

# Bribery & Corruption

Second Edition

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# Ukraine

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## Brief overview of the law and enforcement regime

The Ukrainian anti-corruption legal framework consists of the following major segments:

- the anti-corruption legislation itself;
- provisions of the Code of Ukraine on Administrative Offences (the “Administrative Offences Code”) and the Criminal Code of Ukraine (the “Criminal Code”) regulating corruption-related administrative offences and crimes; and
- legal provisions establishing the rules of conduct of Ukrainian governmental officials, including officials representing Ukrainian legislative, administrative and regulatory bodies (the “**Officials**”).

Starting from 1 July 2011, the main legislative act dealing with combating corruption in Ukraine is the Law of Ukraine No. 3206-VI “On the Principles of Preventing and Combating Corruption” dated 7 April 2011 (the “**Anti-Corruption Law**”). The Anti-Corruption Law:

- defines corruption and a corruption offence;
- introduces several important restrictions aimed at preventing and combating corruption (e.g. restriction on receiving gifts/donations by officials);
- establishes a number of new administrative offences and crimes in the anti-corruption area;
- introduces a notion of a whistle-blower into Ukrainian law and provides for its protection by the state;
- emphasises the importance of corporate anti-corruption compliance programs; and
- imposes mandatory financial reporting requirements on officials (including public servants).

Unlike the U.S. Foreign Corrupt Practices Act (**FCPA**) and the UK Bribery Act 2010 (**UKBA**), the Anti-Corruption Law does not have extraterritorial application. Nor does it use the term ‘bribery’; however, the legal meaning of the bribery notion under the FCPA and the UKBA is mostly covered by the corruption-related crimes of the Criminal Code (e.g. corruption payments to the officers of private companies and persons rendering public services, exercising undue influence, giving unjustified benefits to officials, etc.).

On 27 April 2014, Ukraine became a jurisdiction, the legislation of which provides for criminal liability of companies, including for crimes of corruption committed by their authorised representatives (*please see section below, ‘Company liability for corruption offences’, for more detail*).

Neither the Anti-Corruption Law nor the Criminal Code establish liability of the officers and employees of the company for corruption offences and crimes committed by agents

and other third parties, including if they commit them specifically to get business, keep business, or gain a business advantage for this company.

### Bribery vs Unjustified Benefits

The notable distinction of the Ukrainian anti-bribery and anti-corruption legislation is that it has never clearly distinguished between corruption and bribery. For instance, the Anti-Corruption Law contains provisions directly or indirectly related to bribery (e.g. gifts to officials, payment of charitable contributions, membership of NGOs, etc.). Moreover, the Law of Ukraine No. 221-VII “On Amending Certain Laws of Ukraine to Bring Ukrainian Legislation in Compliance with the Standards of the Criminal Law Convention on Corruption dated 18 April 2013” (the “**Amending Law 2013**”) eliminated from Ukrainian law the legal notions of ‘bribe’ and ‘bribery’, replacing them with the notion of ‘unjustified benefits’, (i.e. the term ‘bribery’ is no longer used under Ukrainian law). Therefore, the words ‘anti-corruption legislation’ or ‘anti-corruption legal framework’ will be a sufficient equivalent of bribery in the meaning of the FCPA and the UKBA.

Before the Amending Law 2013 came into force (i.e. before the legislator removed the legal notion of the ‘bribe’ from the Ukrainian legislation), the qualification of offering or rendering non-pecuniary services, benefits and advantages as the corruption offence subject to administrative liability did not raise many questions. The courts were consistent in recognising the pecuniary nature of the bribe. In other words, non-pecuniary services, benefits and advantages (e.g. positive characteristic or appearance in mass media, offering prestigious jobs, etc.) were not considered as a bribe and, therefore, would not result in criminal charges against the liable individuals. However, the practice of distinguishing between a corruption offence of offering or giving property, money, and other pecuniary benefits and services as a criminal offence of bribe-offering or bribe-giving under the Criminal Code or an administrative offence under the Administrative Offences Code, was inconsistent and unpredictable.

Under the Amending Law 2013, the unjustified benefits were defined as money or other property, preferences, advantages, services, non-pecuniary assets being illicitly promised, offered or delivered. Therefore, the clarity in qualifying ‘offering or rendering non-pecuniary services, benefits and advantages’ as the administrative corruption offence no longer exists, and now businesses should pay even closer attention to evaluating each case of gift-giving or providing hospitality/entertainment not only to officials, but also to other subjects of liability for corruption offences (e.g. notaries, auditors, experts, etc.).

### Subjects of liability for corruption offences, corruption and corruption offence

The term ‘Officials’ is not defined in the Anti-Corruption Law *per se*. However, it speaks of the ‘individuals authorised to perform state or local government functions’ and covers government officials, as well as public servants and local government officers.

In addition to Officials, Article 4, part 1 of the Anti-Corruption Law lists other groups of individuals who potentially can be held liable for committing corruption offences (the “**Subjects of Liability**”), including:

- (i) officers of public legal entities other than Officials (the “**Public Entity Officers**”);
- (ii) individuals (other than Officials) rendering public services (e.g. auditors, notaries, experts, etc.) (the “**Public Services Officials**”); (iii) foreign Officials; and (iv) officers of international organisations, members of international parliamentary assemblies where Ukraine participates, and judges and officers of international courts (the “**Second Group Subjects of Liability**”);
- persons permanently or temporarily holding positions related to organisational,

executive, or administrative and economic responsibilities, or persons specifically authorised to perform such duties in any private companies in accordance with the law (“**Private Company Officers**”);

- company officers and employees receiving unjustified benefits, or providing unjustified benefits to Officials and the Second Group Subjects of Liability, or to other persons, if instructed by them; and
- individuals providing unjustified benefits to Officials and other Subjects of Liability, or to other persons, if instructed by them.

The Ukrainian law defines corruption as an activity of Officials and other Subjects of Liability aimed at unlawful use of their powers and related opportunities to obtain unjustified benefits or accept a promise/offer of such unjustified benefits for themselves or other individuals, as well as a promise/offer of unjustified benefits to Officials and other Subjects of Liability, or the provision of unjustified benefits to them or, at their demand, to other individuals or legal entities, aimed at persuading Officials and other Subjects of Liability to unlawfully use their powers and related opportunities.

A corruption offence, in the meaning of the Anti-Corruption Law, is the intended act of corruption committed by Subjects of Liability for which the law establishes criminal, administrative, civil and disciplinary liability.

#### Liability for corruption offences

The Anti-Corruption Law sets forth criminal liability for legal entities (*discussed in section below, ‘Company liability for corruption offences’*), as well as criminal, administrative, civil and disciplinary liability for corruption offences for responsible Officials and other Subjects of Liability.

In accordance with Ukrainian law, unless a corrupt activity constitutes a criminal offence provided by the Criminal Code (e.g. offering, promising, or providing unjustified benefits to an Official), a responsible Official or other Subject of Liability shall be subject to administrative liability for a committed corruption offence (e.g. for violating statutory restrictions regarding receiving a gift/donation).

There are types of corruption offences subject to liability under the Administrative Offences Code, in particular for:

- engaging in other paid or entrepreneurial activities (except for teaching, scientific and creative work, as well as some other activities);
- becoming members of governing bodies of profitable companies (except for when representing state interests in the governing bodies of such companies);
- not notifying on the conflict of interest;
- unlawfully using information which became known during performance of the official duties; or
- failing to take the anti-corruption measures.

The Criminal Code provides for the following types of the corruption crimes:

- receiving unjustified benefits;
- receiving the offer or promise of unjustified benefits;
- promising or providing unjustified benefits;
- provoking corrupt payment;<sup>1</sup>
- corrupt payment to Private Company Officers;
- corrupt payment to Public Services Officials;
- corrupt payment to an employee of an entity, other than the Official, or a person working for the benefit of an entity;

- unlawful enrichment; or
- unlawful influencing Officials performing state duties.

#### Penalties for individuals convicted of corruption offences

Depending on the degree and type of a particular crime, the corruption crimes committed by individuals are punishable by (as a single penalty or in combination with the below penalties):

- a fine ranging from €140 to €1,400;
- community works for up to 250 hours;
- corrective works for up to two years;
- confinement for up to five years;
- imprisonment for up to 12 years;
- deprivation of the right to hold certain office or engage in certain activities for up to three years;
- confiscation of property; and
- special confiscation.

#### Other legal consequences of corruption activities

Under Ukrainian law, information on persons liable for corruption shall be listed in the Unified Register of Individuals Liable for Committing Corruption Offences within three days upon the coming into force of a respective judgment.

Under Article 22 of the Anti-Corruption Law, performance of duties of an Official or other Subject of Liability shall be suspended if formal charges are filed against such person to initiate prosecution for committing a crime within the scope of his/her official duties. Officials brought to criminal or administrative liability for corruption offences shall be subject to dismissal within three days after a respective judgment comes into force, unless otherwise provided by law.

Apart from the aforementioned administrative, criminal and disciplinary liability, Officials violating provisions of the Anti-Corruption Law may be held liable for damages. In addition, they can be forced to eliminate the consequences of their corrupt actions by:

- compensating damages;
- annulling unlawful laws, regulations and decisions initially enacted in the course of corruption activities;
- restoring rights of and compensating damages to the offended companies and individuals; and
- seizing the unlawfully gained property.

#### Corruption activities investigation and law enforcement bodies

Under the Criminal Procedure Code of Ukraine (the “**Criminal Procedure Code**”), investigation of the abovementioned corruption offences falls within the competence of the Ministry of Internal Affairs of Ukraine, Prosecutor’s Office of Ukraine and the Security Service of Ukraine.

Investigators of the Prosecutor’s Office of Ukraine investigate offences committed by the highest Officials (i.e. Officials who hold positions belonging to the first three categories of public servants established by the applicable law (e.g. first deputy ministers, heads of regional state administrations, heads of Administration of the President of Ukraine, etc.), as well as by judges and officers of the law enforcement bodies). Under the Criminal Procedure Code, after creation of the State Investigation Bureau of Ukraine such cases will be investigated by this Bureau.

## Overview of enforcement activity and policy during the past two years

Considering that the Anti-Corruption Law and other anti-corruption legislation was significantly amended, including recently, that the new legislation introduces a number of new notions and concepts into the Ukrainian law, and that many of the existing legal acts governing this area have to be brought in compliance with the Anti-Corruption Law and other newly enacted anti-corruption laws, the enforcement of the new anti-corruption legal framework remains an issue, while the success of its application will largely depend on interpretation of the new laws by the Ukrainian enforcement agencies and courts.

There have been no significant or policy-shaping court cases in the anti-corruption area during the past two years. On the other hand, court rulings on various corruption-related offences seem to be relatively consistent for many years in a row.

Based on the established court practice, it appears that the most frequently prosecuted corruption-related cases are the crimes punishable under Article 368 of the Criminal Code (i.e. for accepting the offer or promise of unjustified benefits, or for receiving unjustified benefits, or for requesting to provide such unjustified benefits by an Official, as well as for requesting such unjustified benefits for their own or for any other third party for performance (or refusal of performance) by such an Official of any act using his or her official powers or position for the benefit of a person providing unjustified benefits or a third party). Particular punishment ordered by courts normally depends on the circumstances of a committed crime, position held by the Official, amount of the unjustified benefits involved, and the level of the criminal intent's implementation.

The established court practice evidences that law enforcement in the anti-corruption area has been rather subjective in Ukraine. Mainly the prosecution and conviction have been carried out with respect to mid- or low-level Officials (i.e. mostly local government Officials). Among those recently brought to liability were also Private Company Officers and Public Entity Officers.

Recent court decisions demonstrate that while hearing corruption cases Ukrainian courts usually apply interpretations of the Anti-Corruption Law and other anti-corruption legislation provided in the Resolution of the Plenum of the Supreme Court of Ukraine No. 13 "On the Court Practice in Corruption Cases and Other Cases Related to Corruption" dated 25 May 1998, and the Resolution of the Plenum of the Supreme Court of Ukraine No. 3 "On the Court Practice in Bribery Cases", dated 26 April 2002.

The Ukrainian legal and business community is anticipating first court rulings related to bringing companies to criminal liability for corruption offences to receive some guidance on the prospective law enforcement in this area.

## Law and policy relating to issues such as facilitation payments, gifts and hospitality

### Facilitation payments

Unlike the FCPA, facilitation payments are not allowed by the Ukrainian legislation. The facilitation or 'grease' payments defence under the FCPA should be carefully considered while doing business in Ukraine. Normally, in Ukraine various central and local government agencies and state and municipal entities officially establish higher fees for the expedited performance of their services (i.e. issuance of licences, registering a company, etc.). Therefore, any payments other than such official fees may be viewed as corruption under Ukrainian law.

## Gifts

The Ukrainian law distinguishes between a simple gift and unjustified benefits. For the gift to be qualified as unjustified benefits, a person must give money or other valuables to an Official with an intent that the Official performs (or refrains from performing) certain actions in that person's favour or in favour of a third party. However, there are still no apparent *de facto* rules and procedures for gift-giving to Officials. Therefore, a company or an individual presenting a gift to an Official may bear a risk of such gift being treated as a corrupt payment or provision of unjustified benefits (i.e. commit corruption crimes punishable under the Criminal Code), depending on the value of the gift, intent of the gift giver, circumstances and the time frame.

Article 8 of the Anti-Corruption Law bans Officials, as well as Public Entity Officers and Public Services Officials (the “**Restricted Individuals**”) to receive, either directly or through third parties, gifts/donations from legal entities and individuals: (i) for decisions, actions or inactions in favour of the gift/donation-giver taken either directly by them or with their facilitation by other Officials, officers and bodies; and (ii) from subordinates of such individuals.

An Official can be held criminally liable for receiving unjustified benefits only if s/he received these unjustified benefits for performance (non-performance) of actions, which could have been performed only by using his/her powers or duties in his/her capacity as an Official or related to his/her position.

An Official can be charged for committing the act of corruption notwithstanding his/her actual performance or non-performance of any actions (their consequences) for the benefit of a person who provided this Official with the valuables, services, preferences or other benefits (i.e. the mere fact of the receipt of benefits is sufficient for bringing the charges).

Notwithstanding that the abovementioned prohibition on Officials and Restricted Individuals receiving gifts from companies and individuals, these individuals may accept personal gifts consistent with the generally recognised ideas for hospitality. The Anti-Corruption Law establishes a value threshold for such gifts. The value of a one-time gift may not exceed 50% of the minimum monthly salary on the date of a particular gift giving/accepting (currently constituting €34). The aggregate value of gifts from the same source within a given year should not exceed one minimum monthly salary established as of 1 January of the given year (currently being €68).

The established threshold for the value of gifts to Officials is a new experience for Ukraine as, prior to enactment of the Anti-Corruption Law, the minimum value of gifts was not legally established. It should be emphasised that not only the gift's value, but also circumstances under which it is presented are important for determining the corporate policy for giving gifts to Officials. Under certain conditions, even a gift of the equivalent of €20 or a private lunch with an Official could raise a suspicion of the law enforcement authorities and result in allegations of corruption. Therefore, in addition to the value/timeframe established by the Anti-Corruption Law, it is always important to consider circumstances under which each particular gift is presented. Otherwise, there is a significant risk of prosecution against responsible Officials, a company's officers or a company itself.

## Hospitality/entertainment

There is no clear definition of either a gift or hospitality/entertainment under Ukrainian law. The established court practice and legal doctrine distinguish two interpretations of the notion of ‘gift’, namely: (1) gifts in the narrow meaning provided by Article 718 of the Civil

Code of Ukraine; and (2) gifts in the broad meaning (i.e. when hospitality/entertainment is covered by the notion of ‘gift’, similarly to the FCPA, UKBA, and some other foreign anti-bribery legislation). Therefore, each case of providing hospitality/entertainment to an Official in Ukraine should be carefully evaluated.

For instance, paying a fee (honorarium) to an Official for speaking at a conference organised or sponsored by a company is not prohibited by the Anti-Corruption Law and, therefore, should not be treated as an act of corruption. On the other hand, compensation of this Official’s expenses for his/her travel to the venue of the conference, accommodation, etc. could be viewed as corruption. Furthermore, whereas an invitation of an Official to attend a formal reception might be acceptable, treatment of the same Official to a private dinner might be considered as a corrupt activity. Some Ukrainian companies prefer to extend invitations to government agencies rather than to particular Officials.

### **Key issues relating to investigation, decision making and enforcement procedures**

Article 96<sup>10</sup>, introduced to the Criminal Code by the Amending Law 2013, directly provides that while deciding on penalties to be imposed on companies, courts have to consider the following:

- degree of the corruption crime committed;
- level of implementation of criminal intent;
- amount of damage caused by this crime;
- nature and amount of unjustified benefits received or which may have been received by the company; and
- measures taken by the company to prevent the crime.

The Criminal Procedure Code provides that a prosecutor and a suspected or accused person may conclude a special agreement on recognition of guilt (the “**Plea Agreement**”) under which they can determine:

- precise wording of suspicion or accusation and its legal qualification under appropriate Article of the Criminal Code;
- essential circumstances for the proper criminal proceeding;
- unconditional recognition by a suspected or accused person of his/her guilt in committing the relevant crime;
- obligations of a suspected or accused person in relation to collaboration in investigating the crime committed by another person (in case it was agreed);
- agreed punishment and consent of a suspected or accused person for his/her punishment or for declaring the agreed punishment and his/her further release from serving the sentence on the terms of probation;
- consequences of conclusion and approval of the Plea Agreement provided by the Criminal Code; and
- consequences for a suspected or accused person in case of his/her failure to execute the Plea Agreement.

Under Ukrainian law, it is prohibited to conclude the Plea Agreement with a suspected or accused authorised person of a company in respect of which a criminal proceeding takes place.

Under the Criminal Code, a provider of unjustified benefits responsible for committing certain crimes (e.g. offering, promising or providing unjustified benefits to an Official) provided by the Criminal Code may be released from the criminal liability: (i) if unjustified benefits were given due to their extortion; or (ii) in case of his/her voluntary reporting on providing

unjustified benefits to the body responsible for commencing criminal proceedings prior to initiation of investigation by such body in respect of the provider of unjustified benefits.

Under the Criminal Code, confession to committing a crime, sincere repentance and active assistance in investigation of a crime are considered as defences.

### **Overview of cross-border issues**

Article 7 of the Criminal Code provides that citizens of Ukraine, who have committed crimes abroad, shall be held criminally liable under the Criminal Code, unless otherwise provided by the international treaties of Ukraine ratified by the Ukrainian parliament. If such individuals were brought to liability abroad for committing crimes envisaged by the Criminal Code, they may not be brought to criminal liability in Ukraine for these crimes.

Under the general rule stipulated by Article 8 of the Criminal Code, foreigners who do not permanently reside in Ukraine and committed crimes abroad, can be held liable in Ukraine under the Criminal Code in cases provided by the ratified international treaties of Ukraine, or if they committed grave or especially grave crimes against human rights and liberties or interests of Ukraine.

Part 2 of this Article 8 provides that foreigners, who do not permanently reside in Ukraine, can be prosecuted in Ukraine under the Criminal Code if they committed abroad, in complicity with Officials who are nationals of Ukraine, any of the following corruption crimes:

- accepting an offer or promise, or receiving unjustified benefits by an Official;
- corrupt payment to a Private Company Officer;
- corrupt payment to a Public Services Official;
- offering, promising or providing unjustified benefits to an Official; or
- improper influence.

In addition, such foreigners can be prosecuted in Ukraine under the Criminal Code if they offered, promised or provided unjustified benefits to such Officials, or accepted from them an offer or promise of unjustified benefits, or received such benefits.

#### FCPA/UKBA enforcement in Ukraine

To our knowledge, as of today there have been no precedents of the FCPA/UKBA enforcement in Ukraine. Ukrainian authorities cannot initiate any action in Ukraine under foreign law.

However, Ukraine is required to provide legal assistance for foreign law enforcement authorities on their request in accordance with a respective international treaty on legal assistance in civil or crime cases ratified by Ukraine. For instance, the Treaty between the US and Ukraine on Mutual Legal Assistance in Criminal Matters effective as of 27 February 2001 requires Ukrainian government bodies to cooperate with the US authorised agencies by providing legal assistance to the US authorities during the ongoing investigations, prosecution or for crime prevention purposes (e.g. to provide copies of the publicly accessible documents, to pass requests from the competent US agencies for a potential witness (including an Official) to testify before a US court, etc.).

We are also not aware of any FCPA- or UKBA-related investigation or prosecution initiated by the US or UK authorities against a US or UK corporation or its affiliated entity doing business in Ukraine, which would involve enforcement of FCPA or UKBA in Ukraine.

Even though the number of publications on the FCPA and the UKBA and their extraterritorial application has increased recently in Ukraine, and more Ukrainian companies and enforcement agencies (especially those dealing with US or UK companies) are aware of the existence of the FCPA and the UKBA and their effect on US and UK companies

(their subsidiaries, officers and employees, and agents), based on our observation it rarely influences their business and other decisions.

### **Company liability for corruption offences**

The Anti-Corruption Law and the Criminal Code provide, among others, that a company may be brought to criminal liability for committing corruption crimes listed in Article 96<sup>3</sup> of the Criminal Code by the company's authorised representative on behalf and in the interests of this company. Criminal liability is introduced only for private companies (i.e. any companies that are not in state or municipal ownership).

A company may be brought to criminal liability for committing the following corruption crimes by the company's authorised representative on behalf and in the interests of this company:

- corrupt payment to a Private Company Officer;
- corrupt payment to a Public Services Official;
- offering, promising or providing unjustified benefits to an Official; or
- improper influence.

Under the Criminal Code, in case the company's authorised representative is found guilty of committing a corruption crime, the company may be ordered to pay a fine in the amount from 5,000 to 75,000 tax-exempted incomes (currently being approximately €4,735 to €71,000), depending on the degree of a particular crime committed by the company's authorised representative.

A new Article 14<sup>1</sup> introduced into the Anti-Corruption Law in 2014 provides that Ukrainian companies are required to ensure developing and implementing adequate measures for preventing corruption in their activities and encouraging their employees to comply with the laws and regulations, and internal corporate anti-corruption policies and procedures. According to Article 96<sup>10</sup> of the Criminal Code, while deciding on the penal sanctions courts will have to consider, among others, the measures taken by the company to prevent the crime.

Based on the above, introduction and effective implementation by the Ukrainian companies of sound corporate anti-corruption programs (including adoption by them of sophisticated anti-corruption policies/regulations) may mitigate the risk of potential criminal liability of these companies for corruption offences committed by their officers and other authorised representatives.

### **Proposed reforms / The year ahead**

The Anti-Corruption Law is more consistent and clear in comparison to the earlier legislation, and generally seems to conform to the world's best practices. However, the Ukrainian anti-corruption legislative, regulatory and law enforcement environment still needs significant improvement to fully meet the world standards.

Due to this, the Cabinet of Ministers of Ukraine has adopted its Resolution No. 647-p "On Approval of the Plan on Priority Measures to Combat Corruption", dated 2 July 2014. This is a comprehensive plan containing immediate steps to combat corruption for the next six months. The Plan provides for, among others:

- developing and enacting the Law "On Principles for the State Anti-Corruption Policy in Ukraine (Anti-Corruption Strategy) for 2014-2017 Years" and the state program for its implementation;

- drafting a new version of the Law “On the Judiciary and Status of Judges”;
- amending the laws regulating the state service and service in municipal governments;
- establishing a separate state body authorised to detect and investigate crimes committed by highest Officials and other corruption offences of particular danger to society;
- developing and enacting the Law “On the State Investigations Bureau”;
- enacting a new version of the Law “On Prosecutor’s Office of Ukraine”; and
- taking other measures aimed at preventing and combating corruption in Ukraine.

On 22 August 2014, the Cabinet of Ministers of Ukraine approved the following anti-corruption legislative initiatives and requested the President of Ukraine to submit them to the Ukrainian parliament as urgent:

- draft Law “On National Anti-Corruption Bureau” aimed at creation of the special anti-corruption body;
- draft Law “On Preventing Corruption” aimed at approval of the basis of functioning of the system of preventing corruption; and
- draft Law “On Amending Certain Legislative Acts of Ukraine regarding Defining Final Beneficiary Owners (Controllers) of Legal Entities and Public Persons” aimed at strengthening the control over the final beneficiaries of legal entities.

\* \* \*

### Endnote

1. Corrupt payment (*‘нідкун’*, in Ukrainian) is formally called in English ‘commercial bribery’. For the purposes of this Chapter, it was decided to replace it with the term ‘corrupt payment’ to avoid confusion with the term ‘bribery’, which was eliminated from the Ukrainian law by the Amending Law 2013.

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Svitlana has over 17 years of professional experience in Ukraine and the US, advising clients on a wide range of sophisticated issues in the area of anti-corruption/anti-bribery legislation. She is known for her state-of-the-art, business-oriented and user-friendly work in the anti-corruption area.

Svitlana is an internationally recognised expert in the anti-corruption/anti-bribery area. She speaks and publishes extensively (in Ukraine and abroad) on the specifics of the Ukrainian anti-corruption legislative and regulatory environment. Svitlana is a member of the Society of Corporate Compliance and Ethics (USA) and regularly attends FCPA/UKBA trainings in the US and the UK.

Svitlana is recommended as one of the best lawyers in Ukraine, according to Ukrainian Law Firms 2014, Chambers Europe 2014, Best Lawyers International 2014, the all-Ukrainian survey Client's Choice, TOP-100 Lawyers in Ukraine 2012-2013.

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