



ANTITRUST ALLIANCE

Competition Law Compliance and Dawn Raid Protection

COMPLIANCE WITH THE ALLIANCE

The Anti-Trust Alliance is a unique, multi-jurisdictional collaboration of competition law specialists throughout the continent, encompassing the member states of the European Union and the European Economic Area plus Switzerland and the UK.

The firms of the Antitrust Alliance assist their clients with complete and effective compliance programs and dawn raid protection. These are designed to ensure that our clients avoid infringing the law, but also know what to do should an antitrust problem arise.

AN INTEGRATED, CROSS-BORDER APPROACH

Complying with competition law is essential for any business. Penalties for infringing the law are severe - including fines of up to 10% of group, worldwide turnover as well as lawsuits for damages. In some European countries, infringing competition law can be a criminal offence. Offending contracts can be struck down.

Compliance can be complicated. Not only are the laws complex and dynamic, each member state has slightly different rules and procedures. Your business must also comply with both EU and national competition laws. Your staff need some knowledge of these laws to avoid heavy liabilities under competition law.

Competition Law regulators have extensive powers to investigate companies suspected of breaching the law. They can, without notice, enter business premises (and sometimes employees' homes), take documents and ask questions of company officers and employees. Increasingly, regulators in different jurisdictions carry out surprise cross-border inspections simultaneously. You need to be prepared.

Faced with these challenges, you need a compliance solution that works seamlessly across frontiers to protect your business. The Alliance is that solution.

With competition expertise at a local level in each European jurisdiction offers your business a pan-European compliance proposition, ensuring staff and management receive the bespoke training and policies they need, tailored to each country and market in which you operate, in order to operate in accordance with the law.

WHAT DOES OUR COMPLIANCE PROGRAMME INCLUDE?

To be effective, a compliance program must be adapted to the activities and geographical spread of the business it serves. With this in mind, the Alliance and its member firms can work closely with you to develop an individualised product shaped to your organisation, your

industry, the countries in which you are active and your people and national and business culture.

These are the elements of a comprehensive compliance program:

- **Risk assessment** – identifying the areas of risk for each area of business operations and taking the effective steps appropriate to remove the risk;
- **Training** – training, both face-to-face and online gives staff the level of knowledge they need so that they do nothing that infringes competition law;
- **Documentation** – a company policy on competition law, setting out your commitment to compliance. This sends an important message to everyone within and outside the firm;
- **Procedures** – internal procedures are needed to support the program and ensure appropriate advice is taken quickly – in particular, an internal reporting protocol, a whistle-blower hotline for alerting possible problems.
- **Keeping the process up-to-date:** as the law changes, we can ensure your programme remains up-to-date with the latest development. We can also provide training to new employees.

The Alliance can assist your organisation with all of them, either as a stand-alone compliance program or integrated into your existing compliance program.

EUROPEAN WIDE DAWN RAID PROTECTION

Where they suspect an infringement, the European Commission and national competition authorities are empowered to conduct surprise inspections of company offices and even the private property of certain key individuals. National authorities can also carry out criminal raids in conjunction with the police and connected enforcement bodies.

The law firms of the Alliance ensure you are ready to deal with the threat of a dawn raid. They can not only train your staff on dawn raid procedure but also provide a rapid on-site response, monitoring the inspection and ensuring investigators respect your company's rights and do not overstep their powers.

But why us? Our members not only have extensive experience of competition law in their home jurisdictions but also have experience of working with each other, providing you with coordinated and effective cross-border protection and a rapid response team, 24 hours a day, 365 days a year.

We provide detailed, step-by-step guidance for your countries of operation and a network of experts in every jurisdiction who can be contacted at the touch of a button handling the stressful process of an investigation, arriving quickly to protect you and steer you through. This integrated response team offering is unparalleled in terms of geographic coverage and expertise.

If you would like to learn more about how the Alliance's competition compliance team can help you, please contact: **the team at your national Alliance member law firm (see here: <http://antitrust-alliance.org/members/>).**