

Brazil and UK Authorities Sign MOU to Strengthen Efforts Against White Collar Crime

On January 23, 2018, it was announced that the UK's Serious Fraud Office (SFO) and Brazil's Office of the Prosecutor General (PGR) entered into a Memorandum of Understanding ("MOU") to strengthen international cooperation and exchange of information between these agencies in fraud, corruption and other white-collar crime investigations and enforcement actions.

The MOU affirms the agencies' commitment to work together in the investigation and prosecution of serious or complex offences involving fraud, bribery and corruption, and establishes Single Points of Contact ("SPOC") for both the SFO and PGR through whom the parties shall exchange information voluntarily or in response to a request. The recipient of the information can only use the data for the purposes for which it has been received and must ensure that only those who have a genuine business need to see that data will have access to it, among other obligations and precautions.

The MOU was welcomed by Alistair Graham, anti-corruption & compliance partner in Mayer Brown's London office, and his colleague Luís Adams, anti-corruption & compliance partner in the Brasília office of Tauil & Chequer Advogados in Association with Mayer Brown.

Mr. Graham said "This welcomed development demonstrates the SFO's ongoing commitment to investigating bribery and anti-corruption affecting UK companies and nationals wherever in the world it may occur. It also demonstrates that the SFO continues the momentum developed during the tenure of its current director, David Green."

Luís Adams added "It is a positive step that the Prosecutor General Office continues to strengthen its cross-border relations with fellow investigating authorities in other jurisdictions. We have seen many multijurisdictional investigations in the last couple of years, culminating in joint enforcement action by multiple authorities and agencies in different countries. The Rolls-Royce settlement (approximately £671 million), for example, was the result of successful coordinated actions between the SFO, the Brazilian Prosecutor General Office and the US Department of Justice."

With offices across the world and global white collar crime and anti-corruption & compliance practices, including in Brazil, the United Kingdom and the United States, Mayer Brown is uniquely placed to assist clients who have national and international bribery and corruption concerns.

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Autoridades do Brasil e do Reino Unido celebram Memorando de Entendimento para fortalecer cooperação internacional em investigações de corrupção e crimes econômicos

No dia 23 de janeiro de 2018, foi anunciado que o *Serious Fraud Office* (“SFO”) do Reino Unido e a Procuradoria Geral da República do Brasil assinaram um Memorando de Entendimento para fortalecer a cooperação internacional e o intercâmbio de informações entre essas autoridades em matérias relacionadas a fraudes, corrupção e outras investigações de crimes de colarinho branco.

O Memorando afirma o comprometimento das autoridades em trabalhar em conjunto na investigação e abertura de processos penais com relação a crimes de fraudes sérias e complexas, incluindo suborno e corrupção, e institui Pontos de Contato Único (“PCU”) pelos quais as partes podem partilhar informações voluntariamente ou em resposta a uma solicitação. O recipiente da informação deverá utilizar os dados somente para o propósito para o qual foram recebidos e assegurar que somente pessoas com necessidade genuína terão acesso a eles, dentre outras obrigações e cuidados.

O Memorando foi bem recebido por Alistair Graham, sócio de anticorrupção e *compliance* no escritório de Londres de Mayer Brown, e por seu Luís Adams, sócio de anticorrupção e *compliance* no escritório de Brasília de Tauil & Chequer Advogados Associado a Mayer Brown.

Graham destacou: “Este avanço bem-vindo demonstra o compromisso contínuo do SFO em investigar atos de suborno e corrupção que afetam empresas e nacionais do Reino Unido, onde quer que as práticas possam ocorrer. Também demonstra que o SFO dá continuidade ao crescimento alcançado durante o mandato de seu atual Diretor, David Green”.

Luís Adams acrescentou: “É um passo positivo que a Procuradoria-Geral da República continua a

fortalecer suas relações com outras autoridades investigadoras em outras jurisdições. Vimos muitas investigações multijurisdicionais nos últimos anos, que culminaram em ações conjuntas por várias autoridades e agências em diferentes países. O acordo firmado pela Rolls-Royce (aproximadamente £ 671 milhões), por exemplo, foi o resultado do sucesso de ações coordenadas entre o SFO, o Ministério Público brasileiro e o Departamento de Justiça dos EUA”.

Com escritórios em todo o mundo e práticas globais de anticorrupção & *compliance* e direito penal econômico (*white collar crimes*), incluindo Brasil, Reino Unido e Estados Unidos, Mayer Brown está preparado para auxiliar os clientes que têm preocupações nacionais e internacionais relacionadas a anticorrupção & *compliance*.

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