

Academic Framework

Legal Research Group - European Compliance Benchmark

1. Please identify the relevant anti-bribery and corruption, fraud, anti-money laundering, and sanctions legislation within your jurisdiction.
2. Please explain the nature of the main offences for companies under this legislation and any potential penalties.
3. Please explain whether, and in what circumstances, criminal conduct by directors and officers may lead to corporate liability (i.e. the identification principle in the UK).
4. What are the potential bars to extradition of an individual (i.e. in the UK you cannot extradite individuals where the request is politically motivated or would expose someone to human rights violations)?
5. Please state and explain any:
 - a. internal reporting processes (i.e. whistleblowing) and;
 - b. external reporting requirements (i.e. to markets and regulators),that may arise on the discovery of a possible offence.
6. Who are the enforcement authorities for these offences?
7. What powers do those enforcement agencies have to compel the production of information (i.e. documents, answers to questions)?
8. In what circumstances may information be withheld from enforcement authorities (e.g. legal privilege, privilege against self incrimination)?
9. What are the restrictions on providing employee data to domestic or foreign enforcement authorities?
10. If relevant, please set out information on the following:
 - a. Defences to the offences listed in question 2;



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- b. Any methods of obtaining immunity from or prevention of prosecution (i.e. deferred prosecution agreement); and
 - c. Means and availability of and penalty reductions (i.e. co-operation, early guilty pleas).
11. If relevant, please set out information on means of cost mitigation (i.e. taxation, directors and officers insurance).
12. Looking forwards, how do you think that the legislation, enforcement and penalties are likely to change over the next five years?