

# Workshop on Mitigating **CORPORATE FRAUDS AND CYBER CRIME**

| 2020



13 | 14 | 15 | 16  
O c t o b e r

## Thought Leaders



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Digital Marketing Partner



**Spliced Knot**

13<sup>th</sup> October

## White collar crimes & investigation

- Introduction:
- Impact of white-collar crimes on the economy
- Leading cases on white-collar crimes
- Understanding White Collar Crimes:
  - **What are white collar crimes?**
    - Corporate Fraud
    - Whistle-blower
    - Insider Trading and Market Abuse
    - Tax Fraud
    - Cartels and Criminal Competition Law
    - Money Laundering
    - Financial Crimes (bookkeeping, records)
  - **Laws governing White Collar crimes:**
    - Indian Penal Code, 1860
    - Code of Criminal Procedure, 1973
    - Prevention of Money Laundering Act, 2002
    - Prevention of Corruption Act, 1988
    - Companies Act, 2013
    - Competition Act, 2002
    - Information Technology Act, 2000 (this will be discussed in greater detail in Session 2)
    - Fugitive Economic Offenders Act, 2018
  - **Regulatory Bodies:**
    - Hierarchy and jurisdiction of courts for white-collar crimes
    - Enforcement Directorate
    - Serious Fraud Investigation Office
    - Central Bureau of Investigation
  - **Use of Internal Investigation**
    - Why are we seeing an increase in the use of Internal Investigations?
    - Investigation process
      - Meaning of an internal investigation report
      - Role of the investigator
      - Data privacy concerns
    - Evidentiary value of an internal forensic report
      - Section 45 of the Indian Evidence Act, 1872
    - Attorney-client privilege under Section 126, Indian Evidence Act, 1872
      - Protection offered to advocates during an internal investigation
      - Strategizing post the results of an internal investigation report
  - Questions

## Fraud schemes and controls

- Financial Statements
- Corruption Schemes
- Red Flags
- Fraud Detection, Prevention and Response
- Internal Controls
- In-house Anti-Fraud units

14<sup>th</sup> October

## Cyber laws, crimes, and investigation

- **Introduction**
- **Evolution of Cyber Law in India**
  - Law prior to 2000 and the need to govern cyberspace
  - Introduction of the Information Technology Act, 2000 and its drawbacks
- **Digitisation and Current Day Importance of Cyber Laws**
- **What are Cyber-Crimes?**
  - Cyber-crimes are unlawful acts where an electronic device is used either as a tool or a target or both. The enormous growth in electronic commerce (e-commerce) and online share trading has led to a phenomenal spurt in incidents of cyber-crime. They mainly related to crimes against person, corporates, intellectual property, data protection, and privacy.
- **Overview of IT Act**
  - Salient features
  - Offences
- **Data Protection**
  - Laws relating to data protection
  - Risk of data exposure
- **Notable cases**
- **Questions**

15<sup>th</sup> October

## Panel Discussion on Steering White Collar Crimes and Investigations

16<sup>th</sup> October

INR 9000\* | AED 500

\* + GST

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