

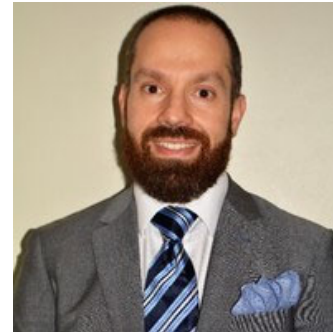
Third Party Risks, Sanctions and Screening: What Could Go Wrong?!



Speakers



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Agenda



- Third Party & Subcontracting Risks and Tools to Mitigate Them
- Trade Control and Sanctions Program Expectations for Companies of all Shapes and Sizes
- Strategies when there are Criminal Allegations against a Third Party Business Associate

Third Party & Subcontracting Risks



- Type of Project: Infrastructure, Mining, Cleantech etc.
- Country – State Owned Entities
- Supplier/Contractor Maturity & Experience
- Number of Contracts for the Project
- Length of Project
- Additional Reporting Requirements for Government Contracts

Third Party & Subcontracting Risks



- Non-Compliance
- Financial Crimes
- Broker and Agents
- Engineering Procurement Construction and Maintenance (EPCM) Contracting
- Supply Chain
- Contracts
- Non-Payment for Work Performed

Tools to Mitigate Them



- Third Party Due Diligence Screening
- Relationship and Engagement Calls
- The Legal/Sector Environment
- Understand your company and its Risk Tolerance
- Contract Provisions
- Third Party Self Disclosures
- On-Site Visits / Continuous Monitoring

Trade Control and Sanctions Programs



- Small Business
- 1-200 Employees
- Less than \$10M annual revenue
- Initial/No Formal Compliance or Sanctions Program
- Screening against government websites
- US: <https://sanctionssearch.ofac.treas.gov/>
- Canada: https://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/current-actuelles.aspx?lang=eng

Trade Control and Sanctions Programs



- Medium Sized Business
- 200 - 500 Employees
- \$10M - <\$250M
- Formal Compliance Program with Sanctions Statements
- Screening Solution / Third Party Outsourced

Trade Control and Sanctions Programs



- Large Sized Business
- 500+ Employees
- \$250M+ annual revenue
- Formal Compliance Program with Anti-Bribery and Corruption Policy and Trade Control & Sanctions Program
- Multiple Screening Solutions - Vendors

Strategies to Address Allegations



- Does this affect our company: Legally, Reputationally, Financially
- Are the Allegations Credible?
- Engage Legal – Exit Rights/Release Rights
- Build on the Engagement Calls – Call Contractor
- Engage Corporate Communications
- Engage With the Government Agency/Owner

Consequences



- Third Party Violations Attributable To Prime
 - Boston Employment Commission Fine
 - Massachusetts False Claims Act Fines
 - DOL Task Force to Combat Child Labor



Questions