

ANTI-BRIBERY & CORRUPTION

OVERVIEW

We advise domestic and global companies across a range of sectors on preventing, detecting and responding to Anti-Bribery and Corruption (ABC) risks. We work with clients to manage their exposures under the UK Bribery Act 2010, the US Foreign Corrupt Practices Act (FCPA), Sapin II, and other increasingly complex global bribery laws and regulations.

With increased enforcement across the globe, it is important that companies have a robust ABC compliance framework to mitigate the risk of non-compliance and possible resulting enforcement action. As well as ensuring compliance with relevant legislation, it enables a company to demonstrate that proportionate procedures are in place to prevent bribery and corruption.

OUR TEAM

Our team are based across the US, Europe and Asia. As well as having the experience of advising companies of a global scale they also have deep ties to the local and regional business communities. Our team that advise on the design and implementation of anti-corruption programs include professionals who have held ranking positions at relevant agencies, including former prosecutors, and highly preeminent King's Counsel, [Mukul Chawla KC](#), who understand how various aspects of an anti-corruption program would be received by the DOJ, SEC, SFO and other authorities.

We provide a full range of services from designing and rolling out global compliance programs through to advising on internal and government-led investigations, including:

INVESTIGATIONS

- Advising on the conduct of internal investigations into potential violation.
- Acting for companies and individuals subject to investigations by regulatory bodies or government agencies.

COMPLIANCE ADVISORY

- Advising on the implementation and maintenance of compliance programs, and associated policies, to ensure compliance with these requirements.

TRANSACTIONAL

- Advising on these issues in the context of risk management in connection with mergers and acquisitions and financial transactions, including FCPA/bribery due diligence reviews.
- Drafting relevant provisions for contracts, including supplier and shareholders agreements.

MEET THE TEAM



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RELATED PRACTICE AREAS

- International Trade
- Securities Litigation and Enforcement
- White Collar
- Anti-Money Laundering Compliance

RELATED INSIGHTS

News

May 22, 2023

BCLP delivers 2023 senior managers development program for the Association of Foreign Banks (AFB)

Insights

Jun 10, 2022

Fallout from the Glencore resolutions & lessons learned

Update 24 June 2022: Having pled guilty on all counts, Glencore Energy (UK) Ltd was convicted on 21 June 2022 on all seven charges of bribery brought against it by the SFO. It will be sentenced later this year, on 2 and 3 November.

Insights

Apr 25, 2022

FCA's thinly veiled warning to challenger and traditional retail banks over financial crime risk

On 22 April 2022, the FCA published the findings of its review of financial crime controls at six relatively new and primarily digital challenger banks that all offer similar products to traditional retail banks. These six banks represent over 50% of the relevant challenger firms and the FCA's review covered over 8 million customers. The scope is potentially much wider than this would suggest: the FCA expressed its view that "there [are] limited differences in the inherent financial crime risks faced by challenger banks, compared with traditional retail banks." This makes the review essential reading for anyone involved in mitigating the risk of financial crime in retail banking. Here are our key take away points.

Insights

Mar 17, 2022

Economic Crime (Transparency and Enforcement) Act 2022 ushers in the new overseas entities register with some late amendments of note

The draft Economic Crime (Transparency and Enforcement) Bill, published on 28 February 2022 and following an expedited passage through Parliament, received Royal Assent on 15 March 2022 to become the Act. Some of the provisions on the imposition of sanctions are in force straight away, including the streamlined process for making sanctions regulations and the urgent designation of persons by name or description, with the remainder of the Act (notably, introducing the overseas entities register and amendments relating to proceeds of crime legislation) due to enter into force on a day to be appointed by regulations. The Act impacts overseas owners' holdings of UK land since January 1999, and requires disclosures by an overseas entity of UK land transactions from 28 February

2022. We would recommend that those impacted prepare and implement compliance arrangements straight away.

Insights

Mar 02, 2022

Government expedites legislation on a register of overseas entities that own UK property in its Economic Crime (Transparency and Enforcement) Bill 2022

As part of its response to the Russian invasion of Ukraine, HM Government intends to fast-track the long-awaited Economic Crime (Transparency and Enforcement) Bill. The Bill requires overseas entities to register with, and provide details of their beneficial owners to, UK Companies House before the overseas entity can be registered as the legal owner of UK land. Based on the draft Registration of Overseas Entities Bill (published and consulted on in July 2018 and originally intended to go live in 2021) implementation is now expected to proceed at pace once the Bill becomes law.

Insights

Feb 21, 2022

The Economic Crime Bill: what is it and how much might change?

The House of Commons Treasury Committee recently published their Eleventh Report of Session 2021–22 (the “Report”). In addition to identifying key gaps in the Government’s response to economic crime, the Report makes a number of recommendations and includes an assessment of the measures that might be required to be brought in through an Economic Crime Bill. In this article, we provide an overview of what the Economic Crime Bill (due to be tabled by Parliament in their third session later this year) might look like and what you can be doing now to prepare. We also set out why we have reservations as to the effectiveness of what may be proposed.

News

Dec 23, 2021

BCLP advises Agilitas on the buyout of Prodieco

International law firm BCLP, advised Agilitas Private Equity (Agilitas) on the buyout of Prodieco Advanced Engineering Solutions (Prodieco), a leader in precision engineering for European blister packaging lines.

Webinars

Dec 06, 2021

BCLP Hosts Webinar With MUFG on Designing Effective Cross-Border Anti-Corruption Compliance Programs