

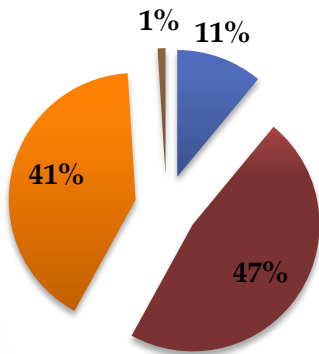
Poll Results from ACI's 30th International Conference on the FCPA

A Practical Debate on What *IS* a Robust Third Party Due Diligence Program



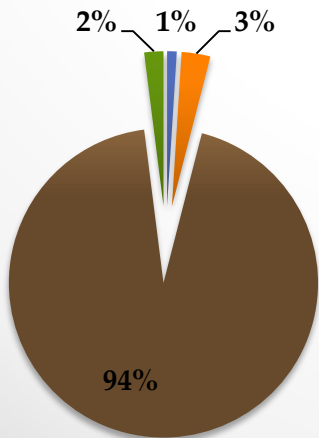
- Due diligence procedures should be conducted against all third parties to the same degree regardless of risk
- Due diligence procedures should be risk based and conducted based on a variety of risk factors
- Due diligence procedures should be risk-based based on the TI CPI index only
- Due diligence is not required unless there are red flags around the third party
- None of the above

When conducting due diligence on third parties considered high risk



- This diligence should be conducted by the business development department of the company proposing the third party be retained by the company
- This due diligence should be conducted by the chief compliance officer of the company
- This due diligence should ideally be conducted by an outside due diligence company independent of the company
- There is no need to conduct due diligence on a high risk agent until there are red flags

Due diligence records maintained by a company:



- Should be destroyed after the due diligence is conducted and the third party is signed up as a third party
- Ideally should be maintained by the chief compliance officer for a one year period and then destroyed
- Ideally should be maintained by the business development department
- Ideally should be maintained by the chief compliance officer or general counsel for the duration of the third parties contract with the firm and 5 years thereafter
- None of the above