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Scientific production on compliance in Brazil: a bibliometric study in the Spell® database

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ALTO VALE





Scientific production on compliance in Brazil: a bibliometric study in the Spell® database

Abstract

Objective: This study analyzed how Brazilian research on compliance is configured in the Spell® database. **Method:** Bibliometric study using, for data collection, the term “compliance” in the title of the articles, considering all the years of the base until 2021. **Results:** The search yielded 19 articles, 80% published in the last three years – from 2018 to 2020. The authors of the publications come from different universities, and the quality of the scientific articles is high, considering that Qualis/Capes rates approximately 70% of them in strata A3 and A4. Benefits of implementing a compliance program in companies were observed, such as combating and preventing money laundering, good market reputation, risk mitigating with fraud, corruption, and financial losses, transparency, and credibility of public and private entities. **Contributions:** This research is a stimulus to researchers for a theoretical-empirical deepening on compliance and to other readers (managers, entrepreneurs, and executives), provides a conceptual regulatory overview, and presents compliance benefits for companies. In conclusion, the topic is still little explored theoretically and empirically in academia, which implies that there is still a vast field of empirical research to be explored in future studies.

Keywords: Reputation. Compliance. Credibility. Competitiveness. Risks.

Produção científica sobre *compliance* no Brasil: estudo bibliométrico na base Spell®

Resumo

Objetivo: Este estudo analisou como se configuram as pesquisas brasileiras sobre *compliance* na base Spell®. **Método:** Estudo bibliométrico utilizando, para a coleta de dados, o termo “*compliance*” no título dos artigos, considerando todos os anos da base até o ano de 2021. **Resultados:** Os resultados retornaram 19 artigos sobre o tema, sendo 80% deles publicados nos últimos três anos – de 2018 a 2020. Os autores das publicações são provenientes de diferentes universidades e a qualidade dos artigos científicos é alta, tendo em vista que aproximadamente 70% deles estão classificados nos estratos A3 e A4 do Qualis/Capes. Foram observados benefícios da implementação de um programa de *compliance* nas empresas, como combate e prevenção à lavagem de dinheiro, boa reputação no mercado, mitigação de riscos com fraudes, corrupção e prejuízos financeiros, transparência e credibilidade de entidades públicas e privadas. **Contribuições:** Esta pesquisa contribui sob a forma de estímulo aos pesquisadores para um aprofundamento teórico-empírico sobre *compliance* e aos demais leitores (gestores, empresários e executivos) fornece um panorama conceitual, regulatório e apresenta os benefícios do *compliance* para as empresas. Conclui-se que o tema ainda é pouco explorado teórica e empiricamente no meio acadêmico, o que permite inferir que ainda há um vasto campo de pesquisas empíricas a serem exploradas em estudos futuros.

Palavras-chave: Reputação. *Compliance*. Credibilidade. Competitividade. Riscos.



Producción científica sobre *compliance* en Brasil: un estudio bibliométrico en la base *Spell*®

Resumen

Objetivo: Este estudio analizó cómo se configuran las investigaciones brasileñas sobre *compliance* en la base *Spell*®. **Método:** Estudio bibliométrico que utilizó, para la recopilación de datos, el término “*compliance*” en el título de los artículos, considerando todos los años de la base hasta el año 2021. **Resultados:** Los resultados arrojaron 19 artículos sobre el tema, el 80% de los cuales se publicaron en los últimos tres años, del 2018 al 2020. Los autores de las publicaciones proceden de diferentes universidades, y la calidad de los artículos científicos es alta, considerando que aproximadamente el 70% de ellos están clasificados en los estratos A3 y A4 de Qualis/Capes. Se observaron beneficios de implementar un programa de *compliance* en las empresas para combatir y prevenir el lavado de dinero, lograr buena reputación en el mercado, mitigar riesgos con fraudes, corrupción y pérdidas financieras, y lograr transparencia y credibilidad de las entidades públicas y privadas. **Contribuciones:** Esta investigación contribuye en forma de estímulo a los investigadores para una profundización teórico-empírica sobre *compliance* y a otros lectores (gestores, empresarios y ejecutivos) ofrece un panorama conceptual y regulatorio, y presenta los beneficios del *compliance* para las empresas. Se concluye que el tema aún es poco explorado teórica y empíricamente en el ámbito académico, lo que permite inferir que aún existe un vasto campo de investigación empírica que explorar en futuros estudios.

Palabras clave: Reputación. Compliance. Credibilidad. Competitividad. Riesgos.

Introduction

Losses caused by corporate fraud, corruption, lack of ethics, and business negligence directly affect stakeholders – investors, customers, suppliers, government, society, and the environment – and can lead organizations to failure (Calixto et al., 2020; Costa et al., 2020). However, contrary to and intolerant of fraudulent acts and corporate corruption, several companies implement practices that abide by the law. The idea is to develop their activities per current legislation and internal/external regulations, based on the implementation of compliance programs, seeking credibility in the market.

In Brazil, this corporate trend was primarily due to the advent of Law No. 12,846 of August 1, 2013, also known as the Anti-Corruption Act, which “provides for the administrative and civil liability of legal entities for the practice of acts against the public administration, national or foreign” (2013). Article 7 of that law states that “the following will be taken into account when applying sanctions: [...] the existence of internal mechanisms and procedures for integrity, auditing, and incentives to report irregularities and the effective application of codes of ethics and conduct within the legal entity” (2013).

While the incentive given by the law mentioned above can only cover legal entities that practice acts with the national or foreign public administration, some companies have recognized the importance of the subject and incorporated compliance actions into their work routine. According to Melo et al. (2019), compliance gained greater visibility in Brazil from the aforementioned regulatory framework, as it encouraged actions to combat corruption and fraudulent activities. Through the Anti-Corruption Act, Brazilian organizations began to implement their compliance programs. For example, we can mention Siemens, which implemented compliance actions (Selhorst, 2014), and Votorantim Cimento, which has



maintained the compliance program since 2013, with communication campaigns added to training for employees and directors (Votorantim, 2021).

Given the importance of the topic, the following question arises: what does the term in English mean that turns into robust departments within organizations and has increasingly gained prominence in the corporate world? For Morais (2005), compliance is the duty to adhere to, abide by, and enforce internal and external regulations required for the organization's operations. Thus, the expression is used to name practices for mitigating fraud and corruption risks within organizations in any field of activity.

The so-called compliance programs are intended to observe and abide by all legal rules in force and enforce the efforts of companies, unions, cooperatives, and associations in creating and implementing internal regulations and procedures. These programs aim to ensure following the legislation to prevent the practice of punishable illicit acts, even if unconscious or guilty, which seeks to promote a “culture of compliance” in companies.

Therefore, this study aims to analyze how Brazilian research on compliance in the Spell® database is configured. Under this study delimitation, the following specific objectives were deliberated: identify research related to compliance in the Spell® database; describe the main characteristics of the selected studies, such as the number of publications per year, the origin of publications, keywords, journals that published the articles, and Qualis/Capes classification; highlight the main benefits that can lead companies to implement a compliance program, and identify suggestions for future research. Thus, the study was guided by the following question: how is Brazilian Spell®-based research on compliance configured?

As a methodological basis, a bibliometric analysis was performed with data collected from the Spell® database. The term “compliance” was used in the title of the articles, considering all the years of the base, founded in 2012, until 2021, in searching the scientific articles. For evaluation of the collected data, the literature review was based on authors such as Coimbra et al. (2010), Assi (2018), and Block (2020), thus scientifically addressing the theme, anchored in researchers in the area.

Given the above, the research is justified by the scarcity of research on compliance, specifically in the Spell® base. This research niche is still relatively new in Brazil, so it is not well-established in academia (Costa et al., 2020; Belarmino, 2020). According to Lin (2019), this concept, as an instrument of corporate control, has been widely discussed in developed economies. However, there is a lack of studies in developing economies, a locus in which rules, norms, and laws do not keep up with economic growth.

Therefore, this study addresses a topic of increasing relevance for companies and society (Melo et al., 2019), whose focus needs to be on the changes and tactics implemented nationally and internationally – especially when concerning inhibiting fraud and corruption, which generate of financial and reputational losses. At this threshold, compliance helps to promote a culture of abiding by the ethics in organizations as a competitive differential (Neves, 2018).

This article is divided into sections to organize the scientific work: introduction, literature review, methodological procedures, results and discussion, final considerations, and bibliographical references.

Literature Review

Compliance: theoretical and conceptual aspects

According to Assi (2018, p. 19), compliance is an English term arising from the verb to comply, which means to act according to a rule, “to abide by, obey, and execute what has been



determined [...]. It consists of the duty of companies to promote a culture that encourages, in all members of the organization, ethics and the exercise of the corporate purpose per the law.” Complying relates to the duty to abide by the laws, regulations, and guidelines in general. The main objective is “to mitigate the risk linked to reputation and the legal/regulatory risk” (Coimbra et al., 2010, p. 2).

Complying means remaining abiding by internal rules and regulations and in line with the legislation applicable to the organization; acting per laws and rules inherent to the company’s activities and codes of ethics and internal conduct policies (Block, 2020). Compliance is closely linked to the duty to do the right thing – therefore, the individual’s behavior and obligation to act per ethical and regulatory precepts (2020, p. 3).

Thus, there is a mobilization directly related to people, who can be directors, managers, and employees. All the actions of these individuals must be associated with corporate responsibility actions based on what is appropriate and legal (Assi, 2018), i.e., everything must be linked to acting ethically and responsibly in the business environment and society. This is essential for the smooth running of business negotiations and alignments and the organization’s suitability, as individuals who perform compliance functions are on the front line against fraud and corruption. They can access specific, timely, and reliable information to prevent or stop ongoing fraud (Srere et al., 2015).

Therefore, promoting a culture of compliance is challenging, especially in Brazil. The major obstacle to implementing tactics related to compliance is “the Brazilian way of life, which ends up influencing other individuals to carry out actions outside the rule and norm” (Flach, 2012, p. 512) in search of advantages or problem-solving faster, however inadequate. Culturally, people or companies seek to gain an advantage indiscriminately in Brazil, so maintaining ethical and moral behavior seems arduous. However, this deep-rooted negative culture is no longer justified and must be removed from all environments (corporate and social) by improving tactics to combat misconduct. As Torres points out (*apud* Bombassaro, 2015, p. 299), “the lack of ethics destroys trust, reduces the productivity of action in all dimensions of social life, and ends up causing massive and unequivocal damage to the economic and social development of the country.”

In this sense, these misconducts are also perceived as affecting the business environment, causing damage to companies and entrepreneurs, and requiring preventive rules (Kleindienst, 2019). This situation is what allowed compliance to stand out as a result of the massive national and international scandals involving the practice of corruption and money laundering (Assi, 2018). Thus, the compliance approach emerged from US legislation, with the creation of Prudential Securities, in 1950, and with the regulation of the Securities and Exchange Commission (SEC), in 1960 (Bertocelli, 2021). It expanded to North American financial activities in the 1980s and 1990s in various public and private organizations (Assi, 2018).

Among the normative acts that internationalized the concept of compliance, the Foreign Corrupt Practices Act (FCPA), created in the USA in 1977, and the Anti-Bribery Act (UKBA), created in the United Kingdom in 2010, stand out (Block, 2020). The FCPA seeks to curb the practice of corruption in business involving the United States, prohibiting “any organization that has its shares traded on the New York Stock Exchange or that has a commercial relationship with the country from committing acts of corruption that include public agents of governments abroad” (2020, p. 3). The UKBA, on the other hand, is directed at combating “acts of offering, promising, paying, agreeing to receive or accept an advantage; bribery of a foreign official; and failure to prevent corruption, either in money or through any advantage, financial or otherwise” (2020, p. 3-4), focusing on UK organizations, foreign ones with branches in its territory, and public and private officials.



The restrictions resulting from these laws, located in the world's leading markets, caused changes in other countries since there was a need to follow them in the integrity trend. For this reason, Brazil has ratified three international treaties to combat corruption, namely:

- Convention on Combating the Bribery of Foreign Public Officials in International Business Transactions of the Organization for Economic Cooperation and Development (OECD) (Decree No. 3,678, 2000);
- Inter-American Convention against Corruption (Organização dos Estados Americanos, 1996);
- United Nations Convention against Corruption of the United Nations (UN) (Decree No. 5,687, 2006).

In addition, Brazilian legislation began to gradually introduce the idea of compliance programs long before the term compliance was in vogue, namely:

- Administrative Improbability Law (Law No. 8,429, 1992);
- General Law of Tenders and Contracts (Law No. 8,666, 1993);
- Access to Information Law (Law No. 12,527, 2011);
- Competition Defense Law (Law No. 12,529, 2011);
- Penal Code – Crimes against public administration (Código Penal, 2017).

This regulatory context marked advances in Brazilian legislation with the enactment of Law No. 12,846 on August 1, 2013, known as the “Anti-Corruption Act” or “Clean Company Act” (2013). This legal apparatus meets the international commitments assumed by the country in the fight against corruption and helps to establish greater reliability in international forum negotiations.

In this light, Table 1 illustrates the similarities and differences between the anti-corruption legislation of different countries. The non-criminal liability of the legal entity for crimes committed against the public administration is highlighted. Such liability is not admitted in the Brazilian legal system, providing only the objective liability of the legal entity in the administrative and civil spheres for harmful acts.

Table 1

Comparison of anti-corruption legislation.

Description	North American FCPA	British UKBA	Brazilian Law No. 12,846/2013
Corruption of foreign public officials	Yes	Yes	Yes
Bribery of national public officials	No	Yes	Yes
Extraterritorial reach	Yes	Yes	Yes
Accounting devices and Internal Controls	Yes	No	No. The existence of IC and Audit may reduce the sanctions (Art. 7).
Other harmful acts	No	No	Yes
Exception for payments and facilitation	Yes	No	No
Criminal liability of the legal entity	Yes	Yes	No
Strict liability	No	Yes	Yes



Fines	Up to 2 million USD per anti-corruption violation. Up to 25 million USD per accounting violation.	Unlimited	A fine of 20% of the company's gross revenues or up to 60 million BRL.
Other sanctions	Declaration of unsuitability, monitoring, etc.	Declaration of unsuitability	Publication of the condemnatory decision, suspension or interdiction of activities, etc.
Credit for the existence of a compliance program	Yes	Yes	Yes
Credit for voluntary reporting and cooperation	Yes	Yes	Yes

Source: Adapted from Block (2020, p. 33-34).

In line with the data explained in Table 1 and according to Mendes et al. (2017), until the enactment of the Anti-Corruption Act, compliance measures were not widespread in Brazil; they were only observed in companies with international transactions. With legal regulation, through Decree No. 8,420 (2015), in its Art. 41, compliance was defined as a set of internal mechanisms and procedures for integrity, auditing, and encouraging the reporting of irregularities, codes of ethics and conduct, policies and guidelines to detect and remedy deviations, fraud, irregularities, and unlawful acts committed against the public administration, national or foreign.

Still under the precepts of the mentioned decree, in its sole paragraph, it is highlighted that the “integrity program must be structured, applied, and updated according to the current characteristics and risks of the activities of each legal entity, which must guarantee the constant improvement and adaptation of the referred program, aiming to guarantee its effectiveness” (2015). Thus, this normative act aims to encourage concrete governance measures to prevent, detect, and repair harmful acts to the assets of public and private institutions (Mendes et al., 2017).

Decree No. 8,420 (2015), in its Art. 42, also provides the criteria for an integrity program to be considered efficacious. Briefly, there are the following parameters:

- Commitment of the top management of the legal entity, including the boards;
- Standards of conduct, code of ethics, integrity policies, and procedures applicable to all employees, managers, and third parties;
- Periodic training on the integrity program;
- Periodic risk analysis to make necessary adaptations to the integrity program;
- Accounting records and internal controls that ensure the prompt preparation and reliability of reports and financial statements of the legal entity;
- Procedures to prevent fraud and illicit acts in tenders, administrative contracts, or any interaction with the public sector;
- Independence, structure, and authority of the internal body responsible for implementing the integrity program and monitoring its compliance;
- Channels for denouncing irregularities disclosed to employees and third parties;
- Disciplinary measures in case of violation of the integrity program and procedures that ensure the prompt interruption of irregularities or infractions;
- Due diligence for contracting and supervising third parties;
- Verification, during mergers, acquisitions, and corporate restructuring processes, of committing irregularities or illicit acts or the existence of vulnerabilities in the legal entities involved;
- Integrity program monitoring; and



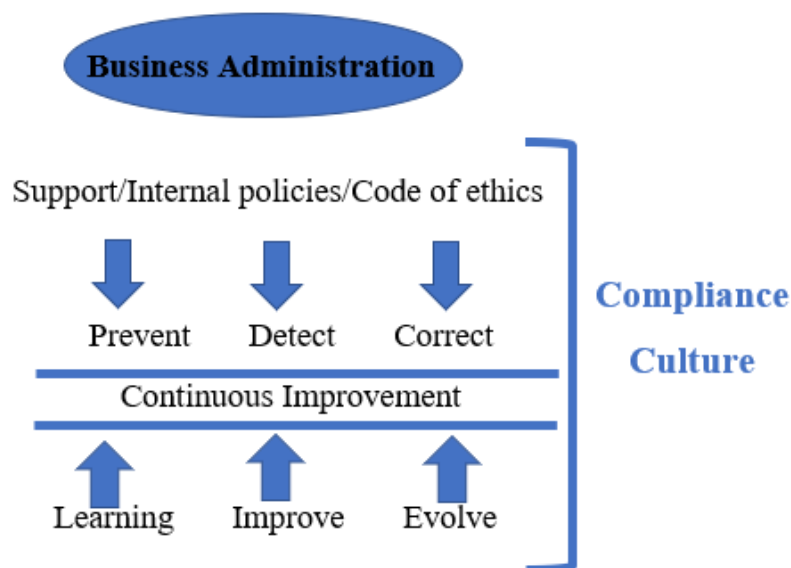
- legal entity transparency regarding donations to candidates and political parties.

These parameters, whose legislation helped to establish, provide companies with greater clarity and reliability in negotiations, allowing for a reciprocal exchange of benefits between the parties. This was only possible due to the implementation of compliance.

To Assi (2018), compliance is based on three main pillars: prevention, detection, and correction. First, the tactics inherent to the process want to establish policies and procedures of the company's management, mobilize a code of ethics, and clarify the rules of conduct that may or may not be practiced. Secondly, it presupposes the need to create reporting channels, investigations, and other non-compliance detection practices. Thirdly, the alignment of conduct with correcting failures, processes, and corrective actions, in general, is prescribed. This cycle forms the basis of an effective compliance program and establishes a culture of compliance in companies. Figure 1 illustrates the compliance concept map.

Figure 1

Compliance concept map



Source: Prepared by the author based on KPMG (2018).

It is a program of structured articulation of different initiatives, starting with the commitment of senior management, the definition, and communication of ethical values, in addition to the creation of a code of conduct and mechanisms for the detection/correction of failures and infractions (Mendes et al., 2017). According to Stacchezzini et al. (2020), the compliance program is a corporate governance mechanism that involves the engagement of all employees, managers, and directors of the company during the execution of their activities.

The practice of compliance evolves, and the use of artifacts such as information technologies, training seminars, and compliance performance indicators help to spread the practical understanding of the actions necessary to carry out the program and the general understanding of the responsibilities linked to it (Stacchezzini et al., 2020). It is important to emphasize that a program like this must have someone responsible for its implementation. Volkow (2015) reports that the company can follow ethical precepts and have compliance policies, but without a person responsible for the area, the program will be adrift and subject to ineffectiveness.



Table 2 demonstrates the nine pillars of the compliance program based on the requirements of the Federal Sentencing Guidelines.

Table 2

Pillars of the compliance program.

Pillars	Descrição
Senior management support	It requires participation and support from the top management and knowledge of the professional responsible for compliance to ensure the program is effective.
Risk assessment	It requires knowledge of the company's objectives and the compliance program. It involves planning, interviewing, documenting, analyzing data, and establishing necessary remedial measures to build the code of conduct, policies, and monitoring efforts.
Code of Conduct and compliance policies	It is the main foundation, as it determines the rights and obligations of everyone who works in the company.
Internal controls	They minimize operational and compliance risks and ensure that the accounting and financial books and records completely and accurately reflect the company's business and operations.
Training and communication	All company employees must understand the compliance program's objectives, rules and their role in ensuring its success.
Reporting channel	It alerts those who fail to comply with the rules, the code of conduct, or even behaviors that violate compliance policies.
Internal investigation	Respond to reports of misbehavior, check that the facts contained in the reports are true, and apply sanctions in the event of code violations, such as disciplinary measures, regardless of who caused them. The investigations must be honest and reliable to analyze circumstances, those involved, and the conduct.
Due diligence	The company must apply a robust hiring process to partners, as they are required to have a commercial history with ethical practices, so that in the future, they do not offer an unacceptable business proposal, such as one that violates the rules of the compliance program.
Monitoring and auditing	They enable the company to verify whether the other pillars carry out their planned functions.

Source: Sibille et al. (2018).

It is relevant to say that the compliance program proposed by Sibille et al. (2018), described in Table 2, aligns with the parameters established by Decree No. 8,420 (2015). Therefore, the chosen theme has gained importance in the corporate and institutional world, whether to represent a market differential compared to competitors, open the international market in major countries, improve the image of companies with investors, stakeholders, and customers, or reduce sanctions imposed by the Anti-Corruption Act. Thus, best practices, legal requirements, regulations, and internal rules created the need for an area to monitor compliance with these requirements by corporations.

In June 2021, ISO 37301 – Compliance Management Systems was published to provide guidelines for establishing, developing, implementing, evaluating, maintaining, and improving an effective compliance management system within an organization, making them subject to ISO certification (Associação Brasileira de Normas Técnicas, 2021). Thus, in the continuity of this discussion, the upcoming sub-item presents some benefits of compliance for companies.

Why implement a compliance program?



Answering the question in the title of this subsection requires being aware that the concepts of compliance, its rules, laws, and ethical behavior undoubtedly contribute to companies since the program promotes “improvement of relationships with customers, shareholders, and other stakeholders and provides strong internal coordination aimed at mitigating the risk of loss of the company’s reputation” (Block, 2020, p. 3). Thus, their tactics positively affect the corporate environment, making it more habitable and capable of ethically influencing relations with investors and other stakeholders.

Based on the above, Neves (2018) summarizes the main benefits that companies can enjoy with the implementation of the program in eight items:

- Reduction of the risk of committing violations of legislation, which can lead to fines, penalties, a ban on contracting with public institutions, and even the termination of the company;
- Reduction of penalties in case the company violates laws and suffers a conviction;
- Incorruptible image of administrators, managers, directors, and board members;
- Reduction of revenue loss due to purchases of goods and services that are not in line with market values;
- A good reputation that enhances the realization of more promising business proposals and contracts with clients, a situation that helps to attract and retain talented professionals in its teams of collaborators;
- Conditions for attracting financial investments from public and private banks and foreign investments;
- A competitive differential that represents having an effective integrity program;
- Pride in working for a company or entity with integrity and honesty as its guiding business principles.

In addition to these points highlighted by Neves (2018) and Block (2020), there are also tangible points brought by current legislation that demonstrate the benefits of structuring compliance programs in companies. The first was born with the Anti-Corruption Act – the mitigation of sanctions imposed on legal entities responsible for violating this legislation. The law provides for a fine of 0.1% to 20% of gross revenue for the last year before the filing of the administrative proceeding (Law No. 12,846, 2013). Consequently, there is also a risk of reputational damage due to the publication of the condemning decision, not excluding the obligation of total compensation.

Another factor that encourages the implementation of compliance programs, also highlighted by Neves (2018), is provided for in the Bidding and Administrative Contracts Law (Law No. 14,133, 2021) in its Article 25, Paragraph 4: “In contracting works, services, and large-scale supplies, the notice must provide for the mandatory implementation of an integrity program by the winning bidder” and, in the event of a tie between two or more proposals, one of the tie-breaking criteria is “development by the bidder of an integrity program,” as provided for in Article 60, Item IV. This Law also considers implementing or improving an integrity program in applying sanctions, provided for in Article 156, Paragraph 1, Item V.

According to the Bidding and Administrative Contracts Law (Law No. 14.133, 2021), it is stipulated that it is up to business people who intend to participate in biddings with the public administration in contracting large-scale works, services, and supplies, thus understand those that exceed the amount of 200,000,000.00 BRL (two hundred million reais), who maintain an effective compliance program as a condition for participation. It is essential to note that such programs are configured as a differential in case of a tie. In addition, it is a factor to be considered to reduce penalties in case of infractions. In this regard, there are explicit, in the



Anti-Corruption Act and the Bidding and Administrative Contracts Law, three benefits of the implementation of the compliance program: the reduction of penalties in case the company commits a legal violation and suffers a conviction, access to the bidding market, and the competitive differential.

Given what has been discussed, in recent years, the importance of the compliance issue in the business environment and its robustness in Brazilian legislation are highlighted, which makes it essential to build and maintain credibility, good image and reputation, access to specific markets (bids), and competitive differential.

Methodological procedures

This research focused on compliance to analyze how Brazilian research on compliance is configured in the Spell® database. Methodologically, the study is classified as exploratory and descriptive, with a qualitative approach with quantitative data (Creswell, 2010). According to Gil (2008), exploratory research provides greater familiarity with the problem, improvement of ideas, or the discovery of intuitions, while descriptive research describes characteristics of a given population or phenomenon. The union of both procedures contributed to the marking of the collected data.

The primary approach started with surveying scientific articles in the Scientific Periodicals Electronic Library (Spell®) database, followed by bibliometric analysis – an essential tool for evaluating scientific production (Prado et al., 2016). Spell® is a repository of scientific articles and provides free access to technical-scientific information, and having it as a source helped in the reliability of the collection.

We searched for the term “compliance” in the title of the articles. As a temporal perimeter, all the years of the base until June 2021 were considered, i.e., nine years. This search process yielded 66 scientific articles classified in the areas of knowledge of Administration and Accounting in several languages. For data selection, a filter selected a specific type of publication: “scientific article.” This excluded the other forms of academic publication present on the platform.

After manually reading the titles of the articles and abstracts, 47 texts unrelated to the research focus were eliminated, leaving only 19 articles. From this, the scientific papers were read in full, selecting the necessary information for the bibliometric analysis, identifying suggestions for future research and benefits of implementing the compliance program in companies.

Then, the data were organized in spreadsheets, in addition to producing illustrative graphs and tables, using Excel® tools. An analytical process was carried out that guided the findings of this research, following the criterion of bibliometric analysis with the following categories: mapping of the number of publications over the years, authors of scientific articles, most used keywords, the institutional origin of the authors, journals which most published, and the quality of publications according to Qualis/Capes indicators. Finally, the data presented in graphs and tables were analyzed qualitatively, confirming or reaffirming findings from previous studies.

Results and Discussion

Configuration of search on the subject of compliance in the Spell® database

This topic presents fundamental characteristics of research on compliance. The analysis started with 19 articles, of which approximately 80% were published between 2018 and 2020.

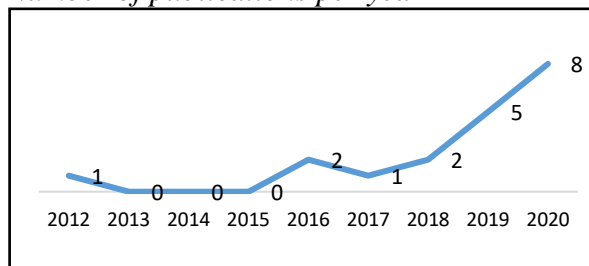


Therefore, the theme is emerging in the business area, starting to appear in the scientific production indicators of the Spell® base in increasing and recent numbers. This finding aligns with studies by Belarmino (2020) and Costa et al. (2020), demonstrating that the topic is new in Brazil and little explored in academia. In addition, it should be noted that there are a more significant number of studies on the subject after the Anti-Corruption Act (Law No. 12,846, 2013), enacted on January 29, 2014, in addition to its regulatory decree (Decree No. 8.420, 2015).

Based on these data, Graph 1 illustrates the evolution of scientific publications on compliance in the Spell® database. Graph 2 shows the recurrent co-authorship incidence from two to three authors per article, representing approximately 85% of the search.

Graph 1

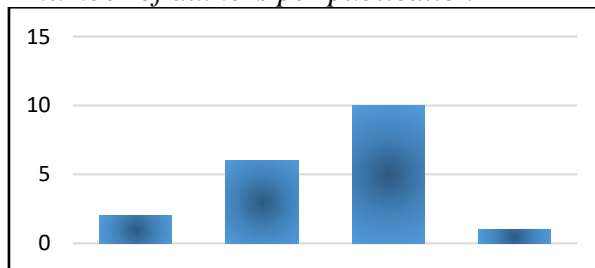
Number of publications per year



Source: Search data (2021).

Graph 2

Number of authors per publication



Source: Search data (2021).

As for the keywords, 73 were presented in the total number of publications, most frequently the word “compliance,” which appeared in 18 articles, followed by the expression “internal control” and “corporate governance” in four articles each, “ethics” in three texts, “audit” in two articles, and “money laundering” in two. There are also other words related to the topic: “risks and compliance,” “corruption prevention,” “integrity program,” “compliance program,” “compliance management,” “anonymous reporting channel,” and “integrity.” These, however, appear only once in the list of analyzed articles.

There is a greater concentration at the Federal University of Santa Catarina (UFSC), with six authors, and the Federal Rural University of Pernambuco (UFRPE), with seven researchers, out of a total of 48 scholars who developed research on this topic.

The journal that published more articles was the *Revista Metropolitana de Governança Corporativa*, with four publications, followed by the *Revista Eletrônica de Estratégia & Negócios*, with three publications, and the *CGU, Evidenciação Contábil & Finanças e Gestão e Planejamento* magazines, with two. The others have only one publication per journal.



Table 3 shows the publications' origin, identifying each author's capacity by the university. The table highlights in bold the loci of greater incidence.

Table 3

Origin of publications.

Origin of publications – number of authors per university	Frequency	%
University Center – Catholic of Santa Catarina	1	2%
Campo Limpo Paulista University Center (UNIFACCAMP)	1	2%
Metropolitanas Unidas Colleges (FMU)	2	4%
Getúlio Vargas Foundation (FGV-EAESP)	1	2%
Minas Gerais Education and Culture Foundation (Fumec)	3	6%
Brazilian Institute of Capital Markets (IBMEC)	1	2%
Institute of Technological Education (Ietec)	3	6%
Pontifical Catholic University of Minas Gerais (PUC-Minas)	4	8%
University of São Paulo (USP)	2	4%
State University of Rio Grande do Norte (UERN)	3	6%
Federal University of Health Sciences of Porto Alegre (UFCSPA)	2	4%
Federal University of Minas Gerais (UFMG)	1	2%
Federal University of Santa Catarina (UFSC)	6	13%
Federal University of Rio de Janeiro (UFRJ)	3	6%
Federal Rural University of Pernambuco (UFRPE)	7	15%
Nove de Julho University (Uninove)	3	6%
Regional University of the State of Rio Grande do Sul (Unijuí)	3	6%
Salvador University	2	4%
Total	48	100%

Source: Search data (2021).

Next, the journals that published the most articles on the research front on compliance were identified. The quality of publications was also analyzed using the Qualis/Capes indicator, as shown in Table 4.

Qualis/Capes is an indicator of the quality of the scientific production of postgraduate programs and is divided into strata in descending order of value from A1 to C. Therefore, according to the data presented in Table 4, approximately 70% of publications are classified in strata A, indicating greater value relative to the quality of scientific production.

Table 4

Where were the articles published?

Name of journal	Qualis/2021	Frequency	%
<i>Enfoque: Reflexão Contábil</i>	A3	1	5%
<i>Revista da CGU – Controladoria Geral da União</i>	Without Qualis value	2	11%
<i>Revista de Empreendedorismo e Gestão de Pequenas Empresas</i>	A3	1	5%
<i>Revista Eletrônica de Estratégia & Negócios</i>	A3	3	16%
<i>Revista Evidenciação Contábil & Finanças</i>	A3	2	11%
<i>Revista Gestão & Tecnologia</i>	A3	1	5%
<i>Revista Gestão e Planejamento</i>	A3	2	11%



<i>Revista Metropolitana de Governança Corporativa</i>	B3	4	21%
<i>Revista Reuna</i>	A4	1	5%
<i>Sociedade, Contabilidade e Gestão</i>	A3	1	5%
<i>Teoria e Prática em Administração</i>	A3	1	5%
Total		19	100%

Source: Search data (2021).

These results provide a panoramic view of research on compliance in the chosen database, which allows the identification of its drivers and points out the trend in the development of the subject. Over the years, interest in compliance has intensified in Brazil with the advent of legislation since historical events of fraud and corruption in companies have become a need for scientific knowledge to discuss these phenomena and search for tools and alternatives for companies' ethical protection and compliance.

Benefits of implementing the compliance program for companies

Table 5 lists the benefits of implementing compliance programs highlighted by the articles analyzed in this research regarding the program under study. It should be noted that 12 articles that concluded the implementation of these programs with some convenience were listed. The other articles focused on different topics, and consequently, in their conclusions, they do not demonstrate the advantages of adherence and, therefore, are not included in the table mentioned above.

Table 5

Benefits of implementing compliance.

Objective	Benefits of implementing compliance	Methodology	Reference
Check the impacts of implementing compliance in preventing and combating money laundering in Brazil.	The benefits perceived by the authors in this study were the combat and prevention of money laundering.	Exploratory research Qualitative approach	Amorim, Cardozo, and Vicente (2012)
Check the perception of micro and small entrepreneurs about compliance.	A good reputation in the market is one of the most important assets a company can have. Compliance programs are essential allies in this process.	Survey Qualitative approach	Belarmino (2020)
Analyze the compliance practices adopted by the Aduaneira company.	Compliance can also be applied in small and medium-sized companies, and the study highlighted the importance of management by example for the smooth running of compliance measures.	Case study Qualitative approach	Chiaretto, Batista, and Barbosa (2017)
Understand the compliance practices adopted in a large company.	Decrease the risk of corruption in large companies, and increase the transparency of these actions and credibility in the market.	Case study Qualitative approach	Costa et al. (2020)
Identify applicable compliance mechanisms in Brazilian public hospitals.	Compliance supports an anti-corruption policy and helps avoid or reduce costs, risks, and damages involved in illicit practices, promoting trust in its service and increasing its reputation.	Bibliographic review Qualitative approach	Machado Faria (2018)
State of the art on compliance and its management process in health institutions in Brazil.	Compliance can promote transparency and abiding by an organization's rules, laws, and guidelines. It is a competitive differential and acculturation of companies.	Systematic literature review Qualitative approach	Garcia and Libânio (2021)



Analyze the internal controls of a credit union based on notes from the internal audit and compliance.	Compliance is essential to enhance the results obtained with audits. It should be seen as a security measure, becoming a culture cultivated by reliable and correct companies before the law.	Case study Qualitative approach	Haas, Vieira, and Brizolla (2020)
Investigate the relationship between compliance practices and their efficacy in responding to corporate risks in Brazil.	Compliance represents a preponderant tool in the risk mitigation process.	Survey Quantitative approach	Melo and Lima (2019)
Describe in an applied way the evolution of the compliance area.	The organization needs to pursue compliance to strengthen its market position.	Case study Qualitative approach	Nakamura, Nakamura, and Jones (2019)
Analyze the procedures necessary for structuring and implementing internal control and compliance areas.	The authors emphasize the importance of internal control and compliance to ensure financial health, transparency, and ethics.	Exploratory research Qualitative approach	Santana and Silva (2021)
Evaluate the corporate governance and compliance restructuring process at Odebrecht S.A.	Restructuring corporate governance and compliance led to improving the compliance system and disseminating best practices.	Case study Qualitative approach	Silva and Monteiro (2019)
Analyze results from adopting compliance practices in the oil and gas sector.	Good reputation in the market for raising funds on stock exchanges or through credit with banks.	Survey Quantitative approach	Souza, Filardi, and Irigaray (2020)

Source: Search data (2021).

It is worth noting that, in the corporate world, it is common to draw a parallel between cost and benefit to convince the approval of a project. However, regarding compliance, it is difficult to point out the cost-benefit of its implementation since risk prevention is hardly measurable, according to Nakamura et al. (2019).

Despite the difficulty of monetarily measuring the benefits of prevention, the articles analyzed brought an extensive list of advantages related to implementing compliance programs (Table 5). Block (2020, p. 23) states, “The famous phrase of the former Deputy Attorney General of the United States, Mr. Paul McNulty, illustrates this well: If you think compliance is expensive, try non-compliance.”

In summary, the following benefits stand out: good reputation in the market, enhancing a competitive differential; risk mitigation, whether of fraud, corruption, financial losses, combating money laundering, among others; increasing the degree of transparency and, consequently, the credibility of the organization; engagement to do what is right for stakeholders and society as a whole. Therefore, it is also possible to verify the importance of compliance regardless of the organization’s size. The analyzed studies demonstrate its presence in small, medium, and large companies. Being aligned with the scope of institutional and market regulations is fundamental to success.

Given the above, it is soon observed that, whether to enjoy some benefit subject to the current legislation, as highlighted earlier in this study, or considering the practical benefits already observed in companies that have active compliance programs, it is evident that the implementation of the program of compliance is advantageous to companies. The analysis carried out in this study emphasizes the topic’s relevance for companies and indicates that complying with rules and laws is a good direction for business prosperity.

Future research agenda



After analyzing the 19 articles on compliance, topics for future research were indicated, as shown in Table 6. Six articles presented no proposals for future research, a methodological mobilization contributing to future reflections' continuity.

Of the 13 remaining articles, two were excluded because they were not relevant to the topic studied, and five recommend that the research theme be resumed in the future, so the authors demonstrate that their work requires deepening and/or maturation of the applicability of compliance programs in public and private institutions. Another five studies suggest that the research object be applied in other audiences and locations to increase the scope of the researched theme. In addition, three papers listed complementary topics for future research.

Table 6

Future research agenda.

Reference	Indication of future research
Belarmino (2020)	It suggests conducting new studies with the understanding of micro and small companies about compliance in different locations and with a more significant sampling.
Birchal et al. (2020)	Assessing the impacts of implementing compliance.
Chiaretto et al. (2017)	Performing new research in small and medium-sized organizations to check the existence of compliance, the practices carried out, and relate these practices to organizational performance.
Costa et al. (2020)	It recommends conducting a new survey after the company has matured compliance.
Machado Faria (2018)	It recommends performing empirical research that specifically focuses on the reality of Brazilian public hospitals.
Garcia et al. (2021)	It suggests that new studies be developed, focusing on comparisons of health institutions with some compliance practices or programs concerning others without any compliance program or practice in Brazil.
Nakamura et al. (2019)	It recommends conducting further studies with reporting experiences in other financial institutions, providing a set of compliance advantages for the sector.
Santana et al. (2021)	It points to the need for research to map and deepen management software that facilitates compliance with current legislation since these tools can support the implementation of internal control and compliance areas in companies.
Silva et al. (2020)	Future research can be performed to check whether the intentions of reporting are affected by the presence of the compliance channel or, if not, to encourage efforts to understand this phenomenon in more depth in the Brazilian market.
Silva et al. (2019)	Subsequent deepening of the research in the future, collecting new data and results that allow a more accurate assessment of the program's effectiveness in the medium and long term. As it is a relatively new topic in Brazil, it also recommends performing similar research on other large companies in the country, considering the low maturity of Brazilian companies concerning the subject.
Souza et al. (2020)	It suggests performing further research on the results of adopting the IBP Guide in the oil and gas sector in three or five years.

Source: Search data (2021).

Among the proposals listed is performing research with micro, small, and medium-sized companies. The compliance theme applies to any type, branch, and size of the company because being included in this context of compliance is a survival condition, a necessity to thrive in the competitive market (Chiaretto et al., 2017; Belarmino, 2020). Furthermore, the topic is relatively new in Brazil (Belarmino, 2020; Costa et al., 2020), indicating that companies are starting to study and implement compliance programs. Therefore, further studies must assess the impacts and verify the effectiveness of the programs in the medium and long



term. These identified points allow inferring that there is a vast field of research in the academic and empirical area to be explored in future studies.

Final Considerations

At the end of this study, which analyzed how Brazilian research on compliance in the Spell® base is configured, it was possible to identify 19 publications on the subject, with a greater concentration from 2018 to 2020. In conclusion, there are few scientific articles on the subject published in this data source, and the existing ones emerged after the advent of the Anti-Corruption Act (Law No. 12,846, 2013) and its regulatory decree (Decree No. 8.420, 2015), with only one article that precedes this legislation.

At this threshold, it is still necessary to say that the origin of the authors of the publications is distributed in several universities, and the quality of the publications is high, considering that Qualis/Capes rates approximately 70% of them in strata A3 and A4. This generates credibility for the studies developed and provides conditions for expanding the considerations, as they are carefully based and constructed.

As for the benefits observed in the survey, which can lead companies to implement a compliance program, the following stand out: combating and preventing money laundering, good reputation in the market, enhancing a competitive advantage, mitigating risks with fraud, corruption, and financial losses, transparency and credibility of public and private entities, and engagement to do what is correct for stakeholders and society as a whole.

The study also surveyed suggestions for future research, indicating new studies with small and medium-sized companies, both to identify the existence of compliance programs and seek the understanding of managers on the subject. In addition, the analyzed articles suggest further research to determine the impacts of implementing the compliance program and comparisons between institutions that adopt this program.

Based on the considerations made, it is noteworthy that this research contributes as a stimulus to researchers for the theoretical-empirical deepening of compliance. It also provides other readers (managers, entrepreneurs, and executives) with an overview of conceptual and regulatory aspects and benefits of compliance for companies.

The study also highlights the importance of academic discussion of relevant topics in the field of business, as they enable academics and researchers to visualize theoretical/empirical gaps for future research in the areas of Accounting, Administration, Law, and related areas, in addition to arousing interest in professional development at postgraduate level. It is, therefore, a new source of research for students and scientists in the area on the profile and evolution of the theme over the last few years.

Thus, from the bibliometric analysis, the topic has still been little explored theoretically and empirically in academic circles, which implies that there is still a vast field of empirical research to be explored in future studies. As suggestions for future research, in addition to those listed by the studies analyzed, as shown in Table 6, other analyses can be conducted with the survey of productions in congress annals and other national and international databases, in addition to the global scope for new bibliometric studies.

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