



Gide Loyrette Nouel
International Law Firm



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Compliance Risk Management FRANCE

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Compliance - Risk Management

It is no longer conceivable for companies to do business without an in-depth knowledge of their legal environment. They need to instil an individual and collective regard for legal constraints through a responsible and ethical approach to business. Companies are increasingly confronted by three major challenges:

- The ever growing variety and complexity of legal rules
- Business globalisation
- Communication and transparency

A Compliance - Risk Management Programme helps companies to meet these challenges and to reduce the risks inherent in their business activities. By implementing such a programme, companies develop greater awareness and maintain tighter control over their environment, and create value.

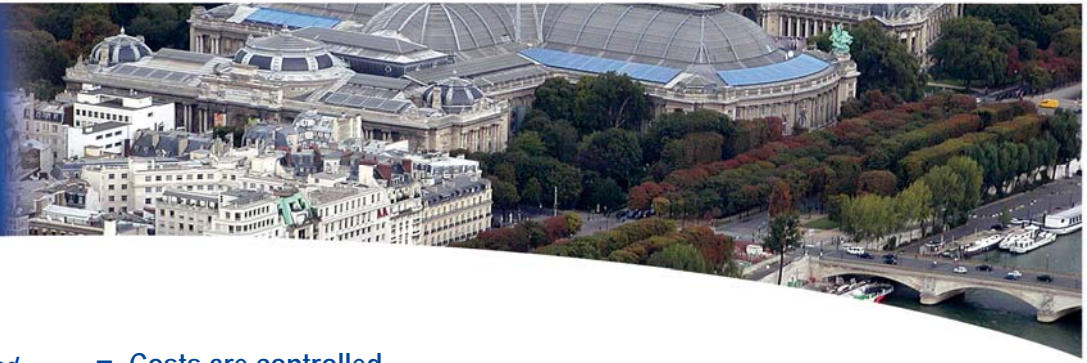
■ Corporate image is enhanced

- **in the eyes of consumers:** a company respects its natural environment and the markets in which it does business by engaging in healthy and fair competition and by protecting the interests of its end customers.
- **in the eyes of its business partners:** the implementation of a Compliance - Risk Management Programme optimises manufacturing and distribution ties by creating a climate of trust for the benefit of all and, in particular, its customers, suppliers and sales networks.
- **in the eyes of investors:** a commitment to clear, straightforward rules and strategies increases the company's transparency and reduces the risk of sanctions, thus increasing market confidence.
- **in the eyes of its employees:** familiarity and compliance with domestic and international employment and social welfare laws strengthen a company's image and identity with its employees and serves as one of the sources of development for the company.
- **in the eyes of the media and rating organisations:** a Compliance - Risk Management Programme, allied with a well-considered communication policy, improves corporate image with the media, analysts and rating organisations.
- **in the eyes of government authorities and institutions:** a Compliance - Risk Management Programme improves the company's credibility with government authorities and increases its weight as a lobbyist.

■ Brand respectability is increased

■ Individual and collective risks are mitigated

The company, its officers and employees may all incur civil, criminal and/or administrative liability, sometimes resulting in very severe penalties, if they fail to comply with the applicable legislation.



Compliance with self-imposed policies and ethics is a means of instilling values and helps the company to heighten its awareness of both its corporate responsibilities and its responsibilities to society as a whole.

Areas of Expertise

The Firm has practical experience in profiling and implementing Compliance - Risk Management Programmes in the following specialist areas:

- Economic and European Law
- Environmental Law
- Labour and Employment Law
- Intellectual Property and Data Protection
- Corporate Law
- White-Collar Crime
- Tax Law
- Finance Law
- Insurance Law
- Transport Law

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A.A.R.P.I.

■ Costs are controlled

A Compliance - Risk Management Programme can reduce both direct costs and incidental costs incurred as a result of the numerous consequences of unlawful conduct (fines, damages, loss of business licences, ineligibility to tender for public contracts, time spent in-house addressing these issues, etc.).

Compliance - Risk Management Programmes

Committed to offering quality service, Gide Loyrette Nouel assists its clients with all the legal problems with which they are confronted, however complex or diverse. The Firm advises clients on setting up Compliance - Risk Management Programmes in France and elsewhere in the world according to professional and ethical rules.

Flexibility, Technical Adaptation and Cost Control

The Compliance - Risk Management Programmes proposed by Gide Loyrette Nouel are tailored to each company's specific requirements.

- **Profiling for a general area of the law**, all regulations combined, or for specific regulations, according to the company's needs and priorities. The Firm's departmental structure according to legal specialisation means that it can offer clients the services of specialists in all areas of business law.
- **Profiling for each of the company's individual businesses.**
- **Profiling according to geographical area**, with the support of the Firm's international offices.
- **Profiling according to financial considerations**: using synergies to the client's best advantage (adaptable training seminars and documentation depending on the company's locations and range of businesses) and cost control.

Contents of a Typical Programme

1. Inventory

- Determining the legal context of the relevant businesses.
- Risk identification and assessment (audits, inventory of each business, identifying and analysing weaknesses, etc.).

2. Recommendations

- Establishing conformity and optimisation: administrative licences or approvals, reviewing structural and contractual relationships, drafting and adapting internal and external documentation, establishing procedures, defining and monitoring delegations of authority, etc.
- In-house training and communication: defining requirements, legal training, company's capacity to react to administrative enquiries, charters, codes of conduct, emergency procedures, etc.
- External communication: relationships with national and European authorities, investors, the media, business federations and associations, trade unions and employees' representative bodies, etc.

3. Follow-up and learning from experience

- Temporary secondment of legal specialists to the company to assist it and verify the effective implementation of the programme.
- Internal monitoring (appointment of a Compliance - Risk Manager within the company and definition of his responsibilities).
- Legal supervision, hotline, on-going training seminars.
- Control audits.
- Programme updates, etc.