



BANTERAS



GTP 2.0 - Fighting Corruption NKRA Enters Its Second Phase | MACC Vetting To Ensure GE13 Candidates Have A Clean Slate | The Witness Protection Act 2009 | MACC Operations Review Panel (ORP): Ensuring the MACC is above board

**INDEPENDENT, TRANSPARENT
PROFESSIONAL**

REPORT ANY CORRUPT ACT OR ABUSE OF POWER TO US
You Can Make A Difference
FIGHT Corruption



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EDITOR'S NOTE

Professional in Fighting Corruption

Corruption is no longer the simple act of giving and receiving that it used to be way back twenty or thirty years ago. In this globalisation era it has mutated into a complex and sophisticated criminal activity that is increasingly cross-border in nature and often involves criminal syndicates carrying out illicit activities that includes financial crime, acts of violence, money laundering and human trafficking.

From something which used to be concluded far from prying eyes, usually under the cover of darkness at secluded road sides, under a distant bridge, or shielded behind thick walls or closed doors, technological advancement has transformed the act of corruption into a sophisticated and clandestine activity that is becoming more and more difficult to even detect, what's more to solve.

Corruption is no longer confined to hard pressed individuals looking to make a quick buck – people of high standing, heads of department, politicians and influential businessmen are getting in on the act. Where a mere ten or a hundred ringgit at most used to literally change hands, tens of millions can now be transferred at the click of a mouse or a tab of the computer keyboard in the privacy of one's home or office.

Thus it should come as no surprise that combating corruption in its present modus operandi requires a high degree of skill, sophistication and competency in intelligence, investigation and evidence gathering right down to the prosecution process if one is to succeed in bringing these felons to book.

In light of these challenges, it becomes necessary for MACC enforcement officers to be

creative, innovative but ethical, and competent in conducting their investigations while remaining INDEPENDENT, TRANSPARENT and PROFESSIONAL at all times.

They must be willing to extend their cooperation and services to people from all walks of life, carry out their duty responsibly and to the best of their ability, and endeavour to uphold the integrity of the commission in the eyes of the public. Corruption is a scourge that if left unchecked, would eventually threaten the nation's sovereignty. Hence any report or complaint on corruption, involving no matter whom, should be investigated in an impartial and professional manner.

Under the MACC Act 2009, MACC officers are empowered to investigate 'scheduled offences' as listed under the Malaysian Penal Code, section 137 of the Customs and Excise Act 1954, the Election Offences Act 1954, the Anti-Money Laundering and Anti-Terrorism Financing Act 2001, the Criminal Procedure Code, in addition to the Police Act 1967 and the Freedom of Information Act.

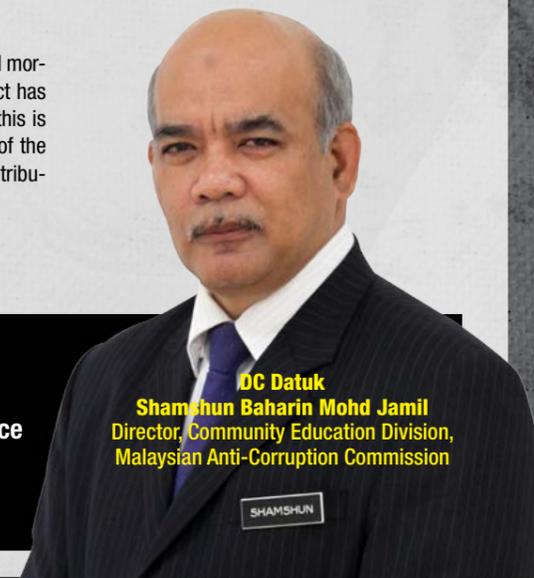
With regards to the tendering of evidence in a court of law, there exist slight differences between charges involving corruption and abuse of power compared to those that involve other criminal acts. It requires a high degree of skill and professionalism to differentiate and appreciate these subtle nuances.

Admittedly, differences between the legal and moral definition for what constitutes a corrupt act has often caused confusion for the layman. But this is no reason for the public to hold a dim view of the MACC's efforts and deny its success and contribution in fighting corruption.

Improvements in the government's delivery system especially those concerning the enforcement agencies and integrity pledge in the government and private sector procurement process have greatly enhanced transparency and reduced corruption. This success is manifested by the improvement in the Corruption Perception Index (CPI) for Malaysia from 60th placing in 2011 up to 54th placing in 2012.

As citizens in a country that places a high premium on fighting corruption, all of us aspire that Malaysia eventually be in the same CPI league as developed economies like Denmark, Finland, New Zealand and Sweden amongst a few others. The people of these developed countries enjoy a high standard of living mainly because the fruit of their labour is not squandered away by corruption but is distributed a fair and just manner instead. Such a scenario is only possible if the people have zero tolerance for corruption. This can only be achieved if the citizens in the country possess a high degree of awareness on the debilitating effect of corruption and stand squarely behind their government's effort in fighting corruption.

Together we can make a difference.
FIGHT CORRUPTION



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GTP 2.0 - Fighting Corruption NKRA Enters Its Second Phase

The National Key Result Area (NKRA) for fighting corruption which was set up under the Government Transformation Programme (GTP) is now entering into its second phase. The GTP 2.0 which covers the period 2013 to 2015 will concentrate on twenty initiatives to combat corruption, four of which will focus on enhancing and strengthening the enforcement agency, tackling grand corruption, promoting transparency in government procurement, and education aimed at drumming up public support.

At the same time, fourteen out of the twenty initiatives can be implemented within the first year of the GTP 2.0 road map. They are targeted to deliver Big Fast Results (BFR) and provide a positive impact to the country.

The administrative and management aspects of the GTP 2.0 have been already been laid down to ensure identified targets are achieved within their allocated timeline. The implementation of these initiatives needs to be speeded up to enable the government to proceed with the quest to fight corruption in the country in a concerted manner, especially with respect to government procurement contracts.

The GTP 2.0 expands and enhances the GTP 1.0 initiatives that have proven to be effective. It also introduces new initiatives to reduce graft through a comprehensive enforcement regime and enhanced transparency that would further improve the Corruption Perception Index (CPI) score, which in turn, would improve the peoples' perception towards the government and the public sector.

Since its introduction in 2010 the GTP's NKRA Against Corruption have brought tremendous changes and improvements



to the government's service delivery system by reducing opportunities for corruption to occur and increasing the peoples' confidence in the government.

The fight against corruption reached a new level with the nine 'Big Wins' which comprise the establishment of the 14 Special Corruption Courts to clear backlog cases and expedite trial; establishment of the 'Name and Shame' database whereby convicted corruption offenders are published on the Malaysian Anti-Corruption Commission (MACC) website; enforcement of the Whistleblower Protection Act 2010 (Act 711) to encourage people to report corrupt practices and provide protection to those who come forward to report; and the establishment of the MyProcurement and MyPartnership portals where government awarded tenders are published on Public Private

Partnership Unit (UKAS) official portal. Others were guidelines for civil servants on how to handle support letters; implementation of integrity pact in all government projects; establishment of Compliance Units in key enforcement agencies; 'Hot Job Rotation' and reducing discretion through automation within key enforcement agencies to enhance integrity in the public service.

Other initiatives which were implemented earlier on included the monitoring and fast tracking of response to comments raised in the Auditor General's Report, establishment of Corruption Prevention Secretariats at Institutes of Teacher Education, enhancing anti-corruption training for Members of Parliament, establishing an Action Committee to act on the Attorney General's Report, and adoption of a two-tier control on political funding to prevent politicians

from misusing political funds for their personal interest.

Meanwhile, new anti-corruption initiatives are on the drawing board and will be tabled for enactment in parliament after an exhaustive study and research has been conducted.

The GTP 1.0 (2011-2012) got on to a good start and achieved all of its targets. Although it is a well known fact that corruption cannot be eradicated overnight, these initiatives have managed to improve the country's Corruption Perception Index (CPI) to 54th placing in 2012 compared with the 60th placing in the previous year. This achievement is something that all Malaysians should be proud of.

It is indeed an irony that despite the NKRA Against Corruption numerous

successes, there are those among us who still harbor unfounded suspicion on the government's anti-corruption effort. Sadly, the tendency for some quarters to politicise matters and blow everything out of proportion not only hinders the government's noble efforts but also paints a darker picture of the country than it really is.

Obviously more needs to be done to raise public awareness about the issue on all levels. The GTP 2.0 (2013-2015) sets out to address the problem by raising public support and awareness by incorporating anti-corruption education in schools, establishing Corruption

Prevention Secretariat in institutes of teacher education, and enhancing anti-corruption training for Members of Parliament.

In the final analysis, the fight against corruption boils down to individual integrity and commitment. All of the government's efforts will come to naught if despite knowing the evils of corruption, there are among us, those who are still intent on making a fast buck regardless of the consequences.

Instead of arguing with the graft busters, we should all join hands in going after those who are corrupt.





The Malaysian Anti-Corruption Commission (MACC) Consultation and Corruption Prevention Panel (CCPP) has proposed that all political candidates nominated to contest in the forthcoming 13th general election (GE13) be vetted by the Commission.

The proposal, CCPP chairman Datuk Johan Jaafar said, is to ensure potential candidates have a clean slate, and in doing so, nip in the bud any attempts to cast aspersions on their integrity as well as prevent any baseless accusations against their party.

Since all the political parties have explicitly expressed their support to fight corruption, it follows that they should not hesitate to throw in their support to the proposal as well, he said to reporters after chairing the panel's meeting recently.

The vetting process which is to be decided by the MACC, would be administered to all GE13 candidates whether they are vying for a Parliamentary or a State Assembly seat and whether they are seeking a second term or are first timers, he said.

The vetting will enhance the credibility of the candidates selected.

The CCPP chairman's opinion is echoed by party leaders, observers

**CCPP Chairman
Datuk Johan Jaafar**

and political analysts who feel that by proving a candidate is transparent and above board, the vetting process would also boost public confidence in the said candidate.

They believe that prevention is better than cure: the procedure will save their party from the embarrassment of having their candidate's can of worms opened only after winning the elections.

According to Johan, the panel will also be submitting a proposal for all members of the government administration at federal and state levels including their close family to refrain from applying for any government contracts.

This is to avoid any conflict of interest and eliminate any room for corruption, he said.

The panel have also suggested that members of Parliament and state assemblies declare their assets to the MACC on an annual basis to prove their commitment to fight corruption.

Such declaration should not be a one-off thing which takes place before their taking office rather it should be done every year they are holding the post. There should be no exception, Johan said.

MACC VETTING TO ENSURE GE13 CANDIDATES HAVE A CLEAN SLATE



INTEGRITY AND CONDUCT : THE UNCOMPROMISABLE ELEMENT IN SERVICE DELIVERY



In Malaysia, the civil service is entrusted with the task of delivering services to the public at large. Being civil servants whom are also known as government officials must also bear in mind that we are actually 'servants' to the stakeholders and clients. We were never meant to be 'officials' who could dictate service delivery. We were never given the choice or granted discretionary powers in deciding service delivery. We were employed to realise all services promised by the government to the public in accordance to established policies. Hence, we whether like it or not, have to deliver good, efficient and effective services continuously in a very professional manner.

Civil service is made up of many ministries, departments and agencies in the federal, state and local council's level with powers to carry out the work

of the Malaysia's democratically elected government. Thus, the civil servants have to serve the government of the day with undivided loyalty. We must act with a spirit of service to the community and meet the same high standards of integrity and conduct in everything we are tasked to do.

We being civil servants must comply with all standards of integrity and conduct at all times as being set out in the civil service codes. As such, our organisations must maintain policies and procedures that are consistent with all laws and regulations being in force at the material time of the service delivery. We must deliver services at least in accordance to our client charter if not any better. However, it is the responsibility of the departments concerned to deliver excellent services and in a consistently satisfying manner.

In delivering services to the public, civil servants are expected to be always fair, impartial, responsible and trustworthy. Head of departments in the other hand are tasked to ensure all service delivery comply with at least the four elements mentioned and could extent with other applicable elements. It could be fulfilled if we collectively have the will power to do so. Senior officers of every organisation have to plan, lead, organise and control all resources such as man, machine, money and methods to make sure service delivery is consistently effective and efficient at all times.

We are expected and must be fair in carrying out our duties. We must treat everyone fairly and with respect. It is a requirement in service sector to be professional and responsive to the needs and wants of the stakeholders and clients. Thus, work to make government

services accessible to everyone without any exceptions or preferences. There shall not be any compromise to the effectiveness and efficiency in all service delivery. Therefore, civil servants are expected and must strive to make a difference to the well-being of the nation and its citizens.

We must be impartial. We are required and must maintain the political neutrality to enable us to work with the government of the day, whether we had voted for them or not. It is not we singularly decide the government of the day but the majority of the voters. Hence, once a government is established then we being civil servants must at all time work to ensure the fulfilment of task entrusted by the said government. There is no way we could be reluctant to do what we are obliged to do. We must carry out the functions of our organisation, unaffected by our personal beliefs. We must be at all times support our organisation to provide robust and unbiased advice in

service delivery. We have to respect the authority of the government of the day as long as our integrity and conduct is not undermined.

We must act in responsible manner. We have to act lawfully and objectively in ensuring the satisfaction of our stakeholders and clients in all services rendered. We have to serve every client equally without any sentiments to relationship, race, religion or gender. We must only use all our organisation's resources carefully and in a proper manner, and of course only for the intended official purposes. No one shall abuse or misuse the organisation's resources irrespective of the perceived intentions. All resources whether man, machine or money must be used in a very responsible and unquestionable manner. Likewise, all information must be treated with care and use them only for proper and approved purposes. Dissemination of information whether confidential or not must be in accordance with the current rules and regulations. Everyone singularly or collectively must observe the principle of 'need to know

basis'. No official information must be solicited from others with ill intentions or any other purpose to abuse. There shall not be any conflict of interest in the use of any official information. We have uncompromised responsibility to work to improve the performance and efficiency of our organisation.

Last but not least, we must be trustworthy in all what we do. In being trustworthy we shall be honest and work to the best of our abilities. We must always ensure our actions are not affected by our personal interests or relationships. We shall not give preferences to our spouses, siblings, relations, ethnic, race and religion. Every civil servant must at all time, be incorruptible and never misuse one's position or powers for personal gain whatsoever. We must decline gifts or benefits that would place us under any obligation or perceived influence and at all time avoid any activities, work or non-work, which may harm the reputation of our organisation or of the civil service as a whole.

In conclusion, we being a civil servant should at all time whether during office or outside office time maintain high integrity and conduct. We shall not allow any undermining or damage to our personal and organisational reputation. Being civil servants, we are expected to serve the nation and satisfy the public in matters of service delivery. In doing so, the civil service and civil servants will earn the respect of the public whom we serve.





THE WITNESS PROTECTION ACT 2009

Witness not turning up in court; witness cannot be traced; witness turned hostile – it's all about the witness. Many people might not appreciate the importance of having a witness to beef up the prosecution of a case in court. Evidence tendered by the witness, particularly in a criminal case, is crucial to the successful disposition of a court case. The strength of any prosecution lies in the reliability and ability of the witness to convince the judge beyond any reasonable doubt that the accused is guilty of committing the crime that he is charged with. If the witness fails to do so, chances are that the case will crumble.

Sometimes witnesses who initially were willing to speak out subsequently withdrew their complaint and even turned hostile because they have either been intimidated or threatened in lieu

of their position as bearers of evidence and thus fear for their safety.

Hence a special witness protection programme was introduced to protect crucial witnesses whose testimony may put them or their family members in jeopardy. The Witness Protection Act (WPA) was introduced on April 30th 2009 to provide protection to those witnesses who have either been offered such safety precaution or have applied to be included in the programme. The WPA is administered by a Director General who is appointed by the Prime Minister and it is equally applicable in all government enforcement agencies.

Under Section 6 (1) of the Witness Protection Act, the witness must provide whatever records, documents, statements and other evidence deemed

necessary to facilitate the Director General in the carrying out his duty. The witness will be guilty of committing an offence under Section 6 (2) of the said Act and will be liable to a fine of not exceeding RM3, 000 or imprisonment for a term not exceeding six months, or both if he withholds any information. However, no action will be taken against the witness if he complies with the requirements stipulated under Section 6 (1).

Section 9 (1) of the WPA empowers the Director General to make recommendations – which will be up to the Attorney General's discretion – as to which witness should be included in the protection programme.

When making his recommendation, the Director General shall

take the following factors into consideration:

- (a) Whether the witness have a criminal record especially relating to violent crimes which would place the public at risk if the witness is included in the Programme;
- (b) Results of the medical examination including psychological and psychiatric screening as provided under sub-section 8 (2);
- (c) The seriousness of the offence to which the evidence or statement of the witness relates;
- (d) The nature and importance of the witness' evidence or statement;
- (e) Whether or not there are alternative methods of protecting the witness;
- (f) The nature of threat alluded by the witness;
- (g) The relationship between the witness and those who are selected for inclusion into the Programme;
- (h) Any other matters as the Director General considers relevant.

Once included under the Witness Protection Programme, the safety of the witness shall be protected. In providing protection to the witness, the actions taken by the Director General shall include:

- (a) Relocating the participant;
- (b) Providing accommodation to the participant;
- (c) Providing whatever documents necessary for changing the identity of the participant;
- (d) Providing transportation to relocate the participant's assets;
- (e) Financial remuneration that will place the participant in the same pecuniary position prior to his joining the Programme;
- (f) Providing reasonable financial aid including other direct or indirect assistance deemed reasonable to meet living expenses if the participant is unemployed prior to joining the Programme;
- (g) Reimbursement for relocation expenses;

(h) Providing assistance in securing gainful employment and access to education;

(i) Providing any other reasonable measures to ensure the participant's safety and welfare;

(j) Any other form of assistance that the Director General deems necessary.

Under Clause 13 of the WPA, a witness who is participating in the Programme will be provide with accommodation, remuneration that commensurate with his income and whatever documents necessary to assume a new identity.

The same Clause also empowers the Director General authorise his officers to assume a secret identity together with the relevant documents to support such an identity, in conducting their investigations under the Programme.

Nevertheless, neither the Director General nor his officers can be compel to disclose or reveal in the court, tribunal, commission or inquest, the documents that are in their possession except to the judge or magistrate in chambers, where such declaration is vital in the legal proceedings at hand.

With the enactment of the Witness Protection Act it is hoped that those who were once reluctant would now forward with their testimony and help the court to give criminals their just desserts. This government has given its safety guarantee; it is up to us to see to it that the sword of justice strikes swift and sure without fear or favour. Together, we can eradicate crime.



IMPLEMENTATION OF SET TO REDUCE ACCIDENT RATE ON MALAYSIAN HIGHWAYS AES

**Datuk Hisham Nordin : Director of Monitoring and Coordination
Division of NKRA Fighting Corruption**



The Automated Enforcement System (AES) is a traffic monitoring system that uses high-technology cameras which are not available in the country, to detect and record in the form of photograph and video, those who beat the red light, exceed the speed limit or run afoul of traffic regulations.

The AES has its beginning in the 'Road Safety Plan 2006-2010', which is a mandate given by the Prime Minister to the Ministry of Transport to address the alarming

rise in road fatalities and injuries in the country.

Under the Plan, the responsibility to provide guidelines and initiatives for road safety was delegated to the Road transport Department (JPJ) since the Land Public Transport Commission (SPAD) was not yet in existence at the time.

Prior to choosing the suppliers for AES, the JPJ had benchmarked best practices in traffic and road safety management in developed countries

like Korea, Australia and Germany among many others.

The department then invited nine international companies to participate in an open tender for the supply of equipment and technical expertise for the implementation of the AES in Malaysia.

Out of the nine that were invited, seven companies eventually participated and conducted a month-long live demonstration at two locations, to showcase their capabilities.

Subsequently, the Tender Panel which is composed of officers from the Transport Ministry, Finance Ministry, Malaysian Institute of Road Safety (MIROS), Road Transport Department, and the Standard and Industrial Research Institute of Malaysia (SIRIM), deliberated to determine the company that had delivered the best performance in terms of accuracy, clarity, number of snap shots besides providing the best technology at the lowest price.

Eventually two companies were shortlisted to provide the equipment

trap cameras from two different manufacturers to monitor' traffic in the 831 'black spots' that has been identified along the network of state and federal roads and highways.

The cameras – which have an 11MP resolution and are connected via a broadband link to the respective system's headquarters – will be able to record both still images and video footages of over-speeding vehicles and those committing road traffic offences.

The photograph and video is then

between the traffic offender and the enforcement officer, the AES eliminates any opportunity for corruption to take place.

By dramatically increasing the chances of catching traffic offenders red handed, the AES disciplines them to be more courteous and observant of traffic regulations. However, reducing road accidents and fatalities still boils down to the individual motorist driving safely, sticking to the speed limit and obeying the road signage.



and technical knowhow for the implementation of the AES on Malaysian roads.

The AES system uses around 800 fixed and 500 portable speed

passed on to the JPJ, which will verify it as the 'smoking gun' evidence before issuing a traffic summons to the registered owner of the offending vehicle.

By removing any physical contact



If you really want to find a great job,
choose something you love to do,
make sure you're with people you like,
and then give it your all.

.....
**Jack Welch Former Chairman
and CEO of General Electric**

MACA Facilities Available

The Malaysia Anti-Corruption Academy (MACA) is the leading centre of excellence in anti-corruption training. One of the main objectives of the MACA is to enhance the skills and knowledge of the officers of the Malaysian Anti-Corruption Commission (MACC). As the premier anti-corruption training centre in the country and in the Asia-Pacific region, the MACA campus situated at Persiaran Duta, Kuala Lumpur offers a comprehensive range of facilities for the convenience of both participants and trainers. These include:



1. Lecture Theaters

There are ten lecture theaters each of which can accommodate 100 participants at any one time.



2. Gymnasium

After attending lectures all day long, participants can rejuvenate themselves by sweating it out in the gymnasium located in Block B.



3. Library

The MACA library at Block A stocks some 1,500 reference books relating to investigations, prosecution, legislation, intelligence gathering, and corruption prevention in both Bahasa Malaysia and English. The library accommodates 25 people.

4. Staff Quarters

The MACA provide quarters for the convenience of teaching staff that may be required to conduct training sessions at night.



5. Computer Labs

There are two computer labs with internet access located in the main block. Each lab is fitted with 30 personal computers, an LCD projector and an audio system.



6. Moot court

This replica of the sessions court is used to acquaint participants in the formalities of a court proceeding, including how to present and handle a case in court.



7. Cafeterias

Each of the two hostels which are a five-minute walk away from the lecture theaters has a cafeteria.



8. Syndicate Rooms

There are 26 syndicate rooms which provide a theater ambience for a small group of people to conduct meetings, briefings and interviews.



9. Prayer Room

Two prayer rooms for Muslim participants to perform their daily prayers in are located on the fourth floor in Block A, and the ground floor in Block B.



10. Accommodation

The MACA offers four categories of hotel-class accommodation comprising suite, deluxe, superior twin, and family room. They provide a relaxing ambience for participants to relax and unwind after a hard day's work.



11. Transportation

The MACA has its official busses to ferry participants to and fro any outside location if so required in the course of their training session.

Those who would like to use the facilities at the MACA can direct their enquiries to the management at 03-62092800.



PUTRAJAYA – The Malaysian Anti-Corruption Commission (MACC) hosted a dinner at the Putrajaya International Convention Centre (PICC) recently to celebrate the commission's success and achievements in its quest to fight corruption, and to express its gratitude and appreciation to past and serving staff and officers for making it all possible.

Held in conjunction with World Anti-Corruption Day which falls on December 9, the inaugural dinner carrying the theme 'Act Against Corruption Today' was attended by some 1000 people.

Apart from retired and former officers of the then Anti-Corruption Agency (ACA) and past and serving members of the Commission, those invited also included the former Director General; the former Senior Federal Counsel; members of the MACC Anti-Corruption Advisory Board, Operations Review Panel, Complaints Committee and the Consultation and Corruption Prevention Panel; Certified Integrity Officers (CeIO); representatives of agencies that have signed the Corporate Integrity Pledge (CIP); and members of the organising committee for the IAACA 2012 Conference and AGM.

Deputy Home Affairs Minister Datuk Wira Abu Seman Yusop was also present to grace the event.

The auspicious evening started off

with the rendering of the song Basmi Rasuah (Eradicate Corruption) by the MACC choir, followed by video clip titled Salasilah BPR (Evolution of the ACA) to the accompaniment of a pantun (quatrain). And as they dined, guests were treated to soothing music played by the MACC's in-house musical group Panca Ritma Muzika Symphony

In his opening address, Former MACC Officers Association Chairman Abdul Razak Bin Idris, congratulated the MACC for its initiatives and success in combating corruption and improving the Corruption Perception Index (CPI).

Transparency International (TI) has given Malaysia a CPI score of 49 out of 100, with a country ranking of 54 out of 176 countries for this year. This is a significant improvement compared with last year's CPI score of 43 out of 100 and country ranking of 60 out of 183 countries.

In the 2012 TI survey, Malaysia clinched the third spot among the South East Asia countries at shares the 54th spot worldwide with Czech Republic, Latvia and Turkey.

MACC Complaints Committee Chairman Datuk Mohd Noor Abdullah in his speech said the MACC had transformed from being moderate to good, and is now travelling on the road of excellence.

The Commission should not rest on its

laurels but continue to strive even harder to maintain such excellence, especially in light of the support and commitment shown by the Government and the high expectation the community has of the MACC, he said.

Meanwhile, MACC Chief Commissioner Datuk Seri Abu Kassim Mohamed expressed his sincere and heartfelt gratitude to the MACC panel and committee members for their valuable views and advice in helping the Commission carry out its functions more effectively. Abu Kassim also extended his gratitude to former ACA and MACC personnel present at the dinner for their contributions in fighting corruption.

Referring to his recent appointment to the International Anti-Corruption Academy (IACA) Board of Governors, the MACC Chief said it is the highest accolade and appreciation that the Commission is showered with in respect to its anti-corruption initiatives.

The appointment will benefit Malaysia as it will encourage the sharing and exchange of expertise between MACA and IACA. This shows that Malaysia's contribution in combating corruption is globally recognized, he said.

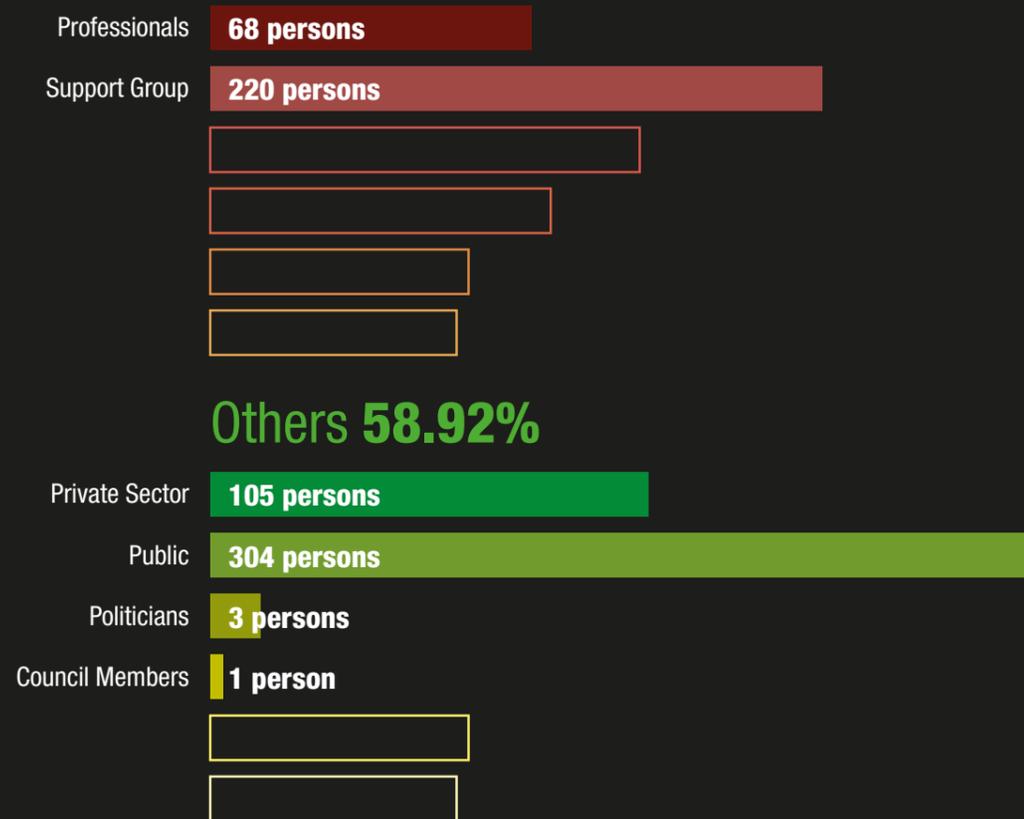
According to Abu Kassim, the greatest challenge facing the MACC now is the proclivity to turn corruption into a political issue. He urged those who have anything to complain about corruption to approach the Commission directly with their problems. The MACC is always willing to listen and discuss your complaint in the most constructive way, he said.

The evening culminated with the launching of the MACC's new web portal and that of the Association of Former MACC Officers, followed by the presentation of the Certificate of Appreciation to members of the organising committee for the IAACA Conference 2012 and MACC officers who will be going into retirement in 2012.

STATISTICS of ARREST

January until December 2012

Civil Servants 41.08%



SECTOR	TOTAL PERSONS	PERCENT (%)
<input checked="" type="checkbox"/> Civil Servant	288	41.08%
<input type="checkbox"/> Top Management	0	
<input type="checkbox"/> Professionals	68	
<input type="checkbox"/> Support Group	220	
<input checked="" type="checkbox"/> Others	413	58.92%
<input type="checkbox"/> Private Sector	105	
<input type="checkbox"/> Public	304	
<input type="checkbox"/> Council Members	1	
<input type="checkbox"/> Politicians	3	
TOTAL	701	100%



knowledge is acquired, character is molded, and habits – both good and bad, are acquired.

A recent survey conducted among university students in the country revealed that a surprising number of them see corruption as being part and parcel of doing business. They actually believe that it is perfectly acceptable to grease someone's palm to get things done. It is not.

Obviously if we are to make any headway in the fight against corruption, this misconception needs to be corrected. That corruption is a plague that destroys not only the givers and takers but also mars the integrity and reputation of everyone else who come into contact with them, needs to be drummed into

and universities to promote the establishment of an Anti-Corruption Secretariat (SPR-IPT) in as many of these institutions as possible.

These secretariats play a vital role in inculcating noble values and anti-corruption sentiments amongst campus citizens. In turn, this would contribute towards eventually producing leaders whose moral, reputation and integrity is beyond reproach.

By holding social activities like anti-corruption open-days, seminars, exhibitions, public service video competition among

many others, these secretariats act as the tentacles of the MACC by interacting with members of the public to inculcate noble values and promote an anti-corruption culture among the youths in our society.

Encouraged by the positive response from colleges and universities nationwide, the MACC has decided to extend its Anti-Corruption Secretariat programme to include the teacher education institutes as well. As an added measure, the commission has also proposed that elements of noble values and anti-corruption be included in the education

curriculum in both primary and secondary schools.

There is a Malay proverb which says that if one wants to shape a bamboo, one should start doing so while it is still a shoot. In the enculturation of noble values and integrity of character, it is only by training and molding our citizens into shape while they are still young that we can ever hope to have a society that truly abhors corruption – one that would propel the country into becoming a developed nation as envisaged under Vision 2020.

CORRUPTION PREVENTION SECRETARIAT

Why it is important to have one at each higher learning institution

Mention the word 'corruption' and chances are people will start pointing their fingers at civil servants, especially those who are in a position of power and influence like enforcement officers at government agencies and politicians and the like, who use their position for their personal interest. Is this perception justified? If so, when and where did these people pick up such

negative trait? It has to be said that the majority of civil servants, especially from the middle level management onwards, have graduated from either a public or private higher learning institution prior to joining the service. Thus we can safely assume that these institutions are the traditional breeding grounds for the upper echelon in the corporate and government sectors. It is here that

students and youngsters who will be the captains of industries and leaders of the country one day. But how do we go about doing it?

The Malaysian Anti-Corruption Commission has decided that the only sure-fire way is to go to the breeding grounds to nip the problem in the bud. In this regard MACC officers have been going round to the colleges



Petrol dealer pleads guilty to making a false claim

KUCHING – A petrol dealer pleaded guilty in the Session Court to the charge of committing an offence under section 18 of the MACC Act 2009, recently.

According to the facts of the case, Lee Tung Poh, 50, the proprietor of Syarikat Got Petrol Filing, had between the hours of 8.00 am and 5.00pm on May 24, 2010, attempted to deceive Dalgish Stewart Lena by making a false claim via Invoice Number 00444, purporting to have delivered 800 litres of diesel and 400 litres of petrol to Ng Siek Hua when in fact, only 600 litres of petrol worth RM1, 020.00 had actually been delivered. The offence was committed at the Domestic Trade, Co-operatives and Consumerism Ministry (KPDNKK) branch office in Sri Aman, Sarawak.

Judge Ahmad Azhari Abdul Hamid sentenced Lee to one day in jail and a fine of RM10, 000.00.

At the same court, Teng Mee Kiong, 39, who manages the Chai Seng Filing & Service Station, was charged with making a false claim to the KPDNKK via four invoices totalling RM 14,850.00, purportedly for the delivery of petrol and diesel fuel to the Kabong District Fishermen's Association when in actuality no such delivery took place. The offence was committed on February 11, 2012.

Lee was sentenced to a day in jail and fined RM75, 000.00.

The prosecution was led by Deputy Public Prosecutor Law Chin How while both the defendants were unrepresented.

Fined RM100, 000 for giving a bribe

LABUAN – A businessman was fined RM100, 000 or sentenced to eight months in jail in lieu, for giving a bribe to Lieutenant Maritime Nor Azmi Mohd Dahlan as inducement not to detain his trawler boat which was suspected of being in breach of the Merchant Shipping Ordinance 1952/60.

Judge Dean Wayne Daly found Lee Siew Hee, 48, guilty of committing an offence under section 17(b) of the MACC Act 2009.

Lee was accused of giving RM20, 000 to a civil servant at the Tiara Hotel in Cape House, Labuan at 10pm on May 12, 2010, as inducement not to detain his trawler boat Hornbilland 2 which bears the registration number QMY 2692. He pleaded guilty to the charge.

Prosecution was led by MACC Deputy Public Prosecutor Joyce Blasius and Senior Superintendent Awang Samsul Baharum Bungso, while the defendant was unrepresented.

Factory supervisor fined RM10, 000

IPOH – A factory supervisor who pleaded guilty to the charge of committing an offence under section 17(b) of the MACC Act 2009 was sentenced to one day in jail and fined RM10, 000 in the Ipoh Session Court recently.

According to the facts of the case, Rajah Narasaim,47, had, at in the hours between 3.15pm and 3.55pm on April 22, 2101, given RM1,000 to Civil Defence Assistance Abdul Aziz Saat as inducement to secure the release of a male Bangladeshi national and a female Myanmarese national, both of whom did not have valid travel documents. The offence was committed in front of the Monex Timber Sdn Bhd factory in Tanjung Rambutan.

Deputy Public Prosecutor Hafiz Abu Bakar led the prosecution before Judge Julie Lack Abdullah. The defendant who was unrepresented, paid the fine.

Ex-local council president charged for misappropriating public fund

SHAH ALAM – The Sessions Court recently sentenced an ex-Selayang Municipal Council President to three years imprisonment and fined RM132, 500 for using the council's fund to finance the maintenance of his house.

The accused, Datuk Bakaruddin Othman, 58, was charged under Section 15 of the Anti-Corruption Act 1997 and found guilty of using his position as the Council President, in receiving gratifications amounting to RM26, 500 in the form of financing the maintenance of his house located at No. 14413 Jalan Laksamana 9, Kampung Laksamana, Batu Caves Selangor.

The offence was committed between June 2001 and April 2002 when the accused approved funds utilised for the maintenance of his house at the Council's Tender Committee Meeting held on 27 October 2001 and thus proving to have a personal interest at the meeting.

Judge Asmadi Hussin sentenced Bakaruddin under Section 16 of the Malaysian Anti-Corruption Act 2009 after being convinced that the defence council failed to raise any reasonable doubt based on the charge.

Prosecution was led by Deputy Public Prosecutor Muhammad Saifuddin Hashim Musaimi and Nik Azrin Zairin Nik Abdullah while the accused was represented by counsel Akberdin and Datuk Jarjit.



PERAK STATE AGRICULTURAL DEVELOPMENT CORPORATION INKS CORPORATE INTEGRITY PLEDGE



IPOH – The Perak State Agricultural Development Corporation (PPNP) is the first government agency in the state to sign the Corporate Integrity Pledge (CIP) as part of its effort to enhance the corporation's administrative structure and operations procedure.

PPNP Chief Executive Officer, Ahmad Rizal Abd. Rahman, signed the CIP with MACC Deputy Chief Commissioner (Prevention) Datuk Sutinah Sutan at the signing ceremony which was held on December 7, 2012 at the Perak Darul Ridzuan Building in Ipoh on December 7, 2012.

In his opening address, Perak Chief Minister Datuk Seri Zambry Abd Kadir said the CIP springboards the corporation's effort to reign in corruption, enhance PPPNP's image and integrity in the eyes of investors, and bring economic growth and long term prosperity to the state.

Zambry expressed hope that other agencies in Perak would follow in the corporation's footsteps by taking

proactive effort to stamp out corruption and increase productivity.

Also present at the signing ceremony were Perak State Secretary Datuk Abdul Punat Mat Nayan, State Finance Officer Datuk Mohd Ghazali Jalal, State Legal Advisor Datuk Ahmad Kamal Md. Shahid and Perak MACC Director Datuk Noradziah Abd. Manaf.

Meanwhile, Sutinah said the CIP signals that the PPPNP has zero tolerance for corruption and that its operations are free from any hidden risks or costs.

The pledge will boost the confidence level of local and foreign investors towards the corporation as PPPNP will enhance its internal control system to remove any opportunity for corruption or abuse of power in its policies, procedures and operations.

The MACC will gladly lend its assistance to any statutory or corporate body, agency, institution or companies and the like, that wish to embark on a corruption free administration, management and operations, she said.



Point to
PONDER

We must expel the Arabs and take their place.
David Ben Gurion, former Israeli Prime Minister

There can be no Jewish state without the eviction of the Arabs and the expropriation of their land.
Ariel Sharon, former Israeli Prime Minister

There is no such thing as a Palestinian people. It is not as if we came and threw them out and took their country. They did not exist.
Golda Meir, former Israeli Prime Minister

Israel will create in the course of the next 10 or 20 years, conditions which would attract natural and voluntary migration of refugees from the Gaza Strip and the West Bank of Jordan.
Yitzak Rabin, former Israeli Prime Minister

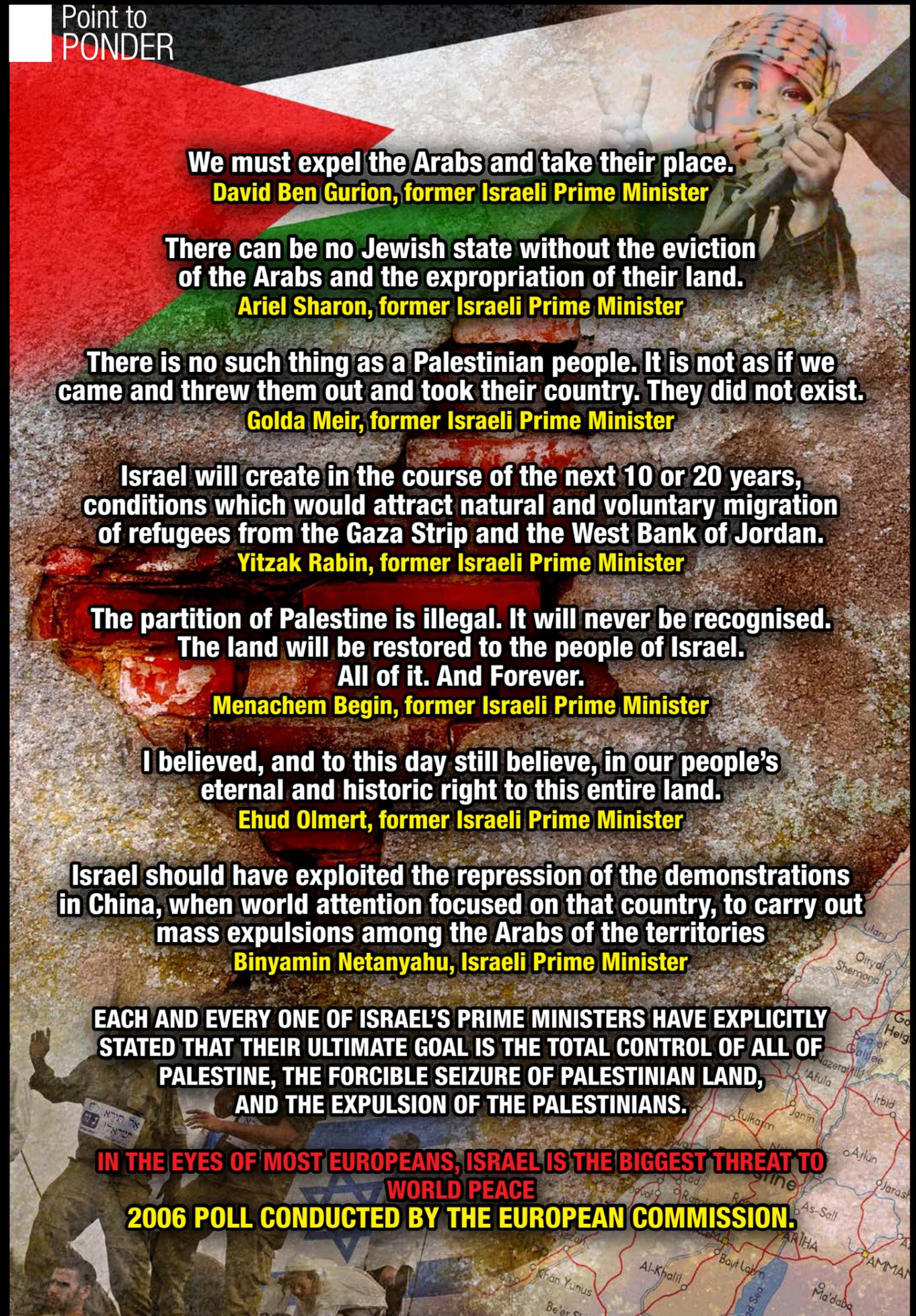
The partition of Palestine is illegal. It will never be recognised. The land will be restored to the people of Israel. All of it. And Forever.
Menachem Begin, former Israeli Prime Minister

I believed, and to this day still believe, in our people's eternal and historic right to this entire land.
Ehud Olmert, former Israeli Prime Minister

Israel should have exploited the repression of the demonstrations in China, when world attention focused on that country, to carry out mass expulsions among the Arabs of the territories
Binyamin Netanyahu, Israeli Prime Minister

EACH AND EVERY ONE OF ISRAEL'S PRIME MINISTERS HAVE EXPLICITLY STATED THAT THEIR ULTIMATE GOAL IS THE TOTAL CONTROL OF ALL OF PALESTINE, THE FORCIBLE SEIZURE OF PALESTINIAN LAND, AND THE EXPULSION OF THE PALESTINIANS.

IN THE EYES OF MOST EUROPEANS, ISRAEL IS THE BIGGEST THREAT TO WORLD PEACE
2006 POLL CONDUCTED BY THE EUROPEAN COMMISSION.



The pain and agony of being pinned and dragged underneath a lorry

As an enforcement officer with the Malaysian Anti-Corruption Commission, one is always on standby, never knowing when one's services would be required. There are often times when an officer is asked to report back for duty when he had just completed an arduous 24-hour shift and barely had time to rest. Such work pressure is nothing new to MACC officers, especially since the commission is currently somewhat understaffed. When duty calls, personal interest and comfort are cast aside and the MACC officer will unfailingly be back up on his feet ready to serve despite the exhaustion.

Such was the lot for Supt. Muhammad Nasir Mat Jam who, after just being transferred to the MACC Federal Territory office in Kuala Lumpur, was directed to participate in operations 'Ping pong' which involved carrying out raids on the ubiquitous illegal massage parlours in the city.

Operation Ping pong which was carried out jointly with enforcement officers from the Kuala Lumpur City Hall, started at 8am on January 10th 2011 and went on until the following morning. Despite vigorous protests from unlicensed massage parlour operators who had expected the enforcement officers to let them go scot free after some 'negotiations', five of them were eventually detained and had their statements recorded at the MACC office before they were released on bond.

With his duty successfully completed, the father of three school going children was looking forward to a well deserved rest before celebrating



his 12th wedding anniversary. Nasir wanted to surprise the missus by renewing the road tax for her motorcar. However on the way home, he received a call and was ordered to report for duty at 3 o'clock that very afternoon to participate in yet another enforcement exercise named 'Ops Damai'.

Since this left him with not much time, Nasir had to forget about catching up on his forty winks and headed straight for the bank to withdraw the money needed for the road tax renewal. His next priority was to head straight for Road Transport Department office at Jalan Bangi to renew his wife's road tax. Having completed his errands, Nasir headed straight for his office.

Lady Luck was not with the dedicated enforcement officer on that fateful morning. As he was passing the traffic lights near the Sungai Besi commuter station after the lights had turned green, a 1-tonne lorry

rammed his motorcycle from the rear, dragging both man and machine some seven metres before coming to a stop. Had it not been for his motorcycle, which had prevented the lorry from running over him, Nasir would have surely died from the accident; his head was only inches away from the wheel.

Passersby not only helped move the dazed and confused victim from underneath the lorry, they also collected his personal belongings and handed them over to a member of the Civil Defence Department who then took the enforcement officer to the hospital.

Doctors at the hospital confirmed that Nasir had suffered injuries in the knees and buttocks, fractured his left scapula and had severed a vein in a finger. In spite of his injuries, the former policeman from Sungai Perak who has been with the MACC since

1997 has never lost his enthusiasm to serve the commission and has always take it upon himself to carry out his duty and responsibilities to the best of his ability.

A year on after the incident, Nasir is still undergoing occupational therapy to help him regain the normal use of his injured limb. According to Nasir, his wife has been his pillar of strength throughout the ordeal and both of them are determined to see things through until his complete recovery.

Rumour has it that the accident was planned by shady characters behind the illegal massage parlour business who want to get even with the MACC enforcement officer. If this is true, it goes to prove that law enforcement is a risky undertaking. Every time and an MACC officer goes on an enforcement operation, his life may be on line.



Talk Show Preacher Enthralls MACC Audience

PUTRAJAYA – Celebrated religious preacher Ustaz Don Daniyal Bijayid enthralled officers and staff of various government departments at a recording session of his talk show ‘60 Minutes with Ustaz Don’ held at the Malaysian Anti-Corruption Commission (MACC) headquarters here recently.

In his discourse titled ‘Under-the-table Fortune’ the preacher who is popularly known as Ustaz Don, explained the origin of the word rasuah (corruption) which according to him, is derived from the Arabic word al-risywah. He then proceeded to elaborate on the debilitating effects of corruption.

Ustaz Don kept his audience of 500 which included MACC Chief Commissioner Datuk Seri Abu Kassim Mohamed and several division directors spellbound with his clarification on verse 188 of the Surah Al-Baqarah, which was richly interspersed with highly descriptive examples of the effect of absconding with that which rightfully belongs to others.

He also highlighted the importance of earning one’s living through honest and legitimate means. Muslims, he said, must work together to fight graft as the act of corruption – whether giving, accepting or knowingly allowing it to happen – is strongly condemned by Allah as stated in the hadith (narration).

The recording session was made possible by collaboration between the MACC and TV Al Hijrah, with support from the Ministry of Transport (MOT) and the Department of Islamic Development (JAKIM).

Toyota Avanza Convoy Promotes ‘Corruption-free Malaysia 2012’ Campaign

KUALA LUMPUR – As part of its effort to enhance awareness and mobilise public support in the fight against corruption, the Malaysian Anti-Corruption Commission (MACC) in collaboration with the Northern Avanza Recreational Club (NARC), organised a Toyota Avanza Convoy promoting the ‘Corruption-free Malaysia 2012’ campaign recently.

Federal Territories MACC Director Datuk Latifah Md Yatim did the honours of flagging off some 130 participants travelling in a convoy of 17 cars which also included 5 MACC vehicles.

Departing from the MACC Jalan Cochrane office, the participants spend the next two days driving through the streets of Kuala Lumpur, Shah Alam, Putrajaya, Port Dickson and Malacca, distributing anti-corruption pamphlets to raise public awareness on how everyone has got a role to play in the fight against corruption.

According to Latifah, collaborative activities with non-governmental organisations (NGOs) are a major aspect

of the MACC’s community outreach efforts.

The ‘Corruption-free Malaysia 2012’ convoy, which also involved MACC officers from its Port Dickson and Malacca state offices, is the perfect medium for the Commission to interact with the public and spread the anti-corruption message, she said.



MACC Chief Appointed To The IACA Board of Governors

PUTRAJAYA – Malaysian Anti-Corruption Commission (MACC) Chief Commissioner Datuk Seri Abu Kassim Mohamed has been appointed to the Board of Governors of the International Anti-Corruption Academy (IACA) for a term of six years.

The appointment was made in conjunction with the IACA First Assembly of Parties held at the United Nation Building in Vienna, Austria, recently. The historical and notable event featured a high-level ministerial segment.

Abu Kassim’s appointment to the IACA board, which is composed of individuals who have demonstrated outstanding professional achievements and commitment to anti-corruption efforts in their respective countries, is considered one of the highest honours in the field of anti-corruption initiatives.

All the eleven candidates from various countries who contested for election to the board are professionals whose practice, research, knowledge and skills have inspired and significantly advanced anti-corruption efforts worldwide.



They include the Vice President of Bulgaria, Margarita Popova, Adviser to the President of the Russian Federation, Mr.Sergey N.Dubik and Chairperson at the Anti Corruption & Civil Rights Commission Korea, Dr. Young Ran Kim.

“It is indeed a great honour to gain acknowledgement from accomplished individuals in the field of anti-corruption especially from the IACA Commission,” Abu Kassim said at the event.

The appointment would further facilitate an exclusive knowledge and expertise

reciprocity between the Malaysia Anti-Corruption Academy (MACA) and IACA, he said. In the context of the conference, IACA’s post-graduate academic degree programme – the Masters in Anti-Corruption Studies will be launched. This unique inter-disciplinary studies programme is international in nature, combining distance learning with seven twelve-day core modules.

Abu Kassim is also an executive committee member of the International Association of Anti-Corruption Authorities (IAACA).

MACC Operations Review Panel (ORP): Ensuring the MACC is above board

The Operations review Panel (ORP) is one of five independent bodies that function as check and balance mechanisms to ensure that the MACC remains independent, transparent and professional in its operations. The existence of these five panels also ensures that the MACC is accountable for all of its actions.

The ORP is an administrative appointment and consists of seven members who are appointed by the Prime Minister. They comprised of highly skilled professionals and highly respected individuals from the private and public sectors, who constantly monitor the functions of the MACC and see to it that the commission remains independent, transparent and professional in carrying out its duty and responsibilities.

The ORP reviews MACC reports on decisions made by the deputy public prosecutors on MACC investigation papers, and where no charges are preferred by the public prosecutor, study the reason for arriving at such a decision. Panel members then forward their views and opinions on the 'no further action' (NFA) cases to the MACC. In doing so, the ORP may require the MACC to provide further clarifications, or request for a review on an NFA decision.

From reading the Terms Of Reference for the OPR, it is very clear that in arriving at its decision, the MACC is free from any influence

or encumbrances.

The panel's function is to:

1. To receive and seek clarification on investigation papers opened by the MACC;

2. To receive commission's report on cases where suspects arrested are released by the commission on a bail bond which exceeds six months;

3. To review and study MACC reports on the the public prosecutor's decisions pertaining to the investigation papers opened by the commission;

4. To receive and scrutinise MACC reports on investigation papers submitted to public prosecutor in which no decisions were obtained exceeding 6 months and above;

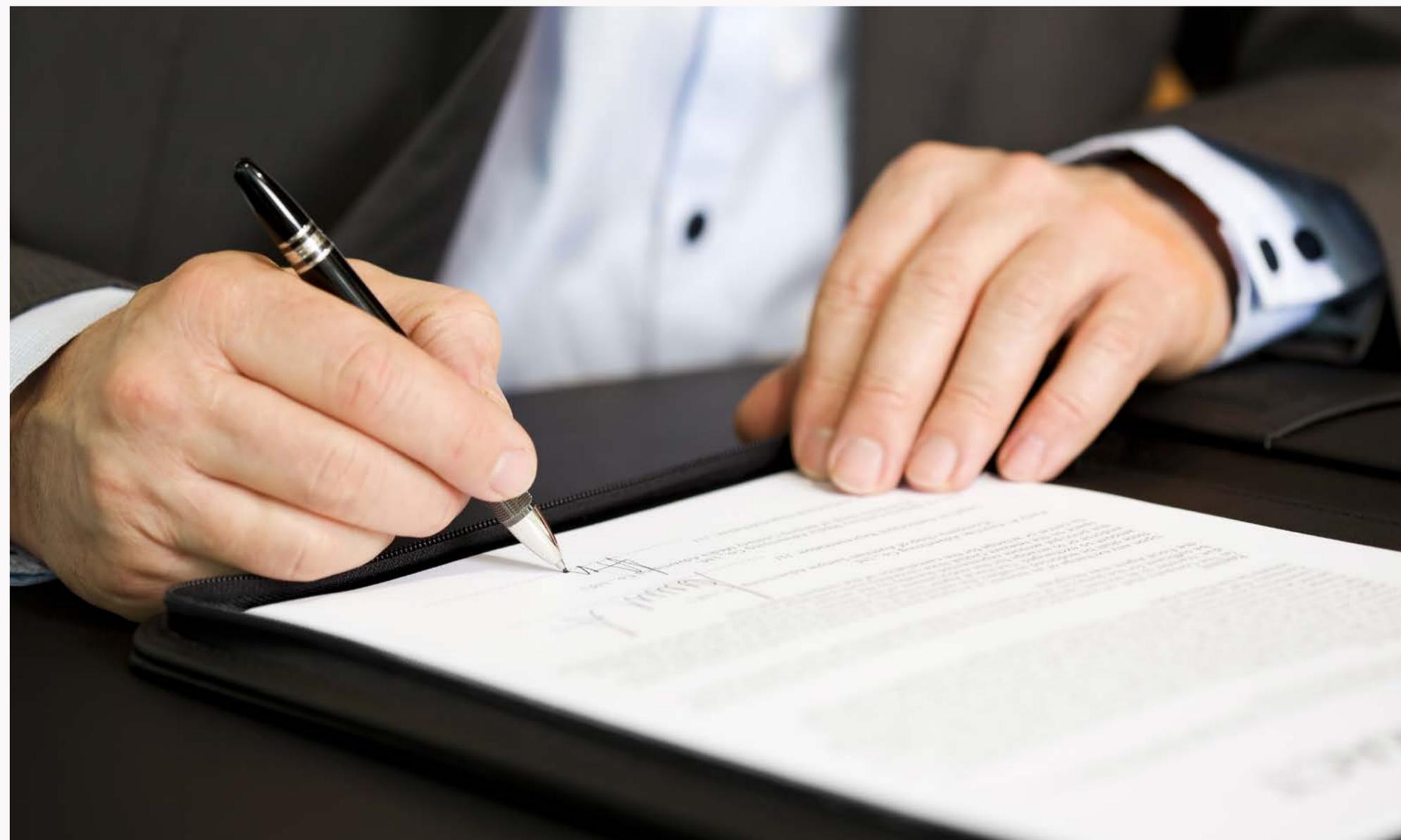
5. To present its views regarding actions upon cases where no charges are preferred;

6. To advise and assist the MACC on the effectiveness of its investigation operations;

7. To scrutinise, study and endorse on the proposal to enhance the effectiveness of MACC investigation operations to the Anti-Corruption Advisory Board; and

8. To submit an annual report and the ORP comments to the Prime Minister on the progress of the MACC investigation operations.

There is a tendency for some of those among us to relate every



criminal act with corruption and consequently expect the MACC to bring every wrong doer to book. The fact is the commission's jurisdiction is limited to matters that involves corruption and the abuse of power. Nevertheless, every one of us - the government, non-governmental organisations (NGOs) and individuals included, should lend our unreserved support to the commission in its

effort to stamp out corruption and the abuse of power.

Members of the five independent bodies that act as the MACC's check and balance mechanism comprised of highly skilled, experienced and well respected professionals and individuals who are of the highest integrity and are well equipped to provide the MACC with the

necessary advice and guidance to ensure that the commission remains independent, transparent and professional in its operations.

Of the 12,000 reports that the MACC receives every year, it is worth to note that 50 percent of them have no connection with corruption whatsoever while another 30 percent are merely poison pen

letters. Basically, only 20 percent of these complaints deserves the commission's attention. Nevertheless, poison pen letters are still filed under 'keep in view' for further action as and when deemed necessary.

MACC enforcement officers are not only required to investigate these charges, they need to also look into

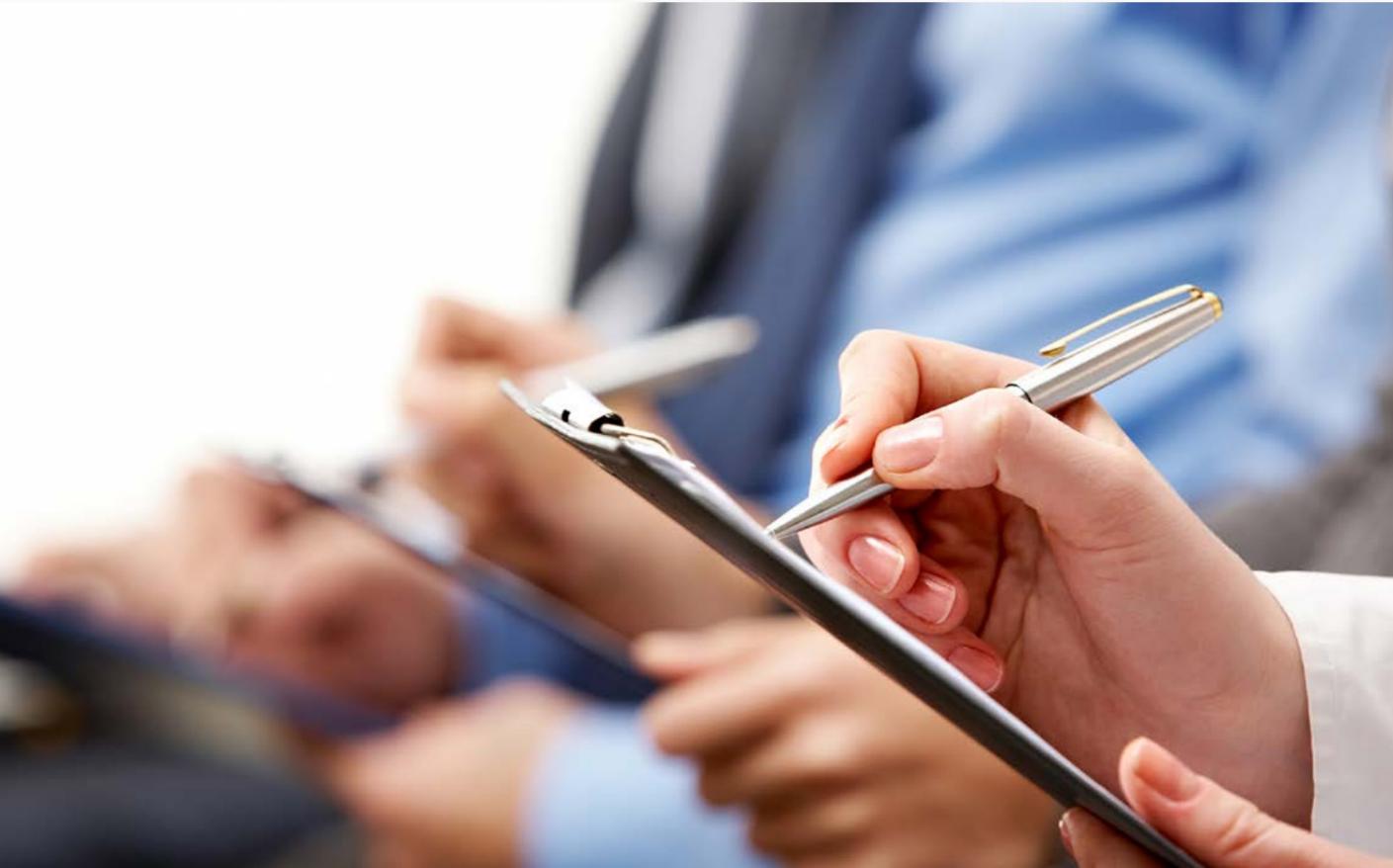
the background of the complainers themselves to ensure that their's is a valid complaint. But with a pool of only 400 enforcement officers nationwide at its disposal, the commission is admittedly somewhat understaffed.

Thus the commission has to give

hampered by the lack of proof or the absence of reliable witnesses. This is compounded by witnesses who either go 'missing in action', give contradicting statements or completely rescinding their testimony altogether. There are also numerous instances where the charges were

interrogation techniques, and evidence gathering which would enable them to build up a strong case for the prosecution.

The commission should also be allowed to conduct its own recruitment programme to ensure



priority to cases where the charges are supported by documented proof and eye-witness accounts as these would greatly improve the chances of gaining a conviction in court.

It must be remembered that a person is innocent until proven guilty. Anyone who is charged for a crime must be given the chance to defend himself in a court of law. Hence the public should not imply that a person is guilty simply by virtue of him being investigated by the MACC.

The MACC's efforts to bring graft perpetrators to book has often been

eventually proven to be mere heresy or filed as a result of rumours which are not substantiated by a shred of evidence.

When this happens, ORP chairman Tan Sri Hadenan Abd Jalil says people will invariably put the blame on the MACC for not doing its job effectively. But in the light of these scenario, is it really fair to put the blame on the MACC if a case – high profile or otherwise – gets thrown out of court?

In this regard, the ORP has suggested that MACC officers be given ample training in investigations,

that only candidates who fulfill the MACC's requirement in terms of special skills and knowledge are accepted into service.

On its part, the government has established 14 special corruption sessions courts nationwide to fast track the trial of corruption cases as well as clear up the backlogs. Meanwhile, the Attorney General's Office has agreed to assign 32 deputy public prosecutors to specifically handle the MACC's prosecution in court.

Point to
PONDER



Competition does not simply mean gauging one's performance against another competitor. One can also compete against oneself. The object of competition is not necessarily to be the first or to beat the next fellow, rather to bring the best in each one of us.

M. Bakri Musa
'Malaysia In The Era of Globalisation'



This is the
bracelet for those
who indulge in
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"Do Not Give,
Do Not **Accept**"



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You
Can Make a Difference
FIGHT
Corruption

