



MAPLES  
GROUP

# FINTECH

Irish Legal Services

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# FINTECH

The Maples Group FinTech team includes several of Ireland's leading regulatory, technology and commercial lawyers combined with industry professionals. As a market leader, the Maples Group's law firm, Maples and Calder is a global legal services firm advising the world's largest financial institutions and leading technology companies, we are at the forefront of the FinTech legal landscape.

With the parameters of FinTech being defined and redefined, so too is the legal framework in which our clients operate. As existing financial institutions become more digitalised, agile and advanced, challenger platforms are faced with the burden of increasing regulatory requirements. We have seen many smaller FinTech companies partner with larger financial institutions, or receive investment from larger financial institutions which have the infrastructure in place to operate regulated businesses.

As a firm that innovates, we are at the cutting edge of rapidly intersecting markets. Our FinTech professionals draw on the excellence of our long-standing practices, which include banking, corporate, data, commercial and technology,

finance, financial services regulatory and tax. Our multidisciplinary team advises the full spectrum of FinTechs, from the largest global financial institutions to challenger digital banks, e-money and payment firms, right through to scaling start-ups raising capital to execute on disruptive business plans. The increased complexity of the regulatory environment, the evolution of traditional business models intermediated by new technologies and the real world risks presented by data security pose exceptional challenges for FinTech companies.

We deliver highly focused and commercial advice to ensure that our clients successfully navigate these challenges across all segments of their business.

## Our FinTech Offering



### CORPORATE AND FINANCE

- Advising private equity and venture capital investors in FinTech
- Mergers and acquisitions
- IPOs, public and private placements
- Employee share and option schemes
- Buyouts, recapitalisations and refinancings
- General banking and venture debt.



### FINTECH REGULATORY

- Advising on the full remit of regulated activities including banking and lending, payments and emoney, asset management and insurance
- Establishing new business and licensing
- Perimeter guidance, including on the regulation of crypto assets and P2P / B2B lending platforms
- Compliance solutions including policies and procedures
- PRISM risk mitigation programmes, supervisory engagement and enforcement mitigation
- Ongoing advice on outsourcing, safeguarding, AML, e-commerce and consumer protection.



### DATA PROTECTION AND PRIVACY

- Data compliance programmes, including data protection policies, notices and supporting documents, data privacy impact assessments and compliance reviews
- Data processing and sharing agreements
- GDPR's one stop shop
- International transfers of personal data, including the implications of the Schrems II decision, standard contractual clauses, binding corporate rules and other derogations
- Regulatory investigations in relation to GDPR and e-privacy compliance including electronic direct marketing complaints.



### **CYBER SECURITY AND OPERATIONAL RESILIENCE**

- 24/7 data breach response assistance, breach related complaints and follow up regulatory inquiries
- Establishing robust frameworks to identify and mitigate operational risks
- Contractual liabilities and risk transfer
- Regulators' views and "best practice"
- Training for boards on directors' duties
- Reporting obligations (e.g. PSD2 major security incidents)



### **TECHNOLOGY AND INTELLECTUAL PROPERTY**

- Terms and conditions for digital business
- Outsourcing and managed services
- Protecting and licensing of intellectual property
- Service level agreements
- Cloud computing
- Dispute resolution and arbitration
- Horizon scanning including the proposed Digital Services Act.



### **TAX**

- Tax advice on corporate operations, licensing and restructurings
- Employment tax and remuneration schemes
- Founder tax planning
- Tax treatment of crypto currencies
- VAT and indirect tax issues
- Tax disputes and Revenue investigations.

# CONTACTS

For further information on our services, please contact:

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