



Financial Services Regulatory

DLA Piper's Financial Services Regulatory practice advises financial institutions of all sizes as well as national and international companies that offer financial products. We actively advise on a wide range of regulatory, risk management and compliance issues around the world, including major US legislation such as the Dodd-Frank Act, EU cross-border financial services legislation and approaches driven by global financial services bodies such as the Financial Stability Board, the Bank of International Settlements, IOSCO and the IAIS.

We advise clients on a wide-range of issues, such as regulatory issues affecting the viability of the institution; permissibility of activities and investments; anti-money laundering compliance; restructuring of boards and senior executive responsibilities; examination criticisms, regulatory investigations and enforcement actions; regulatory processes for the transfer of assets in banks, including affiliated transfers; matters impacting insurers, non-bank lenders and other financial institutions; and the recovery and resolution of financial institutions; and the regulatory requirements in relation to such actions.

We have close connections with a wide range of regulators around the world, including the FDIC, OCC, Federal Reserve Board, CFPB and state banking regulators in the US, EBA, ESMA, EIOPA at the European level, key national regulators in Europe such as the UK's PRA and FCA, Germany's BAFIN and France's Commission Bancaire, plus many more around the world.

An important and growing aspect of the group's practice involves tracking rapid market and regulatory changes. Regulators in the US and Europe in particular have engaged in a significant overhaul of their regulatory system as a consequence of the global financial crisis. This has been mirrored in many other countries because the changes have very much been driven by the G20 group of countries. DLA Piper regulatory partners are often closely involved in many of the leading regulatory initiatives working with legislators, regulators and industry bodies and clients to achieve practical outcomes in the development of regulation.

Our firm has a very integrated and collaborative international practice bringing together regulatory and other lawyers across jurisdictions to obtain regulatory consents, provide comparative assessments of regulations across jurisdictions and resolve regulatory problems. We regularly advise internationally active clients on a wide range of cross-border issues, among them the implications of taking their products into new countries and regions, the regulatory implications of important acquisitions and transactions and the comparative benefits of selecting particular jurisdictions for carrying on business.

KEY CONTACTS

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RELATED SERVICES

- Corporate
- Finance
- International Trade, Regulatory and Government Affairs

CAPABILITES

Banking Regulation

DLA Piper lawyers have extensive experience representing deposit-takers and banking groups, including bank holding companies, with regard to their financial services regulatory needs. This includes obtaining bank authorisations and licences and advising on all aspects of bank supervisory issues. In the US our lawyers are intimately familiar with the Bank Holding Company Act, the Change in Bank Control Act, the Federal Reserve Act and the Federal Deposit Insurance Act and, similarly, in Europe with key banking legislation such as the Capital Requirements Regulation and national legislation on banks. We routinely advise client on anti-money laundering obligations that arise in various jurisdictions around the globe.

Mergers and Acquisitions

DLA Piper lawyers have handled hundreds of acquisition transactions involving financial entities including obtaining regulatory approval for change in control of financial institutions where this is required. DLA Piper undertakes the highest volume of M&A transactions in the world.

Capital Markets and Funds

Whether the client wishes to raise public equity, seek fund or private equity investments or issue long-term debt, DLA Piper's lawyers understand the regulatory and market environments including the nuances of dealing with rating agencies and underwriters. We have considerable experience in handling the regulatory issues associated with acting for investment funds and for brokers, dealers and other investment firms.

Corporate and Securities

Closely linked with our capital markets work, our lawyers advise banks in corporate organisation and restructuring, holding company and subsidiary activities and formation, corporate governance, periodic reporting and compliance with exchange and other regulatory requirements. In particular we have significant experience with regard to listings on major exchanges such as NYSE, NASDAQ and the London Stock Exchange and the associated regulatory requirements.

Payments and Non-bank Financial Regulation

With the growing diversity in firms and entities that offer payment and other financial products, including products such as prepaid access, consumer payment plans, loan servicing and collection, mobile and online payments and virtual currencies, regulations are rapidly increasing in these areas. DLA Piper lawyers focus directly on these matters and advise clients on terms or features of their products that impose regulatory implications.

Enforcement

We regularly undertake internal investigations and assist clients with regard to enforcement activity commenced against them by their regulators. We have considerable experience of the interaction between criminal prosecutions and enforcement action by the financial services regulator. We also have considerable experience advising on civil liability, litigation and anti-money laundering enforcement in the context of regulatory scandals both on a national and a cross-border basis.

Insurance regulation

The firm has a substantial insurance operations and regulations practice and can advise both with regard to insurance capital requirements, authorisation of insurance companies and a wide-range of product and conduct of business issues.

EXPERIENCE

- Advised an international company on the development and deployment of payroll card products and related employee remittance services, in partnership with a major US bank.
- Assessed global anti-money laundering obligations of clients, both in response to specific regulatory criticisms and enforcements

as well as on a client-initiated, pro-active basis.

- Represented community banks in branch acquisitions and openings, charter conversions, and capital raising efforts.
- Represented major diversified financial services firms in their decisions to separate from banking in response to added regulatory limitations arising under the Dodd-Frank Act.
- Advised international retailers on their credit and payment offerings to consumers.
- Advised a non-European lender with regard to the legal requirements in a range of different European member states to assist them in deciding upon the best business model for carrying out their lending activities. Assisted them with the implementation of their strategy.
- Advised a bank on the financial services regulatory implications of an outsourcing project across several southern European countries – as part of a larger outsourcing transaction whereby the bank's retail call centres were being outsourced to a third party provider.
- Advised the London branch of a non-EU bank on the extent to which it could carry on business in the EU outside of the UK without a passport.
- Advised a Spanish bank on the implementation of the consumer credit protection work across various jurisdictions including Austria.
- Advised an Austrian branch of a Spanish bank on its corporate reorganisation procedure.

INSIGHTS

Publications

Proposed US Treasury regulations address tax consequences of LIBOR phaseout

28 October 2019

The Proposed Regulations address tax issues that may be implicated by the change from the LIBOR to an alternative reference rate.

Finance and Markets Global Insight - Issue 17, 2019

25 October 2019

FINANCE AND MARKETS GLOBAL INSIGHT SERIES

As ever, regulatory change, technology and modernisation of financial systems play a big role and we have attempted to pick out a few areas that may be of particular interest.

Anti-Money Laundering Bulletin - Autumn 2019

30 September 2019

Welcome to the autumn 2019 edition of DLA Piper's AML Bulletin. In this issue we provide updates on anti-money laundering and counter-terrorist financing news, both in the UK and internationally, covering the period from June 2019 to September 2019.

HM Government publishes its Economic Crime Plan 2019-22

30 September 2019

On 12 July 2019, the UK government, in collaboration with UK Finance (which is the main trade association for the UK banking and financial services sector), published its Economic Crime Plan for 2019-2022 (Economic Crime Plan). The aim is to develop a holistic plan against economic crime in the UK, combining the joint efforts of both the public and private sector.

European Commission publishes post-mortem report on recent money laundering cases involving EU banks

30 September 2019

On 24 July 2019, the European Commission published a report assessing recent alleged money laundering cases involving EU credit institutions (Report). The Report found significant shortcomings regarding both the implementation of the Anti-Money Laundering/Counter-Terrorist Financing (AML/CTF) rules by institutions as well as their enforcement by competent authorities.

UK enforcement agencies target 'corrupt' money service businesses – Money transmitter receives record GBP7.8 million fine for anti-money laundering breaches

30 September 2019

On 4 September 2019, HM Revenue and Customs (HMRC) published a press release announcing a record GBP7.8 million fine imposed on the West London money transmitter Touma Foreign Exchange Ltd (Touma). This followed a separate month-long crackdown on Money Service Businesses (MSBs), which were suspected of being used for money laundering purposes. This operation was led by the Central Specialist Crime unit of the Metropolitan Police and HMRC, with the participation of the Financial Conduct Authority (FCA).

FATF publishes new rules for the regulation of virtual assets

30 September 2019

On 21 June 2019, the Financial Action Task Force (FATF) published an updated version of its recommendations on international standards on combating money laundering and the financing of terrorism and proliferation (Recommendations), to include an interpretative note, clarifying the application of the Recommendations with regards to virtual assets and Virtual Asset Service Providers (VASPs) (Interpretative Note).

Updated FATF standards include interpretative note on virtual assets

16 July 2019

The FATF updates its anti-money laundering and counter-terrorist financing standards.

Anti-Money Laundering Bulletin - Spring 2019

23 MAY 2019

DLA Piper's Financial Services Regulatory team welcomes you to the Spring 2019 edition of our Anti-Money Laundering (AML) Bulletin. In this issue we provide updates on anti-money laundering and counter-terrorist financing news, both in the UK and internationally, covering the period from February 2019 to April 2019.

EU Commission publishes 'controversial' list of high-risk third countries

23 MAY 2019

On 13 February 2019, the European Commission adopted its draft list identifying high-risk third countries with strategic deficiencies in their Anti-Money Laundering and Counter-Terrorist Financing (AML/CTF) regimes (Draft List). The Draft List, which demonstrates the Commission's stricter approach in this area, was criticised by the US and Saudi Arabia and was unanimously rejected by the Council of the EU. As a result, the Commission will need to reconsider its position.

Standard Chartered agrees to pay a USD1.1 billion fine for Anti-Money Laundering and Sanctions violations

23 MAY 2019

On 9 April 2019, the London based global financial institution, Standard Chartered (the 'Bank') agreed with the UK and US regulators to pay a combined USD1.1 billion fine for failings in its Anti-Money Laundering (AML) controls and for violations of its obligations under the US sanctions regime. This amount corresponds to separate settlement arrangements of the Bank with the US Department of the Treasury's Office of Foreign Assets Control (OFAC), the US Department of Justice (DOJ), the New York Department of Financial Services (NYDFS), the New York County District Attorney's Office, the Board of Governors of the Federal Reserve System and the UK Financial Conduct Authority (FCA).

FATF Statement on mitigating risks from virtual assets

23 MAY 2019

On 22 February 2019, the Financial Action Task Force (FATF) published a Public Statement on mitigating money laundering and terrorist financing risks associated with virtual assets (Public Statement). The FATF is in the course of finalising the text of an Interpretative Note to Recommendation 15, which will clarify how Anti-Money Laundering and Counter-Terrorist Financing (AML/CTF) rules apply in the cryptoasset space.

Finance and Markets Global Insight - Issue 16, 2019

9 MAY 2019

[FINANCE AND MARKETS GLOBAL INSIGHT SERIES](#)

As ever, regulatory change, technology and modernization of financial systems play a big role and we have attempted to pick out a few areas that may be of particular interest, including the recent Securitization Regulation, Brexit and the European loan markets, UK mortgage uncertainty, issues with holding digital assets and ISDA agreements.

Mexico: Anti-money laundering rules / self-correction program

8 MAY 2019

Mexico's new rules aim to encourage non-compliant taxpayers to meet their reporting obligations.

Proposed amendments to Canada's anti-money laundering regulations aim to close loop holes

15 APR 2019

Long-awaited amendments to Canada's anti-money laundering regulations are set to come into effect this coming fall. A number of deficiencies in the regulations had been previously identified in reports by inter-governmental agency, the Financial Action Task Force, and the US State Department.

So you want to go digital...

11 APR 2019

This article assists businesses in identifying the core issues that must be addressed to ensure the legal sufficiency of transactions conducted on eSignature platforms.

EU Policy & Regulatory Update: EU Adds 8 Russian Officials on Sanctions List in response to Kerch Strait and the Sea of Azov Incident

19 MAR 2019

On 14 March 2019, the Council of the European Union adopted Council Implementing Regulation 2019/409 and Council Decision (CFSP) 2014/145 adding eight Russian officials to the list targeting those "undermining the territorial integrity, sovereignty or independence of Ukraine".

US and Australian regulators enter into FinTech cooperation agreement

24 JAN 2019

At the heart of the agreement is a desire to enhance mutual understanding about FinTech regulatory issues, identify market developments, promote innovation and encourage use of technology in market oversight.

eSignature and ePayment News and Trends

20 DEC 2018

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

In this issue, digitally transforming your business – the year's big legal and regulatory developments and breaking news.

eSignature and ePayment News and Trends

30 NOV 2018

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

In this issue, a fintech Q&A with the team, plus the latest developments from the legislatures, the regulators and the courts

Anti-money laundering bulletin - Autumn 2018

31 OCT 2018

In this issue we provide updates on anti-money laundering and counter-terrorist financing news, both in the UK and internationally, covering the period from July 2018 to October 2018.

How technical touchpoints can ensnare foreign cryptocurrency companies

29 OCT 2018

Useful guideposts for overseas companies assessing whether they are exposed to US securities laws.

Finance and Markets Global Insight - Issue 15, 2018

26 OCT 2018

[FINANCE AND MARKETS GLOBAL INSIGHT SERIES](#)

As the wave of regulatory change from earlier in the year appears to have calmed for the time being, in this issue we look at variety of issues from markets across the globe, including opportunities in the Italian CDO market, insolvency reform in Australia and new mortgage asset lenders and the impact of FinTech on warehouse and future flow arrangements. We also explore the proposed framework for a post-Brexit partnership in financial services.

eSignature and ePayment News and Trends

26 OCT 2018

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

In this issue, obtaining remote epayment authorizations from customers – are you in compliance? Plus the latest legislative and regulatory news.

CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies

17 OCT 2018

The pilot program covers critical technologies in 27 industries.

Four former directors of online consumer credit broker banned for life

13 AUG 2018

On 27 July 2018, the PRA published a consultation paper on credit risk and the definition of default (CP17/18) (Consultation Paper), setting out its proposed approach to implementing the European Banking Authority (EBA)'s regulatory publications relating to the definition of default in the Capital Requirements Regulation (CRR).

PRA consults on credit risk and CRR definition of default

13 AUG 2018

On 27 July 2018, the PRA published a consultation paper on credit risk and the definition of default (CP17/18) (Consultation Paper), setting out its proposed approach to implementing the European Banking Authority (EBA)'s regulatory publications relating to the definition of default in the Capital Requirements Regulation (CRR).

FCA takes next steps towards a Global Financial Innovation Network

10 AUG 2018

On 7 August 2018, the FCA, collaborating with 11 overseas financial regulators, announced the creation of the Global Financial Innovation Network (GFIN) and together they published a consultation document about this.

Congress finalizes CFIUS reform bill to broaden national security reviews of foreign investments

25 JUL 2018

A summary of the major changes FIRRMA presents to the CFIUS review process.

Anti-money laundering bulletin - Summer 2018

3 JUL 2018

DLA Piper's Financial Services International Regulatory team welcomes you to the thirty four edition of "Exchange – International" – our international newsletter designed to keep you informed of regulatory developments in the financial services sector.

US to re-impose sanctions on Iran as it withdraws from the Joint Comprehensive Plan of Action

9 MAY 2018

President Trump has signed a presidential memorandum directing his Administration to immediately begin the process of re-imposing sanctions related to the Joint Comprehensive Plan of Action, targeting critical parts of Iran's economy, among them its energy, petrochemical and financial sectors.

Crypto industry sweep: ICOs and token offerings under increasing scrutiny by US regulators

18 APR 2018

Recent enforcement developments targeting the cryptocurrency community, and the opportunities and challenges that lie ahead.

Finance and Markets Global Insight - Issue 14, 2018

11 APR 2018

FINANCE AND MARKETS GLOBAL INSIGHT SERIES

2018 brings a wealth of regulatory change which has been long in the making and is now finding its way into the law of European Member States, including for the time being, the UK. In this issue we look at the impact of a number of important new regulatory frameworks for capital markets transactions in the EU, including how the securitization regulations will effect CLOs and proposed RTS on risk retention and homogeneity. We also reflect on MiFid II, which came into effect on 3 January 2018 presenting a second overhaul of the European financial system.

FinTech in Mauritius – a ‘disruptive’ innovation

11 APR 2018

An analysis of the origination, growth and perception of FinTech

LIBOR no more

11 APR 2018

Developments in the proposed replacement of LIBOR

STS the EBA proposed RTS on risk retention

11 APR 2018

Largely a continuation of the existing position, but ‘sole purpose’ is explained

The Securitization Regulation takes effect how does it affect CLOs

11 APR 2018

This article looks at the Securitization Regulation that came into effect on 17 January 2018 and some of the implications for the CLO market

The End Is Near - IRS to Close the 2014 Offshore Voluntary Disclosure Program in 2018

16 MAR 2018

Meanwhile, the agency's new International Tax Enforcement Group is anticipated to be fully operational this year.

Interval Funds - at the Intersection of Liquidity, Transparency, and Valuation

1 MAR 2017

What can interval funds do that other pooled investment vehicles in the marketplace cannot do (or must do differently)?

Global Financial Markets Insight - Issue 10, 2016

28 JUL 2016

FINANCE AND MARKETS GLOBAL INSIGHT SERIES

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.

Are you ready for FATCA? IRS notice provides transitional rules, but deadlines remain tight

26 Jul 2011

Events

Previous

Today's challenges for lawyers in the payments sector

12 JUN 2019

London

NEWS

DLA Piper adviseert The Carlyle Group bij investering in HSO Group

6 September 2019

DLA Piper heeft The Carlyle Group geadviseerd bij de investering in HSO Group. Het eigen vermogen voor de investering kwam van Carlyle European Technology Partners III Fund (CETP), een fonds van EUR635 miljoen dat investeert in technologiegerichte bedrijven in Europa en de VS.

DLA Piper advises The Carlyle Group on its investment in HSO Group

6 September 2019

DLA Piper has advised The Carlyle Group on its investment in HSO Group. Equity for the investment is provided by Carlyle

European Technology Partners III Fund (CETP), a EUR635 million fund that invests in technology-focused companies in Europe and the US.

DLA Piper announces launch of Artificial Intelligence practice

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

DLA Piper advises as KIIFB successfully issues first ever offshore masala bond

3 MAY 2019

DLA Piper has acted on the debut issuance by the Kerala Infrastructure Investment Fund Board (KIIFB) of its INR 21.5 billion (USD 312 million) secured, guaranteed, rupee denominated bonds (masala bonds), which were listed on the International Securities Market of the London Stock Exchange and the Singapore Stock Exchange.

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.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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).

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

DLA Piper advises Australia's Transport for NSW on Regional Rail Project

14 FEB 2019

DLA Piper is delighted to announce that today Transport for NSW achieved contract close on the Regional Rail Project, which will see a fleet of new trains deliver safer, more comfortable and more reliable journeys across the state.

DLA Piper advises fintech company Splitit on its IPO

31 Jan 2019

DLA Piper advised global payment installment solution company Splitit Payments Ltd on its Australian Stock Exchange initial public offering this week.

DLA Piper completes global compliance survey of initial coin offerings and securities token offerings

6 NOV 2018

DLA Piper has completed a global compliance survey of initial coin offerings (ICOs) and securities token offerings (STOs), identifying how governments and agencies in more than 70 jurisdictions define, regulate and tax tokens and associated transactions.

DLA Piper advises James Hardie Industries in its €400 million debut euro bond offering

4 OCT 2018

DLA Piper represented James Hardie Industries, a global manufacturer and marketer of fiber cement products, in its €400 million debut euro bond offering.

DLA Piper hosts inaugural Afghanistan-UK Business Conference

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

DLA Piper's Africa practice triumphs at Africa Legal Awards

11 SEP 2018

DLA Piper Africa is proud to announce that its Zimbabwean member firm, Manokore Attorneys, took home the 'African Law Firm of

the Year - Small Practice' award at The African Legal Awards, which took place on Friday 7 September 2018 at The Wanderers Club, in Johannesburg, South Africa.

DLA Piper advises Avison Young in investment by Caisse de dépôt et placement du Québec

16 JUL 2018

DLA Piper represented Avison Young in connection with a CA\$250 million preferred equity investment in the firm by Caisse de dépôt et placement du Québec.

DLA Piper launches Renewable Energy in Africa Guide

19 JUN 2018

DLA Piper's global Energy practice has today launched Renewable Energy in Africa, a major new guide for clients.

DLA Piper advises Pacific Energy on acquisition of Contract Power

10 APR 2018

DLA Piper has advised power generation specialist Pacific Energy Limited on its AU\$90 million acquisition of Contract Power Group.

DLA Piper advising Alliance Minerals on AU\$446M merger with Tawana Resources

10 APR 2018

DLA Piper is advising SGX-listed Alliance Mineral Assets Limited (Alliance) on its announced merger with ASX-listed Tawana Resources NL (Tawana), positioning the company as a sizeable producer of high-demand lithium concentrate.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

Stoneway Capital awarded *Project Finance International* 2017 Latin America Deal of the Year

23 MAR 2018

DLA Piper is pleased to announce that their client, Stoneway Capital Corporation, was recognized by Project Finance International with the 2017 Latin America Deal of the Year award.

DLA Piper advises Deutsche Bank on Paladin Restructuring

28 FEB 2018

DLA Piper has advised Deutsche Bank on its special situations investment in Australian listed Paladin Energy Limited (PEL), which holds substantial uranium and mining assets in Namibia, Malawi, Canada and certain Australian states.

DLA Piper advises Equis Energy on Taillem Bend Solar Farm

14 FEB 2018

DLA Piper has advised Asia's largest independent renewable energy developer Equis Energy (Australia) Pty Ltd (**Equis**) on the development of a 127 MW Solar Farm and 132/3Kv Substation at Taillem Bend, South Australia.
