

New Provision Under The Malaysian Anti-Corruption Commission (MACC) Act 2009

“Companies, not just people, to be prosecuted for graft from June 1”

The Prime Minister’s Office (PMO) has announced that a new provision under the Malaysian Anti-Corruption Commission Act 2009 enabling the prosecution of companies involved in graft will be enforced beginning June 1.

Prior to this, the MACC Act focused only on prosecuting individuals involved in corruption.

In a statement today, the PMO said the government was committed to combating corruption, improving integrity and implementing good governance. It said this would be prioritised whether in the government, private sector or even civil society organisations.

“The gazetting of the provision under Section 17A of the MACC Act on May 4, 2018, established the implementation of the corporate liability principle involving commercial organisations.”

This means that commercial organisations would be committing an offence if any of its employees or those associated with it was involved in corruption for the benefit of the organisation.

“After considering the current situation and the views of all parties, the government has decided that the implementation of this corporate liability law will continue to be enforced from Jun 1, 2020.”

This, the PMO said, was to encourage commercial organisations to take appropriate measures to ensure that their businesses are not involved in corruption.

It was previously reported that the anti-graft agency was studying a proposal to suspend the implementation of Section 17A of the MACC Act due to demands from companies which were not prepared with appropriate anti-corruption plans and which were suffering from a dip in business due to Covid-19.

MACC chief commissioner Azam Baki said the companies had asked for a one-year delay in the implementation of Section 17A.

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