

Helping you to sleep at night –

Our Compliance Starter Kit for US Companies doing business in Germany

The current developments in the German sanctions regime for companies reveal a clear tendency: legislative efforts in the areas of whistleblowing, corporate sanctions and supply chain monitoring are rooted in US sanction law and pose a serious threat to US companies doing business in Germany. Not least because of the proposed substantial increase in possible sanctions for companies, which in the future could be up to 2% of the company's average worldwide annual turnover.

However, the tools for significantly reducing this risk can also be found in US law. US companies doing business in Germany need to adapt these familiar tools so that they meet the legal requirements in Germany. Most importantly, the German legislator has called for companies to set up an effective, but also suitable, compliance system that prevents breaches of the law. Implementing an effective compliance management system is both crucial for preventing prosecution by the criminal authorities, and for significantly reducing the level of penalties.

That said, the relevance of compliance must be kept in mind and taken seriously as soon as business activities are launched in Germany, i.e. as soon as the relevant company enters the German market.

To preserve your operational resources and allow you to focus your attention as much as possible on the development of your business in Germany, we are happy to help you mitigate these risks. With our "Compliance Starter Kit", we create a suitable compliance structure for your business in Germany that is focused on reducing your personal liability, allowing you to get a good night's sleep.

Our Compliance Starter Kit includes the following:

1. Risk analysis & assessment of current situation

Conducting an initial analysis and assessment of company-specific compliance risks for the purpose of identifying the necessary preventive compliance measures tailored specifically to the size and activities of your business in Germany

2. Embedding your German subsidiary in your global compliance activities

- Implementation of a competence and reporting structure to ensure that the corporate bodies are always informed about compliance-related processes and issues
- Drafting a reporting and monitoring process to mitigate liability risks for the responsible management bodies

3. Reviewing and adapting Code of Conduct (CoC)/Employee Handbook and relevant policies to German needs

Reviewing your CoC/Employee Handbook and other crucial policies as identified in the risk analysis (e.g. Anti-Bribery, AML, Gift & Entertainment, Anti-Discrimination, Health & Safety, HR Compliance) and adapting them to German standards

4. Compliance communication & training

Training of management or other key employees in risk-exposed positions on topics such as the company's CoC, relevant policies and guidelines, and other company-specific compliance risks



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