

CMS Derks Star Busmann

Practice Group Banking & Finance

The financial services sector

The financial services industry faces significant changes. Financial institutions that want to stay successful in this challenging and competitive environment have to be flexible and adaptable to future market developments.

Our expertise

The Practice Group Banking & Finance of CMS Derks Star Busmann advises international and national companies, finance companies, commercial banks, pension funds, lease companies, insurance companies and other institutional lenders and investors that operate on an international as well as a national level. We advise on all aspects of financing transactions, from origination and negotiation, drafting documentation, rendering legal opinions and creating security rights to the enforcement of security rights (including public sale of assets). We assist on

matters of (banking) supervisory law (e.g. license applications, advising on licensing issues, maintaining contacts with the supervisory authorities in case of disputes).

We have wide experience in advising banks and other financial institutions on the various financing structures they offer, including tax advice, in which respect we closely cooperate with our tax department.

We handle a wide range of transactions, including:

- ✔ secured and unsecured loan agreements ;
- ✔ security rights documentation;
- ✔ syndicated (group) finance facilities;
- ✔ project finance documentation;
- ✔ acquisition finance documentation;
- ✔ structured finance transactions;
- ✔ securitisations;
- ✔ lease and factoring financings.

We also advise on all aspects of Dutch insolvency law, represent creditors, debtors and other parties involved in debtor/creditor disputes and bankruptcy, reorganization and liquidation proceedings, act as court appointed administrator and trustee in bankruptcy and advise on and litigate in relation to all aspects of director's liability, both in and outside formal insolvency.

International alliance

CMS Derks Star Busmann is part of the CMS alliance. CMS is one of the largest legal service providers in Europe, with 9 member firms, 595 partners, more than 2000 legal and tax advisers and offices in 48 cities in 24 jurisdictions. CMS is an international organization with market leading businesses throughout Central and Eastern Europe.

Members of the Practice Group Banking & Finance work closely together with specialists in other CMS member firms to provide seamless cross border services. Cooperation within the CMS alliance also ensures that legal and market knowledge is shared throughout CMS offices worldwide.

Through our CMS International Banking and Finance Practice Area Group we also bring together cross-border teams at very short notice to provide clients with a trans-national legal service if required. EU-harmonizations notwithstanding, banking and finance law and practice still differ considerably between European jurisdictions and the practice group is regularly called upon to find inventive solutions to problems caused by conflicts between different market practices and legal rules.

One of the major focuses in the recent years in our regulatory practice was to help international banking groups to align their subsidiaries to the respective national, EU- or international regulatory requirements to safeguard transnational group compliance with international, or differing national, standards.

A list of recent assignments is attached to this fact sheet.

For more information please contact:

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CMS Derks Star Busmann offers companies, public sector entities and other organisations a full range of legal and tax services. The firm employs 250 lawyers, civil law notaries and tax advisers working from offices in Utrecht, Amsterdam, Arnhem, Brussels and Hilversum. They all specialize in certain areas of law with specific industry knowledge.

CMS Derks Star Busmann is a member of CMS, the alliance of major independent European law firms providing businesses with legal and tax services across Europe and beyond, operating in 47 business centres around the world.

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