

## DAWN RAID: SINCE SECTION 17A MACC ACT HAS COME INTO FORCE, DON'T BE CAUGHT UNPREPARED

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Date: 10 & 11 March 2022  
Time: 9.00AM - 1.00PM  
Program Fee: RM1,500 / USD 390

Online

### COURSE DESCRIPTION

With greater empowerment of enforcement agencies supported by demands for greater accountability by civil society, there have been higher incidents of dawn raids. Government agencies such as the Malaysian Anti-Corruption Commission (MACC), Malaysia Competition Commission (MyCC), Bank Negara Malaysia (BNM) and other Enforcement Authorities have typically carried out dawn raids with the element of surprise in order to secure evidence that risk being hidden or destroyed, and to question individuals who may be taken off-guard by the early morning raid.

What should you do in the event that your company or home gets raided? What is the proper process and risks associated with such an investigation by an Enforcement Authority? This program is designed to help participants understand the 'do's and don'ts' in the unfortunate event that a dawn raid should ever happen to you or your company.

The program will discuss the impact of first impressions on the direction of the investigation and the need to set-up an internal Special Raid team – all of whom should be adequately trained on how to respond – in the event that an investigation materialises.

The program aims to provide the participants with the necessary knowledge on what to expect during a dawn raid and how to manage it effectively. Case studies and role plays as well as a 'live' mock raid to test end preparedness will be employed to assist with the learning.

### GAIN AN EXECUTIVE CERTIFICATE

The **Corporate Governance** course is part of ASB's Executive Certificate 'Leadership Track', designed for professionals who are seeking an in-depth, comprehensive certification of their mastery and understanding in these topics.

### WHAT YOU WILL LEARN

- Understand the powers of the Enforcement Authorities and the scope of a raid;
- Be aware of how to verify the identity of the Enforcement Authorities and ascertain the mandate of their raid;
- Understand the need to form a Special Raid Team (comprising of Senior Management and HODs) within each company;
- Understand the roles and duties of a Special Raid Team in responding to the investigation during and post-raid to manage the dawn raid effectively;
- Be aware of key processes, boundaries and activities involved in a raid including the 'allowed conduct' of employees;
- Understand how to respond to the Enforcement Authorities under the scope of the respective laws;
- Understand what documents are protected under legal privilege and what can be read or seized by the Enforcement Authorities;
- Understand the importance of note-taking during the raid as well as detailed records that should be maintained;
- Manage all communications (both internal and external) to protect the reputational risk of the company and ensure uniformity of information disseminated.

### WHO WILL BENEFIT

- Board of Directors
- C-Suite (CEO, COO, CIA, CRO, CFO)
- General Counsels & those working in Legal Departments
- Anyone else who may find this program helpful

### LEARNING REQUIREMENTS

In order to earn a Certificate of Completion, participants must attend the required sessions and complete all assignments by the given deadlines.



## FACULTY PROFILE

### Zarizal bin Ahmad



**Zarizal bin Ahmad** spent more than 23 years with the Malaysian Anti-Corruption Commission (MACC) where he was involved in criminal investigations, intelligence gathering, prosecution, community education, prevention methodology, and training. He retired from the MACC in September 2018 with the rank of Senior Assistant Commissioner (SAC). At the point of retirement, he was heading the Private Sector Research and Development, Inspection and Consultancy unit in the MACC.

He is a subject matter expert (SME) on MACC's PEACE model interviewing technique which the MACC uses to interview witnesses, suspects and accused persons. Mr Zarizal was involved in designing and developing training modules relating to MACC's PEACE model interview technique.

Mr Zarizal is currently working as a consultant, advisor and speaker on topics such as Corruption Risk Management and Assessment, National Anti-Corruption Plan (NACP), Organisational Anti-Corruption Plan (OACP), Investigation Techniques, Laws on Corruption and Anti-Corruption Awareness.

## FACULTY PROFILE

### Dr. Sharma M. Jairam



**Dr. Sharma M. Jairam** started his career as a Cadet Officer with Akademi Laut Malaysia (ALAM) in 1994 but has since ventured into the areas of corporate governance, asset protection, corporate integrity, enterprise risk management and internal audit.

Dr. Sharma specializes in corporate investigation and whistleblowing management. He is a subject matter expert (SME) in the area of criminal profiling for commercial organizations. He has led numerous taskforces in investigating different types of white- and blue-collar crimes since 1997. He has also been involved in an advisory role to develop the raid protocol policy and procedures for several organizations.

He completed his PGD in PSM majoring in Crime Scene Investigation (CSI) from Islamic International University Malaysia (IIUM) in 2009, Masters in PSM majoring in Crime Scene Management (CSM) from IIUM in 2015 and Doctorate in Education (Ed.D) majoring in Criminal Psychology from Selangor University in 2020. He developed a new crime model known as Jairam's Crime Model in 2020.

Dr. Sharma is a Certified Train the Trainer (TTT) by the Human Resources Development Fund (HRDF) and a Certified Integrity Officer (CeIO) by the Malaysian Anti-Corruption Academy (MACA).

## FACULTY PROFILE

### Khoo Guan Huat



**Khoo Guan Huat** commenced his legal career with the Attorney-General's Chambers, Malaysia, in 1987 and joined Skrine in 1993. He currently chairs the Intellectual Property Dispute Resolution Practice Group in Skrine and focuses his practice on Intellectual Property and Commercial Disputes.

He regularly appears as counsel in courts at all levels and in arbitration proceedings and sits as Arbitrator in a number of matters. He has been consulted on and provided advice in a number of matters, including those with respect to Anti-Money Laundering compliance issues for financial institutions.

He has also appeared as an expert witness on Malaysian law in various proceedings, including arbitration proceedings, in the United States and Singapore. He was part of the Malaysian delegation to the Arbitration Working Group at the United Nations Commission on International Trade Law (UNCITRAL). The Arbitration Working Group's efforts resulted in the revised UNCITRAL Rules being published in 2010. Khoo is the first Malaysian lawyer with full registration to practice in the Singapore International Commercial Court.

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#### Contact our team:

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