

Anti-Corruption Regulation

Contributing editor
Homer E Moyer Jr



2017

GETTING THE
DEAL THROUGH 

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Argentina

Maximiliano D'Auro, Manuel Beccar Varela, Francisco Zavalía and Tadeo Leandro Fernández
Estudio Beccar Varela

1 International anti-corruption conventions

To which international anti-corruption conventions is your country a signatory?

Argentina is signatory to the following international anti-corruption conventions:

- the Inter-American Convention against Corruption (the IACAC) in 1997 (approved by Law No. 24,759);
- the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Convention) in 2000 (approved by Law No. 25,319); and
- the United Nations Convention against Corruption in 2006 (approved by Law No. 26,097).

2 Foreign and domestic bribery laws

Identify and describe your national laws and regulations prohibiting bribery of foreign public officials (foreign bribery laws) and domestic public officials (domestic bribery laws).

The Argentine Criminal Code (the ACC) is the main regulation that governs and punishes behaviours related to bribery and corruption. The legal framework punishing bribery is established in sections 256 to 259 of the ACC. Section 256 ACC punishes domestic public officials who directly or indirectly receive money or any other item of value in exchange for doing, delaying or omitting to do certain actions relating to their public duties or activities. The active bribery of a public official is also punished in section 258 ACC.

The offence of bribery of foreign public officials was introduced by means of Law No. 25,188 in section 258-bis ACC, which was also amended by Law No. 25,825 in order to cover the bribery of officials of international organisations.

In addition, there is civil and administrative liability regarding breaches of foreign and domestic bribery laws (see questions 16 and 23).

Finally, it is worth mentioning that the national executive branch sent a bill on corporate criminal liability for corruption cases (the Anti-corruption Bill) to Congress with the aim of assessing the deficiencies noted by the OECD in its evaluations.

Foreign bribery

3 Legal framework

Describe the elements of the law prohibiting bribery of a foreign public official.

Section 258-bis ACC sets forth that any person is punished with imprisonment from one to six years and special disqualification for life from the exercise of any public office if that person offers or gives a public official from a foreign state or from an international public organisation, personally or through an intermediary, money or any object of pecuniary value or other benefits such as gifts, favour, promises or benefits, for:

- that person's own benefit or for the benefit of a third party; and
- the purpose of having that official do or not do an act related to his or her office or to use the influence derived from the office he or she holds in an economic, financial or commercial transaction.

4 Definition of a foreign public official

How does your law define a foreign public official?

The ACC defines the terms 'public official' and 'public employee' in section 77 as 'any person who temporarily or permanently discharges public functions, whether as a result of popular election or appointment by the competent authority'. According to the OECD Report, this definition includes two deficiencies:

- it is not autonomous; and
- it is too narrow, as it does not cover bribery of employees of foreign state-owned or state-controlled enterprises or officials of any organised foreign area or entity, such as an autonomous territory or a separate customs territory.

In the Phase 3 OECD Report 2014 (the OECD Report) (see OECD Working Group on Bribery, Argentina, Phase 3 Report of 18 December 2014, available at: www.oecd.org/corruption/anti-bribery/Argentina-Phase-3-Report-ENG.pdf) it was stated that the definition of a foreign official would be broadly interpreted having regard to the Convention; however, there is no case law confirming such interpretation.

5 Travel and entertainment restrictions

To what extent do your anti-bribery laws restrict providing foreign officials with gifts, travel expenses, meals or entertainment?

Pursuant to Argentine anti-bribery laws, there is no specific restriction regarding the provision of gifts, travel expenses, meals or entertainment to foreign officials. However, it could be interpreted that this behaviour constitutes the offence of bribery of foreign public officials (see questions 27 and 28).

It is worth noting that in the OECD Report, the Working Group reflected that Argentina argued that all payments made personally to an individual public official are necessarily illegitimate (paragraph 35).

6 Facilitating payments

Do the laws and regulations permit facilitating or 'grease' payments?

According to Argentine legislation, facilitating payments could be characterised as bribery offences under the ACC. There are no safe harbours or exemptions, and 'grease' payments (for routine government actions) are not allowed.

7 Payments through intermediaries or third parties

In what circumstances do the laws prohibit payments through intermediaries or third parties to foreign public officials?

Argentine law prohibits payments through intermediaries or third parties: The bribery of a foreign public official offence can be committed either directly or indirectly (section 258-bis).

Additionally, section 45 of the ACC sets forth that the following would be punishable with the same penalty as the perpetrator:

- the person who takes part in the commission of a criminal act;

- the person who provides assistance or cooperation without which the offence could not have been committed; and
- the person who directly abets another to commit a criminal act.

Pursuant to section 46, the following are punishable with a reduced penalty (from one-third to one-half):

- the person who cooperates in any other form in the commission of a criminal act; and
- the person who gives assistance because a previous promise.

8 Individual and corporate liability

Can both individuals and companies be held liable for bribery of a foreign official?

Individuals can be held criminally, administratively and civilly liable for bribery of a foreign public official. However, in Argentina, companies cannot be held criminally liable for foreign bribery offences, and corporate criminal liability has been established in our country only for money-laundering (sections 303 and 304 ACC), terrorist-financing offences (section 306 ACC), insider trading (sections 307, 308 and 313 ACC), manipulation of financial markets and misleading offers (section 309 and 313 ACC), financial intermediation (sections 310 and 313 ACC), financial fraud (sections 311 and 313 ACC), financial bribery (sections 312 and 313 ACC), tax offences (Law No. 24,769 modified by Law No. 26,735, section 14), customs offences (Law No. 22,415, section 887), currency-exchange offences (Law No. 19,359, section 2f), antitrust law (Law No. 25,156, section 47), the supply law (Law No. 20,680 modified by Law 26,991, section 8), the criminal trade mark law (Law Nos. 11,723 and 22,362) and the environmental criminal law (Law No. 24,051).

9 Successor liability

Can a successor entity be held liable for bribery of foreign officials by the target entity that occurred prior to the merger or acquisition?

A successor entity cannot be held criminally liable for bribery of foreign officials by the target entity when it occurred prior to the merger or acquisition (see question 8).

It is important to point out that the Anti-corruption Bill sets forth joint and several liability of controlling companies for the penalties imposed on their controlled companies, as well as successor liability. Notwithstanding, successor liability could be avoided if appropriate anti-corruption due diligence processes and corrective measures are carried out.

10 Civil and criminal enforcement

Is there civil and criminal enforcement of your country's foreign bribery laws?

Yes, there is civil and criminal enforcement of foreign bribery laws. See question 16.

11 Agency enforcement

What government agencies enforce the foreign bribery laws and regulations?

The Federal Court on Criminal and Correctional Matters is the competent court for bribery and corruption matters concerning public officers, and the national Constitution provides a special mechanism for removal and prosecution of officials and judges called impeachment. Federal judges are assigned to conduct bribery and corruption investigations, and have broad powers under the Criminal Procedure Code (the CPC), including requesting reports from both public and private agencies; and ordering numerous procedural and precautionary measures, aimed at avoiding and preventing obstruction to investigations and the escape of criminals.

All national and provincial police forces are at the disposition of the federal judiciary, as court assistants, to perform, execute and comply with its orders. The authority of a federal judge is limited geographically to Argentina. In practice, the authorities and judiciary cooperate with overseas regulators. The only protection provided is that some people may be required to answer written reports so as not to testify

as witnesses. This applies to the president, vice president, provincial governors, mayor of the City of Buenos Aires, national and provincial ministers and legislators, members of the judiciary and provinces, diplomatic ministers and general consuls, and senior officers of the armed forces (section 250, CPC).

There are no special procedures or guidance for investigating these crimes. However, the following institutions are important:

- the Anti-corruption Bureau (the OA). This operates under the Ministry of Justice, and is governed by National Decree 102/99, which grants various investigative powers. The OA has certain powers under National Decree 102/99, including powers to: request information, obtain expert opinions, conduct preliminary investigations and file criminal complaints with the federal judiciary;
- Administrative Investigations (a special prosecutor's office within the Public Prosecutor). This investigates and promotes the investigation of crimes concerning corruption and administrative irregularities; and
- the *Procuraduría de Criminalidad Económica y Lavado de Activos* (PROCELAC): This is a unit within the attorney general's office designed to combat money laundering and other economic crimes. PROCELAC has six operational areas: money laundering and terrorist financing; economic and banking fraud; capital market; tax crimes and smuggling; crimes against public administration; and bankruptcy.

12 Leniency

Is there a mechanism for companies to disclose violations in exchange for lesser penalties?

Pursuant to Argentine law, there is no legal obligation for corporations to self-report when they discover internal wrongdoing. Moreover, there are no benefits, such as leniency or immunity, for businesses that self-report.

13 Dispute resolution

Can enforcement matters be resolved through plea agreements, settlement agreements, prosecutorial discretion or similar means without a trial?

Pursuant to Argentine law, civil matters may be settled, but criminal cases must be subject to criminal prosecution and cannot be resolved through settlements or plea agreements just as in the US. According to section 71 ACC, prosecutors are not allowed discretion other than permitted by criminal procedural law. In this regard, section 431-bis of the CPC provides for abbreviated trials in cases where prosecution and defendants reach an agreement about guilt and sentence at the time of the beginning of the oral trial phase provided that the requested penalty does not exceed six years' imprisonment and the defendant accepts the charges and agrees to conduct the proceedings in such manner.

This is similar to the leniency programme established with the recent Law No. 27,304, sanctioned for, among other things, plea bargains in anti-corruption investigations. The defendant cannot avoid the trial, but can reduce the imprisonment by up to 15 years.

It is stated in section 76-bis ACC that suspension of trial testing may be requested by anybody convicted of a crime prosecutable ex officio with jailing or imprisonment punishment that does not exceed the term of three years. This petition shall not imply the confession of the crime or admission of civil liability, in contrast to the commonly known probation in other countries. The person shall offer to repair the damage caused 'whenever possible', and the court must determine the reasonableness of the offer filed. During the execution of this institute rules, prescription of the criminal action is suspended.

This suspension of trial test may be granted twice if the new crime is committed after eight years from the expiration of the previous test period. A new suspension of the trial test shall not be admitted in favour of any person who has failed to comply with the rules of conduct fixed in a previous suspension.

This shall not be granted when a public official, while holding office, participated in the perpetration of the crime nor in cases of crimes punishable by disqualification.

14 Patterns in enforcement

Describe any recent shifts in the patterns of enforcement of the foreign bribery rules.

It is not possible to describe shifts in the patterns of enforcement of the foreign bribery rules because there are no statistics regarding sanctions against natural persons for this offence, and Argentina does not have corporate liability for foreign bribery, and hence cannot impose sanctions.

15 Prosecution of foreign companies

In what circumstances can foreign companies be prosecuted for foreign bribery?

In Argentina, foreign companies cannot be held criminally liable for foreign bribery offences. See question 8.

16 Sanctions

What are the sanctions for individuals and companies violating the foreign bribery rules?

Individual, corporate or business fraud can also give rise to civil liability. Civil liability (unlike criminal liability) requires damage to a certain person to occur, and only that person (or an agent or successor) can bring a claim. Mere attempts are not punishable.

Liability in this area can arise under tort, through the fundamental principle of *alterum non laedere*, which precludes individuals from harming others. This principle is set out in section 19 of the Argentine Constitution and has been expressly regulated in sections 1716 of the Argentine Civil and Commercial Code (the ACCC) (among others).

For corporate or business fraud to give rise to civil liability, the following elements must be present:

- a breach of either a legal or contractual obligation, constituting an illicit act;
- the existence of actual damage;
- a sufficient causal relationship between the illicit act and the damage; and
- negligence or wilful misconduct from the damaging party.

In addition, pursuant to Argentine Law, the directors or managers of legal entities have the duty of to act with loyalty and with the diligence of a good businessperson (section 59, Business Associations Law No. 19,550). Failure to comply with this duty can give rise to unlimited joint and several liability for the damage caused to the company, the shareholders and other third parties (and among others, any creditors), by their actions or omissions.

Additionally, Law No. 26,944 sets forth the state tort liability and public official tort liability.

Regarding administrative sanctions, Law No. 25,164 on National Public Employment prohibits persons convicted of crimes against public administration to be appointed as public officials. Furthermore, section 30 of this Law provides for disciplinary sanctions to public officials who breach their duties.

Law No. 25,188 on Ethics in Public Office and its implementing legislation sets forth ethical and anti-corruption duties for all public officials.

Decree No. 41/1999 sets forth the Code of Ethics for Public Officials of the National Executive Branch.

Additionally, according to the General Regime for Public Procurement, a person who is convicted of 'fraudulent offences' or who is subject to criminal proceedings for an offence established by the IACAC is debarred from obtaining public contracts with the national public administration. The maximum debarment period is twice the length of the prison sentence, or the period of probation if no prison sentence is imposed. The offences covered by the IACAC include acts of domestic and foreign corruption (eg, offering or providing bribes to government officials).

Additionally, the recently issued Decree No. 1030/2016 sets forth as disqualifying circumstances the following cases:

- offers submitted by those convicted abroad by a final judgment for bribery or transnational bribery crimes according to the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, for a period equal to twice the sentence; and

- offers submitted by those included in the World Bank or Inter-American Development Bank list of disqualified offerors because of corrupt practices or behaviours.

Moreover, section 10 of the Decree 1023/2001 sets forth that any offering or tender at any stage of a bidding process shall be denied without any further proceeding, and any contract shall be rescinded in full if money or any other undue advantage is given or offered so that:

- public officials or employees acting in their capacities in a bidding or procurement process act or refrain from acting in connection with their duties;
- public officials or employees use their influence on other public officials or employees, acting in such capacity, in order that they act or refrain from acting in connection with their duties; or
- any other persons who use their relation or influence on others acting in such capacity, in order that they act or refrain from acting in connection with their duties.

Those persons who have acted in the interest of the hiring party, whether directly or indirectly, either as management representatives, partners, agents, managers, factors, employees, hired employees, business brokers, trustees or any other natural or legal person shall be considered participants in the crime. The attempt of such illicit acts shall suffer the same consequences as if they had been consummated.

For criminal liability, see questions 3 and 8. Additionally, pursuant to section 22-bis ACC, a fine of up to 90,000 pesos may be imposed in addition to the reclusion sentence, where the foreign bribery offence is committed 'with the aim of a monetary gain'. Further, upon conviction individuals are subject to confiscation of the bribe and the proceeds of bribery (section 23.3 ACC).

17 Recent decisions and investigations

Identify and summarise recent landmark decisions or investigations involving foreign bribery.

See the cases described in the OECD Report: Case No. 1 - *River Dredging*; Case No. 2 - *Power Project (Philippines)*; Case No. 3 - *Undeclared Cash (Venezuela)*; Case No. 4 - *Gas Plant (Bolivia)*; Case No. 5 - *Inter-American Development Bank Debarment Case (Honduras)*; Case No. 6 - *Oil Refinery (Brazil)*; Case No. 7 - *Agribusiness Firms (Venezuela)*; Case No. 8 - *Grain Export (Venezuela)*; Case No. 9 - *Military Horses (Bolivia)*; and Case No. 10 - *Oil Sector Construction (Brazil)*.

Financial record keeping

18 Laws and regulations

What legal rules require accurate corporate books and records, effective internal company controls, periodic financial statements or external auditing?

The main legal rules that require accurate corporate books and records, effective internal company controls, periodic financial statements or external auditing are the following:

- the ACCC sections 320 to 327;
- the Business Associations Law No. 19,550 and the Financial Administration Law No. 24,156, regarding state-owned companies;
- the Stock Market Law No. 26,831;
- the regulations issued by the National Securities Commission (the CNV); and
- the regulations issued by local commercial registries.

19 Disclosure of violations or irregularities

To what extent must companies disclose violations of anti-bribery laws or associated accounting irregularities?

Pursuant to Argentine law, there is no legal obligation for corporations to self-report when they discover internal wrongdoing. Moreover, there are no benefits, such as leniency or immunity, for businesses that self-report. However, certain entities and agents under the supervision of the CNV have the obligation to disclose significant issues (ie, any fact or situation that could substantially affect the placement of securities of the issuer, the course of the securities' negotiation or the development of its activities).

Update and trends

In December 2015, the Argentine government changed. The new administration has promised to make the fight against corruption one of the main political goals of its administration. Regarding new legislation, there have been announcements that a set of anti-corruption bills is about to be sent to Congress. Among them, there is great expectation about the creation of a leniency programme specific to anti-corruption investigations.

Furthermore, on 20 October 2016 the government presented a Bill on Corporate Criminal Liability for Cases of Corruption, and the National Congress is also considering others anti-corruption initiatives.

20 Prosecution under financial record keeping legislation

Are such laws used to prosecute domestic or foreign bribery?

In recent times there has been increased emphasis on the use of financial record keeping laws to prosecute cases of bribery.

21 Sanctions for accounting violations

What are the sanctions for violations of the accounting rules associated with the payment of bribes?

Besides the bribery offence itself, section 300(2) ACC sets forth a sanction of six months to two years' imprisonment for the founder, director, trustee, liquidator or *sindico* of a corporation or cooperative, or of any other legal person who knowingly publishes, certifies or authorises an either false or incomplete inventory, balance sheet, profit and loss account or related reports on any event material to the assessment of the company's financial position, whatever the purpose sought.

Additionally, the CNV, commercial registries and professional associations can impose administrative and disciplinary sanctions to the wrongdoers.

22 Tax-deductibility of domestic or foreign bribes

Do your country's tax laws prohibit the deductibility of domestic or foreign bribes?

The recently issued Decree No. 1246/2016 explicitly prohibits the deductibility of bribes in the Argentine Income Tax Law. Before this Decree, the Argentine government had stated in the OECD Report that the deductibility of bribes was implicitly prohibited by Argentine tax law.

Domestic bribery

23 Legal framework

Describe the individual elements of the law prohibiting bribery of a domestic public official.

Section 258 of the ACC sets forth that any person who personally or through an intermediary gives or offers any gift for the purpose of obtaining any of the acts punished by sections 256 and 256-bis shall be punished with prison from one to six years. If the gift is given or offered with the purpose of obtaining any of the conduct described in sections 256-bis second paragraph and 257, the punishment shall be prison from two to six years. If the perpetrator is a public official, special disqualification from two to six years shall also be imposed in the first case, and from three to 10 years in the second case.

Section 256 of the ACC sets forth that any public official who, personally or by means of an intermediary, receives money or any other gift or, directly or indirectly accepts promise of such in order to carry out, delay or not to do something in relation to his or her duties shall be punished with imprisonment of one to six years and disqualification for life.

Section 256-bis of the ACC sets forth that any public official who, personally or through an intermediary, requests or receives money or any other gift or directly or indirectly accepts promise of such in order to make unlawful use of his or her influence before a public official, with the purpose of having such official do, delay or not do something in relation to his or her duties, shall be punished with imprisonment of one to six years and special disqualification from holding public office for life.

The second paragraph of this section 256-bis sets forth that if this conduct is intended to make unlawful use of any influence before a magistrate of the judiciary branch or the State Attorney's Office, with the purpose of having such magistrate issue, decree, delay or omit any resolution, sentence or judgement concerning any matter under his or her jurisdiction, the maximum of the imprisonment shall be increased to 12 years.

Section 257 of the ACC sets forth a punishment to any magistrate from the judiciary branch or the State Attorney's Office who personally or through an intermediary, receives money or any other gift, or directly or indirectly accepts promise of such in order to issue, decree, delay or omit any resolution, sentence or judgment concerning any matters under his or her jurisdiction. In such case, the defendant shall be punished with imprisonment for four to 12 years and total disqualification for life.

Additionally, a fine of up to 90,000 pesos can be imposed where an offence is committed 'with the aim of monetary gain' (section 22-bis of the ACC).

It is worth noting that in the Phase 3 OECD Report of December 2014, the Working Group reflected that Argentina argued that all payments made personally to an individual public official are necessarily illegitimate (paragraph 35).

Finally, it is important to point out that Argentina does not provide for corporate criminal offences regarding corruption (see question 8).

24 Prohibitions

Does the law prohibit both the paying and receiving of a bribe?

Yes; see question 23.

25 Public officials

How does your law define a public official and does that definition include employees of state-owned or state-controlled companies?

The ACC defines the terms 'public official' and 'public employee' in section 77 as 'any person who temporarily or permanently discharges public functions, whether as a result of popular election or appointment by the competent authority'. It could be interpreted that the definition includes employees of state-owned or state-controlled companies.

26 Public official participation in commercial activities

Can a public official participate in commercial activities while serving as a public official?

In principle, a public official can participate in commercial activities if there is no conflict of interest, as it is provided in Law No. 25,188 on Ethics in Public Office. Section 13(b) of Law No. 25,188 sets forth certain incompatibilities for public officials. However, certain public officials governed by the Ministries Law No. 22,520 (such as the head of the cabinet, ministers, secretaries and undersecretaries) and judges (by virtue of the National Justice Regulation, section 8) can only engage in teaching activities during their tenure.

27 Travel and entertainment

Describe any restrictions on providing domestic officials with gifts, travel expenses, meals or entertainment. Do the restrictions apply to both the providing and receiving of such benefits?

Section 18 of Law No. 25,188 on Ethics in Public Office permits public officials of any state power or agency, at all levels, to receive gifts given out of courtesy or diplomatic custom. Otherwise, it is prohibited.

Section 36 of Decree 41/1999 (the Code of Ethics for Public Officials) prohibits public officials of the national executive branch from solicitation or acceptance, directly or indirectly, of money, gifts, benefits, promises and other advantages, and no exceptions or minimum values are permitted.

However, section 38, subsections (a), (b) and (c) of Decree 41/1999 provides for the following exceptions:

- conventional official recognitions from foreign governments, international organisations or non-profit organisations, as long as said recognition is admitted by law, official practice or custom;

- travel expenses received from governments, academic institutions or public or private entities relating to conferences, lectures or academic or cultural activities, as long as there is no conflict with the public official's responsibilities and unless they are prohibited by specific applicable regulations; and
- gifts or benefits that could not reasonably be considered as intended to influence the will of the public official because of their exiguous value.

The enforcement agency of Law No. 25,188, the Anti-corruption Office, issued several advisory opinions regarding this matter.

28 Gifts and gratuities

Are certain types of gifts and gratuities permissible under your domestic bribery laws and, if so, what types?

See question 27.

29 Private commercial bribery

Does your country also prohibit private commercial bribery?

Currently, the offence of bribery does not apply to bribery between private individuals, but only where government officials and employees are involved. The exception to this concerns the recent introduction of an offence of bribery for employees or officials of financial institutions (ACC section 312). This provides that employees of financial institutions and entities operating on the stock exchange shall be punished from one to six years and special disqualification of up to six years if they personally, or through an intermediary, receive money or any other benefit as a condition of providing loans, finance or stock exchange transactions.

A Draft Reform of the Criminal Code is being considered, which will address bribery between private individuals.

In addition, under the terms of section 173, subsection 7 of the ACC, any person who, under the law, by authority or contract, is vested with the management, administration or care of goods or pecuniary interests belonging to another person and, with the purpose of obtaining an unlawful gain for himself or herself or a third party or violating his or her duties, damages such interests conferred upon him or her or makes excessive expenses to the detriment of the person he or she represents, shall be punished with prison from one to six years.

30 Penalties and enforcement

What are the sanctions for individuals and companies violating the domestic bribery rules?

See question 23.

31 Facilitating payments

Have the domestic bribery laws been enforced with respect to facilitating or 'grease' payments?

See question 6.

32 Recent decisions and investigations

Identify and summarise recent landmark decisions and investigations involving domestic bribery laws, including any investigations or decisions involving foreign companies.

The Miralles case

On 6 October 2016 Judges César Álvarez, Leopoldo Schiffrin and Olga Ángela Calitri declared for the first time that the statute of limitations did not apply to a corruption case investigating former La Plata judge Julio Miralles.

Former-president indicted

A criminal investigation is examining whether Cristina Fernandez Kirchner, elected president for two consecutive terms in Argentina (2007-2015), alongside several public officials, such as Julio de Vido, former minister of Planning, Public Investment and Services and José López, former secretary of Public Investments, among others, for illicit association fraudulent administration in connection to the use of public works funds.

Also indicted was businessman Lázaro Báez, whose Austral Construcciones company allegedly benefited from irregular contracts from the public administration. The Argentine judge, Dr Ercolini, construed that Mr Báez received irregular public contracts from the federal government and later on paid to Ms Kirchner through several investments and payments to business the former president holds mainly in the Patagonia area.

Despite the lack of public official statistics, recently the CSJN created the 'Corruption Observatory' to provide a national data base of the ongoing cases. The Observatory can be accessed in the following webpage: www.cij.gov.ar/causas-de-corrupcion.html.

Additional information regarding case law can be found in the reports made by the OECD Working Group on Bribery, which evaluate and make recommendations on Argentina's implementation of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions and the 2009 Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions.

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