

International Convention on: Anti Corruption & Fraud 2009

ACCOUNTABILITY, CO- OPERATION AND PREVENTION

Methods of controlling, detecting, investigating and combating corruption and fraud

16th & 17th November 2009

New Delhi, India

PROGRAM OVERVIEW

The collapse of Enron, the 2002 WorldCom scam and the Satyam scandal early this year highlight the dangers of corporate fraud and misconduct, turning the media and public spotlight on the interrelationships that exist between big businesses, the professions whose job it is to hold them to account and the government.

These incidents clearly suggest the absence of preventative measures and failure to understand local customs and regulations, while holding key lessons for the implementation of anti-corruption and fraud legislation. In recent years, the internationalization of anti-corruption enforcement actions has demonstrated that all global organizations must understand the jurisdiction of the FCPA and ramifications of a violation. Heightened scrutiny by US enforcement authorities of issues arising under the FCPA in India has resulted in a sharp escalation of penalties and prosecutions for violations. At the same time, foreign anti-corruption laws are gaining attention, underlining the need for global cooperative efforts against the malice of fraud and corruption, such as the UN Convention against Corruption (UNCAC) and the OECD Convention against Bribery.

This unique conference on Anti-Corruption and Fraud will bring together an exceptional faculty of seasoned corporate ethics and compliance speakers, senior attorneys and government officials, providing you with a comprehensive update on India's anti-corruption and fraud landscape and how to implement an effective anticorruption program while doing business in India. Through this conference learn how to build an effective battlefield to counter fraud and corruption that requires teamwork across a company's core functions including the CEO, financial department, legal department, human resources, internal audit and security, and corporate communications, each with a distinct role and responsibility.

A MUST-ATTEND EVENT FOR

- General, Trade & International Counsel
 - Ethics and Compliance Officers
 - Vice Presidents and Directors of
 - Corporate Compliance & Policies
 - International Trade Compliance
 - Internal/ Corporate Audit & External Auditors
 - Legal Affairs
 - Outside Counsel specializing in
 - Corporate compliance & governance
 - Investigations
 - International commercial transactions
 - Due Diligence
- Sustainable Development
 - Contracts
 - Forensic Investigators
 - Regulatory and Government Affairs
 - White collar crime
 - Corporate law
 - Mergers & Acquisitions

Don't miss the valuable training workshop.

AGENDA

Day 1 - 16th November 2009

- 0915 Chairperson's Opening Remarks
- 0930 The Indian Regulatory Environment: Measures & Effectiveness of Fraud Management Systems
- Fraud and Anti-fraud reforms in India: From the past to the future
 - Understanding legally binding standards
 - Monitoring mechanism to ensure the thorough implementation of the international obligations
 - India's capacity to investigate and prosecute the offence of bribery
- 1015 Global Economic Crime: Trends and Challenges
- Understand the impact of white collar crimes in the international business environment
 - Comprehend the thread posed by economic crime in different sectors as well as various types of fraud
 - Explore the myths of corporate compliance in the emerging markets
 - Success stories: The effects of the convention guidelines
 - Overview on UNCAC & OECD Convention against Bribery
- 1100 Tea Break
- 1130 Panel Discussion
Obtaining Regulatory Approvals: What Works Best while Dealing with Officials
- Understand internal and external processes while seeking regulatory approvals
 - Are there legal ways around cumbersome and time-consuming processes?
 - Eradicating corruption structurally and culturally: Science or fiction?
- 1215 Detecting and Responding to Increasing Fraud Risk in a Down Turn Economy
- Trends of fraud risk in Asia since economic down turn
 - Fraud perpetrated by business partners and borrowers
 - Confidential information leakage risk and unfair competition
 - How to properly address suspicion of fraud?
- 1300 Lunch Break
- 1400 Creating Corporate Ethics and Compliance Culture within the Organization
- Design a roadmap for effective compliance and a strong corporate ethics regime
 - Learn how ethics and corporate social responsibility impact the bottom-line and top management
 - Understand value assumptions underlying compliance initiatives
 - Corresponding prevention practices & policies – red flag & whistle blower
- 1445 Panel Discussion
Self Regulation Vs Legal Enforcement - Striking the "Balance"
- Establish systems combining self regulatory measures with existing laws
 - Focus on prevention of fraud rather than counter-action
 - Promote internal best practices in a still developing legal framework
 - Is there a need for rigorous enforcement of strong legislation?
- 1530 Tea Break
- 1600 Due Diligence Strategies for Operations in the Indian Scenario
- Identifying risk factors to determine the level of due diligence needed
 - Crafting contractual provisions that will obligate third parties to comply with the FCPA and other anti-corruption laws
 - Allocating resources where the threat is highest and cost effective diligence strategies
 - Adopting a tiered due diligence approach
 - Efficiently and Effectively Conducting Due Diligence of Third Parties
- 1645 Digital Investigation: Techniques for Dealing with Electronic Evidence and Investigations
- Harnessing digital evidence in internal fraud matters
 - Investigating intellectual property and trade secrets theft from an organization, or into your organization
 - Responding to electronic discovery in government investigations and international arbitrations
 - Conducting cyber crime investigation
- 1745 Chairperson's Closing Remarks
- 1800 End of Conference Day 1

AGENDA

Day 2 - 17th November 2009

- 0915 Chairperson's Opening Remarks
- 0930 **Choosing the Right Vendor**
- Conducting a successful vendor screening, background check and references to better know your business partner
 - Procurement application and internal approval control system
 - Proper decentralization of duties to a vendor in the procurement process
- 1015 **Managing your Vendors to Prevent any Possible Collusion of Misconduct**
- Practicing latest methodologies
 - Signing agreement with contracted vendors regarding vendor ethics, and ensuring they abide by a compliance program
 - Detecting and solving any potential conflict of interest between internal employees and vendors
 - Building a solid and true collaborative partnership with your vendors
 - Respective and responsible role to be performed by Head of Procurement
- 1100 Tea Break
- 1130 **Panel Discussion**
Conducting an Effective Internal Investigation
- Key controls to prevent improper payments and fraud
 - Making the necessary repairs to your existing investigation program
 - Ensuring the accuracy and reliability of data acquired through internal inspections
 - Uncovering internal investigations on a regular base and predicting future enforcement trends
- 1215 **Half Day Workshop on FCPA**
No Time for Fun & Games, BE FCPA COMPLIANT: Key Enforcement Developments & Prosecution
- A review of 2009 FCPA enforcement actions
 - Fundamentals of an effective FCPA compliance program
 - Understanding the implications of foreign-based companies and other penalties for FCPA violations
 - Detecting Potential FCPA Violations through Internal Compliance and Audit Programs
 - Understanding and evaluating the type of compliance program one should employ
- 1300 Lunch Break
- 1400 **Panel Discussion**
Foreign Corrupt Practices Act (FCPA) Vs Prevention of Corruptions Act (PCA) - Managing Differences in Laws and Regulations in Various Jurisdictions
- The extensive reach of the FCPA
 - How equivalent are Anti-corruption laws in India to foreign Anti-corruption regulations
 - What steps are required to meet international standards
 - What concerns should foreign companies have while dealing with local laws
 - Developing an effective multi-jurisdictional compliance model
- 1445 **Corporate Market Strategies and Plans VS FCPA Rulings – Single Company but Multi-Country FCPA Violations & Ramifications**
- Preventing, detecting and investigating potential FCPA violations before they damage corporate reputations and affect the bottom line
 - Avoid potential violations in market strategies & plan through the implementation and maintenance of a robust compliance program
 - Balancing local diversity, cultural and legal issues with global marketing policies
- 1530 Tea Break
- 1600 **New Era of FCPA Enforcement: Higher Risks, Higher Standards, Higher Values, Higher Penalties**
- Effective Compliance Program All the More Crucial
 - Fostering a Corporate Culture of Compliance is Key Role for Board, Management, Legal Department
 - Case Study: Global and Industry-Wide Investigations
- 1645 **Case Study A: Lessons from Enron**
- One of the key crash points of Enron's collapse has been to call into question the standard operating procedures of the accounting and auditing professions. Enron hid huge losses off the balance sheet, which forced them into bankruptcy. The auditors far from holding the company account able allegedly conspired in the manipulation of accounts that led to its collapse. Today we evaluate the role the auditors could and should have played to restrict the fall of this huge estate.
- Question the standard operating procedures of the accounting and auditing professions?
 - what is at best – Strict NO to malpractice and to provide accurate and transparent accounts
 - Are internal controls adequate for uncovering and deterring corruption?
 - Prohibit the establishment of off-the-books accounts
 - Was ENRON FCPA compliant?
- 1715 **Case Study B: A perspective on Satyam**
- Satyam plunged into a crisis in January 2009 after its founder, B Ramalinga Raju, stated that the company's profits had been overstated. What started as a marginal gap between actual operating profit and the one reflected in the books of accounts continued to grow over the years. Later this turned out to be the biggest shock and shame to the Indian industry. This was the worst accounting fraud that shook not only the industry, but the stock exchange and also the outsourcing business. Today we discuss the pre and post impacts of the Satyam Scandal, the role the auditors could and should have played.
- Satyam Fraud not a One Man Show?
 - Has the Satyam Scam dented India's Inc's Image abroad?
 - Understand the Satyam scam and its "Deadly Repercussions"
 - Role of the Auditors? Applicable Audit Standards?
 - Post Satyam Measures?
 - Satyam's Existence: Prosecution, Takeover, New Brand Identity?
- 1745 Chairperson's Closing Remarks
- 1800 End of Conference