



### Martin Bartlam

Partner

INTERNATIONAL GROUP HEAD OF FINANCE & PROJECTS AND  
FINTECH GLOBAL CO-CHAIR

[martin.bartlam@dlapiper.com](mailto:martin.bartlam@dlapiper.com)

#### London

T: +44 (0)20 7796 6309

F: +44 (0)20 7796 6535

M: +44 (0)7793 263 628

Martin specialises in structured credit and asset management acting for many of the world's leading private equity credit funds, banks and corporations, on complex funding structures, portfolio sales, securitization, derivative products and technology investment. He has over 25 years' experience working for and advising funds and financial institutions.

Leading a team of over 700 lawyers in more than 90 offices worldwide. The group provides advice on tax efficient structuring, vehicle formation and management, regulatory issues, vehicle funding and lending, asset acquisition and disposal including NPLs and consumer assets, capital markets listings and reporting, and asset management including portfolio repackaging and trading.

Martin is recognised as one of the world's leading FinTech lawyers (ranked in Legal 500) and advises on technology solutions for emerging and traditional funding structures. He is at the forefront of alternative investment strategies and products including applying new techniques through platform structures, digitalization and fund driven investment.

## EXPERIENCE

Transactions in 2018/2019 include:

### Structured Credit Funding and Securitization

- Waterfall Capital Investors as investor and funder through its European funds platform to a number of specialist funding businesses
- Viola Capital, a leading Israeli private equity technology focussed credit fund, as investor and funder to UK SME funding platforms

## RELATED SERVICES

- Projects, Energy and Infrastructure
- Debt Capital Markets
- Derivatives
- Structured Finance and Securitization

## RELATED SECTORS

- Financial Services
- Energy and Natural Resources
- Industrials
- Insurance

- Ares Capital Management on funding and transfer of various portfolios
- Shawbrook Bank on the portfolio sales and funding of UK real estate and mortgage lending platform businesses in the UK
- Future Finance on the warehouse financing of its student funding platform
- NatWest Markets as portfolio hedge provider to specialist consumer finance and mortgage funds through its RBS Automated Treasury Solutions platform
- Lloyds Bank on the portfolio sale of a large structured finance asset portfolio to a European private bank group
- RCI Financial Services Limited on its auto finance securitisation programme and regulation of its UK operations
- Bibby Invoice Finance on its BFS Funding I Limited securitization to add two additional mezzanine tranches

### International Capital Markets

- Morgan Stanley & Co. International PLC on its Oder and Weser Capital Limited repackaging programmes in relation to various series issuances repackaging equity and fund assets to meet investor requirements including certificates listed on the Irish Stock Exchange
- Rothesay Life PLC, Partnership Life Assurance Company Limited, Standard Chartered Bank Korea Limited as trustee for DB Private and Real Estate Investment Trust 14 and Man Global Private Markets (UK) Limited on Extra Holdings secured notes funding programme secured against a portfolio of motorway service stations
- Banco Bilbao Vizcaya Argentaria, S.A., Banco Santander, S.A., HSBC Bank PLC and Société Générale, as to English and Spanish law, on the issue of EUR 600,000,000 (1.250 per cent) and Eligible Green Projects Notes by ADIF- ALTA VELOCIDAD under its €6,000,000,000 EMTN Programme
- Places for People as issuer on the establishment of an Australian MTN programme and its first issuance thereunder
- BlueZest Mortgages and Loans Ltd (BlueZest), the UK specialist mortgage lender, on all legal aspects of its establishment and issues under its £1.5 billion programme for the issuance of secured retail bonds

### Fintech

- Various investor groups in relation to subscription arrangements and structuring of one of the worlds' largest ICO to date
- Working with leading technology providers to deliver tokenized and blockchain projects including Tokeny, Capchain, and Luther Systems
- Working with the worlds' leading digital and crypto technology businesses in establishing Global Digital Finance bringing together key industry players such as Messari, R3, Circle, Diginex to develop a global industry-led approach to the regulatory framework of the crypto industry
- Security Token Issuers such as iYield on its property backed token structure and a number of stable coin offering entities in relation to tokens backed by a variety of assets including, commodities, securities, currencies, fund assets and other real assets
- Mash Group a leading fintech credit provider on its EUR 50 million equity round offering and combined STO
- Archax on the establishment of an institutional grade exchange for trading digital assets
- A European Crypto Exchange and ICO issuer on compliance issues relating to its exchange operations

## CREDENTIALS

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### Professional Qualifications

- Solicitor of the Senior Courts of England and Wales

### Prior Experience

Previous experience includes being head of structured products at Calyon (formerly part of Credit Lyonnais and now Credit Agricole in London), where Martin was responsible for originating and structuring project bonds, high yield bonds and securitisation products and as a member of the debt structuring team of Greenwich Natwest (now RBS) where he was responsible for structuring solutions and modelling regulatory capital impacts for bond and debt products.

Martin previously headed finance teams at three international law firms and acted for one as their London Office Managing Partner. Martin originally trained at and spent seven years with a 'magic circle' firm in London and Hong Kong.

## Education

- University of London, Kings College, LLM (Hons), 1986
- College of Law of England and Wales, Lancaster Gate, Law Society Finals, 1987

## Thought leadership

Martin brings to legal structuring a rare combination of experience as a structured finance investment banker, financial modeller and leading financing lawyer.

Martin has been at the forefront of developing legal structures for many years and has worked on several first of type transactions. Notable firsts include:

- first international securitisation out of Poland and first securitisation to receive PCS label in Poland (Santander Consumer Bank S.A.)
- first project bond to receive benefit of UK government credit wrap under IUK scheme (Mersey Gateway Project)
- first project bond post financial crisis (Leeds County Council);
- first PCS label auto securitisation in the UK (FGA - A-best 8);
- first project finance securitisation in Yemen (Pemberley Finance);
- first credit derivatives product company in Europe (Deutsche Bank);
- first credit card principal financing in the UK (Compucredit);
- first mortgage securitisation in Kazakhstan (BTA Group);
- first ever PFI project bond to be completed in the UK (RBC).

## INSIGHTS

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### Publications

#### **UK government to provide additional financial support measures for mid-market business impacted by COVID-19**

9 April 2020

On 3 April 2020 the Chancellor announced a new scheme for larger companies, with the creation of the new Coronavirus Large Business Interruption Loan Scheme (CLBILS) to ensure that more firms are able to benefit from government-backed support during this difficult time.

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#### **Finance and Markets Global Insight - Issue 18, 2020**

6 April 2020

Finance and Markets Global Insight

Welcome to our latest edition of FMGI which picks out some of the issues the industry has been grappling with over the past few months, including the impact of the COVID-19 pandemic. As ever, regulatory change and modernisation of financial systems still play a big role and we have attempted to pick out a few areas that may that may be of interest.

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#### **Steps for Business - continuation of business operations**

31 March 2020

Governments around the world are responding to the COVID-19 pandemic threat with draconian measures that we have not seen in a lifetime and which many would have never expected to witness. These actions are having a significant impact on our way of life and challenging the underlying economic infrastructure on which individuals and businesses rely.

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### **Legal developments in categorising and tracing cryptoassets**

11 February 2020

In the English Commercial Court case of AA v Persons Unknown, which was handed down late last year (13 December 2019) and released for publication on 17 January 2020, the claimant, an English insurer whose request to be anonymised was granted (the Claimant), brought a claim against certain persons unknown as well as entities trading as Bitfinex (the Defendants) following a cyber ransomware attack on one of the Claimant's insured customers who had paid a ransom of USD950,000 by way of 109.5 Bitcoin.

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### **UK FCA published final guidance on cryptoassets PS19/22**

31 July 2019

On 31 July 2019, the Financial Conduct Authority (FCA) has published the final guidance on cryptoassets in its Policy Statement PS19/22 to provide a better protection to market participants.

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### **The launch of Libra**

19 June 2019

Earlier this week Facebook launched a new currency "Libra" through its white paper, setting out a vision to become a global provider of low cost payment services based on a new decentralised blockchain "Libra Blockchain".

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### **Legal and regulatory issues for custodians and administrators of digital assets**

9 MAY 2019

There are many different types of cryptocurrency wallet, some of which offer more functionalities than simply storing keys. Regulators have, to a large extent, approached digital assets including cryptocurrencies in one of three ways. In the UK, for Art 40 of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 to apply, both the safeguarding and administering of assets must be carried on.

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### **FCA Statement on Cryptocurrency Derivatives**

7 FEB 2019

On 6 April 2018, the UK Financial Conduct Authority (FCA) published a statement on its website regarding the regulatory treatment of cryptocurrencies and derivative instruments associated with them.

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### **Central Securities Depositories Regulation**

29 NOV 2018

Following the financial crisis, the Central Securities Depositories Regulation (CSDR) became a part of the EU regulatory reform agenda. The purpose of the CSDR is to harmonize the settlement process and ensure consistency across the EU in relation to

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the regulation of Central Securities Depositories (CSDs). It aims to increase confidence in the financial markets and provide a safer and more efficient environment for the settlement of securities.

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## Digital Transformation in Financial Services white paper

10 OCT 2018

How do industry insiders see financial services evolving: which will be the real game-changers, and are institutions and regulators keeping pace?

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## Podcast: How technology is transforming financial services

21 SEP 2018

Martin Bartlam, International Group Head of Finance & Projects and FinTech Global Co-Chair at DLA Piper, is joined today by Chet Behl, group general council of the New Payment System Operator and Khalid Talukder from IFX Payments to discuss digital transformation in financial services.

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## Can blockchain live up to the hype?

28 JUL 2016

Is blockchain the revolutionary technology that will rewrite the rules for the finance industry, identifying authenticity and verifying payment flows that arise at a business-to-business level or between business and consumers and peer-to-peer? The consequences of the blockchain evolution would significantly open the field for technology platforms and reduce operational costs.

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## Global Financial Markets Insight - Issue 10, 2016

28 JUL 2016

Finance and Markets Global Insight

On 23 June 2016, the UK electorate voted to leave the European Union in a so-called Brexit referendum. The exit result was a surprise for many working in the finance sector. The change will impact the position of the UK under critical legislation such as the Capital Requirements Regulation, European Market Infrastructure Regulation, Market Abuse Regulation and many other Regulations and Treaties applicable in the UK. We will also see a change as to the role of the UK in significant market initiatives such as the Capital Markets Union. It is likely that these changes will present both threats and opportunities. Until policy is clearer, we will comment on some of the existing challenges caused by EMIR and similar EU Regulations.

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## Events

### Previous

## Issues for receivables structures - Government reliefs due to COVID-19 impact payment flows

16 April 2020

Webinar

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## **Blockchain Club Breakfast**

6 NOV 2018

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## **Digital Transformation in Financial Services**

6 SEP 2018

London

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## **NEWS**

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### **DLA Piper boosts Projects practice with double partner hire in Australia**

15 July 2019

Global law firm DLA Piper has further strengthened its Finance and Projects practice with the appointment of two new projects partners in Sydney, Owen Hayford and Jonathan Stafford.

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### **DLA Piper boosts project finance offering with partner hire in London**

3 APR 2019

DLA Piper today announces that project finance lawyer Nacim Bounouara has joined the firm as a partner in its Finance and Projects practice, based in London.

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### **DLA Piper teams up with Tokeny to bridge the gap between blockchain and finance to provide companies with a new approach to global securities offerings**

2 APR 2019

DLA Piper has teamed up with the compliant tokenization platform, Tokeny, to provide an approach to capital raising which enables companies to raise funding in a regulatory compliant manner from their own website. The initiative, called 'The Digital Securities Alliance', is a sophisticated off-the-shelf tool which links corporate issuers with investors through blockchain technology.

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### **DLA Piper hosts leading business and diplomacy conference**

14 MAR 2019

DLA Piper's London office has hosted the Annual Conference of the International Diplomatic and Business Exchange (IBDE).

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### **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global

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basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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