

THE ANTI-CORRUPTION LAW PROGRAM



TRANSPARENCY
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CANADA



PETER A. ALLARD
SCHOOL OF LAW
THE UNIVERSITY OF BRITISH COLUMBIA

CENTRE FOR
BUSINESS LAW



THE INTERNATIONAL CENTRE FOR
CRIMINAL LAW REFORM AND
CRIMINAL JUSTICE POLICY

Protecting Procurement Systems from Abuse – Government and Private Sector Approaches

February 26, 2021; 9:00 am to 11:00 am PST

This ACLP Seminar will provide an opportunity for participants in an interactive session with our experienced panel to explore measures that can be used to protect purchasing organizations and procurement suppliers from unethical or illegal conduct in the operation of procurement processes. Substantial financial losses can arise from the many abuses that can be associated with procurement, and non-compliance with relevant regulations can result in significant penalties. These potential abuses include money laundering, fraud, bid rigging, kickbacks, corruption, cronyism and other kinds of favoritism in violation of anti-competition legislation. Our expert panel will consider the areas of potential wrong doing that may arise within the procurement systems, and will provide practical advice to mitigate the risks of those issues from the perspectives of both the government and private sectors.

Our panelists bring diverse views to the discussion, and will address such questions as:

- How can organizations adopt management controls that are cost-effective and proportional to their organization's unique risk profile?
- Which common law, statutory and commonly recognized best practice standards about procurement are most effective in governing the flexibility of procurement methods and protecting procurement systems from abuse?
- How can purchasing organizations assure potential bidders that their procurement processes are fair and free of abuse?
- Since Design-Bid-Build and Design-Build implementation models differ at the procurement stage, how should abuse prevention measures that apply to these different situations also reflect the integrity needs of these different procurement contexts?
- What procurement system abuses are the most insidious and tend to catch purchasing enterprises by surprise?
- How can international anti-corruption initiatives inform our discussions?

Moderator:

Dr. Daniela Chimisso dos Santos - Principal Consultant, Invenient Solutions Consulting Inc.

Dr. Daniela Chimisso dos Santos is an expert on extractives and ESG (environmental, social, governance), with extensive national and international experience, including in Sub-Saharan Africa, South America, and Asia. She is Principal Consultant at Invenient Solutions Consulting Inc. Daniela has practiced law in the oil, gas, and mining industries for more than 20 years, where she worked at McCarthy Tetrault, Shell, Hatch, and Vale. She is presently a Board Member of Transparency International - Canada; she has been appointed by ICC - Canada as a member of the Task Force on "Addressing Issues of Corruption in International Arbitration", and the United Nations Development Programme has recognized her as an

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extractives expert. In British Columbia, she is a member of the Environmental Appeal Board, Forest Appeals Commission, and the Oil and Gas Appeal Tribunal. Daniela has lectured at a number of universities, including the University of Toronto, Western University, and Osgoode Professional Development. Daniela has a B.A. from the American University of Rome, an LL.B. from Osgoode Hall Law School, a Masters of Law (LL.M) in Natural Resources, Energy and Environmental Law from the University of Calgary, and an S.J.D. (Doctor in Juridical Sciences) from the Faculty of Law, University of Toronto.

Panelists:

David Hubner - Vice President, Infrastructure BC

Mr. Hubner is Vice President at Infrastructure BC, with a focus on the transportation and utilities sectors. He has a Master of Business Administration (Finance) and an economics degree and spent ten years in the banking sector and corporate finance area prior to his work in procurement. Over the past 14 years, David has been involved in the procurement of numerous major capital projects in the transportation, energy and accommodation sectors.

Joe Ringwald - President, Geocomp International Consulting

Joe Ringwald, President of Geocomp International Consulting and former President and CEO of ScoZinc Mining, is a mining and mineral process engineer with over 35 years mining and construction experience including senior management positions in exploration, development, operations and consulting companies. His career has taken him into numerous countries on five continents to work on underground and surface projects of various commodities including base and precious metals, uranium, coal, industrial minerals and diamonds. His current and past avocation activities and affiliations include member of the Canadian Mirror Committee to the ISO for Anti-Bribery (ISO 37001), member of the Canadian Securities' Mining Advisory and Technical Monitoring Committee, past Director of Transparency International Canada (TI-Canada), founding Executive Committee Member of the Centre for Excellence on Corporate Social Responsibility (CSR), Member of the CIM Mineral Resource and Mineral Reserves Committee (17 years) and assisted in the development of the Extractive Sector Transparency Measures Act (ESTMA). He has published, presented and participated in numerous papers and events on CSR, human rights, anti-corruption and transparency relating to the extractive industry.

John Singleton, QC – Partner, Singleton Reynolds LLP

John is managing Partner of Singleton Reynolds LLP and has acted as Counsel in precedent-setting cases involving insurance, construction, liability and environmental matters. He offers extensive experience in major infrastructure projects and public private partnerships, as well as complex commercial disputes.

Neill Stansbury - Co-founder & Director, Global Infrastructure Anti-Corruption Centre, UK

Neill Stansbury is a lawyer who has worked for over 35 years in the international infrastructure sector. He has been involved in over 75 major projects in 20 countries. Since 2002, he has worked full time on

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the development, promotion, assessment and implementation of anti-corruption measures for governments, businesses and projects. He is Past Chairman of the International Organization for Standardization Anti-Bribery Project Committee which published ISO 37001, Past Chairman of British Standards Institution Anti-Bribery Working Group which published BS 10500, and Past Vice Chairman of the World Federation of Engineering Organisation's Anti-Corruption Standing Committee. He was independent anti-corruption compliance monitor of Balfour Beatty, Parsons Brinckerhoff and Mabey Bridge. He has given anti-corruption presentations and workshops in over 25 countries. He is co-author of various anti-corruption tools including the GIACC Resource Centre.

Paul Townsend - Principal, Townsend Risk Advisory

Mr. Townsend is a Chartered Accountant (CA, CPA) and Certified Internal Auditor with over 30 years of experience in risk management, audit, and compliance. For 16 years he was the Chief Risk Officer, VP Audit, and Chief Compliance Officer for the Teekay Group of Companies, leading a global team that was responsible for Enterprise Risk Management, audit, and global anti-corruption efforts including training and investigations. He was also the Vice Chair of the Maritime Anti-Corruption Network and past President of the Institute of Internal Auditors (Vancouver).

Since starting his own practice, he has advised many leading companies on implementing anti-corruption compliance best practices. He has also spoken widely on topics such as Business Ethics, Compliance Best Practices, Whistleblower Hotlines, Internal Auditing Best Practices and Collective Action. Mr. Townsend also assists in coordinating the BC Anti-Corruption Law Program and is also a co-founder of the Business Integrity Group (BIG).