

COMPLIANCE TRAINING COURSE

COURSE OVERVIEW

COURSE OBJECTIVES

This is an innovative and interactive training course for corporate counsel and private attorneys who are responsible for compliance and risk management. We offer a unique training experience that will update attendees on the hot topics and current issues in international corporate compliance. Attendees will receive practical advice and recommended best practices on essential strategies for risk management. The course also provides an interactive training experience as attendees will have the opportunity to practice essential skills for compliance and risk management functions.

Participants can opt for a two-day crash course online OR a 2.5-day in-person course in Frankfurt, Germany

The course will address the following elements:

1. Business Ethics
2. Conflicts Of Interest
3. Anti-Harassment & Discrimination
4. Whistleblowers & Reporting Protocols
5. Interviewing & Internal Investigations
6. GDPR – Latest Issues & Best Practices
7. Data-Privacy & Cybersecurity
8. Anti-Money Laundering & Fraud

All instructional materials will be provided to attendees and are included in the cost of the course.

PREREQUISITE SKILLS FOR PARTICIPATION

Participants should at least have an intermediate level in their English-language skills to get the full benefit out of this course.

LEARNING OUTCOMES:

- Identify and analyze legal issues related to compliance practices and risk procedures within the corporate structure
- Develop and apply risk management skills to identify, evaluate and reduce legal risks in the workplace
- Analyze organizational policies and procedures to ensure they promote ethical best practices and identify potential conflicts of

interest

- Identify, evaluate and implement best practices to ensure effective compliance programs
- Develop core practice skills for executing core functions of effective compliance and risk management objectives

IN-PERSON COMPLIANCE COURSE - FRANKFURT, GERMANY

Training takes place in Frankfurt, Germany. Information on the location and preferential accommodation will be provided upon registration.

TOTAL DURATION

18 hours, divided over 2.5 days.

The classes take place on the following dates:

- 19 April 2023, **09:00–18:00 CEST** (including 1hr lunch)
- 20 April 2023, **09:00–18:00 CEST** (including 1hr lunch)
- 21 April 2023, **09:00–10:30 CEST**

PRICING

ECLA MEMBERS*: € 1 995 / € 2 300**

STANDARD: € 2 495/ € 2 800

*Includes company lawyers who belong to an ECLA member association. For more information, please visit <https://ecla.online/organisation/>

**Early bird price, valid until 19.02.2023

ONLINE COMPLIANCE COURSE - MS TEAMS

Training takes place online through MS Teams.

TOTAL DURATION

12 hours, divided over two days.

The classes take place on the following dates:

- 28 February 2023, **09:00–16:00 CET** (including 1hr lunch)
- 01 March 2023, **09:00–16:00 CET** (including 1hr lunch)

PRICING

ECLA MEMBERS*: € 1 795

STANDARD: € 2 095

*Includes company lawyers who belong to an ECLA member association. For more information, please visit <https://ecla.online/organisation/>

If you have any questions, please contact us at info@ecla.eu

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LISA M. MARCHESE INSTRUCTOR

Before moving to Milan in 2019, Lisa had a long and celebrated career as a practicing attorney in the United States. She began her legal career working as a Legislative Counsel in the United States Senate in Washington, DC. She then moved back home to Seattle, WA where she worked as a Senior Deputy Prosecuting Attorney for King County. After a distinguished career in which she successfully prosecuted many complex and high-profile homicide cases, Lisa went into civil practice and was a partner in two international law firms where she built a thriving practice as a complex commercial litigator. Over a lengthy career, she successfully represented corporate clients in American courts as well as arbitration and dispute resolution tribunals throughout the world. She also is experienced in law firm management and administration, having served for several years as the Department Chair of the Seattle and Anchorage Office Trial Practice Groups. While in private practice, Lisa was consistently named a top commercial litigator by Chambers USA. In 2008, she was inducted into the American Board of Trial Advocates.



Lisa is also an experienced educator. Since 2000, she has been an Adjunct Law Professor at Seattle University School of Law. Lisa also teaches at Gonzaga University School of Law's annual Summer program in Florence where she lectures in the Mediation/ADR program. She also teaches university and graduate students at universities in Milan and Brescia. Lisa's classes include business law, international economics and business and

legal English. Lisa is an avid writer, having published articles on diverse topics of interest for both American business and legal journals. Her extensive professional and academic experiences and boundless enthusiasm for teaching help her to offer students a unique and in-valuable learning experience.

1. BUSINESS ETHICS

What does the general reference to "business ethics" include? Professor Andrew Crane, a leading international expert in the field of business ethics from the University of Bath, described:

"Business ethics is the study of business situations, activities, and decisions where issues of right and wrong are addressed."

Here, we explore the universal understandings of "right and wrong" in the modern workplace. We use various real world case studies that help delineate the line between ethical and unethical workplace practices. We explore various methods and strategies for training employees on rules and expectations for workplace conduct. We discuss strategies that firms can use to ensure fairness and equal treatment for all employees. Finally, we discuss strategies and best practices for enforcement of codes of conduct and corporate policies as well as related discipline.

2. CONFLICTS OF INTEREST

Conflicts of interest occur across a wide range of corporate activities. These conflicts can be both personal and business related. For example, a personal conflict occurs when an individual's finances, investments, relationships, or outside activities can influence or impact the performance of that person's work duties. A business conflict occurs when a company engages in an activity where its interests are in conflict or incompatible with its client's interests. The most common conflicts of interest include

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misuse of company information, assets or property, improper supplier or vendor relationships, nepotism, gifts, service on Boards for other companies, insider trading and divided loyalty. In this session, we explore real world examples of conflicts of interest. We use an interactive pedagogic process for analyzing these events and identifying best practices for risk mitigation.

3. ANTI-HARASSMENT & DISCRIMINATION

All companies, public or private and regardless of their size, should have effective anti-harassment and discrimination policies in place. These policies help protect businesses by reducing their risk exposure. They also protect and inform employees who may either witness or be victims of harassing or discriminatory behavior. In this session, we explore the fundamental elements that should be included in anti-discrimination policies. We discuss “lessons learned” from the latest cases. We then review recommended best practices for risk mitigation and ensuring a safe workplace. This training module includes an interactive workshop in which attendees will have the opportunity to practice core skills and recommended best practices.

4. WHISTLEBLOWERS & REPORTING PROTOCOLS

In December 2021, all EU member nations were required to implement the Whistleblowing Directive. The new law is intended to provide uniform protections for those who report misconduct in companies. Although each member state has its own whistleblower protection laws, the EU directive sets forth common minimum standards for reporting, protecting, and investigating complaints of whistleblowers. In this session we review the EU Directive and discuss recommended best practices for implementation, managing whistleblowers and reporting protocols. This training module includes an interactive workshop in which attendees will have the opportunity to practice core skills and recommended best practices.

5. INTERVIEWING & INTERNAL INVESTIGATIONS

Internal investigations are an essential function of corporate risk management. Workplace investigations require investigators to conduct well-managed and effective interviews to gather essential information and evidence. These investigations are complex, multi-faceted and require a range of specialized skills. In this interactive session, we explore the elements of strategic interviewing. Using a video case study, attendees will have the opportunity to prepare an investigative plan and conduct a witness interview. In this session, we discuss the core elements and best practices for conducting effective interviews and internal investigations. This training module includes an interactive workshop in which attendees will have the opportunity to practice core skills and recommended best practices.

6. GDPR – LATEST ISSUES & BEST PRACTICES

The GDPR continues to grow in scope and influence throughout the world. Since its implementation in 2018, the GDPR has had far-reaching implications across all business sectors. The GDPR is wide-ranging in scope and impacts both multinational corporations and small businesses alike. Recent revisions to the GDPR now impose broader obligations and responsibility for the safe management of data. Under the new requirements, all data controllers with access to data can be held liable for data leaks and misuse. This new “joint-controllers” provision has necessitated firms to adopt enhanced security protocols for the protection of data. Here, we take a closer look at the joint-controllers’ rules and offer recommended best practices for compliance. The new regulations have also resulted in decreased use of outside vendors for processing and storing data. The current trend is for firms to process data in house to mitigate risk and ensure compliance. Here, we examine the relative risks and benefits of in-house storage and processing of data, and we discuss best security practices. Enforcement of the GDPR outside of the EU

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continues to be a hot topic. Recently, the US and EU agreed to a new data transfer framework to replace the Privacy Shield which was invalidated in 2020 by the European Court of Justice. The new framework is intended to eliminate legal uncertainties and promote data flows between EU and US companies. However, the agreement has been met with considerable skepticism by industry experts who question its efficacy. Here, we examine the main elements of the new framework. We also discuss various strategies for the pro-active management of data flows between US and EU companies under the new paradigm.

7. DATA-PRIVACY & CYBERSECURITY

Data-privacy and Cybersecurity continue to be hot topics in the world of compliance and due diligence. New and evolving laws on privacy and data security continue to require heightened coordination between lawyers and cybersecurity experts. For many firms, this has required closer and more strategic collaboration between the legal departments and cybersecurity teams. Here, we provide an overview of the main regulatory schemes governing businesses that are enforced globally. In particular, we address the unique challenges for international companies involved in cross-border transactions and their compliance obligations. We examine the compliance mandates and latest trends under such laws as the Gramm-Leach-Bliley Act (GLBA) and the GDPR. We also take a closer look at the growing influence of the GDPR on data protection and cybersecurity laws throughout the world. We review the main elements of an effective cybersecurity program with emphasis on cyber-breach response and investigation protocols. We use various real-world events as case studies to analyze system failures and identify recommended best practices for compliance and due diligence. This training module includes an interactive case studies workshop.

8. ANTI-MONEY LAUNDERING & FRAUD

The world of anti-money laundering compliance and due diligence continues to be a dynamic and high-risk environment. Investigations and enforcement actions by financial institutions and regulatory authorities are on the rise globally. In 2020, the United States enacted the Anti-Money Laundering Act (AMLA) which was intended to strengthen and modernize government oversight and compliance responsibilities. The AMLA has a broad reach which only underscores the need for firms and their counsel to be pro-active to meet new compliance obligations and update due diligence policies. The AML focus is also prevalent in the European Union. In recent years, for example, EU enforcement actions and penalties have exceeded those in the United States. Here, we provide an overview of the AMLA of 2020 and discuss enforcement priorities, compliance challenges and recommended best practices. We then review the EU Anti-Money Laundering Directives (AMLDs) and current trends in enforcement actions. In particular, we focus on the 5AMLD and 6AMLD requirements with respect to virtual currency, digital identity, trade-based money laundering and public-private, private-private information sharing partnerships. Although the United Kingdom is no longer obligated to enforce AMLDs, its laws and regulations are on par with the US and EU. We therefore provide a review of the main UK AML laws and regulations. Finally, we offer recommended best practices for compliance and due diligence across the US, UK, and EU AML legal and regulatory systems.