

# ADVANT

Your compliance and corporate defence advantage

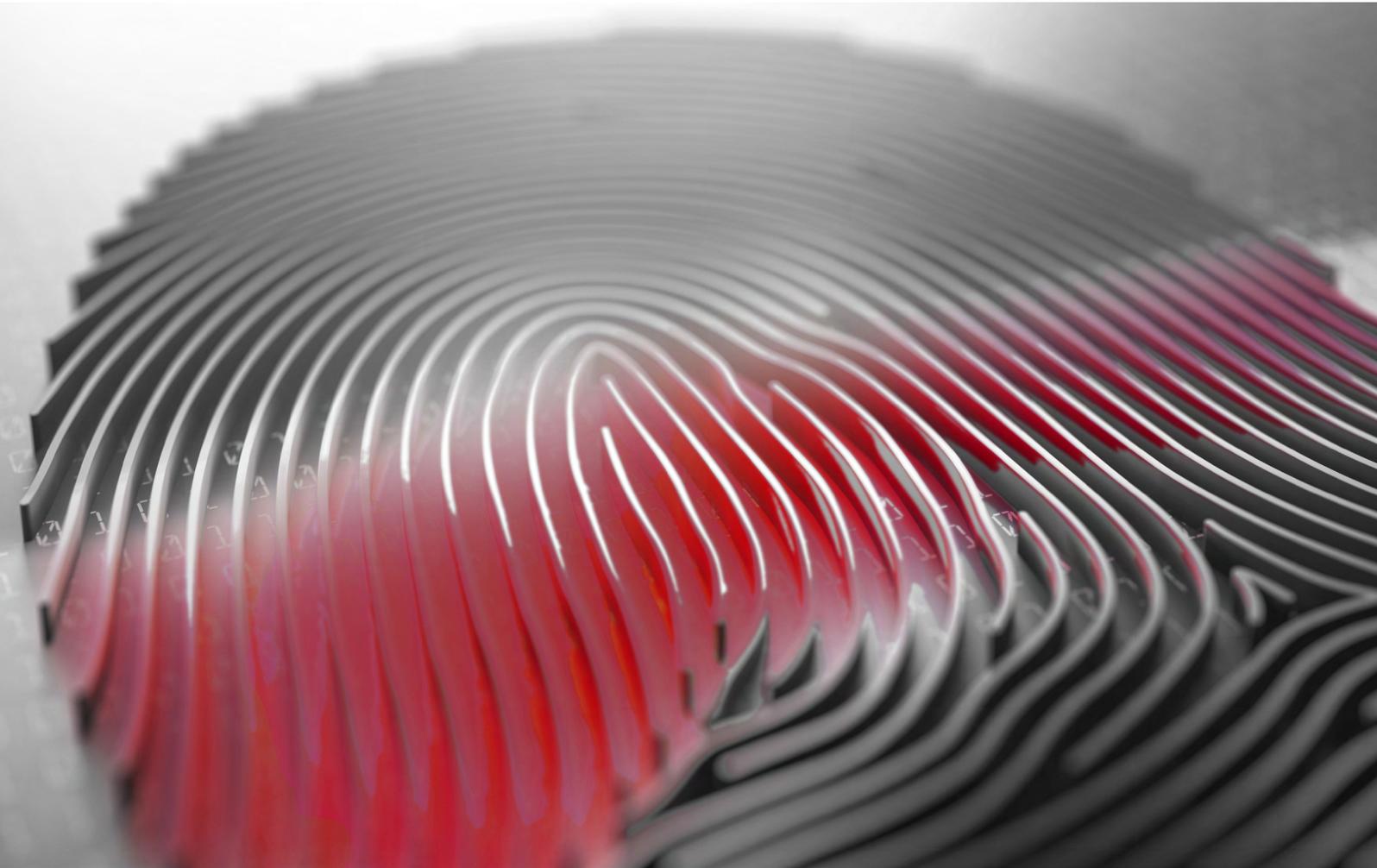
ADVANT Altana | Beiten | Nctm

[www.advantlaw.com](http://www.advantlaw.com)

## OUR WHITE COLLAR CRIME PRACTICE

Scrutiny of businesses, including their leaders and employees, continues to grow around the globe, with increasingly complex regulatory and compliance requirements across nearly every industry. As a result, allegations of criminal or administrative misconduct by both companies and individuals are increasingly likely.

We act for both businesses and individuals accused of wrong-doing, as well as for victims of unlawful conduct. When such circumstances arise, our member firms bring to bear significant experience in order to provide a focused and seamless response.



## MEMBER FIRM AWARDS AND RECOGNITIONS

Our professionals have been recognized by many leading rankings, awards and publications, both regionally and globally. In addition, **ADVANT** was named the 'International Firm of the Year' at the 2022 Legal Business Awards, and a finalist for 'Global Network of the Year' at The Lawyer European Awards 2022.

Best Lawyers

Chambers  
AND PARTNERS



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## OUR EXPERTISE

For both organizations and individuals, we advise on:

- **Compliance** - establish or advise on appropriate whistle-blower processes within.
- **Internal investigations** – we regularly handle or lead such investigations – including those which are highly sensitive, complex, or multi-national in nature
- **Corporate defence** - we assist clients in all types of legal and regulatory proceedings and provide all-hours support for 'dawn raids' and advising individuals accused of criminal or professional misconduct.

In addition, where situations involve other complex areas of law – such as corporate issues, employment, data protection, insolvency, antitrust, capital markets or tax – experts from **ADVANT** member firms work together seamlessly to provide exactly the right advice and support for the client's unique needs.

## KEY CONTACTS



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## OUR EXPERIENCE



### Compliance

We advise both companies and individuals in all areas of corporate criminal law. Our experts assist clients in identifying and minimizing current and future risks by developing and implementing compliance programs and helping to optimize existing compliance structures.

Our experts have a deep understanding of the various aspects of compliance, particularly including white collar criminal law (e.g. crimes against Public Administration, bankruptcy crimes, medical malpractices, reputational crimes etc.), business human rights law, corporate law, anti-corruption law, antitrust law, labour law and workplace safety, data protection law, tax law, anti-fraud, anti-money laundering law, environment law, cybersecurity, market

abuse and human rights. We advise companies from numerous sectors, providing tailored advice to ensure that their business and corporate activities meet the expectations of regulators. Our international network allows us to assist in cross-border cases, ensuring that our clients receive the best possible representation no matter where they do business.

Typical activities include:

- Conducting compliance risk assessment and gap analysis
- Advising managers on compliance responsibility
- Providing specific compliance advice (e.g. on supervisory board's establishment and composition, corporate governance structure, reporting flows, liability within corporate groups)
- Preparing code of conducts, compliance programs (e.g. 231 Models according to Italian Leg. Decree 231/2001) and internal policies
- Monitoring on the compliance programs implementation
- Providing training
- Implementing compliance management systems (e.g. anti-bribery management system pursuant to the international standard UNI ISO 37001:2016)
- Conducting compliance due diligences
- Adapting the disciplinary system and advising on trade union and labor law relations in the implementation of the system of penalties
- Providing specific compliance advice

### Examples of our assistance

- Italian public oil and gas group (9 companies): Assistance in the implementation of anti-bribery management systems certified pursuant to the UNI ISO 37001:2016, and assistance in the update of the group code of ethics and the compliance program of each company
- European largest electricity operator (Italian public company): Assistance for the update of the company's compliance program, and advice on corporate and individual liabilities related to the subsidiaries' activities
- Italian public oil and gas group: Assistance in the definition of the compliance programs for 13 subsidiaries, and assistance for the release of a quality assurance on the integrated internal control system framework
- Italian public aviation group: Advice on anti-corruption, data protection and cybersecurity matters; assistance in the improvement of anti-fraud scheme, code of ethics, whistleblowing scheme and compliance program; and compliance training for approximately 4,200 employees
- French media company (TV, radio): Review and improvement of the ethics compliance management system pursuant to Sapin II Law
- French pharmaceutical company: Advice on the implementation of the ethics compliance management system pursuant to Sapin II Law
- French energy company: Advice on the implementation of the social and environmental compliance management system pursuant to Vigilance Law, and advice on the French corporate definition of raison d'être pursuant to PACTE Law
- French phytosanitary company (subsidiary of a foreign group): Assistance in a control by the HATVP regarding lobbying issues
- German medical devices manufacturer: Advice on the implementation of the supply chain due diligence act
- German payment services provider: Advice on the implementation of a compliance management system
- German real estate company: Conducting a compliance risk analysis
- Scandinavian building materials and packaging producer: Conducting an ESG due diligence for the buyer in a M&A transaction
- German coffee trading company: Advising in connection with a ransomware attack, filing a criminal complaint, and representing the company's interests in the investigation proceedings
- UK-based facility management services company: Advice on tax liability risks in connection with permanent establishments in Germany

### Internal Investigations

In case of suspicions of compliance violations, we conduct internal investigations targeted at establishing the facts necessary to verify the suspicions and to secure evidence for possible use in court. We help our clients identify and minimize risks while conducting these investigations, so they can protect their interests while also complying with the law.

Typical activities include:

- Conducting preventive audits
- Conducting internal investigations into suspicions of misconduct



- Conducting preventive audits
- Conducting internal investigations into suspicions of misconduct
- Organising the review and analysis of electronic data
- Interviewing employees and third parties
- Monitoring and testing of internal controls
- Preparing investigation reports and advising on legal obligations and options covering, typically, criminal, labour, data protection, corporate as well as civil law

### Examples of our assistance

- Italian public oil and gas group: Assistance in the execution of monitoring and testing activities aimed at verifying the implementation of the anti-corruption system within the group companies
- Leading Italian road transport company: Ongoing assistance in conducting internal audit activities on "staff" and operative processes
- French nuclear industry company: Managing the internal investigation conducted by staff representatives and unions regarding a suicide committed in the company
- French bank: Assistance of the client in conducting an internal investigation related to serious embezzlement committed by a former employee
- German care services provider: Conducting external audits and advising on consequences of findings of criminal law violations
- German automotive suppliers: Advice on legal obligations in the event of indications of compliance violations
- German financial institution: Conducting an internal investigation into suspicion of a VAT carousel
- German plant construction company: Conducting an internal investigation into allegations of corruption

### Defence

Our experts represent and defend clients in front of Criminal Courts, in front of regulators and other law enforcement authorities as well as in proceedings brought by private parties like companies, NGO and individuals. We accompany dawn raids. We also represent injured parties in criminal proceedings against perpetrators, enforce damages claims, and offer asset tracing and asset recovery.

Typical activities include:

- Dawn raid assistance
- Filing criminal complaints
- Asset tracing and asset recovery
- Proceedings triggered by NGOs under French law
- Corporate defence
- Individual defence
- Witness assistance

### Examples of our assistance

- Cybersecurity and internet frauds: Criminal law advice and judicial defence to Italian and foreign companies involved in cross-border or national informatic frauds and cyber-attacks with specific support on filing criminal complaints and asset-tracing for recovering money
- Italian waste managing companies: Advising on an environmental crimes-related criminal proceeding carried out by the Public Prosecutor's Office against managers and directors of two companies for an alleged illegal cross-border trafficking of waste
- Italian real-estate fund: Judicial defense in a criminal proceeding involving a managing director accused of accidental injuries for alleged violations of the Italian Legislation on health and safety in the workplace following a workplace accident
- Italian terminal operator: Judicial defense in various criminal proceedings involving the former Health and Safety Manager and the Company itself for environmental crimes related to the sewage disposal and the waste management in the harbour area
- Italian asset management company: Criminal law advice and judicial assistance to the Company itself as the civil party in several criminal proceedings against former directors and managers for fraud, money-laundering and self-laundering
- Italian branch of a global telecommunications company: Defense of the former finance manager in a criminal proceeding for false accounting
- French construction company: Defense in criminal proceedings related to alleged private corruption (concerning deals around €80 million)
- Swiss individual: Defense in several criminal proceedings related to tax law, in connection with former French Minister for the Budget
- French rail company: Defense in criminal proceedings related to a involuntary homicide case involving 89 civil parties
- French automotive company: Defense in criminal proceedings related to consumer issues (case known as the Dieselgate)
- French electronics company (subsidiary of a foreign group): Defense in criminal proceedings related to alleged misleading commercial practices regarding ethics, advertisement, and supply chain issues
- French construction company: Defense in criminal proceedings related to pollution of concrete in the Seine Rive
- German construction company: Criminal law advice in connection with possible investigations by the main customs office against a subcontractor and filing of a criminal complaint against responsible persons of the subcontractor
- German utility: Advising on an investigation by the public prosecutor against a former managing director on suspicion of embezzlement and bribery of works council members, and on a tax correction declaration
- German payment service provider: Defense in fine proceedings of the German Federal Financial Supervisory Authority because of alleged violations of the Money Laundering Act
- German waste management company: Advising on criminal tax proceedings against former shareholders and managing directors of two acquired subsidiaries and representing the company's interests vis-à-vis the tax fraud office
- German food trading and logistics company: Defense in fine proceedings of the main customs office due to alleged employment of workers without a work permit and alleged violations of the Working Hours Act
- German utility: Defense in fine proceedings of the main customs office on suspicion of wage tax evasion
- German electricity trading company: Defense in fine proceedings of the main customs office on suspicion of electricity tax evasion

# ABOUT ADVANT

**ADVANT** is comprised of leading European lawyers and is uniquely positioned to deliver a distinctive advantage to clients navigating the complex commercial landscape of Continental Europe.

Representing a combined team of nearly 600 professionals, including nearly 140 equity partners, **ADVANT** is comprised of **ADVANT** Altana in France, **ADVANT** Beiten in Germany, and **ADVANT** Nctm in Italy.

With a presence in 15 locations across Europe and beyond, these firms serve their clients, both in Europe and internationally, by providing the highest-quality advice and results – efficiently and cost-effectively through technical excellence, dedication, and true collaboration.

A unique venture in the European legal market, **ADVANT** brings together strong national players to provide clients with the 'best of both worlds': deep local foundations and an international vision and reach.

**ADVANT** is your European advantage.

## AREAS OF EXPERTISE

All of our members are full-service business law firms, offering a complete breadth of capability to meet client needs. We have significant shared strength in a number of key legal areas and industry sectors:

PRACTICE AREAS		SECTORS AREAS	
Antitrust and Competition	Insurance	Art, Luxury and Fashion	Private Clients
Arbitration	Intellectual Property	Energy	Private Equity and Venture Capital
Banking and Finance	IT and Data	Financial Services	Real Estate
Capital Markets	Public Law and Procurement	Industrials	Retail and Leisure
Commercial	Real Estate	Insurance	Shipping
Compliance	Restructuring and Insolvency	Life Sciences and Healthcare	Technology, Media, Entertainment and Communications
Corporate/M&A	Tax	Mobility	
Dispute Resolution	White Collar Crime	Public Sector	
Employment			



### ADVANT Altana

Founded in 2009, **ADVANT** Altana is an independent law firm with 85 lawyers, and is one of the leading business law firms in France. It offers top-level expertise on both advisory and litigation matters to clients, often in highly regulated sectors, from its base in Paris.

**ADVANT** Altana is an active member of numerous influential legal and industry associations around the world, including the International Bar Association (IBA), International Trademark Association (INTA), the American Bar Association (ABA) and INSOL International. In addition, the firm is a founding member of LCLIA, an international alliance dedicated to the construction sector.



### ADVANT Beiten

Founded in 1990, **ADVANT** Beiten is an independent law firm with about 240 lawyers, accountants and tax advisors, and is one of the leading commercial law firms in Germany. It advises medium-sized companies, large corporations, banks, foundations and public sector organisations on German and international commercial law from six offices across Germany, as well as Belgium, Russia, and China.

**ADVANT** Beiten is an active member of numerous influential legal associations around the world, including the Employment Law Alliance (ELA), International Bar Association (IBA), American Bar Association (ABA), International Trademark Association (INTA).



### ADVANT Nctm

Founded in 2000, **ADVANT** Nctm is an independent law firm with about 270 lawyers and tax advisors, and is one of the leading commercial law firms in Italy. It advises companies, banks and financial institutions, multi-national corporations and public entities on all areas of business law from its offices in Milan, Rome and Genoa, as well as London and Shanghai.

**ADVANT** Nctm is an active member of numerous influential legal associations around the world, including the International Bar Association (IBA), International Trademark Association (INTA), the Employment Law Alliance (ELA).



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