

MACE  
DO ■ ■  
VITO  
RINO

DO THE RIGHT THING: A WAY OF DOING BUSINESS

MV-COMPLIANCE

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## ABOUT US

MACEDO VITORINO is a leading Portuguese law firm. We advise domestic and foreign clients in a wide range of business sectors, including banking, distribution, industry and projects. We are known for our professional and client oriented approach to complex and difficult matters.

Since the incorporation of the firm in 1996 we have been involved in several high profile transactions in all of the firm's fields of practice, including banking and finance, capital markets, corporate and M&A, etc.. We have also acted on many complex disputes and restructurings.

We are mentioned by The European Legal 500 in twelve of its fifteen practice areas, including banking and finance, capital markets, project finance, corporate and M&A and litigation.

The firm is also recognised by IFLR 1000 and Chambers and Partners for its work in project finance, corporate finance, corporate and M&A, TMT, dispute resolution and restructuring and insolvency.

M A C E D O • V I T O R I N O

# MV ■ COMPLIANCE

WHAT WE DO

## LEGAL COMPLIANCE

Companies have no choice to consider legal compliance as a primary business concern and priority; otherwise, they may face legal and non-legal consequences.

We have seen a recent surge in new laws and regulations seeking to address social, environmental and ethical issues that companies are no longer free to ignore, including gender equality in employment, antiharassment, social responsibility, and personal data use, etc..

We have a team specifically dedicated to assist clients with:

- CORPORATE GOVERNANCE
- ANTI-MONEY LAUNDERING
- EMPLOYMENT
- PRIVACY AND DATA PROTECTION
- ANTITRUST AND COMPETITION
- ENVIRONMENT

## CORPORATE GOVERNANCE

Good corporate governance is the cornerstone of a healthy organization and sets the standards in relation to how a company operates both internally and when facing the market.

We strongly advise our clients to review their current practices to ensure a comprehensive corporate governance framework in line with the very best standards, including:

- CHOICE OF CORPORATE STRUCTURES
- ADOPTION OF MECHANISMS TO TIMELY DISCLOSURE OF INFORMATION TO GOVERNING BODIES, SHAREHOLDERS, INVESTORS AND OTHER STAKEHOLDERS
- IMPLEMENTATION OF POLICIES TO PREVENT CONFLICTS OF INTEREST
- RISK MANAGEMENT SYSTEMS, INTERNAL CONTROL AND INTERNAL AUDIT SYSTEMS
- PROTECTING THE RIGHTS AND INTERESTS OF SHAREHOLDERS AND STAKEHOLDERS

## ANTI-MONEY LAUNDERING

We provide comprehensive advice to our clients on anti-money laundering (AML) and know your customer (KYC) requirements, to ensure proper due diligence and mitigate our clients' risk exposure.

We assist clients in carrying out AML programmes, including compliance policies and procedures, risk assessments and employee training. We provide advice on the following matters:

- DUE DILIGENCE ON A RISK-SENSITIVE BASIS AND ENHANCED DUE DILIGENCE FOR FINANCIAL FLOWS FROM HIGH-RISK THIRD COUNTRIES
- ULTIMATE BENEFICIAL OWNERS – UBO
- PAYMENTS IN CASH AND THRESHOLD AMOUNTS
- RECORDS OF HIGH-RISK CLIENTS
- REPORTING DUTIES WITH RELEVANT AUTHORITIES
- AML COMPLIANCE AND TRAINING PROGRAMMES



## EMPLOYMENT

Our employment team establishes and keeps a relationship of trust and confidence with our clients. We advise HR professionals and directors on several aspects of the employment relationship, from hiring to termination. Our clients know that they can rely on our lawyers to guide them through their legal obligations and keep them up-to-date on the latest changes in law, regulation and best practices.

Our services include:

- HR POLICIES, CODES OF CONDUCT AND GOOD PRACTICES
- EQUALITY (EQUAL PAY), GENDER TREATMENT DISPARITIES (WOMEN'S ACCESS TO SENIOR POSITIONS), DISCRIMINATION (LGBT, RACE, GENDER)
- ANTIHARASSMENT POLICIES
- WORKPLACE SURVEILLANCE
- WHISTLEBLOWING PROGRAMMES
- WORKPLACE HEALTH AND SAFETY REQUIREMENTS

## PRIVACY AND DATA PROTECTION

Today's technological advances have made it easier for businesses to collect data worldwide. To fully embrace these advances, we help domestic and international companies with their legal issues in relation to data privacy, liaising with technology and security consulting firms and working with international law firms so we can advise clients on a global scale.

We assist clients on a broad range of matters:

- DATA PROTECTION GOVERNANCE AND INTERNAL PRIVACY POLICIES
- DATA COMPLIANCE AUDITS
- PRIVACY "BY DESIGN" AND "BY DEFAULT" AND DATA PROTECTION IMPACT ASSESSMENT
- DATA SECURITY BREACH INCIDENT MANAGEMENT
- GLOBAL STRATEGY FOR PERSONAL DATA FLOWS TO THIRD COUNTRIES
- TRAINING PROGRAMMES

## ANTITRUST AND COMPETITION

With increasingly global business activity, several commercial transactions and business strategies today will involve or touch on antitrust and competition law issues.

Our team is experienced in identifying antitrust risks and implementing tailor-made antitrust compliance programmes to avoid over-compliance and overly-restrictive measures that may hinder business operations.

We provide full spectrum assistance on:

- CONTROLLING AND PREVENTING ILLEGAL ANTICOMPETITIVE ARRANGEMENTS BETWEEN MARKET PLAYERS
- ABUSE OF DOMINANCE IN DEALING WITH SUPPLIERS AND DISTRIBUTORS/CLIENTS
- AUDITS AND COMPLIANCE PROGRAMMES
- LENIENCY AND SETTLEMENT PROGRAMMES
- EMPLOYEES' TRAINING

## ENVIRONMENT

The environmental dimension of corporate social responsibility has reversed the tendency to classify the processes of minimising environmental impacts as a cost. The development of an environmental awareness allows the reduction of waste production and the emission of polluting agents, as well as the reduction of costs related to waste disposal and energy saving.

Environmentally responsible companies use a system of selecting suppliers that fulfil minimum standards of social and environmental responsibility, making their suppliers aware of the need to improve their environmental behaviour and excluding those with no environmental awareness. We provide advice in the following areas:

- ENVIRONMENTAL RESPONSIBILITY
- LEGAL ASSISTANCE IN ENVIRONMENTAL ADMINISTRATIVE AND LITIGATION PROCEEDINGS
- ENVIRONMENTAL AUDITS COMPLIANCE

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