

FANGDA PARTNERS  
方達律師事務所

# Compliance and Government Enforcement





"Fangda Partners is a highly respected firm with a deep bench, acting on various corporate investigations and anti-corruption matters. Highlighted for its experience in US FCPA and Securities and Futures Commission investigations as well as compliance work. Enviably client list includes large foreign corporations and domestic entities from a number of sectors, such as TMT, pharmaceuticals, manufacturing, financial and automotive, as well as high-profile individuals. Clients benefit from its experience in compliance training and designing compliance programmes and policies. Fields a group of specialists equipped with previous enforcement or prosecution experience to offer government enforcement advice. Regularly handles instructions in relation to criminal investigations and proceedings."

- Chambers Greater China



## ►► Choosing Fangda Partners

### The Preeminent China-based International Law Firm

Founded in 1993, we are the firm of choice for leading companies and financial institutions in China and around the world on their most significant legal and business challenges. Our nearly 800 lawyers in seven offices collaborate seamlessly across practice groups and locations to provide our clients with exceptional service and practical solutions founded on our legal expertise, sound knowledge of market practice, deep understanding of the industry landscape and proven ability to assist our clients achieve their business objectives. We provide seamless services to clients with outstanding lawyers at excellent value.

Our lawyers have many years of experience advising on regulatory compliance, litigation, arbitration, investment, capital markets, mergers and acquisitions, finance, intellectual property, data compliance, cyber security, state secrecy, export controls and sanctions, white-collar crime, environmental law, health and safety, anti-money laundering, and tax issues. We have been consistently recognized as a leading law firm for our section-focused practice groups by Chambers Asia, China Law & Practice, IFLR 1000, Asian Legal Business, PLC Which Lawyer, Dealmakers Monthly, and Asian-mena Counsel.

### Local Expertise, International Standards

We attract the very best lawyers in China directly from law schools to join the firm, as well as having a deep bench of top-quality lawyers with wide-ranging experience gained from international law firms, Chinese courts, and government agencies.

We pride ourselves on delivering local expertise with an international perspective. Most of our lawyers have both extensive experience practicing in China as well as an international background. Many of our partners received education in the U.S. or the U.K. and have years of experience working at leading U.S. law firms or “magic circle” firms prior to joining Fangda.

We have been continuously expanding our Compliance and Government Enforcement team by attracting the most able lawyers, including former judges, former prosecutors, former law enforcers, and senior lawyers with deep experience in criminal investigation and prosecution, administrative review and litigation, as well as high-profile former in-house compliance lawyers.

### Seamless Services as One Firm

Fangda is one of few PRC firms that truly operates as one firm. We work together as an integrated team to provide clients with services of consistent quality across a broad section of practice groups and geographies.

For our clients' inbound and outbound cross-border matters, we also invest significant time and resources in establishing and developing close and active relationships with leading law firms around the world, allowing us to deliver seamless global service.

More details including biographies of key team members are available on our website: [www.fangdalaw.com](http://www.fangdalaw.com).

## ► Full-Scale Regulatory Compliance Practice

We routinely represent clients in various industries on a full range of regulatory matters, including anti-bribery, data compliance and cyber security, state secrecy, export controls and sanctions, white-collar crime, environmental law, health and safety, anti-money laundering, antitrust and global regulatory compliance matters, among other issues.

"Fangda Partners boasts a team with a strong focus on export control, customs and economic sanctions. The department is well versed in handling compliance and risk advisory mandates for domestic clients. Its client roster features corporates from a range of sectors including the technology and manufacturing industries. The firm is able to draw expertise from its national network, with lawyers based in Beijing, Shenzhen and Shanghai."

- Chambers Greater China

"Fangda's lawyers are very professional in both US and China trade regulations and can help clients solve tough issues quickly and professionally."

- A source for Chambers Greater China

"Leveraging their strong professional background and extensive prior experience, they help our company sort out and analyse the boundaries of compliance obligations across various scenarios."

- A source for Chambers Greater China





## Anti-Bribery and Corruption

Anti-bribery and corruption is one of our deepest areas of expertise. We have extensive experience representing both MNCs and domestic Chinese companies in providing a full range of anti-bribery and anti-corruption services, including establishing compliance policies, advising on and implementing compliance programs, conducting internal investigations, evaluating and resolving business model compliance risk assessments, as well as handling government investigations and other contentious matters. Our clients from several industries benefit from our well-established working relationships with the regulatory authorities in mainland China and Hong Kong at both central and local levels. Some of our lawyers are former regulators, former procurators or former criminal court judges, which enables us to provide unique and insightful advice and assistance. In particular, we have advised many global leaders in a wide range of sectors, including the life sciences, TMT and finance sectors in complex and challenging matters, allowing us to provide unique insight into compliance matters in these fields.



## Antitrust

Clients come to us for trusted advice on complex and risky antitrust matters. Our team has a market-leading track record of successfully assisting clients on some of the most high-profile merger filings and antitrust investigations in China's antitrust history. Clients benefit from our deep interactions with China's competition authority, on quantity as well as complexity, allowing us to provide insight where guidance might otherwise be lacking.

We currently have a dedicated competition team in China with full-time competition law specialists who work across China, including Beijing, Shanghai and Hong Kong. Members of our team have practiced in many jurisdictions, including Brussels, London, Washington DC and Sydney before joining Fangda.



## Anti-Money Laundering

We help companies navigate complex anti-money laundering (AML) challenges. Our AML practice provides legal and regulatory advice to all types of financial institutions and non-financial businesses with respect to compliance with anti-money laundering laws. Some lawyers in our team have experience working for the anti-money laundering team of world's leading financial institutions, which makes us ideally positioned to assist our clients with AML challenges they may face. We have represented businesses, including global banks and private equity funds, in criminal and regulatory procedures. We have also helped our clients conduct compliance due diligence for mergers and acquisitions and third-party review in relation to anti-money laundering issues.



## Export Controls and Sanctions

Export controls and sanctions are increasingly complex and constantly changing. Failure to comply can lead to legal liabilities and pose a threat to businesses. Having close cooperation with leading global firms, our team is one of the few PRC firms that is able to provide practical advice on export controls and sanctions-related matters. We have advised Chinese clients on U.S. sanctions and global and Chinese export control risks, conducting in-depth analyses of business operations and providing integrated and practical solutions and trainings.

Our services range from the defense of criminal and administrative enforcement by the Chinese government and foreign enforcement agencies (such as removing from the UFL and Entity List) in cooperation with foreign law firms to building compliance programs and conducting compliance due diligence. In particular, we have years of experience representing leading companies in general industries such as logistics, automobile, equipment manufacturing and cosmetic sectors.



## Data Privacy, Cyber Security and State Secrecy

Fangda is a leading PRC law firm advising clients on data privacy, cyber security, state secrecy and related data compliance. We have extensive experience advising clients on data privacy and cyber security issues in a wide range of sectors, including e-commerce, finance, IT, life sciences and artificial intelligence. Our areas of expertise include helping clients build global and China-specific data protection programs, implementing the program, establishing third party management, conducting data privacy due diligence, and advising clients on challenging data privacy issues arising from business operations. We have also developed our expertise in assisting Chinese companies to establish comprehensive global data protection programs from scratch and managing emerging data protection risks from a global perspective.

We have well established contacts with the relevant Chinese regulatory agencies, including the Cyberspace Administration of China (CAC), the Ministry of Industry and Information Technology (MIIT), the Public Security Bureau (PSB), the Ministry of Finance, the China Securities Regulatory Commission (CSRC), the State Security Bureau and the State Archives Bureau. In the past few years, we have been working closely with the legislative and enforcement authorities of China, including the CAC and the National Information Security Standards Technical Committee (TC260), to provide valuable legal insights in connection with the drafting of implementation standards for the national Cyber Security Law. We also established the protocol for state secrecy and data privacy review, which was endorsed by government agencies, and was subsequently adopted as an industry standard. That makes us ideally placed to advise international and Chinese companies on data protection and cyber security, covering commercial and personal information.



## Environment, Health and Safety (EHS)

Companies operating in China should be aware of the increased enforcement of EHS laws and regulations in the past few years. Violations of EHS laws may lead to the imposition of severe liabilities and restrictions to the company's business. Clients have come to us for legal advice on environment, health and safety issues and assistance in related investigations, or litigation proceedings. Our integrated regulatory and litigation team allows us to provide seamless coverage. We have represented clients in handling criminal investigations for suspected pollution crimes and assisted them in negotiating a remediation plan with the government. We have also helped companies conduct proactive compliance assessments on their health and safety practices and advised them of potential risks.



## White-Collar Crime and Corporate Crime

Fangda has a deep bench of experienced white-collar crime lawyers. We are experienced in all stages from the beginning investigation of potential wrongdoing to criminal judicial proceedings and incidental civil proceedings. Our lawyers have handled a variety of complex internal investigations of potential fraud, embezzlement, bribery, and conflict of interest, as well as internal control failures. We are experienced in representing both public companies listed in the U.S., Hong Kong and China, as well as private companies. We have successfully persuaded the PSB to open criminal prosecution of implicated individuals, as well as helped public company to respond to criminal and administrative investigations. We also have extensive experience handling court proceedings, as well as parallel civil and criminal proceedings.





## Securities Compliance

We have extensive experience in handling administrative investigations conducted by the CSRC and criminal investigations involving potential securities rule violations, as well as negotiating for settlement with the CSRC. Our areas of expertise include handling all kinds of complex securities enforcement cases involving improper information disclosure, insider trading, market manipulation, and professional liability of third party agents. We are also experienced in handling securities civil lawsuits involving false representations.



## Going Global Compliance

While a growing number of Chinese companies have succeeded in expanding overseas, they are also facing an unprecedented and complex global regulatory environment. We have helped Chinese clients identify areas of compliance risk based on their business nature and regulatory risk profile of the country in which they operate. We provide one-stop service for our clients in various fields, such as anti-corruption, antitrust, data protection, export controls/sanctions and anti-money laundering. We are frequently consulted by clients in selecting the right foreign law firms. Teaming up with renowned local lawyers, we are able to provide a full spectrum of services from establishing compliance programs to responding to government enforcement measures. Many of our lawyers have experience working abroad at law firms or multinational companies, which enables us effectively to represent clients in global compliance matters.



## Multilateral Development Bank Compliance and Sanctions

As a result of our deep experience in advising and representing many clients in the field of integrity compliance for almost a decade, Fangda is one of the very few PRC law firms that has been recognized by the World Bank and retained as legal advisor for our expertise in integrity compliance. We served as Integrity Compliance Expert for several Chinese enterprises facing debarment by the World Bank; helped these companies issue risk assessment reports, draft policies and standard operating procedures (SOPs), provide recommendations for the improvement of their internal compliance programs (ICPs), and act on their behalf to communicate with the Integrity Compliance Office of the World Bank.

In addition to our experience of serving as an Integrity Compliance Expert/Consultant in connection with multilateral development bank sanctions, our team members also have experience in serving as various companies' counsel or acting as independent investigators in multiple multilateral development bank sanctions.



## Environmental, Social and Governance (ESG)

Fangda has the subject matter expertise in each niche area under the general concept of "ESG", which in the broadest sense covers environmental, social and governance issues. To help our clients navigate through the complex and rapidly evolving ESG landscape in China, we take a holistic approach, covering a wide range of areas, such as environment protection, green finance, health and safety, anti-bribery and corruption, transparency and disclosure, ESG-focused due diligence, setting up ESG compliance programs, advising on government enforcement, risk management and dispute resolution more generally.

## ► One-Stop Compliance Services

"The impressive and remarkable part of Fangda is that they would consider the key stakeholders' relationship in the investigation and ensure the investigation is led to the right direction."

"They are very responsive, hard-working and thorough. They can often produce good-quality work products on short notice, and are flexible at accommodating the clients' requests."

- A source for Chambers Greater China

"They are very professional and approach issues from the client's perspective while having extensive practical experience."

- A source for Chambers Greater China



## Compliance Program and Advisory

The complex and constantly changing regulatory environment is one of the biggest challenges for businesses. We have extensive experience advising clients on regulatory compliance both in China and abroad. We provide comprehensive legal consultation in a wide range of industries. We also devise tailored compliance policy and mechanisms based on clients' needs and assist clients in implementing and monitoring the policies and protocols.

We routinely assist clients implement compliance programs including (but not limited to) compliance policy and monitoring, third party management, crisis management, internal investigations, and third party audits.

## Internal Investigation

Corporate internal investigation is an important tool for risk management and internal control. Companies may come across non-compliant activities in a variety of ways, such as whistleblowing, internal reviews, news reports, government investigations, and so forth. It is important to carry out internal investigations in a legal and effective way, preserve privilege appropriately and to collect evidence with the anticipation of potential subsequent litigation and criminal prosecution.

Assisting clients in conducting internal compliance investigations is one of our core areas of expertise. We often represent companies in investigating non-compliant actions and dealing with matters relating to staff involved in law violations. Our internal investigation services are highly acclaimed in the industry.

## Compliance Due Diligence

It is becoming a standard practice for investors to carry out compliance due diligence, through which investors can identify whether a target individual or company, its shareholders, senior executives, employees or agents have been involved in any illegal conduct and can assess potential risks. An appropriate compliance due diligence may effectively mitigate the risk of potential legal liabilities, help investors reach a well-informed decision and provide guidance to post-acquisition compliance controls.

As a full-capability team equipped with risk-based methodology, we have abundant experience in compliance due diligence that focuses on anti-bribery and corruption, data protection, anti-money laundering, and sanctions and export control issues. Our problem-solving approach not only helps investors identify risks, but also provides tailor-made remediation actions and negotiation on deal agreements.

## Government Enforcement, Criminal and Administrative Proceedings, and Compliance Dispute Resolutions

Multinationals and major Chinese companies are facing more active and sophisticated government enforcement in China. Companies need to respond appropriately to government administrative and criminal enforcement.

We are uniquely positioned to provide insightful services to clients on government enforcement, such as advising clients on how regulators may handle an enforcement or investigation, how to negotiate with regulators, what positions regulators may take on less-than-clear legal issues, and how to respond to a dawn raid or other government enforcement activities. Our team has highly-regarded former member of the Committee of Administrative Reconsiderations, former regulators who have unique insights into administrative enforcement measures, former judges and former prosecutors who have decades of experience.



## 2025

### Chambers Greater China

Corporate Investigations/Anti-Corruption (PRC Firms)	Band 1
TMT: Data Protection & Privacy (PRC Firms)	Band 2
International Trade: Customs, Export Controls & Economic Sanctions (PRC Firms)	Band 2

### Chambers Global

Corporate Investigations/Anti-Corruption (PRC Firms)	Band 1
International Trade: Customs, Export Controls & Economic Sanctions (PRC Firms)	Band 2

### The Legal 500 (Asia Pacific-China Mainland)

Data Protection: PRC Firms	Tier 1
Regulatory/compliance: PRC firms	Tier 1
TMT: PRC Firms	Tier 1
WTO/International Trade: PRC Firms	Tier 2

"They are very smart, versatile and experienced in working with international companies. Their advice is commercial and very practical." "I am very impressed by the team, especially in the China pharmaceutical industry. It is a unique area: they really understand the industry and the risks and provide a really high-quality product, with a full picture and very thorough analysis."

- A source for Chambers Asia



## 2024

### Chambers Greater China

Corporate Investigations/Anti-Corruption (PRC Firms)	Band 1
TMT: Data Protection & Privacy (PRC Firms)	Band 2
International Trade: Customs, Export Controls & Economic Sanctions (PRC Firms)	Band 3

### Chambers Greater China Region Awards

Compliance Law Firm of the Year (PRC Firms)
---

### Chambers Global

Corporate Investigations/Anti-Corruption (PRC Firms)	Band 1
International Trade: Customs, Export Controls & Economic Sanctions (PRC Firms)	Band 3

### The Legal 500 (Asia Pacific-China Mainland)

Data Protection: PRC Firms	Tier 1
Regulatory/compliance: PRC firms	Tier 1
TMT: PRC Firms	Tier 1
WTO/International Trade: PRC Firms	Tier 2

### Asialaw Profiles (China)

Technology and telecommunications	Outstanding
Regulatory	Outstanding

## 2022

### Chambers Greater China

Corporate Investigations/Anti-Corruption (PRC Firm)	Band 1
Technology, Media, Telecoms (TMT) (PRC Firms)	Band 1

### The Legal 500 (Asia-Pacific)

Regulatory/Compliance (PRC Firm)	Tier 1
Data Protection (PRC Firms)	Tier 1
TMT (PRC Firm)	Tier 1

### Asialaw Profiles (China)

Regulatory	Outstanding Firm
Technology and Telecommunications	Outstanding Firm

### Benchmark Litigation

China - Government and regulatory (Beijing)	Tier 1
---	--------

### China Law & Practice Awards

Regulatory & Compliance Firm of the Year – China
--

## 2023

### Chambers Greater China

Corporate Investigations/Anti-Corruption (PRC Firm)	Band 1
Technology, Media, Telecoms (TMT) (PRC Firms)	Band 1
International Trade: Customs, Export Controls & Economic Sanctions (PRC Firms)	Band 3

### The Legal 500 (Asia-Pacific)

Regulatory/Compliance (PRC Firm)	Tier 1
Data Protection (PRC Firms)	Tier 1
TMT (PRC Firm)	Tier 1
WTO/International Trade	Tier 2

### Asialaw Profiles (China)

Regulatory	Outstanding Firm
Technology and Telecommunications	Outstanding Firm

### Benchmark Litigation (Asia Pacific, China)

Government and regulatory	Highly recommended
---------------------------	--------------------

## 2021

### Chambers Asia-Pacific

Corporate Investigations/Anti-Corruption (PRC Firm)	Band 1
Technology, Media, Telecoms (TMT) (PRC Firms)	Band 1

### The Legal 500 (Asia-Pacific)

Regulatory/Compliance (PRC Firm)	Tier 1
Data Protection (PRC Firms)	Tier 1
TMT (PRC Firm)	Tier 1

### Asialaw Profiles (China)

Regulatory	Outstanding Firm
Technology and Telecommunications	Outstanding Firm

### Benchmark Litigation

Asia-Pacific Awards - Government and Regulatory Firm of the Year	Runner up
China - Government and regulatory	Beijing – Tier 1

## ► Recent Notable Matters

Our team has advised many global leaders in a wide range of sectors, including the life sciences, TMT and finance sectors in complex and challenging matters, including advising, assisting, defending or representing:

"Fangda Partners is one of the few PRC firms with a dedicated corporate investigation team, which handles the full range of anti-corruption matters, government enforcements (administrative and criminal), compliance advice, structuring compliance programmes and policies, and related contentious matters."

- The Legal 500, 2017



## Anti-Bribery and Corruption

- A world-leading listed consulting firm in a large-scale cross-border investigation involving multiple jurisdictions. The case attracted the attention of the international community and relevant government agencies (including the U.S. authorities). The case involved extremely complex factual and legal issues. Fangda was the only PRC law firm retained on the case, advising on all aspects related to PRC law.
- A leading U.S. multinational corporation (MNC) in the technology sector in handling a criminal investigation by the Chinese Procuratorate and internal investigations relating to potential violations of the FCPA, Chinese commercial bribery laws and accounting fraud involving third parties. In recognition of the client's thorough investigation and full cooperation, both the Procuratorate and the U.S. Department of Justice (DOJ) declined prosecution.
- A world-leading coating supplier in conducting an internal investigation on potential corruption involving third parties in China, which led to the client's global self-disclosure.
- A well-known energy company in a criminal enforcement case initiated by the Indian Central Bureau of Investigation on suspected bribery of Indian government officials by its Chinese subsidiary, and conducting an internal investigation based on the FCPA and PRC anti-commercial bribery laws.
- A Chinese SOE in response to an investigation initiated by the government of Pakistan, resulting in no penalties for the client.
- A China-based, U.S.-listed company and its subsidiaries in their anti-corruption/FCPA due diligence in connection with their multibillion U.S. dollar investments in a wide range of industries.
- Several private equity firms on their anti-corruption compliance due diligence.
- A Fortune 500 company in an investigation by Shanghai Administration for Industry and Commerce (AIC) concerning commercial bribery, in which we successfully caused the case to be escalated to the state AIC, which then abandoned further investigation.
- A leading MNC in a regulatory investigation by the Shanghai AIC relating to potential violations of Chinese commercial bribery and antitrust laws. We persuaded the regulatory authority not to impose any punishment.
- A Hong Kong-listed company (with its majority shareholder being a U.S.-listed MNC) in an internal investigation into its PRC subsidiary relating to a complex scheme of employee's misconduct; representing the company in regulatory investigations and inquiries by Hong Kong and the U.S. governments; and assisting the company to establish a comprehensive compliance program to mitigate risks identified in the investigations.
- Multiple leading life sciences companies in their internal investigations of potential violations of the FCPA, Chinese anti-commercial bribery laws, channel stuffing, cross-selling, accounting fraud and employment issues, as well as other violation of laws and corporate compliance policies.
- A leading real estate company in an internal investigation of embezzlement by a company executive, and writing report implicating company executive to the PSB, including advising on all complex legal issues. As a result of our work and analysis, the executive returned more than RMB10 million to the company.
- A world-leading elevator manufacturer in its internal investigations, including advising on a criminal case filing, among other issues.
- Several Chinese SOEs with anti-corruption, sanctions, data privacy, environmental and antitrust reviews, and conducting compliance inspections of overseas operations to help companies establish compliance programs in accordance with requirements of the State-owned Assets Supervision and Administration Commission (SASAC).
- A wide range of companies (including those in the consumer product, pharmaceutical, technology, automotive, finance, energy, entertainment, and other sectors) in formulating compliance policies for their business in China, and establishing compliance management systems, including risk management systems, government dawn raid response systems and third-party management systems.



## Data Privacy, Cyber Security and State Secrecy

- A number of social media platforms, logistics service providers, video platforms and game publishers in their overseas businesses. We also represented companies seeking legal advice on compliance from overseas lawyers, covering multiple jurisdictions in Southeast Asia, Japan, Korea, Europe and the United States.
- A number of domestic companies in industries such as smart mobility, autonomous driving, cloud services, real estate brokerage, pharmaceutical R&D, supply chain services, and headhunting and recruitment in pre-IPO data compliance verification and compliance programs. Also assisted in compliance rectification and cybersecurity reviews.
- A number of large enterprises, investment funds, and a Chinese U.S.-listed company in conducting data compliance due diligence for the investment target companies and assisted in post-investment rectification. These investments were in industries including healthcare, e-commerce, logistics, manufacturing, AI and big data, cloud services, and online recruitment. Due diligences conducted based on Chinese data protection regulations and GDPR.
- A number of well-known MNCs and Chinese companies (in the AI, big data, finance, automotive and transportation, retail, smart manufacturing, entertainment, life sciences, e-commerce, consumer products, and manufacturing sectors) in data mapping, gap analysis, and establishing/improving data compliance programs; establishing global data networks and operating mechanisms (such as data localizations and cross-border transfers); advising on a series of complex legal issues, such as internal data security management, third-party data cooperation, cross-border data transfer, important data identification, and data localization.
- A number of well-known domestic and foreign companies in responding to and managing various global emergencies/crises, including data retrievals, national security inquiries, data breaches (including filing data breach reports, communicating with a number of regulatory agencies, notifying personal information subjects and handling complaints from personal information subjects, managing media disclosure and tracking public opinion, assisting the companies in filing criminal cases and taking remedial measures), app-related enforcements, administrative enforcements related to cybersecurity, comprehensive data compliance reviews by business partners, such as Facebook. Provided arguments and advice to clients on several controversial matters involving privacy and personal information protections, and assisted clients in handling crises appropriately.
- A leading hotel management company in the criminal litigation and an investigation initiated by multiple Chinese law enforcement authorities in connection with alleged Cyber Security Law violation. We successfully persuaded the PSB to withdraw the criminal case and achieved a positive result for the other investigation.
- A fintech company in a criminal investigation conducted by the PSB and assisting the client in improving its compliance program. The investigation was caused by suspected infringement of personal information by one of the client's business partners. The PSB dropped the investigation.
- A China-based media company in a case involving several executives and employees suspected of infringing citizens' personal information; and assisting the client in reviewing its business models and providing regular data consulting services in relation to its data products. The executives and employees all successfully obtained bail.
- A Chinese state-owned airline on data compliance matters, including data-related dispute resolution, extraterritorial application of laws and emergency response.
- A number of Chinese companies and MNCs to evaluate the risk of cross-border data transfers; advising the best transfer solutions under various scenarios.
- A number of U.S.-listed Chinese companies in providing compliance advice on the cross-border transfer of their audit work papers and managing dozens of state secrecy review projects in connection with the audit work papers requested by the U.S. Securities and Exchange Commission (SEC) as well as the Securities and Futures Commission of Hong Kong (SFC).
- Big Four accounting firms on state secrecy and data privacy relating to audit work papers and the mechanism of cross-border securities investigations.







## Export Controls and Sanctions

### Export Controls and Sanctions

- A number of Chinese companies listed on the Entity List in providing full-process legal services, dealing with the adverse effects caused by the Entity List and establishing export control compliance systems.
- A number of companies on the U.S. export control "blacklist" in responding to the U.S. government's enforcement efforts.
- A number of Chinese companies in the fields of chips, communications, AI, logistics and transportation in providing comprehensive legal services including export control compliance risk assessment, supply chain stabilization, compliance due diligence, product control status analysis, and advice on business models.
- A Chinese high-tech company in its negotiation with the U.S. Department of Commerce (DOC) and dealing with procedures of removal from the Bureau of Industry and Security (BIS) entity list.
- A large port company in assessment and inspection of its sanction risks and assisting in establishing a compliance system.
- An international shipping company on sanctions and export control-related issues for its international shipping and port operations in relation to Iran and North Korea sanctions, and assisting in establishing a sanctions and export control compliance system.
- A well-known Chinese submarine fiber optic cable company on sanctions issues relating to its operations in the Middle East.
- A leading Chinese automobile manufacturing company on its sanction risks related to its business in Venezuela.

- A number of Chinese chip manufacturers on U.S. export control issues, including providing analysis of whether their products, technology or parts were subject to U.S. export control laws.
- A Chinese investment management company on U.S. export control issues for its proposed investment project.
- A Chinese asset management company on whether its joint scientific research project with a university might be subject to U.S. export controls.
- A number of Chinese companies and MNCs on legal issues relating to sanctions and export controls.

### Customs

- A leading global materials company in responding to multiple customs audits and anti-smuggling enforcement, including a classification dispute with customs.
- A cosmetics cross-border e-commerce company in responding to criminal enforcement faced by the company for alleged in-country resale; ultimately enabled the company to avoid criminal liability.
- A leading Japanese rubber company in legal and compliance issues related to its business model for exporting goods to China, focusing on the potential tariff impacting on the company's exports after the Regional Comprehensive Economic Partnership (RCEP) came into force, and providing detailed planning on customs clearance process practices.
- A European lighting company in a dispute over the classification of imported goods; successfully persuaded Customs to accept the client's opinion on the classification of the goods in question.





## White-Collar Crime and Corporate Crime

- A state-owned listed company in response to an investigation led by the PSB into its alleged criminal infringement of intellectual property rights; ultimately the PSB terminated the investigation of the client.
- A leading state-owned chip research and development enterprise in conducting an investigation into the infringement of its core trade secrets; assisted the client to successfully file a complaint with the PSB.
- A China-based media company in a case involving several executives and employees suspected of infringing citizens' personal information; and assisting the client in reviewing its business models and providing regular data consulting services in relation to its data products. The executives and employees all successfully obtained bail.
- A high-profile investment banker in a criminal investigation of suspected financial fraud initiated by the PSB, involving hundreds of thousands of investors, with approximately RMB100 billion allegedly stolen.
- A leading venture fund in a money-laundering criminal investigation by the PSB. We were able successfully to argue that two partners should be put on probation.
- A leading real estate company in an internal investigation of misconduct involving the company's executive, and reporting the implicated company executive to the PSB. The executive returned more than RMB10 million to the company.
- A leading technology company in criminal proceedings and civil litigation involving data breach and trade secret infringement.
- A president of an internet technology company in Shanghai's first criminal case for the suspected crime of opening a casino.
- A leading FMCG company against a smuggling charge relating to import price under-declaration.
- A subsidiary of a well-known cinema equipment company against an alleged smuggling charge.
- A bitcoin trading platform in its internal investigation of potential data theft, and assisting the client to file a criminal case.
- A pharmaceutical company in response to a PSB investigation of fake fapiao purchases involving more than 40 employees of the company.
- A world-leading elevator manufacturer in its internal investigations, including advising on a criminal case filing, among other issues.
- A leading venture capital fund in responding to criminal charges by the PSB for alleged anti-money laundering violations. The client was sentenced to probation and released.
- A leading U.S. MNC in the technology sector in handling a criminal investigation by the Chinese Procuratorate and internal investigations relating to potential violations of the FCPA, Chinese commercial bribery laws and accounting fraud involving third parties. In recognition of the client's thorough investigation and full cooperation, both the Procuratorate and the DOJ declined prosecution.
- A leading hotel management company in the criminal litigation and an investigation initiated by multiple Chinese law enforcement authorities in connection with alleged Cyber Security Law violation. We successfully persuaded the PSB to withdraw the criminal case and achieved a positive result for the other investigation.

"Fangda Partners' team is not only able to solve problems arising from compliance risks, but also able to extend their professional advice to business management issues after the problem has been dealt with, effectively switching from fire fighting to fire prevention."

- A source for The Legal 500

## Administrative Law Enforcement and Litigation

- A Fortune 50 company in various investigations by the Market Regulation Administration (MRA), internal investigations, terminating high-risk third party and other post-investigation dispute cases.
- An MNC in an investigation by the National Security Bureau. Neither the client nor the executive was penalized.
- A world-leading coating supplier to settle an investigation by the Tax Bureau and conducting an internal investigation on potential fraud involving third parties in China, resulting in no administrative penalties for the client.
- A leading hotel management company in the criminal litigation and an investigation initiated by multiple Chinese law enforcement authorities in connection with alleged Cyber Security Law violation. We successfully persuaded the PSB to withdraw the criminal case and achieved a positive result for the other investigations.
- A leading U.S.-based MNC in a regulatory investigation by the Shanghai AIC relating to potential violations of Chinese commercial bribery and antitrust laws, which ultimately resulted in no administrative penalties.
- A leading commercial trading company investigated by a local Administration for Market Regulation (AMR) for alleged violation of Chinese advertisement laws.
- A well-known foreign bank in the regulatory and criminal investigations initiated by the CBRC and the PSB for the alleged misconduct of a former employee.
- A number of companies in administrative enforcement by the PSB, AMR and other administrative agencies, which ultimately resulted in no administrative penalties.
- A Fortune 500 company in an investigation by the Shanghai AIC concerning commercial bribery, in which we successfully caused the case to be escalated to the state AIC, which then abandoned further investigation.
- An MNC in a government investigation involving alleged environmental pollution, negotiating soil remediation and land disposal, and representing the client in related litigation.
- Senior management of an investment bank in a joint investigation initiated by the Hong Kong SFC and the DOJ, winning a favorable result for the client.



## Securities Compliance

- A well-known fund company in handling administrative and criminal investigations by the PSB and the CSRC on suspected securities violations.
- An international accounting firm in handling the administrative investigation by the CSRC on the professional responsibilities of professional institutions and their personnel.
- An independent director of a listed company in handling the administrative investigation by the CSRC on suspected insider trading.
- A legal representative of a listed company in handling a criminal investigation and prosecution for suspected illegal information disclosure; and providing legal opinions. The prosecutors decided to drop the charges against the client.
- A listed company in handling the administrative investigation by the CSRC on suspected illegal information disclosure.
- A fund company executive in handling the administrative investigation by the CSRC on suspected “rat trading”.
- An executive director of a PRC-listed company on an inquiry by the CSRC and the PSB relating to potential insider trading and market manipulation activities.
- A U.S.-listed Chinese multinational conglomerate in a probe initiated by the SEC involving compliance and misrepresentation (in cooperation with a top U.S. law firm).
- The board of directors of a Hong Kong-listed company in proceedings brought against them alleging breach of fiduciary duties, misfeasance and/or misconduct, and related contentious regulatory matters.
- A number of well-known MNC and Chinese companies on the responsibilities and obligations of listed companies and their directors and executives under PRC and Hong Kong laws.







## Environmental Protection

- As the third-party supervisor of the first compliance case involving an enterprise in the field of environmental resource protection in Shenzhen Longgang; supervising and assessing the compliance work of a Tier 1 subsidiary of an SOE regarding temporary land use and other environmental protection issues during the construction process, guiding the company to develop a compliance plan and review it, supervising the company to establish and implement an environmental compliance system in engineering and construction, evaluating the steps the company needed to do to achieve compliance in future and reporting to the procuratorate; ultimately the company involved in the case successfully obtained a non-prosecution result.
- A well-known cross-border manufacturing company in providing criminal consulting and administrative representation regarding its alleged environmental pollution case. The company was referred to the PSB by the environmental protection department for improper disposal of solid waste; successfully helped the company avoid criminal prosecution and persuaded the PSB to finally issue a decision not to impose administrative penalties.
- A leading global natural resources company against the charge of smuggling solid waste. We successfully persuaded the prosecutors to drop all the charges against the client and its employees, which is very rare in the Chinese judicial system after the detention and arrest of the individuals.
- A U.S. multinational private equity firm in handling a criminal investigation and criminal proceeding initiated by the PSB for pollution charges against its Chinese subsidiary.
- A multinational company in a government investigation of environmental pollution and negotiating soil remediation and land disposal, and representing the client in related litigation.
- A global leading environmental protection company in an administrative lawsuit against the decision made by an environmental protection bureau in Xinjiang.
- A water resource management MNC in an administrative reconsideration on the decision of an environmental protection bureau to impose an administrative penalty on its air emissions.
- A world-renowned MNC in the chemistry sector on the emission of volatile organic compounds.

- A new energy MNC on the pollution discharge permits and environmental protection responsibilities.
- A world-leading manufacturing company headquartered in the U.S. in handling green land investment in Jiangsu province, as well as soil pollution assessment and remediation related to its production plant in Shanghai.
- A well-known German water resources management company in bidding, investment, construction and financing of sewage treatment projects in China.
- A well-known U.S. sustainable energy company on its portfolio of power generation and energy conversion facilities in China.

## Global Compliance

- A number of SOEs and Chinese companies in establishing global compliance systems, and worked with overseas lawyers to represent Chinese companies in response to overseas government enforcement.
- A Chinese SOE on identifying its global compliance risks and establishing its global compliance system.
- A number of U.S.-listed Chinese companies on updated data protection and anti-corruption trends in multiple jurisdictions worldwide and providing practical advice for the clients' global operations and risk controls.
- A number of Chinese companies in inquiries by the DOJ, the SEC, the DOC, and the U.S. Department of Homeland Security, among others.
- A Chinese company in response to an investigation initiated by the government of Pakistan, resulting in no penalties for the client.
- A well-known China-based company in establishing and improving its global data compliance system, establishing a global data network and operating mechanism (such as data localization and cross-border transfer), advising the client on various data issues relating to its products and services in the global markets, assisting it to deal with various global emergencies (such as data leaks, government investigations, and inquiries) and conducting data compliance due diligence in various investments, and responding to comprehensive data compliance reviews by business partners, such as Facebook.
- A China-based U.S.-listed company in its data compliance due diligence for a potential investment in a logistics group and its post-merger compliance integration. The due diligence was conducted based on PRC data protection laws and the GDPR.
- A leading dairy product manufacturer on its global compliance program, and providing training.
- A leading bus company on sanctions and data privacy issues in the EU, Central and Latin America and Africa, and providing training.
- A China-based healthcare as the company's global counsel, providing advice from multiple legal perspectives for its expansion of medical services in several Asian countries.
- Several Hong Kong-listed Chinese SOEs on anti-corruption, sanctions, outbound investment and product safety issues, and conducting compliance inspection to help the companies establish compliance systems in accordance with requirements of the SASAC.
- A Chinese high-tech company in its negotiation with the U.S. DOC and dealing with procedures of removal from the BIS entity list.
- A well-known Chinese submarine fiber optic cable company on sanctions issues relating to its operations in the Middle East.
- A leading Chinese automobile manufacturing company on its sanction risks related to its business in Venezuela.
- A number of Chinese chip manufacturers on U.S. export control issues, including providing analysis of whether their products, technology or parts are subject to U.S. export control laws.



## Multilateral Development Bank Compliance and Sanctions

- A large infrastructure construction State-Owned Entity ("SOE") in response to Asian Development Bank's investigations; assisting the client avoid sanctions by the Asian Development Bank through developing tailored response strategies, collecting relevant evidence, and actively communicating with the Asian Development Bank.
- An enterprise specialized in international EPC projects on sanctions imposed by the AfDB, including communicating with the AfDB and the IICC on behalf of the client and assisting the client in conducting compliance self-inspection and formulating policies and procedures according to the AfDB's requirements; carrying out relevant compliance training, and issuing implementation reports at different stages for review by IICC; assisting clients in responding to the AfDB and IICC meetings and on-site investigations.
- A large infrastructure construction SOE in conducting an internal investigation into the client's previous projects financed by the World Bank to identify third parties' possible which is a condition of the client's settlement with the INT regarding the sanction by the World Bank for the client's violation of the World Bank Integrity Compliance Guidelines.
- A subsidiary of a large infrastructure construction SOE in the implementation of a compliance remediation plan supervised by the World Bank for the period during which the client was subject to World Bank sanctions. The scope of work included developing a strategy and work plan to address the World Bank's monitoring and providing advice on the improvement of compliance systems and processes based on the World Bank Integrity Compliance Guidelines and industry best practices.
- An infrastructure construction company based in Beijing in its investigation by the World Bank involving potential fraud in the project bidding stage, including providing advice on the response strategy to the Word Bank's investigations and assisting clients in communicating with the Word Bank.
- Siemens in reaching a settlement with the World Bank for its violation of the World Bank Integrity Guidelines, including developing response strategies, representing the client in effective communication with the World Bank, and reviewing the client's compliance policies and processes.



## Environmental, Social and Governance (ESG)

### Environmental

- A well-known oil company in obtaining a favorable court decision in an action brought by sea-cucumber farmers over the farmers' alleged aquaculture losses arising from the Penglai 19-3 Oil Spill.
- A U.S. energy company in legal and compliance issues related to its development, operation and management of energy-from-waste projects in China, including handling government investigation proceedings.
- Hungary government in its RMB1 billion 3-year green panda bond offering. This is another milestone in the development of China's green bond market, unfolding a new era for panda bonds.
- An underwriter in connection with the A-shares IPO and listing of CATL, which is a global leader in new energy area.
- A leading multinational oil & gas company in the domestic and cross-border carbon trading activities, including carbon transaction structuring, regulatory risk analysis and internal compliance program development.

### Social

- A world leading asset management firm in the labor due diligence on the employment compliance of the seller's Chinese target companies (e.g. salary and social security payment, employee incentive plans, working hours system, work-injury incidents, occupational health).
- A world-famous hotel group in a compliance review regarding all aspects of employment (e.g. working hours, child labor, labor protection, minimum wage, equal opportunity, employee complaint procedure) in all of its hotels in Mainland China.
- Multiple healthcare companies in the legality of the commercial use of personal health information and the legality of the storage, transfer and authorized use of personal health information.
- A leading Chinese e-commerce company in the establishment and improvement of its global data compliance system; assisting the client in data compliance investigation in various types of investments.
- A UK airline in data breach reporting requirements and remedial actions in China regarding its global data breach.

- Multiple MNCs in supply chain compliance issues and PRC Anti-Foreign Sanction Law.

### Governance

- A leading U.S. MNC in the technology sector in handling a criminal investigation by the Chinese Procuratorate and internal investigations relating to potential violations of the FCPA, Chinese commercial bribery laws and accounting fraud involving third parties. In recognition of the client's thorough investigation and full cooperation, both the Chinese Procuratorate and the US Department of Justice declined prosecution.
- A leading Chinese e-commerce company in their anti-corruption due diligence in connection with their investments in a wide range of industries; assisting the client in the establishment of its global anti-bribery and corruption policy.
- A leading European international bank to adapt its monitoring system and work process of money laundering risk management in the PRC to apply global standards and align with the market practice in China.
- A leading Chinese internet company in the due diligence with respect to money laundering risk in cross-border acquisitions.
- A leading foreign-invested bank in the self-examination for onsite AML inspection organized by the People's Bank of China.
- Various public companies in the disclosure of ESG related matters.

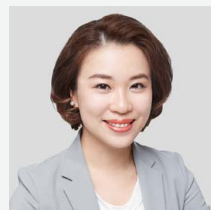
## ► Key Team Members

### Beijing



**Kate YIN**  
Partner

+86 10 5769 5617  
kate.yin@fangdalaw.com



**Yanhua LIN**  
Partner

+86 10 5769 5653  
yanhua.lin@fangdalaw.com



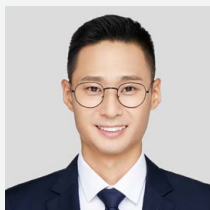
**Yanjun ZHUANG**  
Partner

+86 10 5769 5649  
yanjun.zhuang@fangdalaw.com



**Yingjie KANG**  
Partner

+86 10 5769 4237  
yingjie.kang@fangdalaw.com



**Daniel WANG**  
Dr.

+86 10 5769 5684  
daniel.wang@fangdalaw.com



**Huihui LI**

+86 10 5769 5797  
huihui.li@fangdalaw.com

## Shanghai



**Nuo JI**  
Partner

+86 21 2208 1011  
nji@fangdalaw.com



**Benjamin MIAO**  
Partner

+86 21 2208 1151  
benjamin.miao@fangdalaw.com



**Shanjian ZHENG**  
Of Counsel

+86 21 2208 1122  
shanjian.zheng@fangdalaw.com



**Derrick ZHAO**  
Partner

+86 21 2208 5829  
derrick.zhao@fangdalaw.com



**Allen FU**  
Partner

+86 21 2208 1123  
allen.fu@fangdalaw.com



**Gil ZHANG**  
Partner

+86 21 6263 5922  
gil.zhang@fangdalaw.com



**Sherman DENG**

+86 21 6263 5887  
sherman.deng@fangdalaw.com



**Yujin "Alex" LIU**

+86 21 6263 5874  
yujin.liu@fangdalaw.com

## Guangzhou



**Alvin XIAO**  
Partner

+86 20 3225 3801  
alvin.xiao@fangdalaw.com



**Peter YUEN**  
Partner

+852 3749 1177  
peter.yuen@fangdalaw.com

## Hong Kong



**Patrick XIAO**  
Partner

+86 755 8159 3519  
patrick.xiao@fangdalaw.com

## Shenzhen



**Lei YANG**  
Partner

+86 755 8159 3509  
lei.yang@fangdalaw.com



**Beijing**

27/F, North Tower  
Beijing Kerry Centre  
1 Guanghua Road  
Chaoyang District  
Beijing 100020, China

Tel: +86 10 5769 5600  
Fax: +86 10 5769 5788

**Guangzhou**

66/F, Guangzhou CTF  
Finance Centre  
6 Zhujiang East Road  
Zhujiang New Town  
Guangzhou 510623, China

Tel: +86 20 3225 3888  
Fax: +86 20 3225 3899

**Hong Kong**

26/F, One Exchange Square  
8 Connaught Place, Central  
Hong Kong

Tel: +852 3976 8888  
Fax: +852 2110 4285

**Nanjing**

38/F, Asia Pacific Business Building  
2 Hanzhong Road  
Gulou District  
Nanjing 210005, China

Tel: +86 25 8690 9999  
Fax: +86 25 8690 9099

**Shanghai**

24/F, HKRI Centre Two,  
HKRI Taikoo Hui  
288 Shi Men Yi Road  
Shanghai 200041, China

Tel: +86 21 2208 1166  
Fax: +86 21 5298 5599

**Shenzhen**

9/F, Tower One, Kerry Plaza  
1 Zhong Xin Si Road  
Futian District  
Shenzhen 518048, China

Tel: +86 755 8159 3999  
Fax: +86 755 8159 3900

**Singapore**

1 Raffles Place #55-00  
One Raffles Place Tower 1  
Singapore 048616

Tel: +65 6859 6789  
Fax: +65 6358 2345