

20.01.2016

**BID RIGGING –
ARE YOU
AT RISK?**

DATE
20th January 2016

TIME
6.00pm – 7.30pm

VENUE
Auditorium
Kuala Lumpur Regional
Centre for Arbitration
Bangunan Sulaiman,
Jalan Sultan Hishamuddin,
50000 Kuala Lumpur, Malaysia

Bid Rigging is a fraud; i.e. a procurement process scam. Simply put, when Bid Rigging occurs in a tender exercise, a buyer is cheated from obtaining goods or services at the best possible price or value proposition.

Consequently, Bid Rigging is not permitted by Law. For example, apart from criminal sanctions under the Penal Code and the Malaysia Anti-Corruption Commission Act 2009 the Competition Act 2010 too institutes serious penalties for such infringement – whereby an infringing enterprise can be fined up to 10% of its WORLDWIDE TURNOVER.

Recent global enforcement actions targeting Bid Rigging cartels have resulted in substantial fines, damages from private actions and even criminal sanctions against individuals leading to imprisonment. Similarly in Malaysia, crackdown against Bid Rigging is one of the priority enforcement objectives for the Malaysia Competition Commission (MyCC). Needless to say, there is the accompanying reputational damage and disruption to business operations.

But what about joint bids? Can such joint venturing lead to allegations of Bid Rigging?

To avoid unwanted and unhappy brushes with sanctions or penalties, companies therefore should assess the risk associated with its business practices, adopt proactive detection methods to detect collusion and take steps to increase compliance with the law.

PROGRAMME

- 5.30pm Registration
- 6.00pm **Bid Rigging – Are you at Risk?**
by Shanthi Kandiah,
Dr. Sivasangaran Nadarajah
- 7.00pm Q&A Session
- 7.30pm End of programme

For more information, please contact
Business Development Team of KLRCA,

Phone: +603 2271 1000

Email: events@klrca.org

ARE YOU AT RISK?

An overview of the talk will cover the following areas:

- × What is Bid Rigging? What are the types of Bid Rigging?
- × How do you minimize the risk of Bid Rigging when submitting joint bids?
- × What steps should you undertake (as a tenderer and a procurer) to reduce the risk of Bid Rigging?
- × How is Bid Rigging different from corruption in public procurement?
- × How should a sound compliance program be structured?
- × Discussion on Bid Rigging case studies

ADMISSION IS FREE. LIMITED SEATS AVAILABLE.



Shanthi Kandiah is Partner at SK Chambers (Advocates and Solicitors). Her corporate practice covers the full spectrum of multimedia laws, privacy and data protection matters, anti-bribery and corruption laws, as well as capital market laws and Exchange rules. She regularly advises corporations on regulatory matters in sectors such as media and telecommunications, FMCG, construction, pharmaceuticals and other service industries. She has assisted Malaysian multinationals in developing their global competition and regulatory law compliance policies. Formerly from the Securities Commission, Shanthi has co-authored country reports for the World Bank and OECD. She holds a Masters in Law from King's College, London, Bachelor of Laws from the University of London and a Postgraduate Diploma in Competition Economics also from King's College. She was admitted to the Malaysian Bar in 1993.



Dr. Sivasangaran Nadarajah of Wong Hue Ho & Co, holds a B.Sc.(Eng.)(Hons.) and a Ph.D. (Engineering) from Kings College London besides a LLB (London). He is currently an Advocate & Solicitor of the High Court of Malaya, an Adjudicator, a Mediator and a Patent Agent. He has experience as a consultant mechanical engineer in the construction industry overseeing design, value engineering and contract administration of works and as a software developer. As a legal practitioner, he has, amongst others: advised on Competition, Personal Data Protection and Construction Law; drafted and reviewed various IT, cloud computing, construction and engineering related contracts.

He was a speaker at the MyIPO-PhAMA IP Seminar 2011 "1Malaysia Medicines: The Way Forward in Intellectual Property" on the topic of "Malaysian Patent Law – Pharmaceuticals". Furthermore, he has co-authored technical papers which were published in The Transactions of the Society of Automotive Engineers (SAE) in Detroit, USA, in the Proceedings of the Institution of Mechanical Engineers (London, UK), conferences and symposiums.

For registration, please email your details below to events@klrca.org or fax to **+603-2271 1010** by **18 January 2016**

Full Name: _____

Company/Organisation: _____

Designation: _____

Address: _____

Tel: _____ Fax: _____ Email: _____