

## REGULATION, COMPLIANCE & ADVISORY

### OVERVIEW

We take a proactive approach with our clients to help them identify and manage the broad range of legal and regulatory risks that they are exposed to, both domestically and internationally across the US, the UK, continental Europe, the UAE, Singapore and Hong Kong SAR.

Our client teams involve specialists across a wide range of disciplines, to help design and implement compliance programs, systems and controls to manage the risks that they face – spanning financial regulation, antitrust, corporate governance, tax, health & safety, anti bribery and corruption, anti money laundering, sanctions and export control, international trade, market abuse surveillance, public procurement, whistleblowing and employment, utilities regulation, food law, pharmaceuticals, telecommunications, data protection, intellectual property, gaming and licensing.

The standards and expectations of regulators and law enforcement agencies are constantly evolving and it is critical for corporates to keep up to date with important changes. In addition to providing regular legal updates and training seminars to our clients, we utilize and share with our clients the lessons learned from investigations and enforcement proceedings so that they get early visibility on new priorities and developments of relevant authorities in areas of governance, compliance and risk management.

We draw on lawyers across the US, Europe, the Middle East and Asia to track changes in rules and requirements to ensure that our clients remain compliant and fully aware of the standards expected of them.

Clients tell us that they value our approach because we focus on preventative advice and early issue-spotting, and designing solutions that avoid unnecessary disruption to the business.

## MEET THE TEAM



### **Lee Marshall**

Global Department Leader – Litigation  
& Investigations, San Francisco

[lee.marshall@bcplaw.com](mailto:lee.marshall@bcplaw.com)  
+1 415 675 3444

### **RELATED PRACTICE AREAS**

- Financial Services Corporate & Regulatory Team

### **AREAS OF FOCUS**

- Anti-Bribery & Corruption
- Antitrust
- Aviation, Aerospace & Defense
- Betting & Gaming
- Broker-Dealer and Investment Advisor Regulatory Enforcement, Disputes and Investigations
- Financial Regulation Compliance & Investigations
- Government Contracts & Public Procurement
- Health & Safety
- Licensing
- National Security
- Technology & IP Disputes

## EXPERIENCE

- Our team was instructed in connection with a review of a bank's proposed systems and procedures to combat money laundering across 18 jurisdictions involving 20 different regulators.
- We assisted one of the largest, multinational retailers in the world to design and implement a new compliance and ethics function. In this role we created a comprehensive "compliance blueprint" for the client and drafted various related policies and procedures (anti-bribery; gifts & entertainment; internal investigations; whistleblowing; etc.). We also created and advised upon the implementation of specific risk registers and gift registers and provided training sessions to the client's key personnel.
- We advised a leading technology company in relation to compliance with the new corporate criminal offences of failure to prevent the facilitation of tax evasion under the Criminal Finances Act 2017. BCLP were instructed to perform risk assessments and to assist the client in preparing presentations to the Board.

## RELATED INSIGHTS

News

Apr 19, 2024

### **Decoding Federal Bribery Law: The Snyder Case and Implications for Corruption Prosecutions**

News

Apr 15, 2024

### **US AI legal landscape: patchwork state laws pose challenges for businesses amid congressional inaction**

Insights

Mar 07, 2024

### **Recent changes to the special administration regime for water companies**

The UK government recently introduced legislation implementing changes to the special administration regime for regulated water companies ("WISAR"). The changes are designed to modernise the WISAR and to better align it with the special administration regimes for other systemically important sectors like energy supplies and investment banks. The updates are contained in The Flood and Water Management Act 2010 (Commencement No. 10) Order 2024, which became effective on 12 January 2024, and The Water Industry Act 1991 (Amendment) Order 2024 and The Water Industry (Special Administration) Regulations 2024, each of which came into effect on 22 February 2024.

News

Dec 19, 2023

## **BCLP Earns Honors in Paris from Décideurs for 36 Practice Areas**

Insights

Dec 05, 2023

## **Deadlines fast approaching for Corporate Transparency Act compliance**

Insights

Oct 16, 2023

## **Applying the FCA's proposed new guidance on non-financial misconduct**

Non-financial misconduct in financial services firms is back at the top of the agenda following the concurrent publication of the FCA's Consultation Paper 20/23 (Diversity and inclusion in the financial sector – working together to drive change) and the PRA's Consultation Paper 18/23 (Diversity and inclusion in PRA-regulated firms). The PRA and FCA appear to be agreed that (a) non-financial misconduct incidents are relevant when considering whether an individual has acted with integrity and that (b) for senior managers and certification staff, sometimes behaviour in their personal lives that is unconnected to their job will be relevant to their fitness and propriety to work in financial services. How are HR and Compliance professionals to respond to the new role of moral arbiter that these proposed guidelines point towards, and where will the practical and legal challenges arise?

Insights

Sep 01, 2023

## **SEC Proposes Stringent New Conflict-of-Interest Rules Regarding Broker-Dealers' and Investment Advisers' Use of AI**

On July 26, 2023, the majority of the Commissioners of the U.S. Securities and Exchange Commission (the "SEC") voted to propose new rules under the Securities Exchange Act of 1934 and the Investment Advisers Act of 1940 to regulate the use of artificial intelligence technologies ("AI") by broker-dealers and investment advisers registered, or required to be registered, with the SEC (collectively, "Firms") to prevent Firms from using such technologies in ways that advance their interests ahead of those of their investor-clients. Interested parties have until October 10, 2023, to submit comments to shape any final rules that may be promulgated. The proposals implicate two central themes that the debate on emerging AI regulation commonly presents: (1) what constitutes "AI" or other covered technology for purposes of such regulation, and (2) does existing law effectively address the perceived harms or risks to b...

News

Jul 20, 2023

## **Lawyer authors op-ed in 'Thomson Reuters Regulatory Intelligence' on ChatGPT in the workplace**

Insights

Jul 10, 2023

## **Achieving Net Zero – Regulation of District and Communal Heating and Cooling and Impact on the Real Estate Sector**

This is our first insight on new regulation that will affect the district/communal heating and cooling sector. It focuses on consumer protection and the impact on building owners/landlords and management companies. Our second insight to be released shortly will focus on the regulations that will affect new property developments and

in particular those in “Heat Network Zones”. The district/communal heating/cooling sector is to be fully regulated in the UK as from late 2023/early 2024. Consumer protection is at the forefront of the changes. Heat/cooling suppliers (entities contractually obliged to provide heat/cooling) and heat/cooling network operators will need to be “authorised” to carry out those activities. Heat/cooling networks, for the purpose of regulation, will comprise direct heat/cooling networks and communal heat networks. From early/mid 2024 OFGEM will oversee and enforce requirements ...