

BDO COMPLIANCE ASSISTANCE

The legal requirements for doing business have been tightened considerably in recent years. A number of legal provisions and court rulings now have to be taken into account in "normal" commercial transactions. This does not only apply to medium-size and large companies: the demands on small firms are also increasing. In many cases, however, there is a lack of human, organisational and financial resources

SET-UP OF WHISTLEBLOWER SYSTEM BECOMING MANDATORY

On 12 May 2023, the Federal Council finally passed the Whistleblower Protection Act („HinSchG“) after a lengthy legislative process. After published in the Federal Law Gazette, the Act will enter into force on 2 July 2023. The basis of the HinSchG is the EU Directive of 23 October 2019 on the protection of persons who report infringements of Union law.

With the new legal challenge, not only private employers, but also public employers are affected by its effects. In addition to authorities and administrative bodies at federal, state and municipal level, these are public associations, municipalities, municipal management companies, institutions and foundations under public law, courts and other bodies.

The Whistleblower Protection Act shall protect individuals who report statutory violations in companies or public authorities. The legal requirements for which you should make preparations at an early stage are, as of today, as follows:

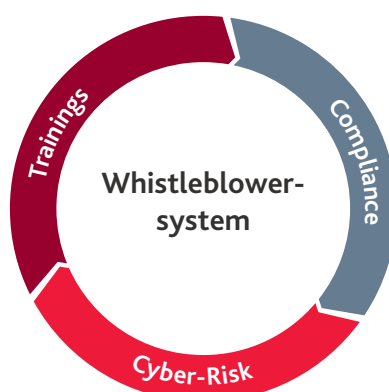
- ▶ Private employers with more than 250 employees and public employers with more than 50 employees must provide an internal whistleblowing system. This also applies to municipalities with at least 10,000 inhabitants. For smaller companies between 50 and 249 employees, this obligation will apply from 17.12.2023.
- ▶ The internal reporting channel must be designed, set up and operated so securely that the identity of the whistleblower and of third parties mentioned in the report remains confidential.

WE TAKE CARE OF YOUR DUTIES

„BDO Compliance Assistance“ enables you to fulfil the legal obligation to set up and maintain a whistleblowing system in accordance to the future Whistleblower Protection Act and in compliance with the standards.

Thereby, our web-based BDO Legal whistleblower portal ensures worldwide accessibility in all languages.

In addition, our service provides you with further practice-related assistance services.



ABOUT BDO LEGAL

BDO Legal's partnership with BDO AG Wirtschaftsprüfungsgesellschaft puts us in a strong position to offer you legal advice in close collaboration with experts from tax consulting, auditing and advisory.

Due to our cooperation with the international BDO network of independent member firms, we can offer our clients tailor-made solutions for every country and every market, or act as intermediary in this respect.

At BDO Legal, we are not only external advisors for our clients – we also support you as a strategic partner regarding management and implementation of national and international projects.

CONTACT US

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OUR SERVICES FOR YOU

- ▶ Setting up a whistleblowing system (incl. web-based BDO Legal whistleblower portal)
- ▶ Criminal defence emergency hotline (24/7)
- ▶ Money-laundering hotline if a breach is suspected (monday-friday from 9am-5pm, except public holidays)*
- ▶ IT emergency hotline **
- ▶ IT security consulting (1hr/month; max. 3 hours/year)**
- ▶ Digitalisation consulting (1hr/month; max. 3 hours/year)**
- ▶ Continuing education and training in compliance (1 training session/month)



YOUR BENEFITS

- ▶ Secure transfer of reported information to lawyers: confidential handling of information, possible confirmation of the whistleblower's anonymity
- ▶ Many years of experience as ombudspersons guarantee practical recommended actions to clarify the incoming reports
- ▶ Our service is even available for less than the hourly rate of a lawyer per month (depending on the size of the company)
- ▶ Raising awareness and training of employees in all compliance issues with practical relevance
- ▶ Proof of compliance activities for customers and government agencies

OUR AFFILIATED PARTNERS

With over 2,500 employees across 27 different offices, BDO is one of the leading companies for auditing and audit-related services, tax and business law consulting, and advisory in Germany.

BDO AG Wirtschaftsprüfungsgesellschaft is a founding member of BDO International (established in 1963), with more than 111,000 employees across 164 countries, it is currently the only globally active auditing and consulting organisation with European roots.

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BDO DIGITAL GmbH offers its clients a comprehensive portfolio of solutions and services for the establishment and further development of digital and IT-supported business processes.

Our teams have core competencies in Microsoft Azure, Microsoft 365, Output Management, SAP consulting and agile project management. We accompany our clients on their digitalization journey.

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