

COURSE LEADER



JOHN W. BOSCARIOL

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John W. Boscariol of McCarthy Tétrault LLP is head of the firm's International Trade & Investment Law Group and a partner in the Litigation Group. He specializes in compliance, enforcement, and disputes regarding anti-corruption law and policy, including matters arising under Canada's Corruption of Foreign Public Officials Act, as well as trade controls, economic sanctions, defence goods, services and technology controls, blocking orders (Cuba), government contracts, national security, anti-dumping, countervail, and safeguard proceedings, customs, tariffs and other measures. John is also Adjunct Professor at the Faculty of Law of the University of Western Ontario where he teaches "Anti-Corruption Law and its Application in International Business". Martindale-Hubbell rates John as "AV Preeminent", their "highest level of professional excellence" and Chambers Global ranks him in Band 1 for WTO/International Trade. John is also ranked highly in numerous other national and international directories as a leading expert in international trade and investment law.

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6TH ANNUAL ANTI-BRIBERY AND CORRUPTION COMPLIANCE

- Introduction and overview of the anti-corruption landscape for Canadian companies
- Anti-corruption enforcement: the view from the RCMP
- The US foreign corrupt practices act (FCPA): what canadian companies need to know
- An industry perspective on anti-corruption enforcement and compliance: The view from snc-lavalin
- Perspective from in house counsel: key compliance challenges and solutions
- Investigating potential breaches within the company and dealing with enforcement



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Computer Analyst,
Financial Crime IMET
(Integrated Market
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Sector Compliance Officer,
Power, SNC-Lavalin, Inc.



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DAVID PORTER
Partner,
McCarthy Tétrault LLP



JONATHAN DRIMMER
VP, Deputy General Counsel
Barrick Gold



8:00 - 9:00 A.M. REGISTRATION AND BREAKFAST

9:00 - 10:00 A.M. INTRODUCTION AND OVERVIEW OF THE ANTI-CORRUPTION LANDSCAPE FOR CANADIAN COMPANIES

John W. Boscariol

- Key elements of Canada's Corruption of Foreign Public Officials Act
- New prohibition against facilitation or grease payments
- Critical compliance and enforcement issues facing Canadian companies doing business abroad
- Mitigating agent, consultant and third party risk
- Impact on M&A, IPO, financing and joint venture due diligence
- Exposure of directors, officers and employees
- The new Integrity Framework, anti-corruption compliance and the impact on your ability to do business with government
- ESTMA requirements for reporting government payments

10:00 - 11:00 A.M. ANTI-CORRUPTION ENFORCEMENT: THE VIEW FROM THE RCMP

Vladimir Napoleon – RCMP Senior Investigator, Anti-Corruption Outreach Coordinator
Patrick Kong – Market Integrity Computer Analyst for the Financial Crime IMET (Integrated Market Enforcement Team)

- Issues of concern for the RCMP
- Review of key CFPOA convictions
 - Niko Resources
 - Griffiths Energy
 - Nazir Karigar
- Ongoing cases
- The investigation process
- General enforcement issues

11:00 - 11:15 A.M. REFRESHMENT BREAK

11:15 - 12:00 P.M. THE US FOREIGN CORRUPT PRACTICES ACT (FCPA): WHAT CANADIAN COMPANIES NEED TO KNOW

Kari Chandler

- What are the key elements of the FCPA to be aware of?
- Why is the FCPA relevant to Canadian companies?
- What is the current FCPA enforcement environment by U.S. regulators?
- What do U.S. regulators expect with respect to anti-corruption compliance?

12:00 - 1:00 P.M. NETWORKING LUNCH

1:00 - 1:45 P.M. AN INDUSTRY PERSPECTIVE ON ANTI-CORRUPTION ENFORCEMENT AND COMPLIANCE: THE VIEW FROM SNC-LAVALIN

Amee Sandhu

- Post 2012, what's next?
- Becoming a world class ethical corporation, our journey
- Board and executives
- Tone at the top
- World class Ethics & Compliance program

1:45 - 2:45 P.M. PERSPECTIVE FROM IN HOUSE COUNSEL: KEY COMPLIANCE CHALLENGES AND SOLUTIONS

Peter Brady, Jonathan Drimmer

- Structuring your compliance program with resource restrictions
- External legal counsel as agents – what you need to know in a global legal market
- Your role in creating “tone from the top”
- Transaction due diligence challenges – are red flags always red
- The grey areas in answering day to day compliance questions
- Ongoing training in times of capital constraint

2:45 - 3:00 P.M. REFRESHMENT BREAK

3:00 - 4:45 P.M. INVESTIGATING POTENTIAL BREACHES WITHIN THE COMPANY AND DEALING WITH ENFORCEMENT

John W. Boscariol, Frederic R. Miller & David Porter

- What are general counsel's responsibilities when bribery or corruption concerns come to light?
- How to manage an internal investigation to uncover potential compliance issues, while minimizing risk to the company?
- The role of internal and external counsel and the preservation of privilege
- Document preservation and management
- Should law enforcement be contacted and, if so, when?
- Responding to requests for information from enforcement authorities
- Responding to the execution of a search warrant and production orders
- Dealing with the board of directors
- Issues for public vs private companies
- Mitigating exposure to shareholder derivative and class action claims

4:45 - 5:00 P.M. Q&A & COURSE CONCLUSION

**Program agenda subject to change

- Compliance Officers
- Risk Managers
- In House Counsel
- Board Members
- Internal Auditors
- Supply Chain Managers
- Procurement Executives
- Trade /Export Compliance Officers
- Forensic Accountants
- Prosecutors
- Certified Fraud Examiners
- Special Investigations Teams
- Governance/Ethics/CSR Officers
- Private Equity Investors; Underwriters
- Private Practitioners in:
- International Trade
- Mergers & Acquisitions
- Directors' & Officers' Liability
- Regulatory Compliance
- Energy and Resources
- Corporate Compliance & Governance
- Internal Investigations
- Procurement, Outsourcing & Contracting
- Charity Law
- Due Diligence

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BARREAU DU QUÉBEC

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