

Bribery Act Checklist

	Date	Principle	Task
<input type="checkbox"/>		Proportionate procedures	Incorporate the Bribery Act into existing procedures i.e. zero tolerance and will adhere to the six guiding principles as issued by the Ministry of Justice (MoJ).
<input type="checkbox"/>		Proportionate procedures	Are any changes required to bookkeeping/audit functions/expenses controls? For example, Auditors statement re Bribery Act on annual audited accounts.
<input type="checkbox"/>		Proportionate procedures	Gifts and inducements register. Record gifts etc. received and made - from/to whom, value, accepted/declined - senior management approval.
<input type="checkbox"/>		Proportionate procedures	Include within personnel terms of employment - declaration? References on new personnel/include on annual Fit & Proper declaration?
<input type="checkbox"/>		Proportionate procedures	Applies to which closely connected companies? Operator/trustee relationship, outsourced administration, joint ventures/white label arrangements...firms to consider where third parties are acting on behalf of the operator/trustees.
<input type="checkbox"/>		Top level commitment	Senior management approval of procedures. Board minutes to acknowledge procedures.
<input type="checkbox"/>		Risk assessment	Do existing system & controls require updating in light of Bribery Act/MoJ six principles?
<input type="checkbox"/>		Risk assessment	Countries transacted in - mainly UK, therefore low risk?
<input type="checkbox"/>		Risk assessment	Sector - predominantly FSA regulated, UK centric, low transaction size therefore low risk?
<input type="checkbox"/>		Risk assessment	Transaction - mainly small contractual fees. Investment transactions can be large but as trust based arrangement outside of the jurisdiction of the Bribery Act (although Trustee Company within scope).
<input type="checkbox"/>		Risk assessment	Business opportunity - projects not at market rate i.e. value shifting, so already monitored as all transactions on commercial terms?

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<input type="checkbox"/>		Risk assessment	Business partnerships - Applies to which closely connected companies? Operator/trustee relationship, outsourced administration, joint ventures/white label arrangements...(as per procedures above).
<input type="checkbox"/>		Due diligence	On business partners as above.
<input type="checkbox"/>		Due diligence	On agents of the trustees - anti-bribery wording on appointment letters i.e. lawyers/valuers etc. with those with whom there is a contractual relationship. SRA check on UK solicitors. Offshore solicitors - which professional body are they members of? What other forms of checking/due diligence is there?
<input type="checkbox"/>		Due diligence	To what extent is the due diligence evidenced?
<input type="checkbox"/>		Due diligence	On employees - all or just key personnel?
<input type="checkbox"/>		Communication	Communication of procedures.
<input type="checkbox"/>		Communication	Communication of training.
<input type="checkbox"/>		Monitoring & review	Staff feedback/surveys as per MoJ guidance.
<input type="checkbox"/>		Monitoring & review	Incorporate procedures in the compliance monitoring plan.
<input type="checkbox"/>		Monitoring & review	Annual auditors statement? Expenses and other payments covered through audit (and other approval).
<input type="checkbox"/>			