
FinTech

Expertise

MCCANN FITZGERALD



McCann FitzGerald is Ireland’s premier law firm in both the Financial Services and Technology sectors. This uniquely positions us to provide the highest quality legal advice to FinTech clients. The FinTech sector is dynamic, innovative and ambitious. We enable our clients’ progress through excellent legal expertise, experience, commitment and commercial focus, together with an ability to adapt to changing contexts.

Our expertise covers the full range of advisory, transactional, regulatory and project work, including commercial contracts, IP and IT issues, tax, data protection and privacy matters, mergers and acquisitions, private equity investments and financing, regulatory authorisations, and on-going regulatory compliance.

Our lawyers are actively involved in industry working groups including those established by the FinTech and Payments Association of Ireland and Irish Funds.

What we Offer

Financial Services Regulatory

Licensing

Irish and EU licensing/authorisation requirements and ongoing regulatory compliance and reporting.

Payments

Payment services and e-money requirements, strong customer authentication and security of payments, SEPA and other conduct of business rules.

Lending

Consumer protection and consumer credit legislation, SME lending requirements, distance selling law, other conduct of business rules, perimeter guidance for P2P and B2B lending platform operators to remain outside regulation, e-commerce law to ensure enforceability of online contracts.

Investment Management / Insurance

Use of big data and innovative technology in the asset management, financial advice and insurance sectors (automated robo-advice), investor protection requirements and compliance with MiFID and other regulatory obligations.

Enforcement

Assistance in relation to regulatory, fraud and financial crime investigations.

Compliance Support

Practical support to compliance function, outsourced compliance activities.

RegTech

Advising clients on the development of technology-based solutions for regulatory compliance (eg anti-money laundering compliance, regulatory reporting etc.).

Investment and Venture Capital

Advice in relation to Government incentives for overseas investors, negotiations with IDA Ireland, banks and other regulatory bodies, structure of relationships between founders

and investors, structuring the transfer of IP from founders, universities and other third parties to the company, due diligence and advising on exit strategies/merger and acquisition activities.

Corporate and Tax

Corporate

Structuring and company formation advice for establishing in Ireland. Advice in relation to outsourcing, IT contracts, licensing, intellectual property protection. E-commerce legislation and enforceability and execution of online/mobile contracts.

Tax

Advice in relation to the Irish tax regime, IP tax considerations and optimum tax structures of Irish operations (as well as ongoing advice on taxation and regulatory issues).

Data Protection and Cyber Security

Data Protection

Advising on general data protection compliance and privacy policies, preparations and strategy for the GDPR, data protection audits, record retention obligations, registration and notification requirements, data security and breach notifications, cloud computing, contracts in relation to international data transfers, cookies compliance, profiling and behavioural advertising, dealing with law enforcement requests and actions/prosecutions.

Cyber Security

Advising on cyber security obligations and developing appropriate detection and prevention frameworks, security incident management (e.g. notification obligations and regulatory enforcement risks), internal investigations. Advising on data theft and its interaction with cyber-crime in the context of fraud and asset tracing.

Risk Management and Fraud

Outsourcing, corporate governance and development of robust risk management frameworks. Advising in relation to fraud investigations.

Key Contacts



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Selected Market Commentary

Technology & Innovation

“The firm has given us extensive assistance, protecting and supporting us in the dynamic and fast-moving area of telecoms.”

“Intimately knowledgeable of media law - as good as you can get.”

CHAMBERS, 2016

Finance

“One of the top firms in the field. The knowledge of the market displayed by its lawyers is exceptional, and the firm’s approach is nonaggressive and highly commercial.”

“Committed to providing practical, timely and robust advice, with an exceptionally strong understanding of commercial realities and new developments. The lawyers are always open to new concepts and ideas, and work proactively to protect and advance the client’s interests.”

CHAMBERS, 2016

Tax

“The team always responds extremely well and is clever enough to understand the overall objective, which is where a lot of other firms fall down. The lawyers come up with great suggestions to add value, rather than just responding to the question.”

CHAMBERS, 2016

Corporate/ M&A

“Offers a wide depth of experience and access to senior partners at the top of the teams. The attention to detail is very thorough - these lawyers spot things that others don’t.”

CHAMBERS, 2016

McCann FitzGerald’s team is “top class and reliable”, and acted on numerous large deals in 2015.

THE LEGAL, 500, 2016

“One of the top firms in the field. The knowledge of the market displayed by its lawyers is exceptional, and the firm’s approach is nonaggressive and highly commercial.”

CHAMBERS EUROPE, 2015



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