

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Output 2.1**

**Question No. 50**

**Senator Ludwig asked the following question at the hearing on 31 October 2006:**

- (a) Provide a copy of the blank survey-form provided to companies for the *OECD Foreign Bribery Public Awareness* campaign?
- (b) Provide a copy of the answers which were provided by AWB.
- (c) Why was no data arising out of the survey collated? Has any data since been collated? If so, please provide.

**The answer to the honourable senator's question is as follows:**

- (a) A blank copy of the survey form provided to the top 100 Australian public companies is attached.
- (b) See answer and additional answer to 2006-07 Budget Estimates Question on Notice 63 published on 24 July 2006 and 17 October 2006.
- (c) The survey data has been collated. A summary of the survey responses received to date from the top 100 Australian public companies, select industry groups and legal and accounting firms is attached.



**Australian Government**  
**Attorney-General's Department**

**Criminal Justice Division**

**Foreign Bribery Public Awareness Campaign**

**Follow-up Survey**

Please tick all appropriate boxes and return using the enclosed envelope. We would be grateful for your response by ....

**It is a criminal offence to bribe a foreign public official. The offence is contained in Division 70 of the *Criminal Code* (Cth). The following questions relate to this offence.**

**What activities has your organisation undertaken to raise awareness about foreign bribery?**

- Distributed foreign bribery leaflets
- Published an article in an internal newsletter
- Published an article in an external newsletter
- Provided training to staff and/or members
- Participated in seminars that include foreign bribery as a topic
- Other (please specify) \_\_\_\_\_

**What governance arrangements are in place within your organisation to ensure compliance with the law?**

- Code of Conduct
- Mechanism for examining whether a particular transaction would constitute an offence
- Process for reporting allegations of foreign bribery (internally or externally)
- Protections for whistleblowers
- Other (please specify) \_\_\_\_\_

**Has your organisation undertaken any other activities to raise awareness about foreign bribery? If so, please provide details below:**

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QUESTION	PERCENTAGE RESPONSE	COMMENTS
<b>What activities has your company or industry group undertaken to raise awareness about foreign bribery?</b>		
<b>1. Distributed foreign bribery leaflets</b>	72% of respondents indicated that they had distributed the leaflets	
<b>2. Published an article in your internal newsletter</b>	24% of respondents responded that they had published an article in internal newsletters	
<b>3. Published an article in an external newsletter</b>	10% of respondents had published an article externally	
<b>4. Provided training to staff and / or members</b>	36% of respondents had provided training	One respondent also provided training and articles on code of conduct, whistleblowing, and it's Business Principles.
<b>5. Participated in seminars that include foreign bribery as a topic</b>	14% of respondents had participated in foreign bribery-related seminars	
<b>6. Other</b>	38% of respondents advised they had undertaken some other form of awareness raising activity	One respondent has made foreign bribery awareness part of its company policy and has provided a link on its website to information regarding the offence.
<b>What governance arrangements does your company or industry group have to ensure compliance with the law</b>		
<b>1. A code of conduct</b>	60% of respondents affirmed that they have a code of conduct in place	One company surveyed advised that it's Code of Conduct and Ethics Policy is distributed globally and translated into 19 languages.
<b>2. A mechanism for examining whether a particular transaction would constitute an offence</b>	22% of respondents were aware of the existence of a mechanism to examine whether a particular transaction would constitute an offence	One respondent has put in place policy to ensure that any gifts or entertainment to a public official must be approved by the head of business and compliance area. Further, all gifts and entertainment are recorded in a register. The obligation to comply with the law is part of an obligations register which is monitored.
<b>3. A process for reporting allegations of foreign bribery (internally or externally)</b>	38% of respondents confirmed that their company or industry has in place a process for reporting allegations of foreign bribery internally / externally	
<b>4. Protections for whistleblowers</b>	36% of respondents had in place protections for whistleblowers	
<b>5. Other</b>	22% of respondents advised that other governance arrangements are in place to ensure compliance with the law	