

INVESTIGATIONS & WHITE COLLAR

MENAC'S RECOMMENDATION
TO COMPLIANCE OFFICERS

VdA EXPERTISE



May 2024

On May 28, 2024, Recommendation no. 7/2024, issued by MENAC, was published in the Official Gazette. Such recommendation is addressed to compliance officers, in the context of the General Regime for the Prevention of Corruption, established by Decree-Law no. 109-E/2021, of December 9

Decree-Law no. 109-E/2021, of December 9, created the National Anti-Corruption Mechanism ("MENAC") and established the General Regime for the Prevention of Corruption ("RGPC").

Under the RGPC, covered entities (first and foremost, legal persons with 50 or more employees) must implement a compliance program that includes at least a risk prevention plan for corruption and related offences ("PPR"), a code of conduct, a training program and a reporting channel, in order to prevent, detect and sanction acts of corruption and related offences carried out against or through the entity.

The covered entities also designate, as a member of senior management or equivalent, a compliance officer, who guarantees and monitors the application of the compliance program.

MENAC's mission is to promote transparency and integrity in public action and to guarantee the effectiveness of policies to prevent corruption and related offences.

To this end, MENAC has been granted powers of initiative, control and sanction. It is also MENAC's responsibility to issue guidelines and directives for the design and implementation of compliance programs.

In this context, on May 28, 2024, Recommendation no. 7/2024, issued on April 24, 2024 by MENAC's President, António Pires Henriques da Graça (retired Judge of the Supreme Court of Justice), was published in the Official Gazette.

Pursuant to Recommendation no. 7/2024:

MENAC recommends that, through their compliance officer, the covered entities **report monthly to MENAC within the first week of the month following the month to which it relates**, with reference to regulatory compliance, whether there has been regularity or whether there were failures or irregularities, identifying them, without prejudice to the provisions of article 6, paragraph 4, of the RGPC.

MENAC further clarified that the Recommendation no. 7/2024 comes into force from June 2024.

In this context, it is expected that MENAC intends to receive the first monthly communication regarding June 2024 in the first week of July 2024.

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