

# Anti-Money Laundering

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## Regulatory & Practical Issues Arising from the New Guidance Notes

### Hear from the Financial Regulator:

**Brendan Nagle**

Solicitor, Financial Institutions and Funds  
Authorisation Department

**FINANCIAL REGULATOR**

### Practitioner insight:

**Fintan Byrne**

Head of Compliance

**ZURICH BANK**

### Industry experts:

**Joe Beashel**

Partner

**MATHESON ORMSBY PRENTICE**

**Kevin O'Doherty**

Principal

**COMPLIANCE IRELAND**

**Patrick D'Arcy**

Director – Forensic & Investigation Services

**GRANT THORNTON**

### What will you hear?

- Criminal Justice (Money Laundering) Bill 2008 & its implementation
- Status of new industry Guidance Notes
- Assessing the key legislative requirements
- Impact of the Act - what do we have to do differently?
- Compliance & risk management

*"Speakers were articulate and spoke on interesting and valuable subjects. Questions were answered well."*

Shane Brophy, Transfer Agent, Brown Brothers Harriman

# Corporate Governance

## Impact of High Profile Failures & the Responsibilities of NEDs

### Your panel of expert speakers:

**Kevin Allen**

Partner

**A&L GOODBODY**

**Brendan Heneghan**

Partner

**WILLIAM FRY**

**Gerard Ryan**

Partner

**MASON HAYES+CURRAN**

**Paula Kelleher**

Partner

**DILLON EUSTACE**

### What will you hear?

- Corporate governance issues facing companies in difficult times
- Lessons learned & where next?
- Regulatory update on director's responsibility and accountability
- Director's liabilities for corporate actions
- The risks involved and how to safeguard against them

*"Corporate governance has become a hot topic, not least because of the scandals in some of the boardrooms of Ireland's banks and non-executive director ineffectiveness in parts of the wider business, voluntary and public sectors."*

Alan McDonnell, Sunday Tribune, March 15, 2009



Paper sourced from sustainable forests



Elemental Chlorine Free (ECF)

15th October 2009, Radisson SAS Royal Hotel, Dublin

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# Anti-Money Laundering

## Regulatory & Practical Issues Arising from the New Guidance Notes

15th October 2009, Radisson SAS Royal Hotel, Dublin

### Half-day morning seminar

08.30 Registration

09:00 Chair's Welcome  
Fintan Byrne  
Head of Compliance  
**ZURICH BANK**

Fintan has over twenty years experience in financial services and since November 2006, has been Head of Compliance with Zurich Bank. Prior to this Fintan was Director of Operations and Compliance with another IFSC based company and which provided insurance and investment products cross-border to eleven EU member states.

09:05 **Criminal Justice (Money Laundering) Bill 2008 & its Implementation**

- Implementing the 3rd Directive
- Principal developments and what they require in practice
- Changing role of the authorities and the Financial Regulator
- Sectoral differences and similarities

Kevin O'Doherty  
Principal

#### COMPLIANCE IRELAND

Kevin is a Fellow of the Institute of Chartered Accountants in Ireland. He holds a Master of Business Studies (Finance) and a Postgraduate Diploma in Professional Accounting, both from University College Dublin. Before joining Compliance Ireland as a Principal in November 2006, Kevin was the managing director of a large IFSC custodian company for the previous eight years. From this, Kevin has extensive operational experience in securities custody and banking operations as well as the fiduciary trustee requirements. Kevin has considerable experience regarding the legislation and regulations relating to Irish funds, in particular the anti money laundering requirements. Kevin served for a number of years on the Alternatives and Trustee Committees of the Irish Funds Industry Association and was a joint author of the AIMA/IFIA 'Sound Practices Guide for Hedge Fund Administrators'.

#### REGULATOR ADDRESS

09.45 **Status of New Industry Guidance Notes** <sup>1</sup>

- The New Industry Guidance Notes – a viewpoint
- Article 37 of the Directive, the status of the guidance notes and the Financial Regulator's administrative sanctions procedure

Brendan Nagle

Solicitor, Financial Institutions and Funds  
Authorisation Department  
**FINANCIAL REGULATOR**

Brendan Nagle is a solicitor with the Financial Institutions and Funds Authorisation Department of the Financial Regulator. Prior to joining the Regulator in 2001, he acted as in-house counsel to an international bank.

10:25 **Assessing the Key Legislative Requirements**

- Overview of the compliance procedures
- Link with the money laundering offence
- Criminal Justice (Terrorist Offences) Act, 2005
- Investigative process (methods employed, evidence gathering and results obtained)

Patrick D'Arcy

Director - Forensic & Investigation Services  
**GRANT THORNTON**

Patrick joined the firm in 2005. Since then he has undertaken a number of projects and investigations including governmental, regulatory and not for profit organisations. He has carried out forensic assignments including: analysis of regulatory accounts and viability of regulated activities; identification of alleged breaches of legislation; preparation of reports and submission of investigation files in relation to large scale frauds involving several million Euro; assessment of losses in commercial disputes; and asset tracing in complex multi-jurisdictional fraud and money laundering investigations.

11:05 Coffee Break

11:25 **Compliance & Risk Management**

Joe Beashel  
Partner

#### MATHESON ORMSBY PRENTICE

Joe is a partner in the Asset Management and Investment Funds Group at Matheson Ormsby Prentice and is Head of the Regulatory Risk Management and Compliance Group. He is a solicitor with over thirteen years experience, over eleven of which were spent in the financial services sector. Prior to joining Matheson Ormsby Prentice in 2004, he was Managing Director of a leading, IFSC based, international fund administration company. Joe has been involved in all activities associated with banks, investment services firms and other financial services companies from major product rationalisations, system conversions and integrations following company mergers, to product development, compliance issues, regulatory inspections and risk management system development.

#### PRACTITIONER PERSPECTIVE

12:05 **Impact of the Act - What Do We Have to do Differently?**

- Practitioner perspectives on the impact of the Act

Fintan Byrne

Head of Compliance  
**ZURICH BANK**

12:45 Close

<sup>1</sup> Dependent on transposition status, availability of notes

#### Hear what past attendees really enjoyed:

"The diversity of speakers."

Claudine Smith, Insurance Supervision, **FINANCIAL REGULATOR**

"Absorbing the new information which is not channelled down by employer."

Vikki Climo, Supervisor of Registration & AML team, **RBC DEXIA INVESTOR SERVICES**

"The interaction within the conference."

Samanatha Pallottini, Policy Administrator, **LAWRENCE LIFE ASSURANCE Co**

"Diversity of speakers and their professional backgrounds."

Liam O'Riordan, Company Secretary, **BORD GAIS EIREANN**

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# Corporate Governance

## Impact of High Profile Failures & the Responsibilities of NEDs

15th October 2009, Radisson SAS Hotel, Dublin

### Half-day afternoon seminar

13:30 Registration & Coffee

14:00 Chair's Welcome

#### 14:05 **Where is Corporate Governance Headed?**

- A look at recent high profile failures and why the focus is now on corporate governance
- International regulation – the UK Walker Review and what Irish Government is doing
- Ireland compared to other countries for reputation and sound corporate governance
- Current trends in compliance and corporate governance

#### 14:40 **What, as a Company, Do You Need to Do in Terms of Your Executives?**

- Applying the Combined Code or fully embracing its values?
- Factors causing Boards to assess and change corporate strategies – what should be top of their agenda today
- How do Boards need to change going forward?

**Brendan Heneghan**

*Partner*

**WILLIAM FRY SOLICITORS**

*Brendan is a corporate partner with William Fry. Brendan specialises in corporate law, with particular focus on listing aspects and takeovers of publicly quoted companies, having acted in recent years on the takeovers of Barlo, Gresham, Jurys Doyle and Green Property and the float of Norkom and Aer Lingus. He also advises on many other commercial matters including complex restructurings such as IWP and Ardagh Glass and has extensive practice acting on behalf of venture capital investors covering both investments by those funds and the structuring aspects of their funds.*

#### 15:10 **Why Become a Non-Executive Director?**

- Do NEDs serve a purpose?
- Why the increasing focus on them?
- Understanding your exposures
- Analysing the risks involved for Non-Executive Directors and how to safeguard against them
- What level of involvement is appropriate for a Non-Executive Director?
- 'Restriction'
- Case study - legal action against a company and its directors - liability of NED

**Gerard Ryan**

*Partner*

**MASON HAYES+CURRAN**

*Gerard Ryan is a partner in the corporate department of Mason Hayes+Curran and has significant experience in corporate law with particular emphasis on mergers and acquisitions, investments, joint ventures and shareholder relationships. He also advises on general company law and corporate governance issues. Gerard lectures on company law for the Law Society of Ireland*

15:50 Coffee Break

#### 16:10 **Assessment of a Company Coming Into Difficulty & its Director's Responsibilities**

- Accountability of directors
- What are the issues facing a company in difficult times?

- Common Law duties
- Statutory duties
- Statutory penalties/ consequences
- Disclosure
- Conflicts of interest
- Steps for a director to function properly
- Liquidations
- Where are we headed?
- Lessons learned

**Paula Kelleher**

*Partner, Head of Regulatory and Compliance*

**DILLON EUSTACE**

*Paula joined Dillon Eustace in 1992 as a partner working in the Financial Services Department. During the period 1994 to 1997 she was Managing Director of Citigroup's Trustee and Custodial Services operation in Dublin and then returned to Dillon Eustace in 1999. Paula has extensive experience of communicating with regulatory bodies and Government Departments on behalf of clients. She has in depth knowledge of license frameworks and implementation programmes and has been involved in a number of project financing, corporate acquisitions and structured finance. In addition Paula is an associate member of the Irish Taxation Institute and her tax knowledge complements her other areas of expertise. Paula has a keen interest in Environmental Law and has advised on a number of environmental related regulatory queries on behalf of a wide variety of clients both in the public and private sectors.*

#### 16:50 **A Look at Recent Regulatory Developments & Directors' Increasing Responsibilities**

- The rising trend of new regulatory areas impacting Directors
- Where might a Director be personally responsible?
- Recent corporate governance regulatory enactments/proposals

**Kevin Allen**

*Partner*

**A&L GOODBODY**

*Kevin Allen is a Partner in the Corporate Department and specialises in compliance, regulatory law and corporate governance. He has particular expertise in financial services law and advises banks and financial institutions on all aspects of financial regulation and compliance and related matters.*

*He is Head of the Firm's Business Regulation and Corporate Governance Unit and the Firm's Financial Services Regulation and Compliance Unit. Kevin draws together all aspects of the Firm's expertise relating to regulation and compliance and offers comprehensive compliance and regulatory advice to businesses generally. He also has over 14 years experience in the areas of mergers and acquisitions and general corporate law.*

*Kevin has recently been providing advice on compliance systems for a large number of clients. He also headed the team which advised the Irish Government on the establishment of the Irish Financial Services Regulatory Authority.*

17:30 Close of Seminar

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# Anti-Money Laundering

15th October 2009, Radisson SAS Royal Hotel, Dublin

# Corporate Governance

15th October 2009, Radisson SAS Royal Hotel, Dublin

KM2167

KM2210

Please quote the below VIP code when registering

## WHEN AND WHERE

### Anti-money Laundering KM2167

15th October 2009

### Corporate Governance KM2210

15th October 2009

**Venue:** Radisson SAS Royal Hotel  
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Tel: 00 353 1 898 2900  
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