

schönherr compliance & white collar crime

Advice in criminal compliance and crime proceedings

Criminal Compliance

Corporate criminal proceedings and preventative measures have markedly gained in importance. For example, since the Act on Corporate Criminal Liability was introduced in Austria, a company's management is obliged to take measures to prevent internal criminal offences. Thus, the prevention of criminal offences committed by the company or its employees has become a key management task.

In response to this, and to better service the needs of its clients, Schönherr has established a dedicated compliance and white collar crime team. The team offers criminal prevention advice in the field of Criminal Compliance with focus in anti-corruption. Schönherr provides risk analyses of corporate areas fraught with risk and creates individual, tailor-made Compliance Programmes.

References

- Anti-corruption advice to a US pharmaceutical company and steel company regarding bribery offences in the public sector
- Anti-corruption advice to an energy company regarding the Slovenian anti-corruption law for the private and public sectors
- Creation and provision of anti-corruption compliance programmes and setting up of behavioural guidelines and monitoring systems including training of the management and relevant marketing and sales employees for Austrian and international companies
- Criminal Compliance advice to a media company regarding Austrian, Albanian, Bulgarian, Croatian, Macedonian, Romanian and Serbian law
- Creation and setting up of Whistleblowing Hotlines for national and international companies
- Criminal Compliance workshops for OMV/Petrom and ALPIQ in Romania

The entire CEE and SEE region can be covered through the Schönherr offices and country desks.

Here, Schönherr can also rely on its compliance specialists in the fields of cartel, data protection, capital markets, labour, tax and corporate law.

Representation and defence in white collar crime

The team also advises companies that have been damaged by the criminal activities of their employees or third persons. Additionally, it represents companies facing criminal liability due to organisational culpability or erroneous management decisions. Schönherr's white collar crime lawyers help clients protect their rights and advise on how they can mitigate their risks accordingly, e.g. with regard to search warrants, confiscation of evidence, information regarding bank accounts and bank transactions, blocking of accounts and telephone surveillance.

Our white collar crime practice deals particularly with:

- Anti-corruption
- Crimes against property
- Insider trading
- Money laundering
- Accounting fraud
- Insolvency crimes
- Environmental criminal law
- Data protection
- Breach of professional secrecy
- Criminal offences concerning the media

References

- Defence of an international automobile company in criminal proceedings based on allegations of corruption brought by Czech Public Prosecutors
- Advice to a managing director during criminal preliminary proceedings based on allegations of fraud and insolvency crimes
- Representation of a German investor in criminal proceedings against former members of the board of an Austrian media company concerning crimes against property and accounting fraud
- Preparation of management systems and defence in regards to criminal and administrative criminal responsibility in environmental and investment law
- Presentation of a criminal complaint and representation of an aggrieved company regarding suspicion of insider trading and market abuse by a company listed on the Bucharest stock exchange
- Representation of a US foundation of investors aggrieved as a result of stock market fraud
- Workshops for the Romanian Office of the Public Prosecutor and the Economic Crime section regarding insider trading and market manipulation

Compliance & White Collar Crime Team Austria



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