

COMPLIANCE

PRIAS CADAVID

ABOGADOS

We are a law firm with extensive experience in criminal law and with an emphasis on matters related to corporate, economic and financial fraud.

We are identified by our absolute commitment to our clients, the search for comprehensive solutions to their problems and the generation of successful prevention and control strategies.

PRIAS CADAVID

We have a vast trajectory in advising multinational clients such as Bancolombia, Bayer, Procter & Gamble, Cemex, Drummond, Bavaria, among others.

For this reason our approach is broad when it comes to analyzing the legal framework of such consultancies and we cover the policies on the subject that originate in European and U.S. legislation.

Awards:

- The Legal 500: Leading Firm in Compliance & White Collar Crime (2022)
- The Legal 500: Leading Individual in Compliance and White Collar Crime (2022)
- Leaders League: Leading Firm in Corporate Criminal Litigation (2022)
- Corporate INTL "Global Awards Setting the Industry Standard for Practice Excellence": Corporate Criminal Law Firm of the Year (2022)
- Latin Lawyer and the Vance Center's ProBono Leading Light (2020)

Scope of the service

Prioritization and risk mitigation

Preparation of risk matrices that identify, segment, qualify and individualize regulatory, reputational, operational, contagion and ethical risk factors, according to the type of business and operation of the client.

Prevention

Designing or restructuring of compliance programs tailored to each client since appropriate compliance efforts are a dynamic reflection of the varying risks depending on the type and size of the business, the location of operations, the incentives faced by employees and the regulatory environment.

Control and Supervision

Detection of misconduct through control and monitoring to manage and mitigate potential consequences. Detection measures include, among others, monitoring, investigation procedures, whistleblower hotlines and data analysis.

Prevention

Diagnosis of compliance programs

Updating (improvement) and follow-up of existing compliance processes.

Design and development of effective compliance programs, as well as codes of conduct and internal policies in various areas.

Compliance Training: Compliance requires cultivating an organizational culture that fosters genuine understanding of and commitment to the long-term objectives associated with the spirit of compliance. In this sense, the implementation of evaluation mechanisms will be equally important.

Fields of service

Essentials

- **Prevention of Money Laundering, Financing of Terrorism and Financing of the Proliferation of Weapons of Mass Destruction**
- **Corporate Transparency and Anti-Bribery Compliance**
- **Tax Compliance**
- **Cyber Security & Data Protection**

According to the type of operation specific to the client's line of business

- **Antitrust y Compliance del Derecho de la Competencia**
- **Environmental Compliance and Food Safety Compliance**
- **Foreign Trade Compliance and Supply Chain Compliance**
- **Intellectual Property Compliance and Insider Trading Compliance**
- **Healthcare Compliance and biopharmaceutical Compliance**

Indispensables

- AML

In recent years, the number of individuals and entities required by the inspection, surveillance and control agencies to contribute to the prevention of ML/FT/AML/CFT risks has increased, as well as the financial and criminal consequences derived from non-compliance, which can reach up to the administrative sanctioning liability of the legal entities referred to in Law 2195 of 2022.

- Corporate Transparency and Anti-Bribery Compliance

The need to eradicate corruption in business dealings with persons under public and private law requires the adoption of Transparency and Business Ethics Policies. Special mention should also be made of international efforts in the fight against transnational bribery, which are translated into national criminal legislation and again pose a risk to organizations.

- **Tax Compliance**

At Prias Cadavid Abogados we understand Tax Compliance in a broad sense. Not only as the one that aims to prevent the risks that may arise from breaching the tax law but also the commission of crimes against the Social Economic Order or the Public Administration in matters related to the monopolies of rent arbitrage, the application of the subsidy regime, and cases in which, operating in the head of individuals temporarily public function, they are bound to handle state assets.

- **Cyber Security & Data Protection**

Due to the predominant role played by technology and information in the day-to-day running of companies, it is essential to invest in infrastructure and security to guard against the risks to which they are exposed. The types of data breaches revolve around three "intermediate legal assets" that are compromised, namely confidentiality, privacy and availability.

The data protection and cybersecurity compliance program helps to identify the above risks, prevent them and monitor the collection of information for compliance.

According to the type of operation specific to the client's line of business

- **Antitrust and Competition Compliance**

To prevent anti-competitive behavior, this type of compliance analyzes not only the risks inherent in the client's operation but also the perverse incentives in corporate governance factors that may induce the employee to engage in the aforementioned behaviors. With the technological development, the deterrence of unfair competition conducts must also look at the field of artificial intelligence and machine learning.

- **Environmental Compliance and Food Safety Compliance**

Not only for the identification of risks associated with the environment, but also for obtaining standards such as today's Good Agricultural Practices, the Rainforest Alliance certification seal, USDA Organic, among others, Environmental Compliance is extremely important to add value to the product or service provided. In addition, the systematic approach of Hazard Analysis and Critical Control Points (HACCP), in the context of Food Safety Compliance, seeks the correct application of sanitary regulations for the handling of food and beverages for public consumption in order to prevent biological and chemical risks in the production processes.

- **Foreign Trade Compliance and Supply Chain Compliance**

The concept of a responsible supply chain consists of ensuring that the different actors in the supply chain comply with the legal and ethical requirements for a reliable representation of what they are promoting. Products sold to consumers must be authentic (without contravening provisions of intellectual property law), must not have been adulterated, and processes along the supply chain must have been developed in compliance with labor and occupational hazard laws.

- **Intellectual Property Compliance and Insider Trading Compliance**

More than merely a systematic remedy to secure the company's interest and prevent incursion into IP Law infringement, well-designed and carefully operated IP compliance programs serve as solid sources of new creative assets and IP benefits.

Specifically in relation to trade secrets, Insider Trading Compliance seeks to generate mechanisms to effectively prevent operational risks and comply with regulations in this area.

- **Healthcare Compliance and biopharmaceutical Compliance**

This branch of consulting is tripartite:

1. We create programs for medical service provider companies to ensure compliance with healthcare laws and regulations that prohibit and prevent fraud or abuse of Social Security assets.
2. The scope and sensitivity of medical liability arising from harm caused by medical malpractice, or in any case from disregard of medical standards and ethics, merits an ex ante approach to regulatory compliance.
3. Biopharmaceutical compliance, due to its economic and social importance, must comply with strict international standards for the approval of drugs and biological products, for clinical studies to prove their efficacy and safety, for good laboratory and manufacturing practices and for monitoring the consumption of such drugs.



Strategic Partnerships

Due to the firm's extensive professional experience, we have established alliances with other law firms specialized in areas other than Criminal Law, in order to offer a comprehensive approach and ensure the best counseling, for instance, in the areas of Supply Chain and Foreign Trade Compliance, Tax Compliance or Intellectual Property Compliance, as well as we have the assistance of serious professionals in the fields of economics, finance, administration and accounting, aspects of necessary consultation and attention in these processes.

In addition, in order to remain at the forefront of compliance issues, we have sought to integrate data analysis and different technological tools to our service, for which we have advanced agreements with companies that offer LegalTech software for the management of critical corporate compliance management systems, as well as with companies that offer software to perform Due Diligence controls in the most efficient way.

We are also proud to develop our work hand in hand with Guidepost, a world leader in investigations, security consulting and compliance, with whom we have partnered.

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