



Our expert

This training programme is coordinated and delivered under the supervision of [Ari Gudmannsson](#).



Target

Directors, conducting officers of companies, lawyers and legal experts.



Duration

4 hours



Languages (multiple available)

English, French, German



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The criminal liability of legal persons and conducting officers

Objectives

This training session is intended to explain to participants the basics of criminal law in Luxembourg and provide an overview of the law of 3 March 2010 as well as the repercussions in respect of risks and criminal sanctions incurred by conducting officers and legal persons of companies.

Finally, the different ways of avoiding criminal liability will be addressed in order to delimit the consequences of the risks which the conducting officers are exposed to.

Content

Basic notions of (business) criminal law

- Some basic concepts of criminal law
- Decriminalisation of business law - myth or reality?
- Brief overview of the offences most frequently encountered in business criminal law
- Special features of business criminal law as opposed to “standard” criminal law

Criminal liability of legal entities vs. criminal liability of conducting officers

- The liability of conducting officers who are natural persons - regime prior to the law of 3 March 2010
- What are the foundations of the criminal liability of directors? - scope and limits
- Genesis and objectives of the law of 3 March 2010 - What is the scope of the law of 3 March 2010?
- Conditions for the application of the criminal liability of a legal person
- Which criteria determine the choice between the application of the criminal liability of a legal person and of a conducting officer who is a natural person, or indeed both?
- What is the impact of the law of 3 March 2010 on the liability of a conducting officer who is a natural person?
- Sanctions regime: what are the criminal sanctions applicable to a legal person?

Ways of preventing criminal liability

- Identification of the criminal risk
- Prevention through implementation of internal procedures
- Delegation of powers - scope and limits
- Examination of the current state of case law in matters relating to the delegation of powers
- What other possibilities exist for exoneration?

Conclusion and Q&A