

Preventing bribery & corruption in Swiss private banking: analysis of real scenarios

> Analysis of real scenarios of bribery / corruption directly involving financial institutions
 > Case studies of clients' corrupt activities: which indicia of corruption should have been detected? Which investigations should the bank have performed?

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Dr. James F. Reardon has practiced in international bribery/corruption for about five years in a global law firm in Washington D.C. Upon his return to Switzerland, he began teaching anti-corruption law and anti-money laundering at the Institute for International Business Law, University of Fribourg. Based in Geneva, his practice areas include litigation, arbitration, compliance, in particular with respect to corruption and sanctions. He regularly publishes articles and blogs on issues related corruption, compliance, and sanctions and is a guest lecturer on those topics.

What are we trying to prevent?

- Public Corruption / Private Corruption
- Legitimate Commission / Consulting Fees... and Corruption: How to Make the Difference

Anti-bribery and anti-corruption legal framework

- US FCPA: content, why this matters for Swiss bankers
- Genesis
- Structure: Anti-Bribery Provisions, Accounting Provisions, Other Reporting Obligations, Independent Auditor Reporting Obligations
- Key International Conventions
- Other Supra-national/National Legislations
- European Union – ABAC
- United Kingdom – UK Bribery Act
- France – Loi Sapin II
- Switzerland – Title 19 of Book 2 of the Swiss Criminal Code
- World Bank Group

Analysis of real scenarios of bribery / corruption directly involving financial institutions

- Overview of corruption techniques
- Case studies involving financial institutions:
 - Recent bribery cases involving financial institutions from 2015 onwards, including classic “bribery-for-business” cases and the “Princelings” or “hire-for-influence” cases
- Prosecution of individual – former – employees of financial institutions

Analysis of real scenarios of bribery / corruption involving clients of financial institutions

- Overview of corruption techniques:
 - Clients profile (countries, businesses, etc.)
 - Use of structures (trusts, charities, offshore companies, etc.)
- Swiss National Risk Assessment 2019 on Corruption as a Predicate Offence to Money Laundering (and beyond...)
- Case studies of corrupt activities beyond financial institutions
 - What were the indicia that should have been detected?
 - Which investigations should the bank have performed?
 - Whistleblowing: Challenges & Pitfalls

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AF 1250

I register to the seminar “Preventing bribery & corruption in Swiss private banking” on 14 November 2022.

I will attend in the conference room I will attend online on Zoom.

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