

Workplace Investigations

Contributing Editors

Phil Linnard at Slaughter and May
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13. Can non-disclosure agreements (NDAs) be used to keep the fact and substance of an investigation confidential?

Finland

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at Roschier

Yes, however, the need for an NDA is assessed always on a case-by-case basis.

Last updated on 15/09/2022

Singapore

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Yes, NDAs can be used to keep the fact and substance of an investigation confidential. There are no express prohibitions against such NDAs under Singapore law. However, information or evidence covered by the NDA may still be discoverable in court or arbitration proceedings; and may also be subject to disclosure requests or directions by the police or statutory authorities, including the MOM.

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Switzerland

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In addition to the above-mentioned statutory confidentiality obligations, separate non-disclosure agreements can be signed. In an internal investigation, the employee should be expressly instructed to maintain confidentiality.

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