



Compliance Risiken bei M&A Transaktionen (German Edition)

Tobias Frank

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Compliance-Verstöße im Zusammenhang mit Unternehmenstransaktionen haben zunehmend verheerende Auswirkungen. Grund ist vor allem der drastische Anstieg von Geldbußen für Kartellrechtsverstöße und korruptes Verhalten, die unter anderem von Institutionen in der EU, den USA und dem UK gegen deutsche Unternehmen verhängt werden. Tobias Frank befasst sich mit den Bedrohungsszenarien, denen ein Investor beim Erwerb eines Unternehmens ausgesetzt ist, wenn dieses gegen Rechtsvorschriften verstoßen hat. Den Schwerpunkt legt er dabei auf das deutsche OWiG, das US-Antikorruptionsrecht (FCPA), den UK-Bribery-Act 2010 sowie das deutsche und europäische Kartellrecht. Zur Minimierung der Risiken spielt die Vertragsgestaltung eine zentrale Rolle. Zusätzlich setzt sich der Autor unter anderem mit dem mehrstufigen Unternehmenskauf, dem Earn-out, der complianceorientierten Due Diligence und der Kronzeugenregelungen auseinander.

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