



## Global Governance and Compliance

DLA Piper's Global Governance and Compliance group has unparalleled experience helping clients with international operations meet the evolving – and sometimes conflicting – expectations of regulatory and enforcement agencies.

With compliance-focused lawyers in over 75 offices covering more than 35 countries and their capital cities, we have the global breadth, local knowledge and industry experience to guide clients in all aspects of designing, implementing and managing compliance programs, assessing and mitigating risk, remediating compliance issues and running internal investigations.

The best compliance program in the world is worthless if it cannot be implemented effectively. Importantly, our Compliance team includes former general counsels and in-house chief compliance counsel, as well as business leaders who ensure we provide practical and actionable advice.

Regulators recognize this and often investigate whether an organization's compliance program is truly integrated, or whether it is simply a paper program. But a compliance program is equally worthless if it does not also allow you to conduct business profitably and efficiently. We understand this balance and ensure that our compliance advice and recommendations can be implemented and eliminate or mitigate a company's greatest legal risks without disrupting lawful business goals and practices.

### CAPABILITES

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Partnering with our clients, we focus on the following components:

- Tone at the top and building an ethical culture
- Awareness
- Structure and governance
- Budget
- Benchmarking
- Code of business conduct and ethics
- Policy review, reconciliation and awareness
- Training
- Complaint channels and ethics hotline

### CONTACTS CLÉS

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- Reporting and Metrics
- Escalation protocols

## EXPERIENCE

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Our clients include:

- A \$130 billion financial services company for which we helped build a global compliance program from the ground up while under the scrutiny of a federal monitor
- Some of the largest-in-class pharmaceutical and consumer products companies for which we have re-designed, tested and remediated global compliance programs in the world's highest-risk countries
- International airlines with operations in four continents
- Energy companies of all stripes
- A wide range of sophisticated organizations requiring support in internal investigations, such as the investigation into the use of steroids in Major League Baseball and the monitoring of Penn State University as supervised by DLA Piper Chairman Emeritus Senator George Mitchell

## ACTUALITÉS

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### Publications

#### **Proposed amendments to Canada's anti-money laundering regulations aim to close loop holes**

15 APR 2019

Long-awaited amendments to Canada's anti-money laundering regulations are set to come into effect this coming fall. A number of deficiencies in the regulations had been previously identified in reports by inter-governmental agency, the Financial Action Task Force, and the US State Department.

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#### **Top of Mind: Litigation**

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

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#### **2019 Proxy Season Hot Topics: Part 3 – SEC hedging rules, auditor report, Form 10-K changes**

15 FEB 2019

#### **[2019 PROXY SEASON HOT TOPICS](#)**

New SEC hedging rules, changes to the auditor's report, changes to Form 10-K cover pages and exhibit hyperlinks.

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#### **Keeping watch on smartphone app payments in China**

7 FEB 2019

Now could be a good time to think about the level of transparency your company may have in connection with smartphone app payments by your employees.

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## **Top of mind: Litigation**

10 DEC 2018

Our coverage of big compliance, enforcement and litigation issues that businesses are thinking about this quarter.

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## **Global Anticorruption Newsletter**

5 DEC 2018

DLA Piper's *Global Anticorruption Newsletter* offers practical guidance on complying with international bribery laws.

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## **CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies**

17 OCT 2018

The pilot program covers critical technologies in 27 industries.

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## **Four tips for an effective eDiscovery plan in China**

19 SEP 2018

A timely and well-documented eDiscovery plan, comprehensively addressing compliance with local laws, can also go a long way to address potential post-collection inquiries.

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## **The Second Circuit rules against DOJ's aggressive assertion of extraterritorial FCPA jurisdiction over foreign accessories**

29 AUG 2018

The ruling stands to limit DOJ's ability to bring FCPA charges against foreign nationals who do not travel to the US.

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## **The GDPR's impact on internal investigations**

10 JUL 2018

The impact of the European Union's General Data Protection Regulation on corporate internal investigations and criminal and civil litigation – both within the EU and abroad – has received little attention. Here, we take a look at the GDPR's privacy requirements through the lens of internal investigations and litigation.

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## **International HR and employee discipline issues in FCPA matters**

10 JUL 2018

Local laws, practices and cultural differences mean that the differences between investigations from one country to another, and the consequences of failing to understand them, can be significant. Here are some of the key considerations for multinational employers when they are conducting cross-border investigations.

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## **Super-apps complicate corporate compliance, pose heightened risks under FCPA Corporate Enforcement Policy**

10 JUL 2018

Super-apps allow seamless interaction between colleagues, customers, suppliers and other business parties. In some jurisdictions, local employees communicate exclusively via such apps – but this conduct presents grave legal, compliance and risk-management challenges.

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## **Declinations for self-reporting on the rise under FCPA Pilot Program and Corporate Enforcement Policy**

10 JUL 2018

The DOJ appears to be following through on its pledge to increase declinations in exchange for self-reporting potential FCPA violations.

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## **Crypto industry sweep: ICOs and token offerings under increasing scrutiny by US regulators**

18 APR 2018

Recent enforcement developments targeting the cryptocurrency community, and the opportunities and challenges that lie ahead.

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## **Smartphone apps pose heightened compliance risks under new US FCPA Corporate Enforcement Policy**

7 FEB 2018

Smartphone users in China and many other emerging economies increasingly rely on so-called super-apps, which integrate features otherwise accessible through multiple applications under a single user interface and account.

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## **Sanctions Bill significantly amended by the House of Lords**

26 JAN 2018

The Sanctions and Anti-Money Laundering Bill, introduced into Parliament on Wednesday 18 October 2017, received its third reading in the House of Lords on Wednesday 24 January. It is expected that the Bill will begin its passage through the House of Commons next month.

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## **Loi "Sapin II" : état des lieux après la publication au JO des recommandations finales de l'Agence Française Anticorruption**

26 JAN 2018

La publication au journal officiel, le 22 décembre 2017, des recommandations de l'Agence Française Anticorruption (A.F.A.) sur la prévention des atteintes à la probité a été le point d'orgue d'une période d'intense activité concernant la loi "Sapin II" et sa mise en application. Ces recommandations consolident en effet les projets déjà diffusés par l'Agence en octobre et novembre 2017 dans le cadre de la consultation publique qu'elle avait organisée.

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## While you are celebrating: 4 simple holiday season cyber-readiness steps for Asian businesses

12 DEC 2017

Attacks are more likely to happen during the holiday seasons when a company's key decision makers are on leave and its resources are stretched.

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## Facilitation payments no longer permissible under Canadian anti-corruption law

16 NOV 2017

Widening the rift between the US, which permits facilitation payments, and the majority of other countries, which prohibit them.

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## Loi « Sapin II » : l'Agence Française Anticorruption publie quatre premiers projets de recommandations et ouvre une large consultation publique

18 OCT 2017

Mesure phare de la loi n°2016-1691 du 9 décembre 2016 relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique, dite loi « Sapin II », la création de l'Agence Française Anticorruption (A.F.A.), service à compétence nationale placé auprès des ministres de la justice et du budget, a franchi un nouveau pas ces derniers jours, avec d'une part la signature, annoncée par l'Agence le 10 octobre 2017, des lettres de mission désignant les premières entreprises devant faire l'objet d'un contrôle au titre de la mise en œuvre d'un programme anticorruption, et d'autre part la publication, le 5 octobre 2017, de quatre premiers projets de recommandations sur la prévention des atteintes à la probité.

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## EU Commission assesses money laundering and terrorist financing risks at the supranational level

11 SEP 2017

The European Commission published on 26 June 2017 a supranational assessment of the risks of money laundering and terrorist financing affecting the internal market and relating to cross-border activities, the first report of this nature carried out at a supranational level in the EU.

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## WannaCry ransomware attack was just the tip of the iceberg

5 JUN 2017

The WannaCry ransomware attack took the world by storm on Friday, May 12, 2017. By some accounts, the attack infected more than 200,000 computers in over 150 countries **in a span of 24 hours**. Law firms and cybersecurity experts have been teaming up for years to deal with the increasing number of cybersecurity threats by both proactively defending against cyberthreats through strengthened cybersecurity compliance as well as reactively pursuing cyber criminals around the world, working closely with law enforcement, courts, banks, and cyber experts to help stop the loss of corporate funds and valuable data, and prosecute offenders. Cyberattacks are not going away anytime soon.

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## Loi Sapin II : Entrée en vigueur au 1er juin 2017 des dispositions relatives à l'obligation de prendre des mesures de prévention et de détection des faits de corruption et de trafic d'influence

1 JUN 2017

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Maillon désormais essentiel du dispositif français de lutte contre les atteintes à la probité dans le monde des affaires, la loi n°2016-1691 du 9 décembre 2016 relative à la transparence, à la lutte contre la corruption et à la modernisation de la vie économique, dite loi « Sapin II », a été largement commentée, lors de son adoption, comme traduisant la volonté de la France – longtemps critiquée pour le manque d'efficacité de son dispositif de prévention de la corruption – de se hisser au niveau des meilleurs standards internationaux en la matière, en particulier le Foreign Corrupt Practices Act américain de 1977 et le UK Bribery Act de 2010/11.

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### **DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know**

19 APR 2016

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### **Mexico's new National Anticorruption System: 7 key points**

20 JUL 2015

Constitutional reform regarding the creation of the National Anticorruption System

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### **Third parties: 4 FCPA takeaways for working with distributors**

24 SEP 2014

Four key challenges and related “cures”

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## **Evènements**

### **Récemment**

#### **Matinale Loi Sapin II : Bilan de l'année 2017 & atelier pratique sur la mise en œuvre des mesures de compliance**

25 JAN 2018

Paris

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## **NEWS**

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### **DLA Piper announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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## **DLA Piper establishes Litigation Regulatory offering in Dublin with partner hire**

18 APR 2019

DLA Piper today announces the appointment of Caoimhe Clarkin as a Litigation & Regulatory partner in the firm's Dublin office. This is the seventh partner hire for DLA Piper in Dublin this year.

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## **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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## **DLA Piper publie son livre blanc du numérique et ses déclinaisons sectorielles et organise son tech summit 2019**

29 MAR 2019

Suite à la première édition du Guide du Numérique 1 publié en 2017, écoulé à plus de 13000 exemplaires et traduit en anglais en 2018, pour des clients internationaux le cabinet DLA Piper prolonge la réflexion sur l'évolution de la transformation digitale avec la publication de ce deuxième ouvrage.

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## **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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## **Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration**

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

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## **2018 Compliance & Risk Report: Compliance Settles In, Personal Liability Concerns Persist and Technology Emerges as the Next Frontier**

15 NOV 2018

Although corporate compliance officers (CCOs) received greater support for their programs, concerns about personal liability increased over the past year, according to a new survey released by DLA Piper.

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## **DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim**

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

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### **DLA Piper hosts inaugural Afghanistan-UK Business Conference**

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

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### **DLA Piper's GTGA team named Sanctions Law Firm of the year 2018**

27 JUL 2018

DLA Piper's Global Trade and Government Affairs (GTGA) team has been named Sanctions Law Firm of the year, Europe, at this year's WorldECR Awards.

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### **DLA Piper hires financial services and insurance sector team in Belgium**

2 JUL 2018

DLA Piper in Antwerp has today been joined by a team of financial services and insurance sector lawyers from Baker McKenzie.

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### **DLA Piper secures victory for Transatel SA in landmark telecoms dispute**

20 JUN 2018

DLA Piper has secured a victory for the French telecommunications service provider, Transatel SA, in a dispute under telecommunications law before the Federal Network Agency (BNetzA). In this landmark procedure, the BNetzA ordered the German mobile network operator, Telefónica Germany GmbH & Co. OHG, to submit a draft agreement regarding access to regulated wholesale roaming services to Transatel.

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### **DLA Piper announces partnership promotions for 2018**

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

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### **DLA Piper Africa advises Adenia Partners on acquisition of controlling stake in Kanu Equipment Limited**

23 MAR 2018

Kanu has been driving an expansion strategy across Sub-Saharan Africa in recent years and the business now operates in 13

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countries, servicing the agriculture, construction and mining industries.

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### **DLA Piper advises Timor-Leste on historic maritime treaty**

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

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### **Quatre associés de DLA Piper parmi les 50 avocats d'affaires 2017 en Afrique Francophone de Jeune Afrique**

20 FEB 2018

DLA Piper est ravi d'annoncer que les associés Michael Ostrove (Litigation & Regulatory), Eric Villateau (Finance & Projects), Alexander Brabant (Litigation & Regulatory) et Christophe Bachelet (Corporate) sont cités dans le classement des 50 avocats d'affaires qui ont marqué l'année 2017 de *Jeune Afrique*, une nette amélioration pour le cabinet en nombre d'avocats et de places par rapport à l'année 2016.

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### **Four DLA Piper partners recognised in Jeune Afrique's Top 50 Lawyers in Francophone Africa 2017**

20 FEB 2018

DLA Piper is delighted to congratulate Litigation & Regulatory partners Michael Ostrove and Alexander Brabant, Finance & Projects partner Eric Villateau, and Corporate partner Christophe Bachelet, on their inclusion in *Jeune Afrique's* Top 50 Business Lawyers in Francophone Africa 2017 rankings. This year, more DLA Piper lawyers than ever before have been awarded a place on the rankings, with partners scoring individual record rankings for the firm.

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### **Businesses still not fully aware of Data Protection issues**

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May 2018.

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### **Stephen Matthews joins DLA Piper's Litigation practice in New Jersey**

17 JAN 2018

DLA Piper announced today that Stephen Matthews has joined the firm's Litigation practice as a partner in the Short Hills, New Jersey, office.

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### **Six months until GDPR: companies still reporting low levels of preparedness**

15 Nov 2017

For the over 200 organisations responding to DLA Piper's Data Privacy Scorebox online survey tool since the start of the year,

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the average alignment score with all key international data privacy principles was 31.5%, as against an 38.3% average score for respondents in the 2016 calendar year.

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### **DLA Piper advising FirstRand on £1.1 billion takeover of Aldermore Group PLC**

7 NOV 2017

DLA Piper is acting for FirstRand, South Africa's largest financial services institution, who have put forward a £1.1 billion recommended offer for approval by the shareholders of Aldermore Group PLC, ("Aldermore") a British specialist lender and savings bank

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### **Ilaria Curti listed in GIR's 40 under 40**

6 OCT 2017

Ilaria Curti, Rome-based lawyer in DLA Piper's Litigation & Regulatory practice, is featured in Global Investigations Review's (GIR's) 40 under 40 2017.

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### **DLA Piper successfully advises WISAG Aviation Service on new ground handling concession for Frankfurt am Main Airport**

17 Jul 2017

DLA Piper has successfully advised WISAG Aviation Service Holding GmbH as part of the court case concerning the ground handling concession at Frankfurt am Main Airport. On 11 July 2017, WISAG Aviation Service received the only third-party supplier licence for an additional ground handling service provider.

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### **DLA Piper advises Beijing BDStar Navigation Co., Ltd on the purchase of an interest in the in-tech Group**

19 Jun 2017

DLA Piper has advised BDStar as part of a bidding procedure on the acquisition of an interest in the company in-tech GmbH, a supplier for the digitization and the development in the area of automotive, machinery and transportation systems.

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### **DLA Piper berät Beijing BDStar Navigation Co., Ltd beim Erwerb von Anteilen an der in-tech Gruppe**

19 Jun 2017

DLA Piper hat die BDStar beim Erwerb einer Beteiligung an der in-tech GmbH, einem international agierenden Spezialisten für Digitalisierung und Entwicklung in den Branchen Automotive, Maschinenbau und Verkehrssysteme, beraten.

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