

# CORPORATE CRIME UPDATE - AUGUST 2020

20 August 2020 | Global  
Legal Briefings

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Welcome to the August 2020 edition of our corporate crime update - our round up of developments in relation to corruption, money laundering, fraud, sanctions and related matters. Our update now covers a number of jurisdictions.

For the full update on each jurisdiction, please click on the links below. Below we provide a brief overview of what is covered in each update.

## **UNITED KINGDOM, EUROPE AND INTERNATIONAL**

### **UNITED KINGDOM**

- SFO announcements regarding investigations
- SFO approval in principle for DPA
- Former Unaoil executives convicted of conspiracy to give corrupt payments
- SFO granted freezing order extension over London properties
- SFO appoints new COO and CEO
- SFO responds to HMCPPI report on operations and management
- FCA fines commercial bank for AML failures
- FCA updates webpages on reporting market abuse

- Covid-19: FCA statement on financial crime and CBILS/BBL
- Covid-19: FCA webpage on financial crime systems and controls
- Covid-19: FCA Interim CEO discusses future enforcement outcomes
- FCA allows e-money and payments firm to resume activities
- FCA censures AIM firm for market abuse; institutes proceedings against firm's former employees
- Complaints Commissioner comments on FCA's fraud responsibilities
- NCA denied permission to challenge UWOs
- NCA issues new guidance and FAQs on submitting SARs
- Covid-19: UKFIU issues new SAR glossary codes
- JMLSG amends Parts I, II, and III of guidance
- JMLSG consults on new PCA guidance
- Covid-19: JMLSG statement on new AML/CTF challenges
- HMT responses to consultation on 5MLD and TRS
- The Money Laundering and Terrorist Financing (Amendment) (EU Exit) Regulations 2020
- OFSI issues Russian financial sanctions guidance
- TAFAs 2010 quarterly report to Parliament
- EU Exit: UK Government draft legal texts for the future UK-EU relationship
- EU Exit: New SAMLA regulations
- UK introduces first sanctions under SAMLA

## **EUROPE**

- EBA reports on inquiry into dividend arbitrage trading schemes
- EBA expands Q&As to cover 4MLD

- EBA call for input on ML/TF de-risking
- ECB opinion on draft Belgian law implementing 5MLD
- European Commission AML/CTF action plan and consultation
- European Commission revises methodology for identifying high-risk third countries
- European Commission urges member states to implement MLDs
- European Parliament study on improving EU AML policy
- Europol launches European Financial and Economic Crime Centre, report on financial and economic crime
- ECA audit of EU's AML/CTF efforts

## **INTERNATIONAL**

- Covid-19: FATF report on emerging ML/TF risks and policy responses
- Covid-19: FATF extends mutual evaluations and follow-up deadlines
- FATF objectives 2020 – 2022, and June 2020 Plenary outcomes
- FATF report on money laundering and the illegal wildlife trade
- FATF consults on Recommendation 1 and Interpretive Note
- BCBS updates guidelines on sound management of ML/TF risks

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## **GERMANY**

- EU citizen may not be extradited to USA due to the prohibition of double jeopardy
- Automotive supplier fined for software and supervision errors

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## **SPAIN**

- Spain transposes 5MLD

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## **MIDDLE EAST**

- Businessman leaves UAE on repatriation flight after alleged fraud
- UAE accountant for laundering more than AED 5.6 million
- Instagram celebrity arrested in Dubai on accusations of cyber fraud and money laundering

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## **HONG KONG/CHINA**

### **HONG KONG**

- Ex-financial controller of listed company jailed for \$2.6m bribery and fraud

### **CHINA**

- Former Bank President indicted by SPP over bribery

- PBOC money laundering fines soar
- China to revise Anti-Money Laundering Law

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## **INDIA, KOREA & SOUTH EAST ASIA**

### **SOUTH KOREA**

- Bank to pay US\$86 million for anti-money laundering compliance failings
- Court rejects request to arrest Samsung's Jay Y Lee

### **VIETNAM**

- Japanese plastic company faces bribery allegations

### **THAILAND**

- Two monks found guilty in 10 million baht embezzlement case
- Office chief sentenced to 94 years in prison for multiple embezzlement of temple funds
- Covid-19: PACC inspection into irregularities in purchases of medical equipment
- Thailand signs the Multilateral Convention on Mutual Administrative Assistance in Tax Matters
- Thai police uncover major money-laundering ring

### **MALAYSIA**

- Prosecutors drop charges against ally of former prime minister
- Three directors detained on corruption charges under the new s17A MACC Act

## **PHILIPPINES**

- Amendment to the Anti-Money Laundering Act put on hold
- Potential repercussions without anti-terrorism law

## **INDONESIA**

- Former Garuda president director guilty of corruption

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## **AUSTRALIA**

- ASIC enforcement update for July to December 2019
- Modern Slavery Developments at the Commonwealth level
- Crimes Legislation Amendment (Combatting Corporate Crime) Bill 2019
- ASIC prosecution confirms compulsory powers

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# UNITED STATES

- SEC Whistleblower Awards
- Covid-19: SEC Charges Company and CEO for Pandemic Fraud
- SEC Charges Pharmaceutical Company with FCPA Violations
- SEC Settles With Insurance Company Over CEO Perks
- SEC Settles with Capital Markets Company Over Faulty Securities Data
- CFTC Enforcement Actions
- CFTC Whistleblower Awards
- CFTC Division of Enforcement Issues Civil Monetary Penalty Guidance
- CFTC Director of Enforcement at FIA
- Supreme Court Denies Defendants' Challenge to CFTC's Enforcement Authority
- Covid-19: FINRA Reminds Firms of Fraud Risks
- Covid-19: Illinois Business Owner Charged with CARES Fraud
- DoJ \$68.4m settlement with South Korean engineering company
- DoJ: Italian executive sentenced to prison for breaching Russian sanctions

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# SOUTH AFRICA

- The years of 'Covid capture' call for vigilance
- Dlamini Zuma turns cigarettes into illicit drugs as the underground economy takes over
- PwC Survey indicates drop in economic crime in SA, but fraud, bribery and corruption still

rampant

- South Africa not winning the fight against corruption, yet - NPA boss Shamila Batohi
- Arrests made in relation to VBS Mutual Bank corruption scandal

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## KEY CONTACTS

If you have any questions, or would like to know how this might affect your business, phone, or email these key contacts.



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