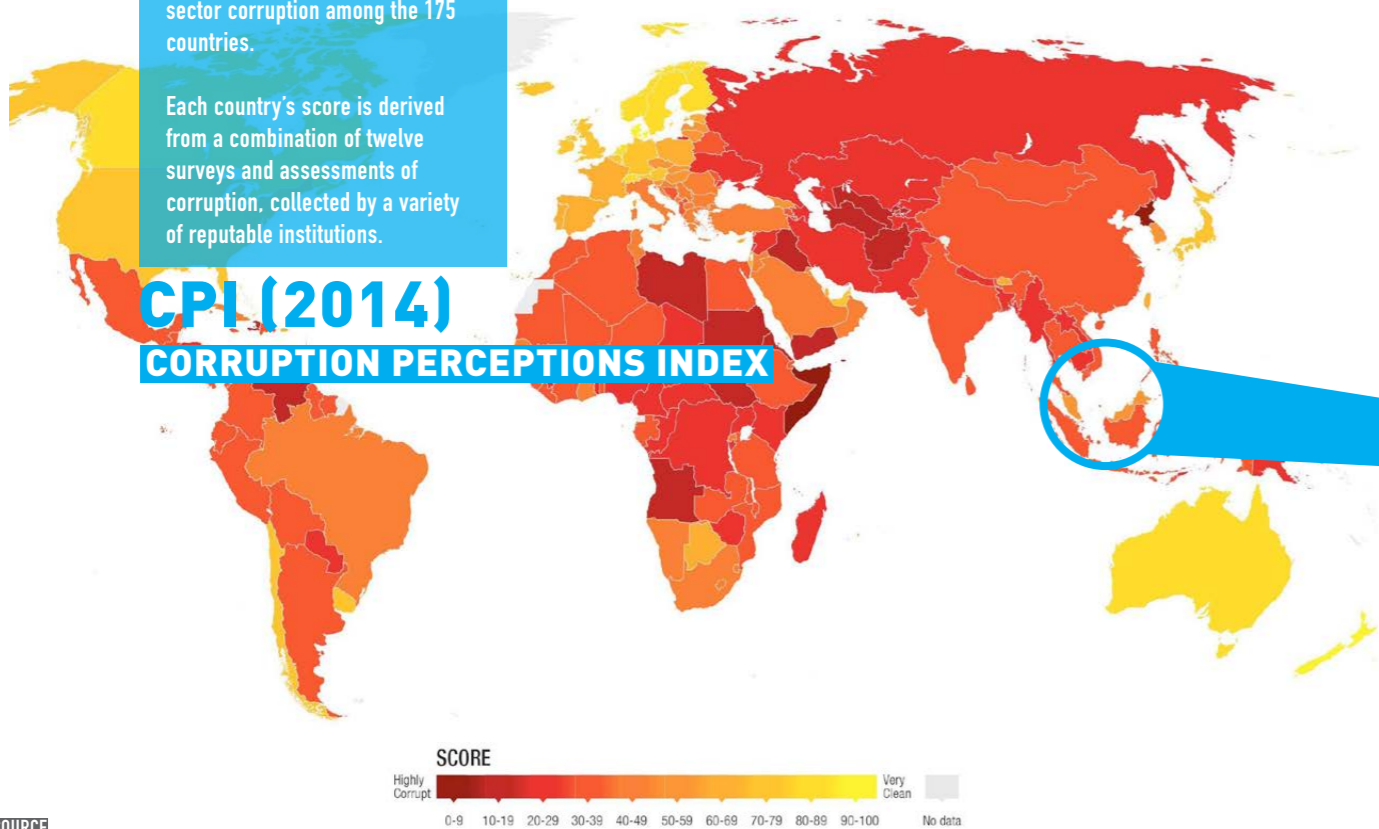


**TRANSPARENCY  
INTERNATIONAL**  
the global coalition against corruption

CPI is an index that reflects the perceived level of public sector corruption among the 175 countries.

Each country's score is derived from a combination of twelve surveys and assessments of corruption, collected by a variety of reputable institutions.

## CPI (2014) CORRUPTION PERCEPTIONS INDEX



In 2014, Malaysia ranked 50 out of 175 countries in the Corruption Perceptions Index.

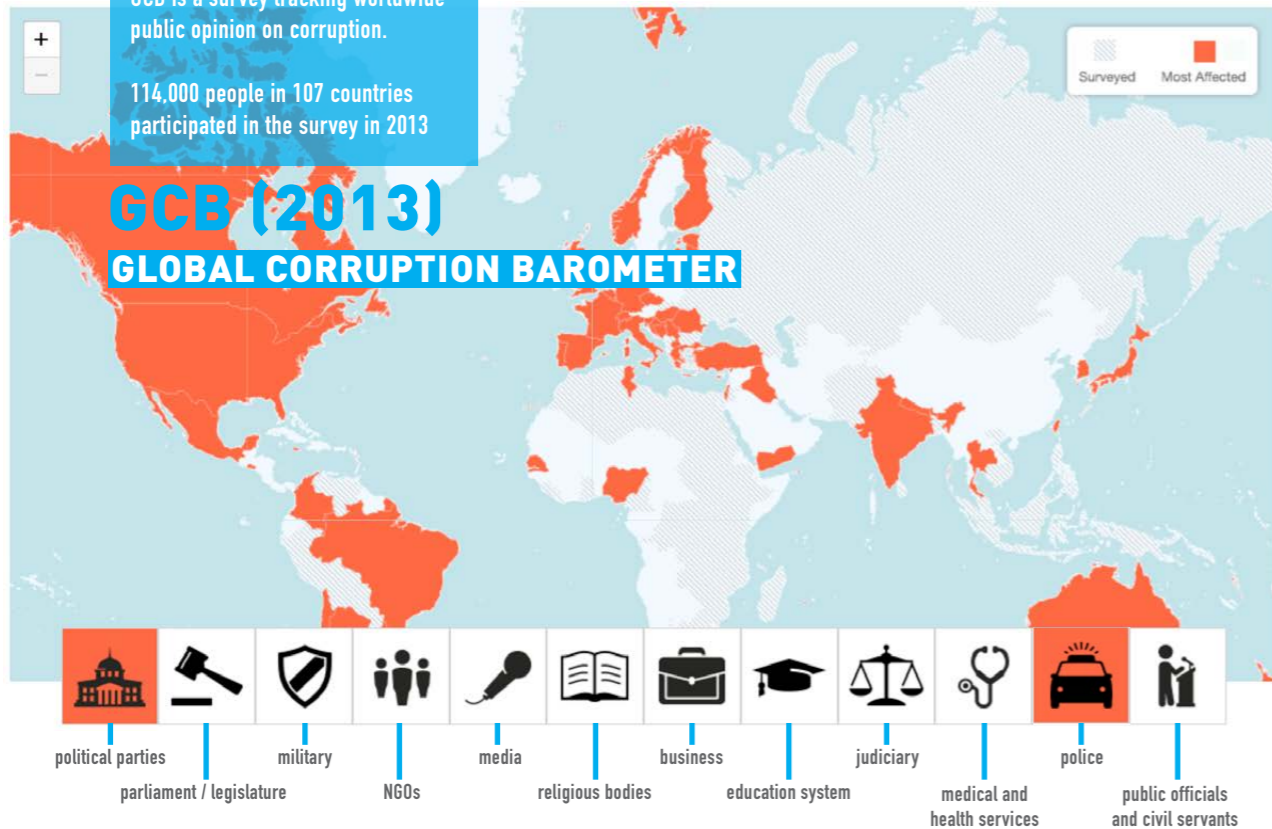
RANK	COUNTRY/TERRITORY	SCORE		
39	Slovenia	58	61	Croatia 48
42	Cape Verde	57	61	Ghana 48
43	Korea (South)	55	63	Cuba 46
43	Latvia	55	64	Oman 45
43	Malta	55	64	The FYR of Macedonia 45
43	Seychelles	55	64	Turkey 45
47	Costa Rica	54	67	Kuwait 44
47	Hungary	54	67	South Africa 44
47	Mauritius	54	69	Brazil 43
50	Georgia	52	69	Bulgaria 43
50	Malaysia	52	69	Greece 43
50	Samoa	52	69	Italy 43
53	Czech Republic	51	69	Romania 43
54	Slovakia	50	69	Senegal 43
55	Bahrain	49	69	Swaziland 43
55	Jordan	49	76	Montenegro 42
55	Lesotho	49	76	Sao Tome and Principe 42
55	Namibia	49	78	Serbia 41
55	Rwanda	49	79	Tunisia 40
55	Saudi Arabia	49	80	Benin 39



GCB is a survey tracking worldwide public opinion on corruption.

114,000 people in 107 countries participated in the survey in 2013

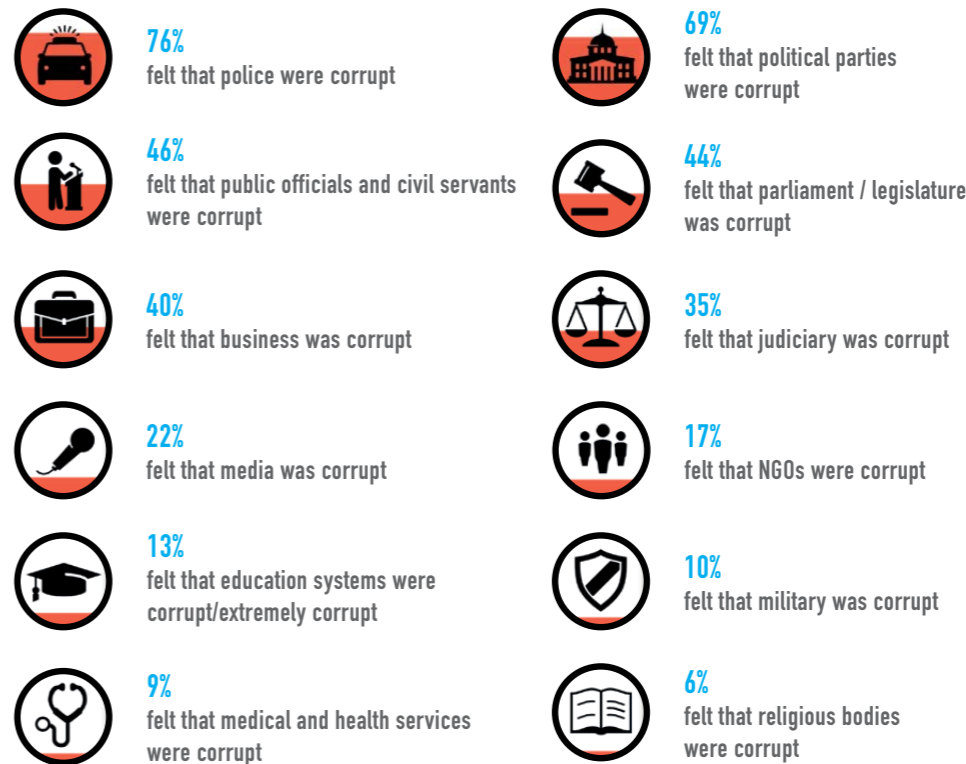
# GCB (2013) GLOBAL CORRUPTION BAROMETER



Overall, political parties are seen to be the most corrupt institution, followed by the police.

# GLOBAL CORRUPTION BAROMETER MALAYSIA 2013

PERCENTAGE OF RESPONDENTS IN MALAYSIA WHO FELT THESE INSTITUTIONS WERE CORRUPT IN MALAYSIA



# NATIONAL CORRUPTION DATA

by



TRANSPARENCY  
INTERNATIONAL  
MALAYSIA

## MALAYSIA CORRUPTION BAROMETER 2014

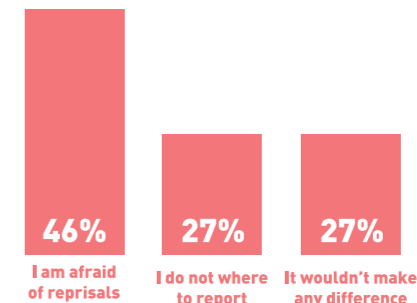
WOULD YOU REPORT AN INCIDENT OF CORRUPTION?

YES(51%)

NO(49%)



WHY NOT?



The Malaysian Corruption Barometer is a survey tracking the Malaysian public's perception on corruption.

One of the questions covered in the survey was their willingness to report an incident of corruption.

2000 Malaysians across Malaysia participated in the survey.

### SOURCE

<http://transparency.org.my/what-we-do/indexes/global-corruption-barometer/ti-m-2014-malaysia-corruption-barometer-mcb-results/>



# INITIATIVES TAKEN



# GOVERNMENT'S KEY ANTI-CORRUPTION INITIATIVES

## LEGAL FRAMEWORK

- Established the Malaysian Anti - Corruption Commission (MACC) on 1 January 2009 to prevent corruption.  
*Malaysian Anti-Corruption Commission Act 2009*
- Protection given to whistleblowers who disclose improper conduct to enforcement agencies.  
*Whistleblower Protection Act 2010*
- Established the Enforcement Agency Integrity Commission to address the misconduct of officers of 21 enforcement agencies. The agencies include the Immigration Department, Royal Malaysian Customs, Registration Department, Department for the Protection of Wild Life and Taman Negara, Labour Department and the Royal Malaysian Police.  
*Enforcement Agency Integrity Commission Act 2009*
- Protection given to witnesses for their safety and welfare for disclosing information regarding the commission of an offence based on a "threat assessment".  
*Witness Protection Act 2009*

## OTHER INITIATIVES

- Compliance Unit established in key enforcement agencies, for eg. MACC, the Police, the Road Transport Department, the Customs Department and the Immigration Department.
- Established 14 specialised anti-corruption courts where the judges have been instructed to dispose corruption cases within 1 year of trial.
- Disclosure of information on procurement of government contracts on the MyProcurement portal  
<http://myprocurement.treasury.gov.my>
- Corruption offenders database to "name and shame" offenders.  
<http://www.sprm.gov.my/name-and-shame.html>
- Upholding the international framework for anti-corruption by ratifying the United Nations Convention Against Corruption.  
[http://www.cpps.org.my/Resources-@-United\\_Nations\\_Convention\\_Against\\_Corruption.aspx](http://www.cpps.org.my/Resources-@-United_Nations_Convention_Against_Corruption.aspx)



## MALAYSIAN ANTI-CORRUPTION COMMISSION (MACC)

## SALIENT FEATURES

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### 3 PRONGED APPROACH



#### ENFORCEMENT

Detect and conduct investigations



#### EDUCATION

Educating the public against corruption



#### PREVENTION


Revise practices and systems to reduce occurrences of corruption

### GOVERNANCE FRAMEWORK

5 independent bodies overseeing MACC's activities\*. 2 of these oversight bodies are:

- **The Special Committee on Corruption** consisting of 7 members from the Houses of Parliament and advises the Prime Minister on the corruption problems in Malaysia.  
s.14, MACC Act
- **The Complaints Committee** consisting of not more than 5 members appointed by the Minister to monitor the handling of complaints of misconduct of the officers of MACC.  
s.15, MACC Act

\* The other 3 bodies are the Anti-Corruption Advisory Board, the Operations Review Board and the Consultation and Corruption Prevention Panel.



# TRANSPARENCY INTERNATIONAL MALAYSIA



## WHO WE ARE

Transparency International - Malaysia is an independent, non-governmental and non-partisan organisation committed to the fight against corruption.

It is the accredited National Chapter of the Berlin based Transparency International.

## OUR VISION

A nation that is free of corruption.

## HOW WE WORK

We work with the private sector, civil society, government, media and wider public to combat corruption and promote integrity.

## WHAT WE DO

Some of the projects include:

- Forest Governance Integrity Project (FGI)
- Business Integrity Programme (BIP)
- Reforming Political Financing
- Youth Integrity Promotion
- Speak Up Campaign

For more information, please visit:

[www.transparency.org.my](http://www.transparency.org.my)



# SERVICES BY TRANSPARENCY INTERNATIONAL MALAYSIA



## COMMUNITY VISITS & MOBILE SERVICES

Raise awareness and educate citizens on knowing their duty and rights to fight corruption

Acquire a deeper understanding of how corruption works

## WORKSHOPS



## ADVOCACY

Urge government to implement measures to reduce corruption opportunities based on research, data, findings and public engagement

Collaborate with other NGOs, e.g. Coalition for Good Governance, Integrity, Accountability and Transparency (GIAT)



## TOLL FREE SERVICE

New Toll Free Service - 1800 220 122

Transparency International - Malaysia will provide support and information, on a confidential basis and free of charge, on issues concerning corruption

Assist to refer corruption complaints to MACC

Note: Transparency International - Malaysia does not investigate

## WALK-IN CENTRE





# WHAT YOU CAN DO TO FIGHT CORRUPTION



## **SPEAK UP**

Report corruption.



## **SAY NO**

Don't engage or be pressured to bribe.



## **ASK QUESTIONS**

Challenge acceptance of corrupt practices.



## **KNOW YOUR RIGHTS**

Be informed to strengthen your voice.



## **PRACTICE GOOD VALUES**

Nurture and live by the principles of integrity, justice, impartiality.



# ANTI-CORRUPTION DECLARATION

## MY DECLARATION AGAINST CORRUPTION

tick

- I will not pay bribes
- I will not seek bribes
- I will work with others to campaign against corruption
- I will speak out against corruption and report on abuse
- I will only support candidates for public office who say no to corruption and demonstrate transparency, integrity and accountability

Signature:

Date:

# FAQs

## 1 What kind of environment does corruption thrive in?

Corruption thrives where temptation meets permissiveness: where institutional checks on power are missing, where decision making is opaque, where civil society is disempowered. It is therefore important to establish control mechanisms and systemic hurdles to prevent people from abusing their power.

## 2 What is transparency?

Transparency is about shedding light on rules, plans, processes and actions. It is knowing why, how, what, and how much. Transparency ensures that public officials, civil servants, managers, board members and businessmen act visibly and understandably, and report on their activities. And it means that the general public can hold them to account. It is the surest way of guarding against corruption, and helps increase trust in the people and institutions on which our future depend.

## 3 How can you measure corruption?

Given that bribes occur illicitly and secretly, a specific figure can only ever be approximate. Research has shown us that people's perceptions offer a reliable estimate of the nature and scope of corruption in a given country. The perceptions of country analysts, business people or the general public form the basis of corruption indices such as the Corruption Perceptions Index and the Global Corruption Barometer.

## 4 Where can you report corruption and any avenue for appeal?

Report to MACC using any of its channels for reporting corruption. Other avenues that can assist are: the Public Complaints Bureau in the Prime Minister's Department which has been established to manage public complaints within 15 days or the Enforcement Agency Integrity Commission which deals with the misconduct of 21 enforcement agencies.

## 5 What are TI-M's recommendations to reduce corruption?

- Stronger political will must be shown.
- Declaration of assets for public officers and politicians.
- Comprehensive regulation on political financing including being transparent in how they receive and spend political donations.
- Establish a public registry of beneficial owners information for all companies to uncover the real owners.
- Establish a global platform that allows the government and civil society to work hand in hand towards national transformation.
- Contracts should be awarded through open tender and competitive bidding.
- Establish a multi-disciplinary task force by Auditor General Department to work with the Ministries with intervention powers.
- Spearhead an ASEAN Anti-Corruption Action Plan to maintain growth, financial stability, investment and trade and reduce poverty and income inequality.

# MY NOTES



With appreciation:



Activity supported by the  
Canada Fund for Local Initiatives

Activité réalisée avec l'appui du  
Fonds canadien d'initiatives locales

Canada 

# SPEAK UP AGAINST CORRUPTION

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ACT NOW! CALL

**1800 220 122**

TOLL FREE, 9am - 4pm, Monday - Friday

[www.transparency.org.my](http://www.transparency.org.my)



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