

## PRESS RELEASE

**WOLF THEISS: POLAND SEEKS TO TIGHTEN CORPORATE CRIMINAL LIABILITY RULES AND INTRODUCE WHISTLEBLOWER PROTECTIONS**

**Warsaw, 18 June 2019 – Companies operating in Poland should prepare for more stringent corporate liability rules under legislation being prepared by the Ministry of Justice, experts from Wolf Theiss warned. If passed by Parliament, the new rules will pose a significant risk for companies by imposing severe penalties, representatives of the law firm said during a seminar.**

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Companies operating in Poland should prepare for more stringent corporate liability rules under legislation being prepared by the Ministry of Justice, experts from Wolf Theiss warned. If passed by Parliament, the new rules will pose a significant risk for companies by imposing severe penalties, representatives of the law firm said during a seminar.

“The government wants to increase the number of convictions in corporate liability cases, which are minimal in Poland today,” said Paweł Wysocki, senior associate at Wolf Theiss Warsaw, during a seminar organized by the firm. “In its current version, the law poses a huge risk for companies, as they could easily be prosecuted for offenses by company representatives regardless of whether the individuals themselves have been convicted.”

Under current law, corporate entities can be prosecuted only if the person responsible for the offense has been convicted. Moreover, current law limits corporate liability to a list of offenses; under the new bill any crime could be prosecuted. The proposed regulations also significantly increase sanctions: penalties include fines up to PLN 30 million (EUR 7 million), winding-up or liquidation of the corporate entity and asset forfeiture.

“The approach to regulating business in Poland is becoming more and more rigorous,” said Karolina Stawowska, partner and head of the Tax practice at Wolf Theiss Warsaw. “We’ve seen this in the recent changes to the tax code and now in this bill. That means managers need to think ahead about how to protect themselves and their companies.”

To reduce the risk of prosecution, Wolf Theiss experts recommend companies implement internal compliance and anti-corruption policies. Such measures should also include protections for whistleblowers.

Other seminar participants also said the draft bill is too stringent and warned that it would have a negative impact on business.

## ABOUT WOLF THEISS

Wolf Theiss is one of the leading European law firms in Central, Eastern and South-Eastern Europe with a focus on international business law. With 340 lawyers in 13 offices located in Albania, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Hungary, Poland, Romania, Serbia, Slovakia, Slovenia and Ukraine, Wolf Theiss represents local and international industrial, trade and service companies, as well as banks and insurance companies. Combining law and business, Wolf Theiss develops comprehensive and constructive solutions on the basis of legal, fiscal and business know-how.

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