

Protect your Company and reduce Liability Risks for the Company and its Leaders through a Comprehensive and Well-Designed Compliance Management System (CMS)

Klaus Hammer, 2022



HammerResults

Do You know your Compliance Risks ?

...Sooner or later compliance lapses can cause

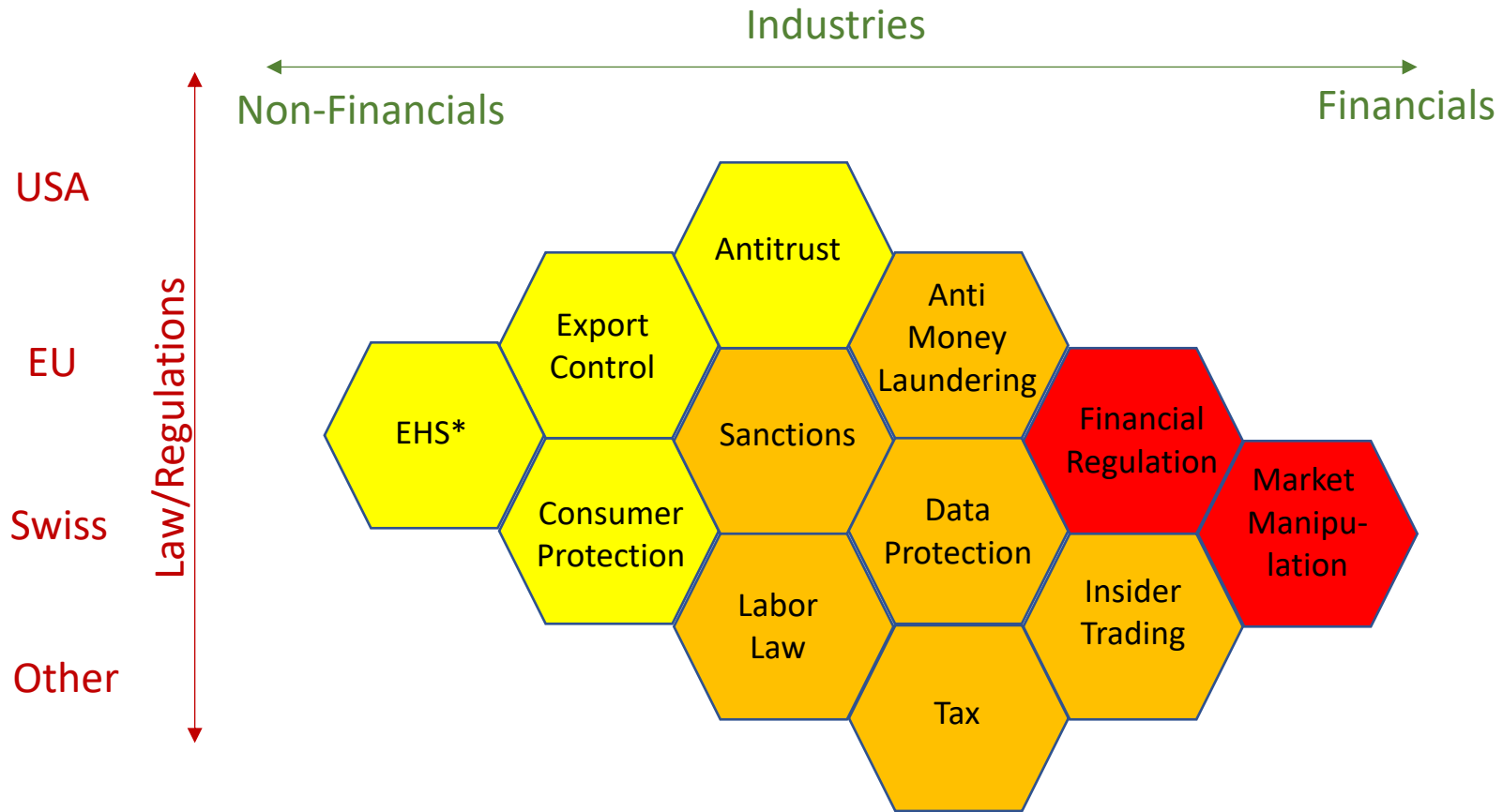
- Huge fines for the company
- Criminal and civil liability of Top Mgmt. and Board of Directors

It is easy to prevent most serious consequences

- Through a (quick) Compliance Check performed by our specialists
- If needed, we suggest improved processes and a plan to fill most dangerous gaps

An easy decision if you compare the cost with
the risk of non-compliance

Today's Risks and Obligations for Non-Financial and Financial Firms are manifold and hard to keep track of



*EHS=Environment, Health, Safety

As Board Director of an AG or GmbH or as Managing Director, however, you are personally responsible to organize Compliance in your Company

Non-transferable duties of the BOD

Art 716 a CO: overall supervision of the persons entrusted with managing the company, in particular with regard to **compliance with the law, articles of association, operational regulations and directives**

Also obligations from many other special laws (labor law, consumer protection, competition law, environmental laws, export control and sanctions, data protection and many others)



Compliance :

The observance of laws, standards and internal Rules, linked to integrity and social responsibility
Good, careful corporate Governance

Compliance Management System: Organization and Interplay of process to ensure that a company is compliant



Possible Consequences of Non-Compliance or Ignorance of BOD-Duties

- Can lead to criminal and civil prosecution of managers, compliance officers and the board of directors
- Can lead to huge fines from local and international authorities and costs to remedy,
- Since several years increasingly also smaller companies in the focus
- Can end careers and even lead to death of companies

The best Protection is a well-designed and working Compliance Management System (CMS) or at least adequate Organization and Processes to deal with Compliance issues



HammerResults GmbH checks Your CMS for potentially dangerous gaps and weaknesses according to the specifications of ISO 37301, EU, US, and Swiss standards

Alternatively we help you evaluate what compliance organization or activities would be needed for a company your size and industry to minimize the impact of potential compliance lapses

Example: ISO-Structure



How We can help

1. Fast Check of existing compliance organization or CMS
 - Estimated need 2-3 days (7500 CHF + VAT) for typical SME , can be higher for larger SME
2. In case of Non-Existence fo CMS: Concept, Design, and Implementation support for a Compliance Organization, which is suitable regarding the size and activities of your company
 - TBD, can take several weeks incl. implementation

Our Methodology

Compliance check according to ISO 37301 system and other recognized standards	
Methodology	<p>Checklist "Compliance Structure" and "Documentation developed from New ISO -37301 Compliance Standard</p> <p>Structured interviews, each approx. 1-2 hours based on a questionnaire</p> <p>Project duration: 1-2 weeks</p>
Start	<p>On-site or online meeting with key officials</p> <p>Content</p> <ul style="list-style-type: none"> Brief repetition of the procedure and schedule Determination of the goal and scope of the compliance check Determination of interview participants If necessary, inclusion of special points in the questionnaire
Interviews	<p>By Klaus Hammer</p> <p>Structured interviews</p> <p>5 test sheets (questionnaire)</p> <p>Ideally at least 5 participants (1-2 BoD, GL and line managers each)</p>
Optional	<p>Analysis of existing documentation (e.g., procedural instructions, code of values, any manuals and lists)</p>
Results	<p>Summary and detail of findings from interviews and analyses</p> <p>Recommendations for action prioritized according to general importance and compliance risks</p>
Other	<p>Statements from interview participants are only reflected back as a whole, not individually. Therefore anonymity</p> <p>Results are usually available in written form 1-2 weeks after the last interview at the latest.</p> <p>Of course, the results can also be presented on request.</p>