

# Chambers Global Practice Guides

## Anti-Corruption 2023 Questionnaire

<b>1</b>	<b>Legal Framework for Offences</b>	
	<b>1.1</b>	<b>International Conventions</b>
		<i>Which international conventions relating to anti-bribery and anti-corruption (if any) is the country signed up to?</i>
		<a href="#">Response</a>
	<b>1.2</b>	<b>National Legislation</b>
		<i>What is the main national legislation in this area in your jurisdiction (eg, FCPA, UK Bribery Act, other)? Are all relevant offences laid down in a single text or spread over different sources? Are there any other offences found somewhere other than in the legislation?</i>
		<a href="#">Response</a>
	<b>1.3</b>	<b>Guidelines for the Interpretation and Enforcement of National Legislation</b>
		<i>What guidelines have been produced on the interpretation and enforcement of the national legislation?</i>
		<a href="#">Response</a>
	<b>1.4</b>	<b>Recent Key Amendments to National Legislation</b>
		<i>What key amendments (if any) have been brought to the national legislation over the past years (more specifically, in <b>2022</b>)?</i>
		<a href="#">Response</a>
<b>2</b>	<b>Classification and Constituent Elements</b>	
	<b>2.1</b>	<b>Bribery</b>
		<i>Outline the definition of a bribe. Is the receipt of a bribe an offence? Set out other elements of bribery that qualify as an offence, such as proposing or accepting an unlawful advantage, failure to prevent bribery.</i>
		<i>How are hospitality expenditures (travel expenses, meals), gifts and promotional expenditures, and facilitation payments treated in your jurisdiction?</i>
		<i>How is a public official defined? Are employees of state-controlled companies included in this definition? Is bribery of foreign public officials also criminalised?</i>
		<i>Is bribery between private parties in a commercial (or any other) setting covered by the law in your jurisdiction? If so, please provide details.</i>
		<a href="#">Response</a>
	<b>2.2</b>	<b>Influence-Peddling</b>
		<i>Are there any offences relating to the exchange of influence on decision-making for an undue advantage?</i>
		<i>Is influence-peddling of foreign public officials also criminalised?</i>
		<a href="#">Response</a>

	<b>2.3</b>	<b>Financial Record-Keeping</b>
		<i>Are there any offences relating to inaccurate corporate books and records and/or dissemination of false information in your jurisdiction? If so, please provide details.</i>
		<a href="#">Response</a>
	<b>2.4</b>	<b>Public Officials</b>
		<i>Are there offences relating to the misappropriation of public funds by a public official, the unlawful taking of interest by a public official, embezzlement of public funds by a public official, favouritism by a public official?</i>
		<a href="#">Response</a>
	<b>2.5</b>	<b>Intermediaries</b>
		<i>Are there any provisions concerning the commission of an offence through an intermediary? If so, please provide details.</i>
		<a href="#">Response</a>
<b>3</b>	<b>Scope</b>	
	<b>3.1</b>	<b>Limitation Period</b>
		<i>Which limitation period(s) applies/apply to the above offences (eg, statute of limitations)?</i>
		<a href="#">Response</a>
	<b>3.2</b>	<b>Geographical Reach of Applicable Legislation</b>
		<i>What is the geographical reach of the applicable legislation in your jurisdiction? Does the legislation have extraterritorial reach?</i>
		<a href="#">Response</a>
	<b>3.3</b>	<b>Corporate Liability</b>
		<i>Is there any corporate liability for these offences? Can both individuals and companies be held liable for the same offence? Can a successor entity be held liable for offences by the target entity that occurred prior to the merger or acquisition?</i>
		<a href="#">Response</a>
<b>4</b>	<b>Defences and Exceptions</b>	
	<b>4.1</b>	<b>Defences</b>
		<i>Please provide details of what defences are available to the above offences. Where are these defences found?</i>
		<a href="#">Response</a>
	<b>4.2</b>	<b>Exceptions</b>
		<i>Are there any exceptions to these defences? If so, please provide details.</i>
		<a href="#">Response</a>
	<b>4.3</b>	<b>De Minimis Exceptions</b>
		<i>Are there any de minimis exceptions for the above offences? If so, please provide details.</i>
		<a href="#">Response</a>
	<b>4.4</b>	<b>Exempt Sectors/Industries</b>
		<i>Are there any sectors or industries exempt from the above offences? If so, please provide details.</i>

	<a href="#">Response</a>
<b>4.5</b>	<b>Safe Harbour or Amnesty Programme</b>
	<i>Is there any form of safe harbour or amnesty programme based on self-reporting or adequate compliance procedures/remediation efforts? If so, please provide details.</i>
	<a href="#">Response</a>
<b>5</b>	<b>Penalties</b>
<b>5.1</b>	<b>Penalties on Conviction</b>
	<i>What are the penalties upon conviction for the above offences, when committed by individuals or legal entities?</i>
	<a href="#">Response</a>
<b>5.2</b>	<b>Guidelines Applicable to the Assessment of Penalties</b>
	<i>Are there any guidelines applicable to the assessment of appropriate penalties? If so, please explain how they operate in practice. Are there minimum sentences? Are repeated offences more severely punished?</i>
	<a href="#">Response</a>
<b>6</b>	<b>Compliance and Disclosure</b>
<b>6.1</b>	<b>National Legislation and Duties to Prevent Corruption</b>
	<i>Does the national legislation provide for duties to prevent corruption by setting up a compliance programme? If so, please describe these duties (eg, adoption of a code of conduct, internal warning system, risk-mapping, training sessions).</i>
	<a href="#">Response</a>
<b>6.2</b>	<b>Regulation of lobbying activities</b>
	<i>Are lobbying activities regulated by the national legislation? If so, which sectors are concerned and how are these activities regulated?</i>
	<a href="#">Response</a>
<b>6.3</b>	<b>Disclosure of Violations of Anti-bribery and Anti-corruption Provisions</b>
	<i>To what extent must individuals and/or companies disclose violations of anti-bribery and anti-corruption provisions of which they become aware?</i>
	<a href="#">Response</a>
<b>6.4</b>	<b>Protection Afforded to Whistle-Blowers</b>
	<i>Is there any protection afforded to whistle-blowers in your jurisdiction? If so, please provide details.</i>
	<a href="#">Response</a>
<b>6.5</b>	<b>Incentives for Whistle-Blowers</b>
	<i>Are there any incentives for whistle-blowers to report bribery or corruption? If so, please provide details.</i>
	<a href="#">Response</a>
<b>6.6</b>	<b>Location of Relevant Provisions Regarding Whistle-Blowing</b>

		<i>Where are any relevant provisions regarding whistle-blowing located?</i>
		<a href="#">Response</a>
<b>7</b>	<b>Enforcement</b>	
	<b>7.1</b>	<b>Enforcement of Anti-bribery and Anti-corruption Laws</b>
		<i>Is there civil, criminal and/or administrative enforcement of anti-bribery and anti-corruption laws in your jurisdiction?</i>
		<a href="#">Response</a>
	<b>7.2</b>	<b>Enforcement Body</b>
		<i>What is the enforcement body for the above offences and, if applicable, for failure to prevent corruption? Is there more than one enforcement body? If yes, how do these bodies interact? Please mention for each enforcement body the area of competence and the general powers attributed by law.</i>
		<a href="#">Response</a>
	<b>7.3</b>	<b>Process of Application for Documentation</b>
		<i>What is the process for it/them to apply for such information or documentation?</i>
		<a href="#">Response</a>
	<b>7.4</b>	<b>Discretion for Mitigation</b>
		<i>Does the body have any discretion for mitigation in enforcing its powers? Examples of this may include monetary reductions for self-reporting, plea agreements, deferred prosecution agreements and non-prosecution agreements. If any such factors are applicable, please provide details.</i>
		<a href="#">Response</a>
	<b>7.5</b>	<b>Jurisdictional Reach of the Body/Bodies</b>
		<i>What is the jurisdictional reach of the body/bodies?</i>
		<a href="#">Response</a>
	<b>7.6</b>	<b>Recent Landmark Investigations or Decisions Involving Bribery or Corruption</b>
		<i>What are the recent landmark investigations or decisions involving bribery or corruption in your jurisdiction (including, where applicable, decisions on corruption prevention and whistle-blowers)?</i>
		<a href="#">Response</a>
	<b>7.7</b>	<b>Level of Sanctions Imposed</b>
		<i>What is the level of sanctions that have been imposed so far on individuals and legal entities for the above offences?</i>
		<a href="#">Response</a>
<b>8</b>	<b>Review</b>	
	<b>8.1</b>	<b>Assessment of the Applicable Enforced Legislation</b>
		<i>Has the enforcement of applicable legislation officially been assessed (eg, government reports, OECD reports)? What strengths and weaknesses have been identified?</i>
		<a href="#">Response</a>

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	<b>8.2</b>	<b>Likely Changes to the Applicable Legislation of the Enforcement Body</b>
		<i>Are changes likely to be made to applicable legislation or the enforcement body in the foreseeable future?</i>
		Response