

Workplace Investigations

Contributing Editors

Phil Linnard at Slaughter and May
Clare Fletcher at Slaughter and May

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

Japan

Author: *Chisako Takaya*
at Mori Hamada & Matsumoto

It is possible to use NDAs in investigations.

Last updated on 15/09/2022

Spain

Author: *Sergio Ponce, Daniel Cerrutti*
at Uría Menéndez

Yes. NDAs are the preferred instrument to ensure that employees conducting the investigation, as well as those who participate as witnesses or collaborators, will keep the enquiry and its existence confidential.

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Switzerland

Author: *Laura Widmer, Sandra Schaffner*
at Bär & Karrer

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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Contributors

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Chisako Takaya

Mori Hamada & Matsumoto

Spain

Sergio Ponce

Daniel Cerrutti

Uría Menéndez

Switzerland

Laura Widmer

Sandra Schaffner

Bär & Karrer

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