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Enerji Sektörü Suistimal Farkındalık Zirvesi

Suistimal Riskini Önleme Konseptleri

30 Kasım 2016



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Introduction

We are...

Mark Brown

- *Director – PwC Turkey - Forensic Services (seconded from the New York Office)*
- *Corporate investigations experience includes leading field work in \$3.6 Billion ponzi scheme (Petters), and investigating multiple allegations of fraud, misappropriation and earnings management (in 20+ countries)*
- *Also worked on several FCPA investigations and have conducted anti-bribery and corruption due diligence, training and compliance reviews*
- *Acted as an expert witness on damages in US state and federal court and before an international arbitration tribunal at the Hague*
- *Seconded to PwC Singapore, 2013 - 2015*
- *Admitted to the New York bar and the Law Society of Upper Canada (Ontario bar)*
- *Certified Fraud Examiner (CFE)*

Tamer Emre

- *Elektrik Piyasa Hizmetleri Koordinatörü.*
- *TEDAŞ, TEİAŞ ve özel sektörde ölçme, talep tahmini, dengeleme, mali uzlaştırma ve ticaret konularında tecrübe kazanmıştır.*
- *Van Gölü-Aras-Dicle EDAŞ 2014 yılı Ar-Ge Projesi «Elektrik Dağıtım Şebekesinde Kayıp ve Kaçak Elektrik İçin Önleyici Çalışmalar» proje direktörü olarak görev almıştır. Proje kapsamında dağıtım bölgesi temsilcileri, 3 kıtada kaçak elektrik ile mücadele yönündeki en iyi uygulama örneklerini yerinde gözlemlemişlerdir.*
- *Bir dağıtım grubu için kayıp ve kaçağı yönetme imkanı veren Şebeke İzleme ve Endeks Okuma Projesi'nin direktörü olarak görev yapmaktadır.*
- *Elektrik-Elektronik Mühendisi, Güç Sistemleri üzerine Yüksek Lisans (M.Sc.), Üretim Yönetimi ve Sayısal Yöntemler üzerine Yüksek Lisans (M.A.), Enerji ve Rekabet Hukuku ve Sınır Ötesi Enerji Ticareti üzerine Lisans üzeri dereceleri sahibidir.*

Agenda

- ✓ What is fraud?
- ✓ Turkey vs. the World
- ✓ Experiences from the World
- ✓ The present situation in Turkey

What is Fraud?

Behaviours we are concerned about...

Fraud – an intentional and dishonest act involving deception or a misrepresentation, in order to obtain or potentially obtain an advantage for themselves or any other person.

Corruption – the abuse of entrusted power for private gain.

Theft – to dishonestly and without claim of right, take or deal with any property with intent to deprive any owner permanently of the property or interest in it.

What is Fraud?

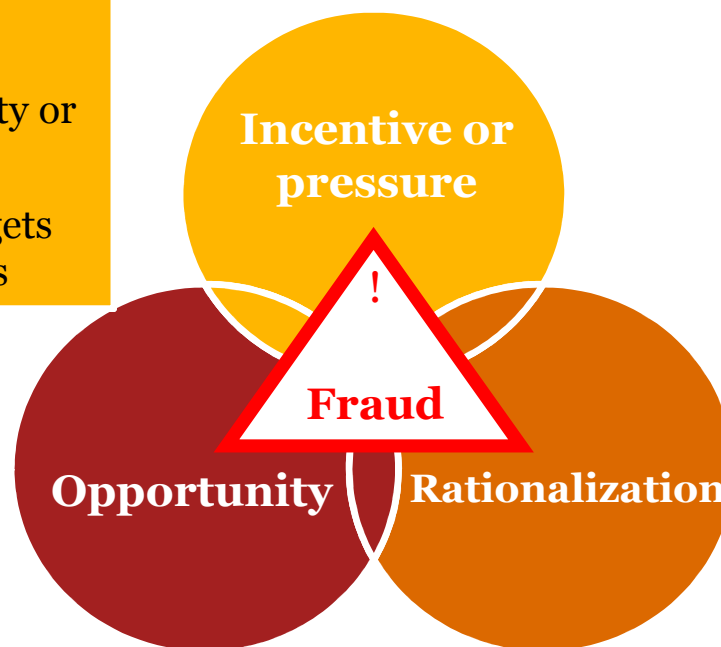
Why does fraud occur?

Incentive or Pressure

- Person in financial difficulty or need
- Pressure to meet sales targets or forecast numbers / KPIs

Opportunity

- Right place, right time
- Good understanding of operations, policies and procedures
- Access to records/funds



Rationalization

- I am underpaid
- I will return the money later (it is really just a loan)

What is Fraud?

Common fraud themes in Turkey

Fraud Theme	Territory Characteristics	Key Controls
Related party transactions	•Inadequate disclosure of RPTs	•Require employees to disclose potential conflicts of interest
	•Failure to disclosure conflicts of interest	•Segregation of duties
	•Collusion with friends/suppliers	•Business partner DD
	•Use of dummy quotes	•Data analytics
	•Leakage of other suppliers' quotes	•Email review
	•Poor tendering processes	•Enforcement of procurement practices
	•Can result in price inflation and/or substandard quality from vendors	•Rotation of staff

What is Fraud?

Common fraud themes in Turkey (cont.)

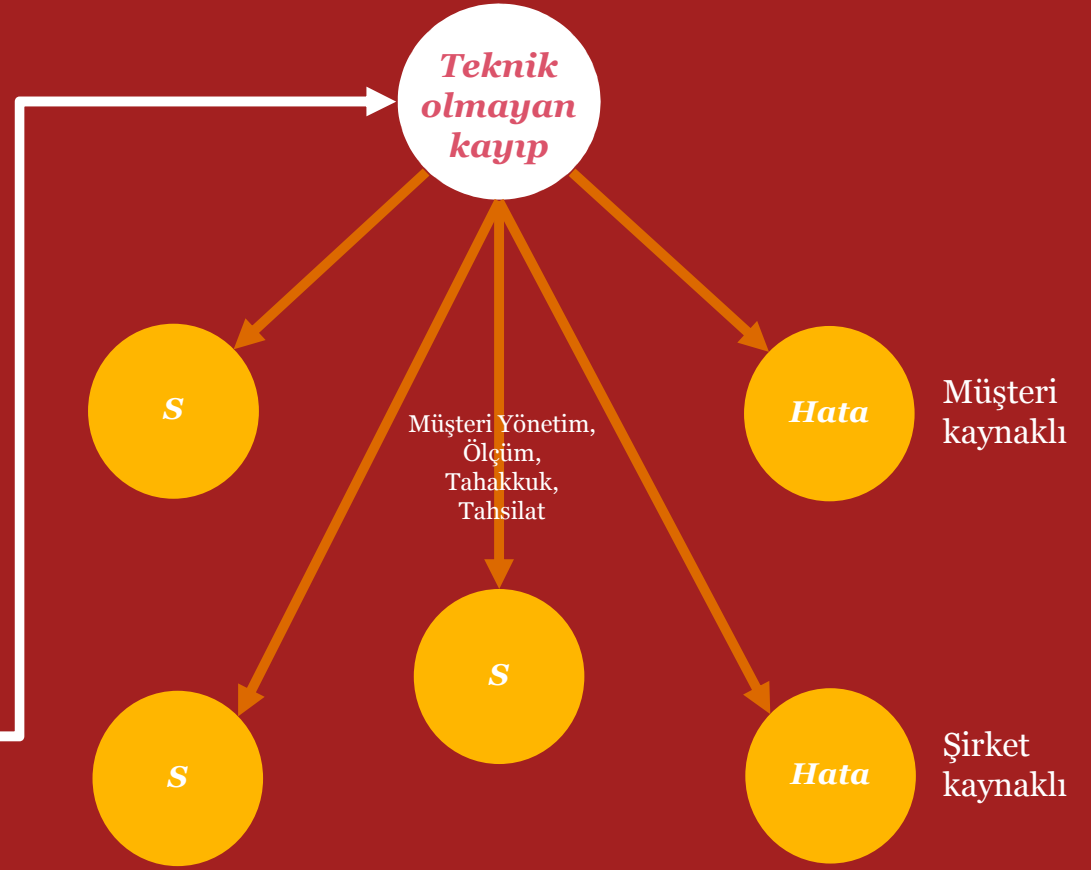
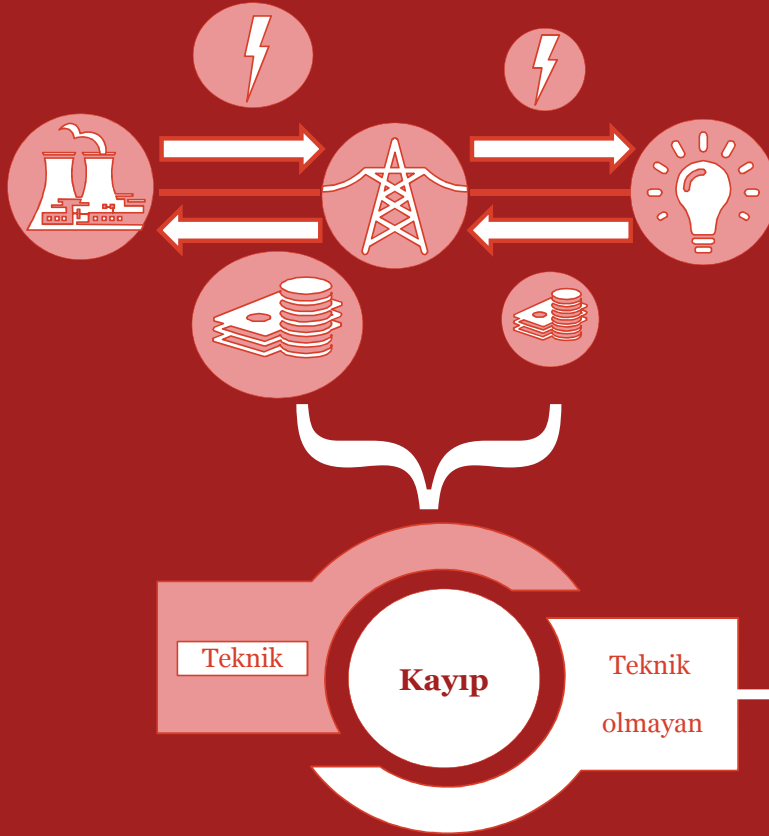
Fraud Theme	Territory Characteristics	Key Controls
Theft of IP	<ul style="list-style-type: none">• Counterfeit culture• Poor IT security	<ul style="list-style-type: none">• Restrict Access to IP• Test IT security
	<ul style="list-style-type: none">• Theft of designs, technical information, customer lists, etc.	<ul style="list-style-type: none">• Review physical security
Asset mis-appropriation	<ul style="list-style-type: none">• Stolen inventory/stock	<ul style="list-style-type: none">• Robust physical security measures
	<ul style="list-style-type: none">• Ghost employees	<ul style="list-style-type: none">• Robust stock takes/auditing
	<ul style="list-style-type: none">• Ghost vendors	<ul style="list-style-type: none">• Data analytics across payroll & AP

What is Fraud?

Common fraud themes in Turkey (cont.)

Fraud Theme	Territory Characteristics	Key Controls
Corruption and bribery	<ul style="list-style-type: none">• Entertaining government officials	<ul style="list-style-type: none">• Clear policies & guidelines on dealing with government officials
	<ul style="list-style-type: none">• Pressure to appoint officials' friends & families as vendors, staff etc.	<ul style="list-style-type: none">• Clear HR guidelines
	<ul style="list-style-type: none">• Business often dependent upon relationships	<ul style="list-style-type: none">• Policies & procedures with respect to gifts and hospitality
	<ul style="list-style-type: none">• Gifts & hospitality culture	<ul style="list-style-type: none">• Localisation of policies to account for local culture/environment
	<ul style="list-style-type: none">• Prevalence of cash payments	<ul style="list-style-type: none">• Minimise use of petty cash
	<ul style="list-style-type: none">• Cash equivalent gifts, such as gift cards	<ul style="list-style-type: none">• Company credit cards
	<ul style="list-style-type: none">• Use of third party consultants/agents as conduits for bribes	<ul style="list-style-type: none">• Business partner DD

«Suistimal» nedir?

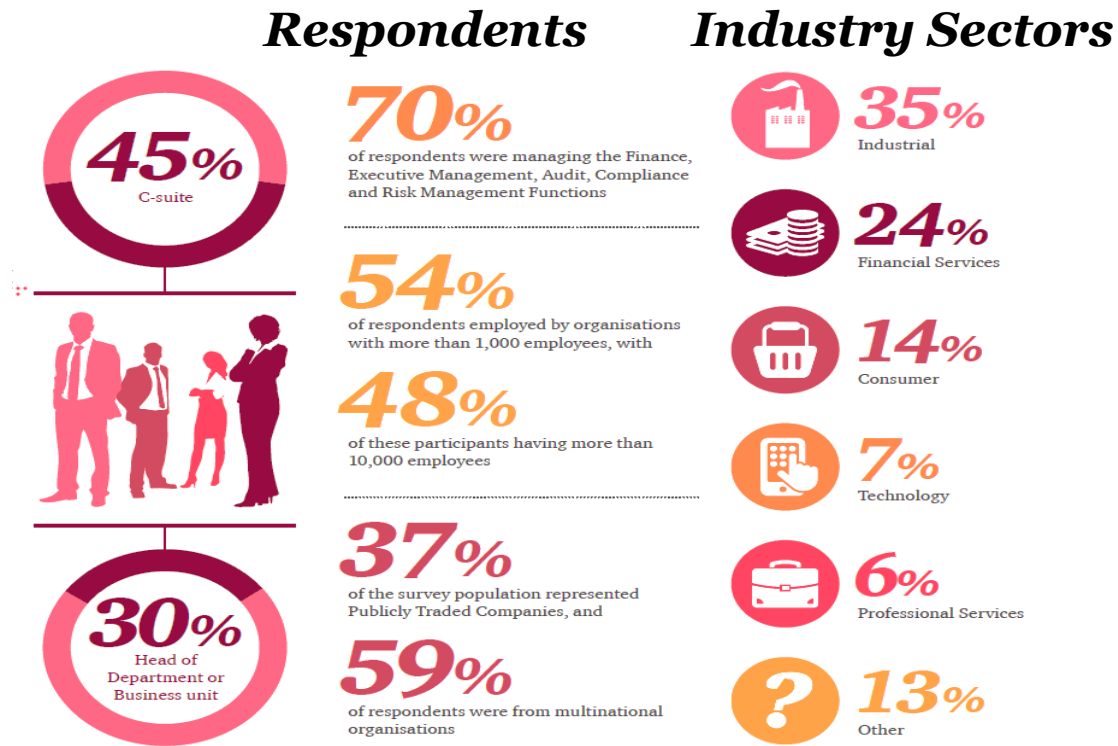


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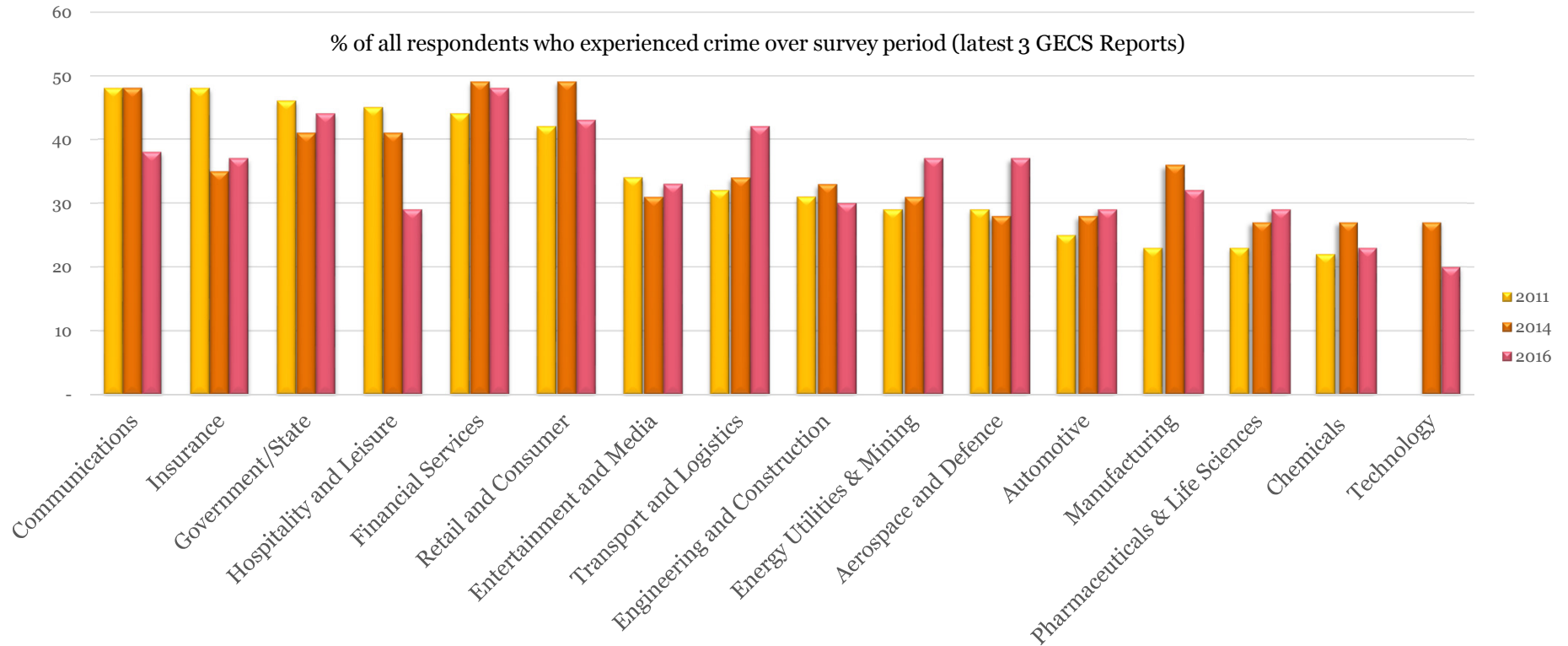
Turkey vs. the World

PwC Global Economic Crime Survey – Participation Statistics



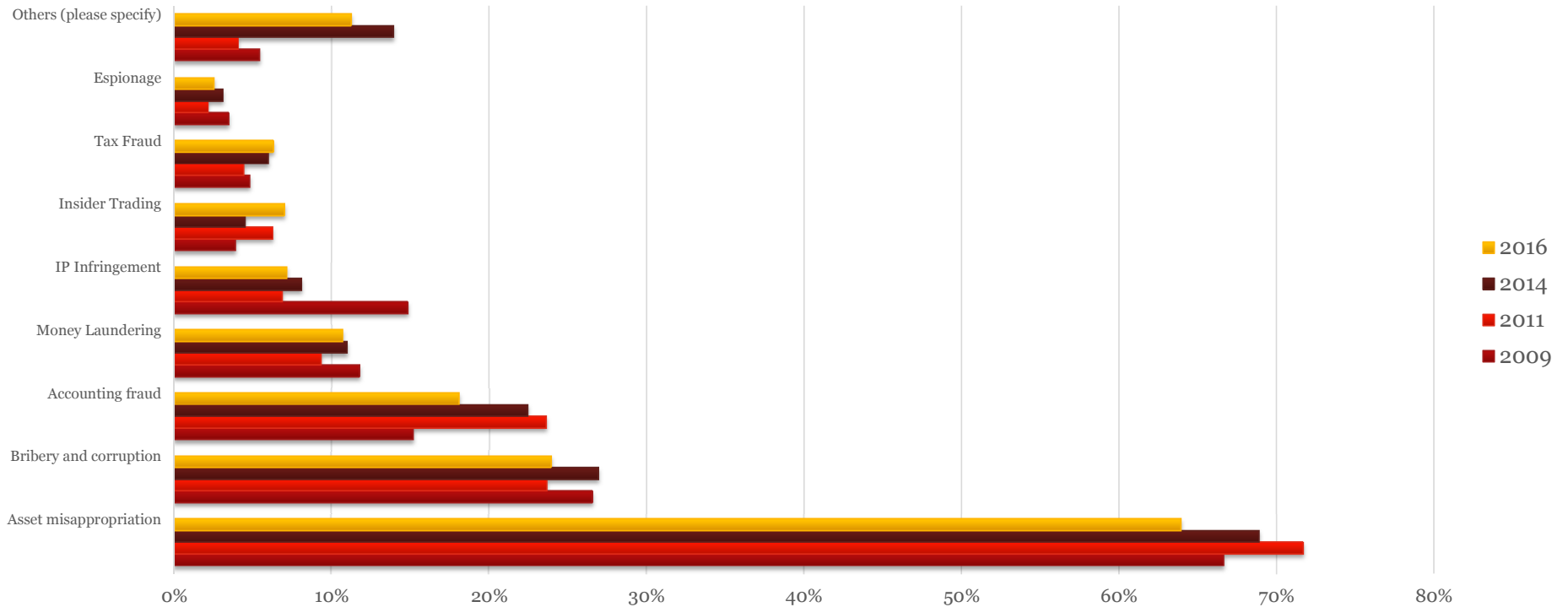
Turkey vs. the World

Which Industries are at Risk? (Economic crime reported by industry)



Turkey vs. the World

What types of economic crime has your organisation experienced within last 24 months?

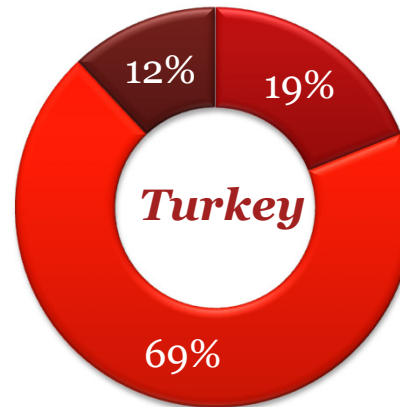


Turkey vs. the World

Has your organisation experienced any economic crime within last 24 months?



- Yes
- No
- I don't know



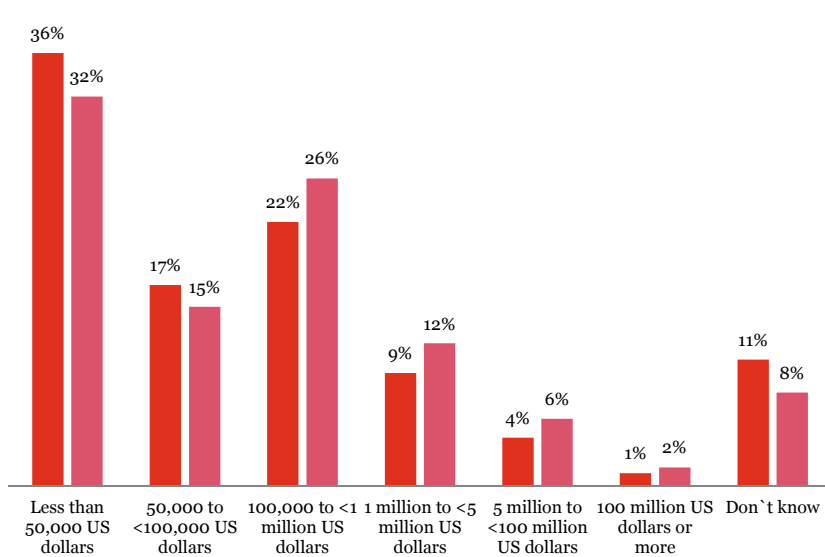
- Yes
- No
- I don't know

Turkey vs. the World

How much do you think your organisation may have lost through incidents of all such economic crimes over last 24 months?

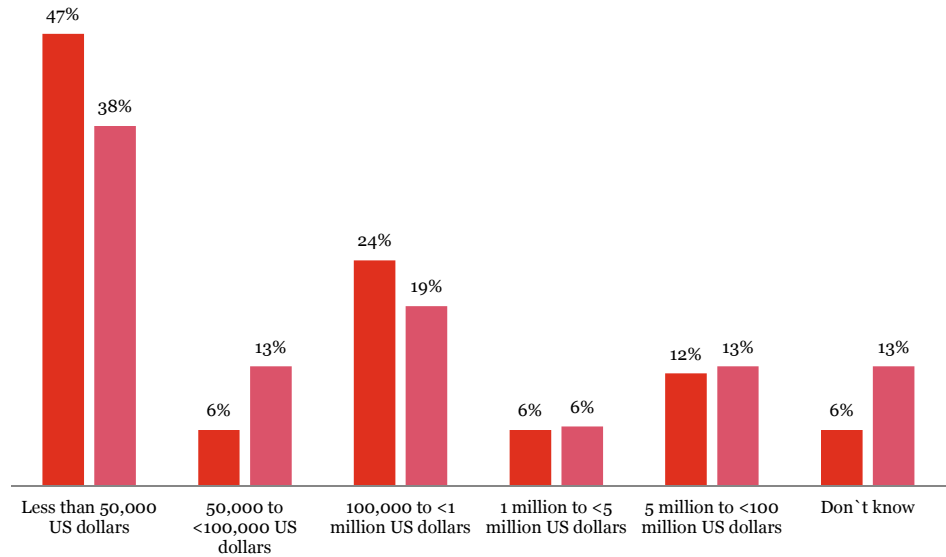
Global

■ 2016 ■ 2014



Turkey

■ 2016 ■ 2014



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Experiences from the World

1. *Kuvvetli yasal düzenlemeler*

2. *Sahada güvenlik*

3. *Bölge farklılıklarının yansıtıldığı tarife düzenlemeleri*

4. *Kamu ve kamuoyu desteği*

5. *Saha denetimi ve şebeke iyileştirme*

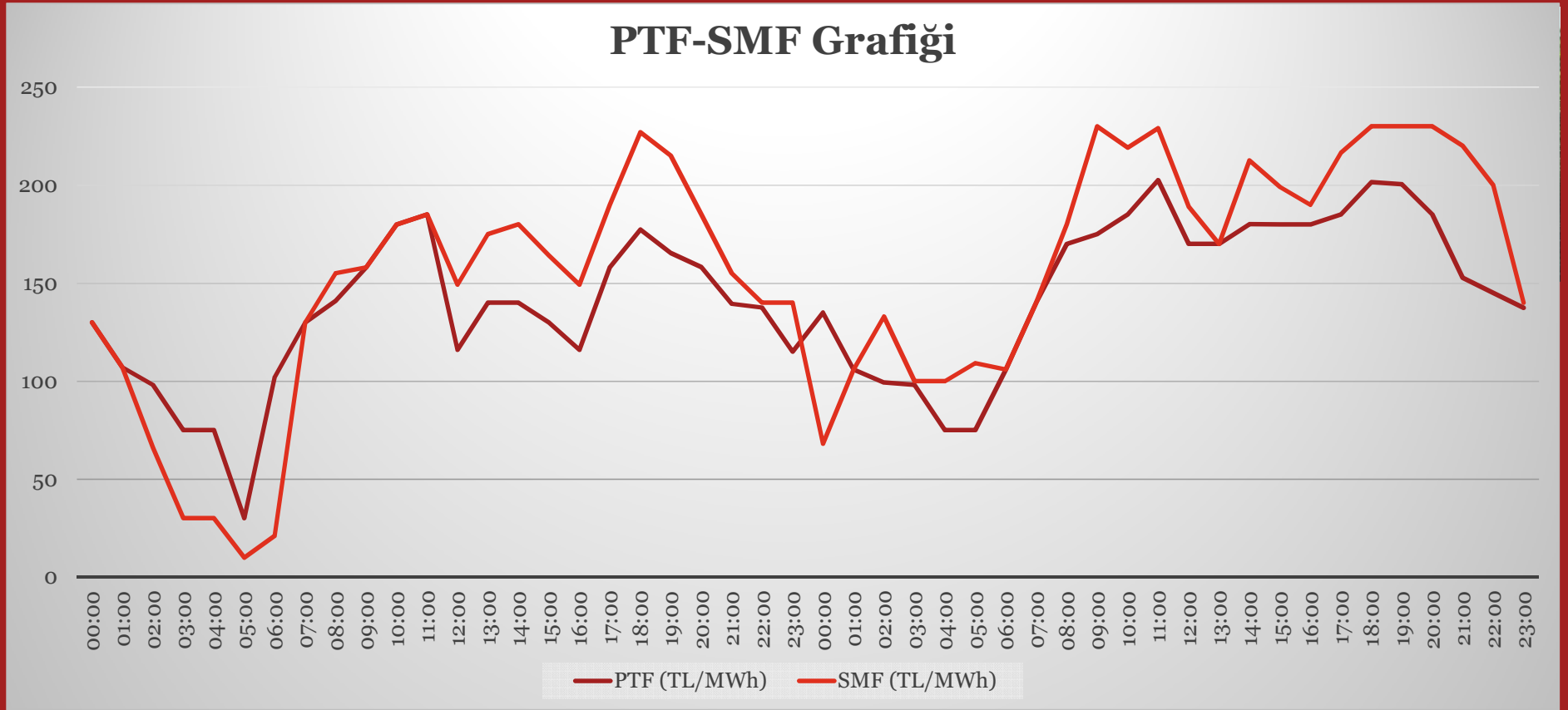
6. *Bilgi işlem çözümleri*

Proje'nin başarılı uygulanmasının en büyük özelliği, etkin bir şekilde yasasına göre uygulanan ve yandaki basamaklar ile alınan tedbirler olmuştur.

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The present situation in Turkey



The present situation in Turkey

*YETİŞMİŞ İNSAN GÜCÜ YÖNETİMİNİN
YAPILAMADIĞI HER YERDE SUİSTİMAL
POTANSİYELİ VARDIR.*

*SUİSTİMAL POTANSİYELİ OLAN HER YERDE
SUİSTİMAL OLACAKTIR...*

Teşekkürler...
