

# CORPORATE GOVERNANCE, COMPLIANCE & ADVISORY

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## Overview

Kochhar & Co. has a pan-India Corporate Governance, Compliance and Advisory practice and counsels its clients across a broad spectrum of complex corporate and commercial issues.

The Firm advises on some of the most complex and vexatious issues facing companies including those pertaining to governance, exchange control and corporate & securities laws and handles corporate compliances for some of the largest multinational and foreign corporations doing business in India.

The Firm acts as a trusted counsel to directors of both listed as well as unlisted companies advising them on their responsibilities, liabilities and safeguards under various Indian laws ranging from Corporate & Securities laws to Employment & Labour, Environmental law and Taxation.

The Firm has advised clients across various sectors including highly regulated ones, consistently building deep sector specific domain knowledge. This helps not only in anticipating potential issues but in devising solutions in a time efficient manner, tailor made to the needs of the client.

Our Corporate Governance team brings holistic approach and deeper understanding of the law combined with practical judgement. Over the years we have developed a niche in advising listed and unlisted companies, shareholders, board of directors, board committees and senior management. We devise strategies that help clients navigate through complex regulations, disclosure norms and enforcement actions by authorities such as SEBI, RBI and other regulatory and judicial authorities.

The Corporate team works closely with stakeholders of the client to understand its business objectives and devise transaction structures accordingly. The team is recognized for its ability to anticipate and address challenges from a strategic, legal and tax perspective in an integrated manner.

Our lawyers regularly advise on the following key areas:

- (i) Setting up presence in India by way of incorporating companies, LLPs and other entities;
- (ii) Providing assistance and advise to directors/managing directors on issues pertaining to corporate governance including during complex shareholder disputes;
- (iii) Conducting governance audits and putting in place industry specific and tailor made standard operating procedures;
- (iv) Carrying out compliances under Indian laws including but not limited to Companies Act, 2013, Foreign Exchange and Management Act, 1999, Securities Contracts (Regulation) Act, 1956 and regulations of the Securities and Exchange Board of India;
- (v) Providing advisory services on various legal aspects involved in operating a business in India;
- (vi) Representing clients before regulatory and judicial authorities with respect to various matters including in compounding proceedings pursuant to non-compliance of applicable laws.

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## Focus Areas

Corporate Governance

Company incorporation and doing business in India

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## Key Practice Differentiators

- Kochhar & Co. has advised clients across sectors on a range of legal issues through all stages of corporate commercial transactions.
- Our attorneys appreciate the economic dynamics of various sectors and have developed deep domain knowledge of various sectors including highly regulated sectors.
- Our team of corporate compliance lawyers assist business clients in insulating their professionals as well as the corporation itself, from exposure to the risk of criminal liability that lies in not implementing effective and coordinated legal compliance policies and procedures.
- The Compliance team at the Firm provides bespoke solutions based on industry practices, clients with the assurance that it has in place the appropriate internal controls, policies and procedures expected by governmental enforcement agencies, shareholders and third parties, thereby helping them to mitigate any potential liability.