



银行和金融服务

不明朗的经济状况令公司需要制定法律战略，应对监管和执法的风险及合规成本。我们向一些最大的金融服务公司和机构提供有关其日常运营和广泛战略目标的建议。

我们帮助客户处理伴随改革而来的银行业重组、监管要求及合规成本。

凭借遍及全球的资源，我们得以在大型银行和商业交易中代表客户行事，同时满足他们在监管、公共政策和执法领域的需求。我们的律师遍布所有主要资本市场以及华盛顿特区和布鲁塞尔的监管中心。我们也在高风险和高增长市场代表客户行事。

我们的客户包括资产经理、建筑协会、资本市场及其参与者、投资银行、国家监管机构、私人银行、私募股权公司、主要参与金融服务的专业服务组织及零售银行。此外，我们的律师定期与向消费者提供金融服务的零售中介机构合作。

- 美国证券交易委员会 (SEC) 调查: 美国国家金融服务公司 (Countrywide Financial Corporation) 前任首席财务官卷入一宗备受瞩目的SEC调查和诉讼案件，面对SEC的欺诈指控，我们的律师取得罕见的胜利，令SEC同意一项基于疏忽的和解。
- 收购: 我们担任Banco Santander的法律顾问，协助其斥资41亿美元向爱尔兰联合银行 (Allied Irish Banks) 收购Bank Zachodni WBK。
- 再融资: 在中东欧地区，我们就波兰、捷克共和国、匈牙利和罗马尼亚等国写字楼房地产投资组合的3亿欧元再融资向Deutsche Pfandbriefbank提供咨询服务。
- 个人财产担保法 (2009年) (Cth) (PPSA) 措施: 针对澳大利亚新PPSA体制的潜在影响，我们与一名银行业客户推出面向其客户的工作坊。工作坊面向可能受此影响的银行客户，例如制造商等，并与银行代表一同为他们的业务所受到的影响提供实用的见解。
- 外国账户税收遵从法 (FATCA): FATCA的实施将对大型全球银行造成影响。我们的美国团队一直在为美国境内外客户出谋划策，并代表受影响的各方开展游说活动。我们的澳大利亚税务部门和金融合伙人与澳大利亚银行家协会合作，加深理解FATCA对澳大利亚银行可能造成的影响，并且就如何改善该体制一些过于繁重的法律义务提供见解。
- 我们出席美国参议院个人财产担保法 (PPSA) 委员会会议并发表意见，包括作出多项书面和口头陈述。在这个过程中，我们阐述了影响资产和结构性融资提供商的具体问题。我们向司法部长办公室陈情，讨论如何修订该法律，以将潜在的意外后果纳入考虑范围。我们还参加了有关PPSA影响的行业工作小组。

Sustainability and ESG

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相关服务

- 公司
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- 项目、能源和基础设施
- Private Equity
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- Capital Markets
- Corporate Disputes

相关行业

ESG issues have come sharply into focus among financial institutions and regulatory bodies.

Today, the need to transition to a more sustainable global economy seems more urgent than ever. As governments work to shape the long-term response to COVID-19, we are seeing ever-greater concern with ESG initiatives, such as placing the green economy at the heart of the post-pandemic recovery. Financial institutions are critical in the delivery of the capital necessary for these initiatives. Moreover, given the rapidly changing legal backdrop, in which compliance with the highest standards is key, financial institutions today increasingly understand the importance of ESG compliance.

- 能源

Our ESG team within the Financial Services sector is positioned at the forefront of these issues, working with our subject matter experts to apply a sector lens and advise our international financial services clients on navigating this rapidly evolving landscape.

REGULATION

We are witnessing a dramatic shift in regulation and standards-setting with regard to ESG and financial institutions. Climate change is increasingly understood to be a risk to financial stability and is growing in prominence on the regulatory agenda. Mere "greenwashing" is no longer enough. Prudent financial institutions recognize that climate change needs to be factored in to their risk management and stress testing frameworks. At the same time we are seeing a parallel change in legal systems, as regulators introduce frameworks to help investors determine which economic activities and investments can be deemed environmentally sustainable.

LITIGATION

With more people working remotely and a marked rise in demand for digital financial services in response to COVID-19, financial institutions have needed to enhance their technology capabilities significantly. At the same time, this greater reliance on the Internet brings with it greater vulnerability to cyberattacks and data breaches. Both represent significant litigation risks for financial institutions – risks which their boards and senior managers have to manage. We regard it as essential for financial institutions to take a proactive approach to mitigating these litigation risks by reviewing their cyber governance structures and risk management frameworks.

TECHNOLOGY AND TOOLS

There is growing demand from institutional investors, regulators and ratings agencies for ESG data and reporting. However, this data is often difficult to verify and lacks comparability across firms. There is also an increasing need for methodologically robust and reliable ESG benchmarks which encompass the entire ESG spectrum. We can expect to see further focus – and spend – on technology solutions, such as data benchmarking and modelling, as the demand for consistent, robust ESG reporting intensifies. We are also likely to see further growth in FinTech firms developing artificial intelligence and blockchain solutions which enable asset managers to integrate ESG datasets into portfolio construction and analysis.

SUSTAINABLE FINANCE

Sustainable finance and sustainable investments are a core segment of the overall ESG landscape: they are ethically aligned with modern corporate principles and risk management while being economically motivational in terms of value creation. Today we are seeing international initiatives designed to screen and manage responsible corporate financing activity generally, plus an increasing number of businesses implementing substantial internal policy requirements for sustainable finance and investments.

A wide range of sustainable financial products and instruments with positive environmental and/or social impacts is available, such as sustainability-linked bonds, sustainability-linked loans, green loans, social bonds and green bonds. Indeed, 2019 was a record year for sustainable debt issuance, with volumes increasing by almost 80 percent on the previous year.*

* *Bloomberg New Energy Finance*

SUSTAINABILITY AND FUNDS

Increasing numbers of fund managers are committing to ESG principles and we are seeing a marked uptick in flows into sustainable funds. We are also seeing increased prominence of ESG in the fundraising process, with fund managers needing to ensure their funds come from ethical sources. At the same time, fund managers are increasingly expected to demonstrate to institutional investors, such as pension funds, that their money is being invested wisely, ethically and responsibly.

To discuss the implications of these issues for your business, please contact our ESG leaders.