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FINANCIAL MARKET REGULATORY ADVISORY
AND SERVICES

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My expertise



Attorney at law and expert for
financial market regulatory issues

More than 15 years market experience
- legal department, regulator, advice

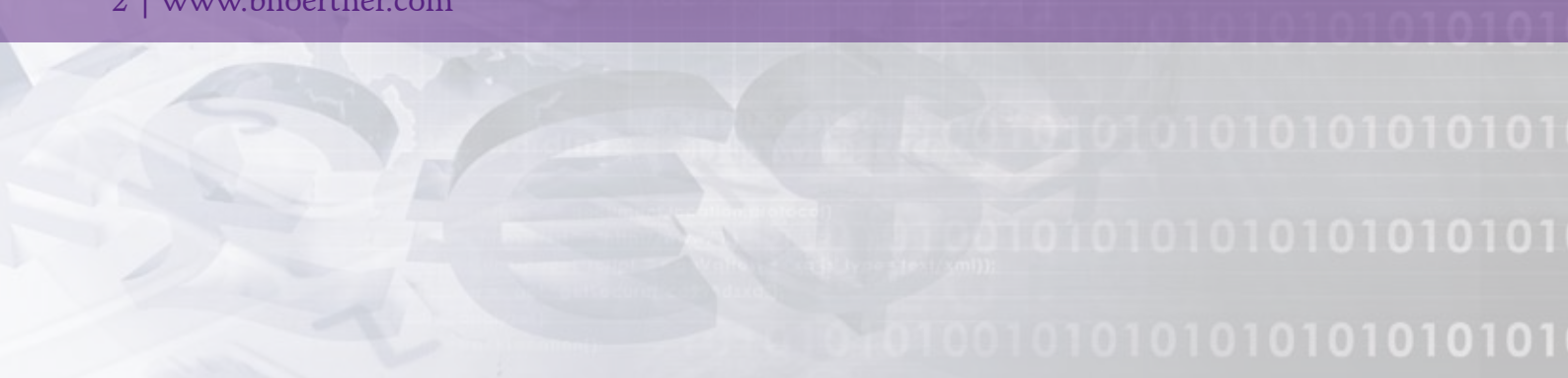
Integrated and hands-on
approach to services

Global network

International and national
well respected clients

„Regulatory requirements must not hinder business, but serve as legal framework for it. That is where my services start: Together with my client I develop tailor made, efficient, hands-on and global solutions within that framework.“

Bettina Hörtnner



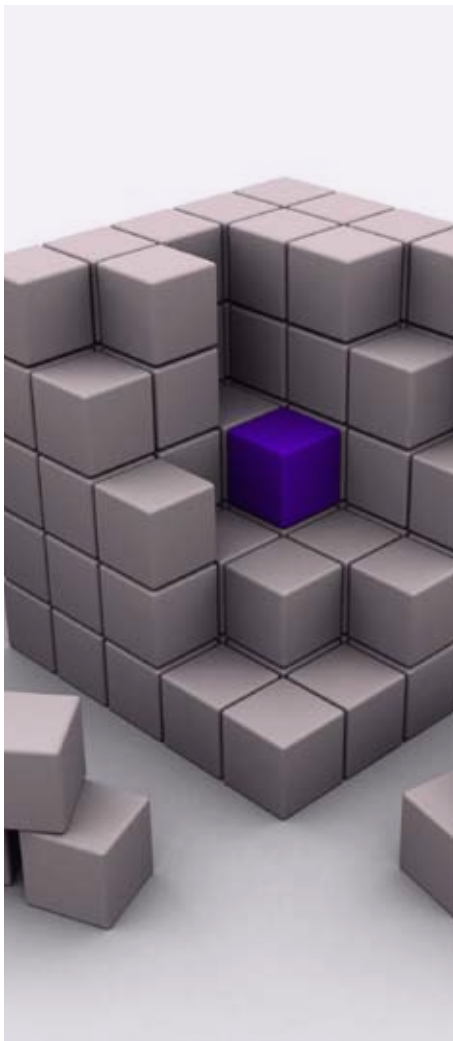
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This makes the difference to other advisors



More than 15 years experience on the financial market from all perspectives - legal department, regulator, advisory

- Legal department - Creditanstalt AG
- Development work and onsite inspections at the Austrian Securities Supervisory Authority (now Financial Market Authority) in the area of compliance
- Representation of Austria in a former CESR (now ESMA) working group for several years
- Audit and advisory services at one of the big 4 accountant firms in the world
- International lawfirm - legal services for well respected clients

„Full scope advice“ - approach - integration of economic and organisational aspects in the advisory services

Hands-on work approach and style - profound knowledge of the clients' actual business and procedures within the company

Global network at all levels of the financial market as well as of national and international experts

Excellent knowledge of the approach of the regulator

High level of **flexibility in the engagement**

Financial market advisory services as **attorney at law** in a kind exceeding the usual legal advice provided by lawfirms



Areas of practice



Legal advice

Legal opinions regarding

- Banking Act including Basle III/CRD IV
- Securities Supervisory Act including MiFID 2
- Payment Services Act
- Investment Fund Act
- Capital Market Act
- Stock Exchange Act
- Insurance Supervisory Act

on a national and on an international level including applicable EU-directives, relevant decrees and guidance of the supervisory authorities

Support of market participants in the course of questions addressed to the financial market supervisory authorities and vice versa

Advice regarding the freedom of establishment and the freedom to provide services within the EEA

Assistance to foreign investmentfund companies regarding the marketing and the registration requirements of their funds in Austria

Support of companies in the course of regulatory onsite inspections and follow-up work

Support of credit institutions regarding FATCA



Areas of practice



Support regarding new business models

Analysis of business models regarding mandatory regulatory requirements

Assistance in the course of market entries of companies on the financial market in Austria including support in the selection of IT-Systems

Support in application procedures for licenses and registrations at the Financial Market Authority



Support and representation in procedures resulting from financial regulatory offences

Banking Act, Securities Supervisory Act, Stock Exchange Act, Capital Market Act and Investment Fund Act

Drafting of filings and of remedies to the competent authorities

Conduct of hearings and meetings with the financial market supervisory and criminal authorities



Areas of practice



Organisational Consulting

Support regarding the definition, the elaboration and the implementation of procedures and internal workflows, e.g. internal control systems, the combination and separation of functions

Drafting of internal guidelines, e.g. function descriptions, workflows, specimens for reports and for various internal forms

Support of the internal audit function in the course of the elaboration of audit plans and manuals, of report forms and regarding the documentation of activities

Analysis of internal procedures with regard to operational risks involved

Areas of practice



Advice regarding the prevention of money laundering for all companies subject to the respective legal provisions

Legal Opinions

Support in the selection and the implementation of the necessary IT-Systems

Advice regarding procedures for KYC, for the source of funds as well as concerning suspicious transactions and the conduct vis a vis (potential) customers including the required documentation

Support regarding risk analysis, internal guidelines, forms and samples of reports

Trainings for employees, e.g. internal workshops



Areas of practice



Compliance - Advice for all companies subject to the respective legal provisions

Advice related to the establishment of a compliance organisation, e.g. the description of functions and procedures, concerning internal guidelines and forms, work plans and checklists

Advice on how to avoid conflicts of interests including the elaboration of the respective internal documentation

Support in the definition and the handling of provisions regarding the transactions of employees

Compliance reviews including the analysis of the involved IT-systems

Trainings for employees, e.g. internal workshops



Areas of practice



Cooperation with accountant firms

Participation in regulatory audits and audits of prospectuses as well as accompanying financial and tax advisory services

Adhoc-support regarding specific questions in the course of annual audits, e.g. regarding internal guidelines and documentations

Legal opinions for accountant firms in the course of annual and special audits as well as regarding individual business cases

Support in the creation of newsletters

Internal knowledge management regarding recent developments in the regulatory framework

Advisory services for audit clients in those areas which are not covered by the annual auditor



Selected references

Support in the course of licensing procedures, e.g. of an online bank as well as of Austrian subsidiaries of international credit institutions and of various investmentfirms

Representation of Austrian credit institutions in the course of procedures resulting from regulatory offences in the area of the Banking Act, the Stock Exchange Act and the Securities Supervisory Act before the respective regulatory and criminal authorities

Advice of international issuers of payment cards in the course of their market entry in Austria

Legal opinions for an Austrian asset management company

Advice of numerous big foreign investment fund companies, e.g. regarding the implementation of UCITS IV in Austria

Permanent advice of various Austrian private banks in the course of the creation and the drafting of internal guidelines in the area of the prevention of money laundering and compliance

Advising of foreign credit institutions and investmentfirms with regard to their business activities in Austria

Full Service support of numerous investmentfirms and credit institutions in the course of onsite inspections of regulatory authorities and follow-up work

Short Term Expert in the course of an EU-project for a compliance training in Russia





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