

## Programme of Training Courses Q3 & Q4 2009 (Republic of Ireland Programme)

Download this programme at <http://www.complianceireland.com/Training.html>

Join over 2,000 financial and other professionals receiving our detailed and **free** regulatory compliance Newsletter by sending an email to [news@complianceireland.com](mailto:news@complianceireland.com) with 'Subscribe' in the header.

**CPD:** Our courses are accredited by the Institute of Bankers (QFA, CPD Members (stockbrokers), CPD Member (LIA), LCOI and CeB) and Professional Standards Advisory Board-General Insurance/Insurance Institute of Ireland (QFA, LCOI, CIP and CFD Members). Solicitors and Accountants may claim CPD hours from their membership bodies as may others with CPD requirements. Formal and informal CPD hours vary depending upon your professional association's rules. Please contact us ([email@complianceireland.com](mailto:email@complianceireland.com)) or your professional association if you have any queries on the amount of CPD hours that may be claimed for our courses. See <http://www.complianceireland.com/publictraining.html>

**TO MAKE A BOOKING SEND AN EMAIL TO [BOOKINGS@COMPLIANCEIRELAND.COM](mailto:BOOKINGS@COMPLIANCEIRELAND.COM) with the course name, date and your full contact details. Full course and venue details on following pages**

### Data Protection of Customer & HR records and How to Conduct a Data Protection Audit

**1) DUBLIN COURSE: Thurs 10<sup>th</sup> September 2009: Full Day - 9.00a.m. to 5.00p.m. Cost: €620 (no VAT)**

**2) CORK COURSE: Tues 22<sup>nd</sup> September 2009: Full Day - 9.00a.m. to 5.00p.m. Cost: €620 (no VAT)**

**Full day:** This full day course is essential for any firm that uses personal data of customers and/or staff. Delivered in two workshops: the morning workshop examines (a) the Data Protection laws & the eight data protection principles (i.e. collection, treatment, permitted processing, retention, storage & security of electronic and manual personal data); and (b) practicalities of compliance (i.e. drafting policies & procedures, staff training, privacy statements) and responsibilities of the Data Protection Officer. The afternoon workshop develops relevant skills required to confidently carry out a data protection audit. Should be attended by Data Protection, HR and Client Facing Staff of firms holding personal and sensitive personal data of customers, staff & others (including internet and telephony records).

### Anti-Money Laundering/Counter-Financing of Terrorism: Financial Institutions under the New AML Law

**1) DUBLIN COURSES: Tues 15<sup>th</sup> September, Thurs 15<sup>th</sup> October, Thurs 5<sup>th</sup> November, Tues 24<sup>th</sup> November & Tues 8<sup>th</sup> December 2009: Full Day - 9.00a.m. to 5.00p.m. Cost: €620 (no VAT)**

**2) CORK COURSES: Tues 20<sup>th</sup> October & Fri 27<sup>th</sup> November 2009: Full Day - 9.00a.m. to 5.00p.m. Cost: €620 (no VAT)**

**Full day:** Based on the **NEW Criminal Justice (Money Laundering & Terrorist Financing) Bill/Act 2009**, 3rd EU AML/CFT Directive, the Sanctions Lists, the new Guidance Notes. Essential for all credit, financial and insurance firms and other designated persons (e.g. solicitors, accountants, bureaux de change, trust & company formation service providers, casinos (similar)) needing to demonstrate compliance with the new AML/CFT obligations. Demystifying the meaning of 'risk-based approach' and providing operational templates and exercises which you can implement at your firm.

### Complaints Handling & Treating Customers Fairly – (Consumer Protection Code)

**1) CORK COURSE: Wed 23<sup>rd</sup> September 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**2) DUBLIN COURSE: Thurs 12<sup>th</sup> November 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**Half day:** Now at the heart of the Financial Regulator's consumer focused regime, 'Complaints Handling' and 'Treating Customers Fairly' (under the **Consumer Protection Code**) is a priority for customer/consumer-facing firms. The Financial Regulator is writing to firms and carrying out investigations in to the manner in which consumers & customers are treated. Using the latest case studies from the **Financial Regulator** and **Financial Services Ombudsman**, this course is essential for firms wishing to demonstrate their understanding of & compliance with these important principles and integrate these into their businesses and culture. **This course covers the Ombudsman's new compliant procedures.** Mock examples of complaints will be used to show attendees ways of handling complaints effectively, speedily and fairly. **This course will be of benefit to MiFID firms as there is no underlying rule on how these firms must handle complaints under MiFID Regulation 38.**

**A. The Role of the Compliance Officer - for Banks and Investment Business Firms** (e.g. banks, investment business firms, management companies, trustees/custodians, administrators, portfolio managers and stockbrokers).

**DUBLIN COURSE: Wed 30<sup>th</sup> September 2009: Full Day - 9.00a.m. to 5.30p.m. Cost: €620 (no VAT)**

**B. The Role of the Compliance Officer - for Insurance Firms (life, non-life and re-insurance firms)**

**DUBLIN COURSE: Tues 13<sup>th</sup> October 2009: Full Day - 9.00a.m. to 5.30p.m. Cost: €620 (no VAT)**

**Full day:** Course provides an intensive and practical examination of the growing regulatory issues, including laws & rules, domestic and international developments and relevant Financial Regulator Consultation Papers, which **financial services firms** and **insurance firms** must know and understand to help demonstrate compliance. The courses explain professional and personal responsibility of authorised persons including Compliance Officers and senior management and examine important practical areas of compliance not addressed in the rulebooks, i.e. structuring your Compliance Function and writing your Compliance Manual.

**Directors Duties and Corporate Governance - Credit, Financial and Insurance Institutions regulated in Ireland (HALF DAY)**

**DUBLIN COURSE: Thurs 1<sup>st</sup> October 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**Half day:** This course provides Directors and senior management with a practical understanding of key corporate governance obligations. With the advent of new Market Abuse, MiFID, AML, Insurance, Consumer Protection Code & Solvency II issues, this course is a 'must attend' for executive directors, non-executive directors and senior management. **The creators and presenters of this course are: (i) non-executive directors of Irish financial firms; (ii) in the first group to complete in Ireland the 'Chartered Director' academic qualifications (the international benchmark for directors); (iii) hold post-graduate qualifications in corporate governance; and (iv) present extensively on the topic of directors' duties at Irish financial firms.**

**How to Handle a Financial Regulator Inspection**

**DUBLIN COURSE: Tues 6<sup>th</sup> October 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**Half day:** This course provides a practical, hands-on workshop on handling and managing Financial Regulator inspections which the regulator is conducting under its statutory/regulatory objectives.

**MiFID – Understanding MiFID and its operational implications**

**DUBLIN COURSE: Thurs 8<sup>th</sup> October 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**Half day:** This half day course provides a practical, hands-on workshop on the Irish Regulations implementing MiFID. The course focuses on key MiFID requirements and best practice, covering how to implement MiFID into your operations. *This course will get you ready for the Financial Regulator's MiFID themed inspections and understand your wider obligations.*

**Risk-Based Compliance Monitoring for Financial Institutions**

**DUBLIN COURSE: Thurs 29<sup>th</sup> October 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**Half day:** This course provides a practical, hands-on workshop for both the seasoned and less experienced Compliance Professional. The workshop covers how to implement a demonstrable, effective, risk-based compliance monitoring programme. **Compliance Programmes are key features of MiFID, the Consumer Protection Code and Solvency II!**

**Establishing the Internal Audit Function**

**DUBLIN COURSE: Tues 1<sup>st</sup> December 2009: Half Day - 9.00a.m. to 1.00p.m. Cost: €380 (no VAT)**

**Half day:** This new half day course covers the basic foundations for establishing and running an effective internal audit function in regulated financial services businesses and shows how the internal audit function will add to the bottom-line (or at very least, not detract from the bottom-line!). An effective and well structure internal audit function is not just imperative, but is a regulatory requirement, under Irish (and overseas) banking, MiFID and insurance regulatory systems. **The current banking and investment scandals both in Ireland and abroad make this course a must for senior management and internal auditors.**

### Continuing Professional Development

Our courses are accredited by Institute of Bankers (QFA, CPD Members (stockbrokers), CPD Member (LIA), LCOI and CeB) and Professional Standards Advisory Board-General Insurance/Insurance Institute of Ireland (QFA, LCOI, CIP and CFD Members). Solicitors and Accountants may claim CPD hours from their membership bodies as may others with CPD requirements. Formal and informal CPD hours vary depending upon your professional association's rules. Please contact us ([email@complianceireland.com](mailto:email@complianceireland.com)) or your professional association if you have any queries on the amount of CPD hours that may be claimed for our courses. See <http://www.complianceireland.com/publictraining.html> for details of specific CPD credits.

## DATA PROTECTION OF CUSTOMER & HR RECORDS AND HOW TO CONDUCT A DATA PROTECTION AUDIT

**DUBLIN COURSE: 9.00am to 5.00pm, Thursday 10<sup>th</sup> September 2009 / Venue: Central DUBLIN City Venue**

**CORK COURSE: 9.00am to 5.00pm, Tuesday 22<sup>nd</sup> September 2009 / Venue: Central CORK City Venue**

**Cost: €620 (no VAT); €550 for 2nd attendee from same firm attending same day**

All firms which hold, use or control personal data are bound by the Data Protection laws, *regardless of whether or not they need to register with the Data Protection Commissioner (DPC)*. Recent interventions by the Data Protection Commissioner relating to: (i) loss of laptops and other data storage devices; (ii) misuses of personal data by real estate, mortgage, bank and insurance businesses; (iii) failing to safeguard data on a company's system; (iv) individuals' rights to see their medical reports; (v) transfer of persons' transaction data from the EU to the US; (vi) data security breaches; (vii) breaches of e-marketing/unsolicited e-communication requirements, demonstrate the DPC's desire to raise & enforce data protection in Irish society. The afternoon session provides an intensive workshop on **How to Conduct a Data Protection Audit** at which attendees will apply their data protection knowledge to learning about the most effective ways to carry out a data protection audit/self-assessment. **Compliance Ireland** is retained to assist firms inspected by the Data Protection Commissioner, so we know the practical aspects of handling an inspection, dealing with the Commissioner and implementing sound data protection standards. We will share these skills with attendees of this course.

- "Excellent Day – Taking time out to think about & discuss the issues is very valuable. The day supported, confirmed, gave us confidence with our approach and gave us good pointers for data protection going forward" (Bank – Data Protection attendee)

### Do you know that:

- \* The DPC's Annual Report (issued April 2009) highlights various data protection failures (and successes).
- \* Complaints to the DPC have increased by nearly 60% over the past two reporting years to 1,031 in 2009; DPC is prosecuting government & private bodies for non-compliance and the number of audits more than double in 2008.
- \* Financial and insurance companies continue to be 'named and shamed' in case studies.
- \* New fines of up to €250,000 or 10% of a business turnover are provided for and individuals liable up to €50,000 fine.
- \* The use of Access Requests by individuals – both customers and employees – is increasing every year.

Content	Time
1 <b>What is Personal Data and Sensitive Personal Data under the Data Protection Acts</b> – getting to grips with the definitions and examples of <b>personal data</b> and <b>sensitive personal data</b> .	0900-0930
2 <b>The key provisions of the Data Protection Acts</b> – this session will focus on key legislative requirements such as processing of personal data, security of personal data, the statutory requirement for record retention, access requests, transfers of personal data outside the EEA, corporate and senior management responsibility, unauthorised disclosure, confidentiality and whistle-blowing.	0930-1015
3 <b>The Eight Data Protection Principles enshrined in law</b> – this session will explain what each principle means, examples of how others have fallen foul of them and most importantly what you can do to help ensure that your firm doesn't. This session will use examples of employee and customers records and case studies to explain what your obligations include.	1015-1115
4 <b>Employee records</b> – how to deal with personal data collected in the recruitment process, employment records generally including details of sickness and other absences, as well as records of employees' personal use of email, internet access & taped telephone calls.	1115-1215
5 <b>Practicalities of Data Protection compliance</b> – drafting a data protection/data handling policy and procedures; training of staff; monitoring your firm's compliance; privacy statements; and the responsibilities of the Data Protection Officer.	1215-1300

### HOW TO CONDUCT A DATA PROTECTION SELF-ASSESSMENT

**How to conduct a Data Protection self-assessment** – the afternoon workshop provides attendees with the training and development of relevant skills required to confidently carry out a data protection audit (without which it will be difficult to identify gaps in your business).

**Compliance Ireland** will provide a step-by-step guide to conducting a self-assessment audit, using specially designed checklists which are fully referenced to the latest legislation to enable attendees to assess and demonstrate their compliance with key sections of the Acts, including:

**(a) Drafting a High Level Data Protection Fact Find covering:** • Personal data - the reason it is obtained • source of data • Identification of data processors and associated contracts • Third party disclosures • Registration • Data Protection Policy • Staffing and Reporting Structures • Planning and implementing of data protection standards • System audits and reviews • Job descriptions and staff contracts • Data Collection • Key Business Processes.

**(b) Checklists for** (1) each of the eight data protection principles; (2) transfers of personal data outside of the EEA; and (3) website Privacy Statements.

1400-1700

## **ANTI-MONEY LAUNDERING & COUNTER-FINANCING OF TERRORISM FOR FINANCIAL INSTITUTIONS UNDER THE NEW 2009 LAW (FULL DAY)**

**DUBLIN COURSE: Tuesday 15<sup>th</sup> September, Thursday 15<sup>th</sup> October, Thursday 5<sup>th</sup> November, Tuesday 24<sup>th</sup> November & Tuesday 8<sup>th</sup> December 2009. TIME 9.00a.m. to 5.00pm, / Venue: Central DUBLIN City Venue**

**CORK COURSE: Tuesday 20<sup>th</sup> October and Friday 27<sup>th</sup> November 2009. TIME 9.00a.m. to 5.00pm, / Venue: Central CORK City Venue**

**Cost: €620 (no VAT); €550 for 2nd attendee from same firm attending same day**

**FULL DAY** course, delivered by Irish based internationally experienced anti-financial crime consultants (including a solicitor, former FSA & ASIC regulator, a Chartered Accountant, former Managing Director of an international finance business. Examines & gives practical guidance & high quality training material on **new Irish anti-money laundering / counter-financing of terrorism laws and new Guidance Notes. Will enable attendees to practically implement** the upcoming **Criminal Justice (Money Laundering & Terrorist Financing) Act. Key differences between the new Irish AML regime and those of the UK and the USA will be addressed.**

**Do you know that: (i)** between May 2003 and June 2009 the Financial Regulator filed **52 suspicious transaction reports** with the Garda and Revenue Commissioners following inspections of regulated firms?; **(ii)** the Financial Regulator is has established a new team to enforce its powers to sanction firms for not meeting the new 2009 AML/CFT requirements?; **(iii)** that suspicious transaction reports **increased by 22%** to 14,650 suspicious reports in 2008.

- "The training manual has become our in-house precedent - it is the most referred to document in the office!"  
(investment company – AML course attendee)

Content	Time
1 <b>Overview of key legal requirements (Parts 1 to 5 2009 Bill/Act)</b> – an overview of the structure and summary of the key aspects of the new <b>Criminal Justice (Money Laundering &amp; Terrorist Financing) Bill/Act 2009</b> . New <b>'any offence', proceeds of criminal conduct, beneficial owner</b> and <b>designated person</b> definitions. Following sessions provide detailed and practical explanations on implementing these requirements in credit/financial/insurance/intermediary businesses and in other designated persons. Attendees will <b>receive an up-to-date compendium</b> of relevant Irish AML/CFT laws.	0900-1000
2 <b>New Customer Due Diligence &amp; 'Business Relationship' requirements. How to implement these and other operational legal requirements (Part 4, Chs 1-3 &amp; 10)</b> –performing simplified, standard & enhanced CDD (including on foreign PEPs etc, other higher risk clients/services); exemptions; identifying beneficial owners; reliance of 3 <sup>rd</sup> parties (i.e. letters of assurance/introduction certificates) to perform CDD. Useful local and international case studies on how to perform CDD; key CDD aspects of <b>new Guidance Notes</b> covered. Receive comparative tables of guidance & key FATF recommendations. The <b>new record-keeping periods &amp; requirements</b> will be covered (Part 4, Ch 6).	1000-1130 (break 1130-1145)
3 <b>New identifying, reporting and monitoring of suspicious activity and tipping-off provisions (Part 3, Part 4 Chs 4, 5 &amp; 10)</b> – covering elements of becoming 'suspicious', including the new <b>'objectivity test'</b> ; what happens after making a suspicious transaction report; avoiding 'tipping-off' offence; transacting business <b>before &amp; after</b> filing a STR; legitimate sharing of information with 3 <sup>rd</sup> parties, group entities & others. Session covers <b>new disclosure permissions</b> and <b>new Garda and District Court powers to give directions &amp; orders to freeze assets</b> . Examples discussed of suspicious activities encountered in Ireland, UK, USA and Middle-East.	1145-1300
<b>Lunch: 13.00-14.00</b>	
4 <b>How to risk assess your business; Help demonstrate your compliance - Compliance &amp; Risk Management, Internal Controls, Effective Training &amp; other Operational Issues (Part 4, Ch 6, 7 &amp; 10)</b> – this session covers the vital & practical issues of role of the MLRO, Senior Management & Directors; delivering effective training; new internal policies & procedures requirements; adopting a <b>'risk-based approach'</b> to AML/CFT; how to risk assess <u>your business</u> to identify exposure to launderers & financers of terrorism. Attendees will receive: (i) an <b>AML/CFT template policy &amp; documentation</b> contrasting the Irish regime to the new requirements under the new requirements to help you continue development of your internal controls and procedures; and (ii) <b>risk profile templates</b>	1400-1515 (break 1515-1530)
5 <b>Investigations, Enforcement &amp; Sanctions (Part 3, Part 4, Ch 8 &amp; Part 5)</b> – dealing with the new investigative tools and monitoring powers of competent authorities (e.g. Financial Regulator & others), requirement to furnish documents, self-incrimination, personal sanctions/fines against Directors, Management and the MLRO; local and international regulatory sanctions & prosecutions; and how avoid similar regulatory sanctions	1530-1645
6 <b>Closing remarks</b>	1645-1700

**WHO SHOULD ATTEND:** MLROs, Compliance staff, Directors (Executive and Non-Executives), training department staff, in-house lawyers, internal auditors, transfer agency staff, documentation staff, dealers, brokers, all client-facing personnel. **All credit and financial institutions, insurance companies, Bureaux de Change, Money Transmission Businesses, Private Practice Solicitors & Accountants, Trust & Company Service Providers, Casinos (similar) should also attend.**

## **WORKSHOP: COMPLAINTS HANDLING & TREATING CUSTOMERS FAIRLY**

**CORK COURSE: 9.00am to 1.00pm, Wednesday 23<sup>rd</sup> September 2009 / Venue: Central CORK City Venue**  
**DUBLIN COURSE: 9.00am to 1.00pm, Thursday 12<sup>th</sup> November 2009 / Venue: Central DUBLIN City Venue**

**Cost: €380 (no VAT)**

This course will examine the key provisions of 'Treating Customers Fairly' and 'Complaints Handling' under the Consumer Protection Code and the Financial Services Ombudsman ('FSO') regime.

**"Compliance Officers need to be able to feed into the complaints process to see what issues are causing problems for your customers and what systems or process changes could address these."** Chief Executive, Financial Regulator

- *"The use of case studies ... sets you [Compliance Ireland] apart. Also the fact that you jump between Irish & UK legislation and regulators continues to be key to us."* (Insurance Firm – Treating Customers Fairly attendee)
- *"Extra handouts and folder were well presented and useful reference tool"* (Funds Company - Treating Customers Fairly)

The handling of complaints is more than just an administrative procedure. The Financial Regulator's **Consumer Protection Code** effectively requires firms *'To Treat Customers Fairly'* ("TCF"). This course will provide you with the information you need to: (1) know how the TCF concept affects your business processes (including product design and giving of advice); (2) best approach a complaint; (3) understand the principles of good complaints handling; (4) know about Financial Regulator's complaints rules and time limits; (5) know about dealing with the Financial Services Ombudsman; (6) be able to recognise and close gaps identified; (7) understand the questions the Financial Regulator's supervisors might ask and areas they might review; and (8) structure your complaints handling policy and procedures. *This course will be of benefit to MiFID firms as there is no underlying rule on how these firms must handle complaints under MiFID Regulation 38.*

**Do you know** that in Ireland: the number of complaints received by the FSO increased by 36% to 6,000 in 2008; and that in the first half of 2009, complaints to the FSO were up by 42%. In the UK, the FSA has banned a directors of a financial firm for poor complaints handling processes, fined companies between £90,000 and £735,000 for not treating customers fairly and withdrew the authorisation of a compliance officer whose firm did not treat customers fairly?

***This course covers the Ombudsman's new compliant procedures introduced in August 2008***

### **AIMS:**

The aims of this course are to help firms understand Financial Regulator's and the FSO's complaints handling requirements and how to work towards meeting the principle of *Treating Customers Fairly* ("TCF").

### **BENEFITS:**

By attending this course participants will:

- understand Financial Regulator's and the FSO's requirements in this key area;
- understand Financial Regulator's and FSO's expectations of senior management and staff involved in complaints handling;
- how the principle of treating customers fairly interacts with your firm's complaints handling requirements;
- develop their understanding of TCF;
- be equipped to begin to assess their firm's compliance with complaints handling procedures and the TCF principle;
- be in a position to recognise and effectively close gaps in policies, procedures and processes;
- know the common problems and weaknesses encountered in industry;
- understand the questions the Financial Regulator's supervisors might ask and areas they might review;
- gain a full understanding of the full role and powers of the FSO;
- learn the fundamentals of making objective decisions with regard to consumer complaints;
- increase your confidence and competence; and
- understand how appropriate procedures and processes will build positive customer relationships and reduce the need for cases to be referred to the FSO.
- mock examples of complaints will be utilised to show how complaint should be properly handled.

### **WHO SHOULD ATTEND:**

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>○ <b>Directors (Exec &amp; Non-Exc)</b></li> <li>○ <b>Compliance officers</b></li> <li>○ <b>Customer Relationship staff &amp; managers</b></li> </ul> | <ul style="list-style-type: none"> <li>○ <b>Complaints investigation</b></li> <li>○ <b>Customer relations</b></li> <li>○ <b>Customer feedback analysis</b></li> <li>○ <b>Client Sales</b></li> </ul> |
|--|--|

## THE ROLE OF THE COMPLIANCE OFFICER

### (A) BANKS, FINANCIAL, FUND ADMINISTRATORS, TRUSTEES & OTHER INVESTMENT FIRMS

### (B) LIFE, NON-LIFE AND RE-INSURERS

**DUBLIN COURSE – for Banks, Financial, Fund Administrators, Trustees & Other Investment Firms**  
9.00am to 5.30pm, Wednesday 30<sup>th</sup> September 2009 / Venue: Central DUBLIN City Venue

**DUBLIN COURSE – for Life, Non-Life & Re-Insurers**  
9.00am to 5.30pm, Tuesday 13<sup>th</sup> October 2009 / Venue: Central DUBLIN City Venue

**Cost: €620 (no VAT); €550 for 2nd attendee from same firm attending same day**

- “75% of the content of about 60% of training I have attended is ‘padding’ – this is one of the very few training courses I’ve attended where I was very impressed. Keep up the good work! (Compliance Officer attendee)

The Role of the Compliance Officer in Ireland has changed dramatically. Yet the responsibilities of the compliance staff are not defined in any Code, Rule or Handbook. This course will help Compliance Officers establish the parameters of their roles and responsibilities and will provide practical tips on implementing the **principles-based** approach to regulation.

**“You are the eyes and ears of your firms when it comes to meeting corporate responsibilities... it is therefore vitally important that the compliance function is involved in assessing the compliance risks”** Chief Executive, Financial Regulator

**\* A New central Bank & financial regulator structure will be implemented in Ireland in 2009**

**\* The UK FSA withdrew approval of a compliance officer because the officer lacked competence and capability to ensure the firm complied with FSA requirements (July 2008)**

The trainers, ex-FSA regulator and former heads of Legal & Compliance Departments and Trustee/Custodial Services (Ireland & the UK), will guide you through matters of compliance not contained in the rulebooks but yet vitally important to the role of the Compliance Officer and building a Compliance Function, including: (a) professional & personal responsibility of Compliance Officers and the boundaries of the Compliance Department; (b) how to create a Compliance Charter (i.e. terms of reference); (c) key areas for any Compliance Manual; (d) what to consider when designing a compliance monitoring programme; and (e) what the Financial Regulator expects from Compliance Officers and senior management.

	<b>Content</b>	<b>Time</b>
1	<b>Introduction &amp; opening remarks</b>	0900-0930
2	<b>Financial Regulator and compliance</b> – an examination of the key statutory requirements including regulatory objectives, strategy for 2008-2010, role (Supervision and Enforcement provided in Session 6), funding, the Consultative Panels, the Financial Services Ombudsman and Compliance Statements and Certificates (Insurance Firms).	0930-1030 (break 1030-1045)
3	<b>The Conduct of Business rulebooks</b> – for <u>Banks, fund administrators &amp; trustees, other investment firms</u> : Codes of Conduct, UCITS/Non-UCITS Notices, & key aspects of Basle 2/CAD 3, CRD & ICAAP for credit and financial institutions.  <u>Insurance</u> : Industry Codes of Practice, the Insurance Mediation Directive, the new Life & non-Life Directives, Reinsurance Directive and other regulatory insurance issues, including Solvency II. This session includes an executive summary on the status of the Financial Services Action Plan and other EU directives in the pipeline and the directions these may take Ireland.	1045-1230
<b>Lunch: 1230-1330</b>		
4	<b>The role of Compliance Officers in Irish financial services firms today</b> – (i) personal accountability & the boundaries of the Compliance Function; (ii) structuring a Compliance Function; (iii) what the Compliance Function's terms of reference should include; (iv) helping to create a 'Compliance Culture' within your firm; (v) what your Compliance Manual should include; (vi) the ongoing obligation to train staff; and (vii) factors to consider when designing a compliance monitoring programme.	1330-1615 (break 1500-1515)
5	<b>Financial Regulator's Supervision &amp; Enforcement regime</b> – the Financial Regulator's 'supervisory toolkit', its new powers, how they will work, & a comparison to other regulatory systems to help see how the regulator will respond to breaches. The new <i>Central Bank of Ireland Commission</i> structure will be examined.	1615-1715
6	<b>Questions &amp; Closing remarks</b>	1715-1730

**WHO SHOULD ATTEND: Compliance Officers & Directors (Exec & Non-Exec) of: (a) credit institutions and all investment business firms (e.g. investment management & fund administration) and (b) insurance firms.**

## **DIRECTORS DUTIES AND CORPORATE GOVERNANCE OF CREDIT, FINANCIAL AND INSURANCE INSTITUTIONS REGULATED IN IRELAND**

**DUBLIN COURSE: 9.00am to 1.00pm, Thursday 1<sup>st</sup> October 2009 / Venue: Central DUBLIN City Venue**

**Cost: €380 (no VAT)**

- *"Very good training pack, small group worked very well"* (Solicitor – Directors Duties course attendee)
- *"Very good and informative"* (Insurance Company – Directors Duties attendee)

***"The role of director is one that we have identified as an absolutely critical element ..., responsibility for the proper management and control of a financial service provider and the integrity of its systems now rests squarely with its board of directors and senior management"*** (Patrick Neary, CEO Financial Regulator)

***"... our reliance on the boards and management of credit institutions, as part of our principles based regulation, to meet their corporate governance and risk management responsibilities was misplaced"*** (Jim Farrell, Chairman Financial Regulator)

### **AIMS:**

This half day course provides a practical, hands-on workshop for directors (both Executive and in particular non-Executive) and senior management of Irish regulated credit, financial, insurance and reinsurance services firms, including investment funds.

The course is led by internationally experienced lawyers and accountants with specialist experience in financial services, directors' duties and corporate governance. Peter Oakes and Kevin O'Doherty are: (i) non-executive directors of Irish financial firms; (ii) in the first group to complete in Ireland the 'Chartered Director' academic qualification (the international benchmark for directors via the UK & Irish Institute of Directors); and (iii) present extensively on the topic of directors' duties at Irish financial & insurance firms. Peter Oakes is also a graduate in Corporate Governance (Michael Smurfit School of Business, University College Dublin). With our experience and qualifications we will provide insightful and practical guidance on the role of directors of financial and insurance entities.

### **BENEFITS:**

The course will look at the broad topics of:

- (i) The role of Directors and Non-Executive Directors;
- (ii) The Role of Boards;
- (iii) Selection of NEDs;
- (iv) Accounting Responsibilities;
- (v) Audit Committees and other Committees;
- (vi) Risk Assessment and Planning Strategy;
- (vii) Enhancing Performance

The course will examine how the functions above are impacted by specific s' obligations, including:

- Companies Acts
- Market Abuse Regulations
  - and recent Fyffes v DCC insider dealing case and ODCE action seeking inspectors to be appointed to DCC
- Transparency Regulations
- Insurance Regulations
- Solvency II
- Prospectus Directive
- MiFID Regulations
- UCITS Regulations
- Compliance Statements
- Financial Regulator issued codes, notices and guidance
- ODCE Guidance
- Data Protection
- Anti-Money Laundering and Counter-Financing of Terrorism
- Specific requirements of directors following introduction of new Bank Guarantee/NAMA laws

**WHO SHOULD ATTEND:** Directors (Exec & Non-Exec), Compliance Officers, MLROs, Customer Relationship staff & managers, Heads of Risk, Heads of Internal Audit, Private Practice Solicitors and Accountants.

## **WORKSHOP: HOW TO HANDLE A FINANCIAL REGULATOR (IFSRA) INSPECTION**

**DUBLIN COURSE: 9.00am to 1.00pm, Tuesday 6th October 2009 / Venue: Central DUBLIN City Venue**

**Cost: €380 (no VAT)**

- *"Extremely useful with good practical tips. I look forward to attending more seminars with Compliance Ireland."* (Financial Company - Financial Regulator Inspection course)
- *"Very useful course – particularly the real life examples discussed ... Thanks."* (MiFID Firm – Financial Regulator Inspection course)

**Do you know that:** (i) the Financial Regulator is carrying out of Prudential, Risk, Consumer Protection Code, Governance, MiFID and AML/CFT, compliance visits in 2009 and has significantly increased supervision/inspection staff?; and (ii) 18 Irish firms have entered into settlement / disciplinary agreements with the Financial Regulator?

***"Responding poorly to, and badly managing, an inspection significantly increases the risk of a regulatory sanction"***  
international (EU) financial regulator.

The Financial Regulator powers are extensive and increasing. New laws, new powers and increases in inspection staff will see the Financial Regulator meet its stated sanctions policy objectives to: (i) promote compliance; (ii) operate in the public interest; and (iii) support the economic, efficient and effective pursuit of its strategy. Knowing how to prepare and manage a visit by the Financial Regulator is crucial. Getting it wrong will be costly in terms of management time, sanctions and a loss of reputation. A new Central Bank of Ireland Commission with greater inspection and enforcement powers is also planned for 2009 to perform more intense scrutiny of regulated firms in light of the failures at banks and other financial providers in 2008 & 2009.

### **AIMS:**

This half day course provides a practical, hands-on workshop for directors, senior management, compliance officers, MLROs and operational staff on "How to handle a regulatory inspection conducted by the Financial Regulator" and understanding risk-assessment models used by the Financial Regulator.

### **BENEFITS:**

Our in-depth experience as consultants and former international regulators has led us to conclude that many firms, although they may suffer a regulatory failure, compound issues by:

- not having a compliance risk map;
- not knowing their business model;
- not knowing key regulatory obligations;
- not being up-front with the regulator;
- failing to address the regulator's concerns;
- not understanding the risks their business poses to consumer, financial stability and regulatory reputation; and
- not identifying and managing staff likely to be of interest to the regulator during visits.

By attending this course participants will gain critical knowledge on the above points, plus a full understanding of the conduct of Financial Regulator inspections, including its powers and modus operandi, pre-inspection documentation requests, on-site documentation reviews, the interview process and regulatory administrative sanctions. Inspections by the Financial Regulator involve the interviewing of directors (executive and non-executive), senior staff and reviews and assessments of documents to enable it to determine its risk assessment and perceived deficiencies at your firm.

**Managing a Financial Regulator visit is vital and failing to do so may give the Financial Regulator an unfair impression of your businesses.**

We have helped many firms (**banks, investment firms, intermediaries and insurers**) in this space and the skills we will impart at training will give you the information, knowledge, documentation and confidence to handle an inspection by the Financial Regulator.

**WHO SHOULD ATTEND:** Directors (Exec & Non-Exec), Compliance Officers, MLROs, Customer Relationship staff & managers, Heads of Risk, Heads of Internal Audit.

## MiFID: UNDERSTANDING MiFID AND ITS OPERATIONAL IMPLICATIONS

**DUBLIN COURSE: 9.00am to 1.00pm, Thursday 8<sup>th</sup> October 2009 / Venue: Central DUBLIN City Venue**

**Cost: €380 (no VAT)**

**Half day:** This half day course provides a practical, hands-on workshop on the Irish Regulations (S.I 60 of 2007) implementing MiFID Regulations, amendments thereto and will focus on the key MiFID requirements and best practice.

- "Excellent .. 10 out of 10" (Investment Manager - MiFID attendee)
- "Very well presented, moved at a good pace also excellent notes and extra material provided" (Insurance and Investment Manager – MiFID attendee)
- "Worth attending, worth time spent, worth recommending!" (Bank - MiFID attendee)

The course is delivered by experienced Irish professionals including - (i) an Irish regulatory lawyer, former FSA officer and former head of compliance; (ii) Irish regulatory accountant and former managing director of trustee/custodial services for one of Ireland's largest funds companies. The course, delivered by practising Irish professionals for Irish senior management examines MiFID issues from an Irish perspective. We act for many firms obtaining MiFID authorisation and we will share our experiences of the Financial Regulator's requirements with attendees. **Peter Oakes and Kevin O'Doherty are non-executive directors of Irish financial firms. We bring this experience to all training courses, covering operational impact of regulatory requirements from director to day-to-day management levels.**

**"There is no easy way around that other than putting a cold towel over your head and reading it and getting to know what's in the Directive itself"** Con Horan, Prudential Director, Financial Regulator (Finance Magazine January 2007)  
**"The MiFID requires the Boards of Directors of MiFID firms to have appropriate governance and controls in place and to keep compliance under regular review"** Financial Regulator, Annual Report 2007

**The Financial Regulator is conducting MiFID compliance inspections and compelling firms to undertake independent audits in 2008/9**

### AIMS:

Key aspects of the Irish Regulations implementing MiFID focusing on how these affect your business, client contracts/relationships, information technology systems, other systems and controls, compliance/risk/operational functions and outsourcers will be reviewed. **The course will cover what you need to do to be MiFID compliant and deal with MiFID inspections by the Financial Regulator.**

### BENEFITS:

By attending this course participants will gain critical knowledge on:

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• the scope of the MiFID Requirements:             <ul style="list-style-type: none"> <li>○ including all Regulations, laws and other Directives, rules and notices issued locally and at the EU level</li> <li>○ key differences between implementation in Ireland and other jurisdictions</li> </ul> </li> <li>• impact on the business and new business opportunities             <ul style="list-style-type: none"> <li>○ the positive aspects of MiFID, passporting and business growth potentials</li> <li>○ achieving economies of scale – using MiFID data for the 3rd EU AML Directive and other internal risk maps</li> <li>○ reviewing business and amendments to client contracts/terms of business</li> </ul> </li> <li>• client/counterparty classifications and terms of business:             <ul style="list-style-type: none"> <li>○ understanding the new three tier level of classification (retail &amp; professional clients and eligible counterparties)</li> <li>○ Irish 'MiFID' conduct of business rules and distinguishing between non-MiFID rules (e.g. Consumer Protection Code / UCITS / CRD)</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• products and services offered to clients (and investors):             <ul style="list-style-type: none"> <li>○ what to expect and how to identify potential problems within existing and new client relationships.</li> <li>○ understanding how products and services remain suitable and compliant under MiFID</li> </ul> </li> <li>• best execution policies and rules - demystifying best execution and venue execution issues</li> <li>• transaction reporting:             <ul style="list-style-type: none"> <li>○ pre and post trade reporting requirements</li> </ul> </li> <li>• implementing appropriate outsourcing arrangements             <ul style="list-style-type: none"> <li>○ reviewing service level agreements with TPAs and incorporating necessary changes</li> </ul> </li> <li>• senior management responsibility across compliance, operations and risk functions             <ul style="list-style-type: none"> <li>○ collective responsibility for compliance failures</li> <li>○ personal responsibility for corporate/board failures</li> </ul> </li> <li>• other issues/items/papers released by the Department of Finance / Financial Regulator / CESR before each training date (if a critical document is issued in between courses, all attendees will receive that material and an explanation of its impact)</li> <li>• CESR updates, guidance and measures covered.</li> </ul> |
|---|--|

**WHO SHOULD ATTEND: Directors (Exec & Non-Exec), Compliance Officers, Customer Relationship staff & managers, Heads of Risk/Internal Audit, I.T. personnel, Private Practice Solicitors & Accountants**

## **WORKSHOP: RISK-BASED COMPLIANCE MONITORING FOR FINANCIAL INSTITUTIONS**

**DUBLIN COURSE: 9.00am to 1.00pm, Thursday 29<sup>th</sup> October 2009 / Venue: Central DUBLIN City Venue**

**Cost: €380 (no VAT)**

This intensive half day course provides a practical, hands-on workshop for both the seasoned and less experienced Compliance professional. The workshop focuses on what you need to do to demonstrate an effective Risk-Based Compliance Monitoring Programme ("RBCMP").

- *"Really clarified what areas of risk I should be concerned with." (Financial Institution - Compliance Risk Monitoring attendee)*

The Financial Regulator is demanding that firms demonstrate compliance with applicable rules, codes & laws. Regulatory responsibilities and the management demands placed upon Compliance professionals have escalated sharply. One of the best ways to help demonstrate your firm's compliance with, not just rules, codes & laws, but also your contractual obligations under service agreements, is by implementing a RBCMP. A properly designed and structured RBCMP will help your firm identify gaps between (1) your obligations and (2) your compliance with those obligations, while at the same time demonstrating the value-added benefits of your Compliance Function. A RBCMP is a requirement of the Financial Regulator.

**Do you know that (i)** 18 Irish firms have entered into settlement / disciplinary agreements with the Financial Regulator; and **(ii)** Compliance Programmes are required by the Financial Regulator under MiFID, the Consumer Protection Code, the Investment Intermediaries Act, Solvency II and other regulations?

Content	Time
1 <b>Opening remarks and review of the workshop's objectives</b>	0900-0915
2 <b>Setting the regulatory context</b> – a look at the Financial Regulator's supervisory and enforcement powers, including the requirement to establish a monitoring programme, its power to perform inspection visits and compel Compliance Statements, as well the different methodologies and approaches to RBCMPs.	0915-0945
3 <b>How to conduct a risk-based assessment of your firm's business</b> – learn how to risk assess your firm's business and identify the key areas you need to focus upon before drafting your annual compliance plan ("ACP") and RBCMP.	0945-1030 (break 1030-1045)
4 <b>How to build your compliance plan and RBCMP</b> – understand why robust ACPs and RBCMPs are the essential building blocks of any Compliance Function; learn how to incorporate findings from your risk-based assessment into your ACP and RBCMP; evaluating and prioritising the results of your ACP into your RBCMP; and obtaining your Board of Directors' approval.	1045-1200
5 <b>The stakeholders: understand which parties will be interested in your compliance programme and what you need to do to keep them inside</b> – various parties will consider themselves stakeholders in your compliance programme, i.e. board of directors, clients, parent companies and of course the Irish Financial Regulator and other regulators. This session will identify all the main stakeholders and what they expect from your compliance programme. Learn how to draft your findings to address the information requirements of each of your stakeholders. The trainers will relate their own personal experience and judgments gained from their time as Consultants, Compliance Officers and a Regulator to give you an insight into how best to present your compliance monitoring results and findings.	1200-1230
6 <b>Open Forum, questions and closing remarks</b> – in this session we will deal with a range of topics including: (a) soft skills – how to obtain buy-in from your directors and operational colleagues; (b) how to apply the skills learnt today to the monitoring of third parties and subsidiaries; (c) open forum for attendees to discuss their own specific approach to compliance monitoring; (d) ask all those questions that you didn't raise earlier in the day; and (e) closing remarks.	1230-1300

**WHO SHOULD ATTEND: Directors (Exec & Non-Exec), Compliance Officers, MLROs, Heads of Risk, Heads of Internal Audit and other with an interest in risk management.**

## **ESTABLISHING THE INTERNAL AUDIT FUNCTION**

**DUBLIN COURSE: 9.00am to 1.00pm, Tuesday 1<sup>st</sup> December 2009 / Venue: Central DUBLIN City Venue**

**Cost: €380 (no VAT)**

The Institute of Internal Auditors (IIA) defines the internal audit function as being **an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations**. A proper and effective internal audit function brings a systematic and disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes.

***"The Financial Regulator views internal audit as being an integral part of the ongoing monitoring of an undertaking's system of internal controls and of its internal capital assessment procedure, because internal audit provides an independent assessment of the adequacy of, and compliance with, the undertaking's established policies and procedures. The role of the internal audit function is to assist senior management and the Board of Directors in the efficient and effective discharge of their responsibilities"*** Financial Regulator, Corporate Governance, December 2007

### **AIMS:**

This new half day course provides an introduction to the work of the internal audit function, setting out the role and place of the function in the regulated financial and insurance services business.

### **BENEFITS:**

The course will look at:

- The role of the internal audit function in the firm's governance mechanisms
- The distinction between internal audit and external audit
- Setting terms of reference for the internal audit function
- The relationship between internal audit and supervisory authorities
- Outsourcing the internal audit function
- Integrating the work of internal audit, compliance and risk management functions for maximum effectiveness

The course will examine:

- Principles underlying a sound, capable internal audit function, across various Directives including MiFID, Solvency II and Reinsurance
  - Independence,
  - Objectivity and Impartiality,
  - Authority,
  - Access,
  - Reporting,
  - Remuneration,
  - Resources,
  - Scope,
  - Key Findings,
  - New Products,
  - Competence
- Working methods and types of audits
- Risk focus and audit plan
- The audit process from plan to report
- Procedures
- Managing the internal audit department
- Performance assessment metrics and the balanced scorecard

**An effective and well structure internal audit function is not just imperative, but is a regulatory requirement, under Irish (and overseas) banking, MiFID and insurance regulatory systems.** *The current banking and investment scandals both in Ireland and abroad make this course a must for senior management and internal auditors.*

**WHO SHOULD ATTEND:** Directors (Exec & Non-Exec), Members of Risk & Audit Committees, Heads of Internal Audit, Heads of Risk, Heads of Compliance, MLROs, Operational Management

## How to Book & Pay

- **OPTION 1:** You can book and pay-online **by Credit Card** on the webpage of the course you wish to attend. A confirmation webpage will appear once your booking is completed with your receipt number and a further email will follow restating your receipt number and booking details. For multiple bookings use **Option 2** below for an invoice.
- **OPTION 2:** If you require an invoice send an email to [bookings@complianceireland.com](mailto:bookings@complianceireland.com), providing your name, employer name, contact telephone number, identifying both the name & the date of the course you wish to book. An automatic response will be emailed AND a further email attaching an invoice will be sent for payment. Under option 2 you can pay:

**by Cheque :** Send your cheque to **Compliance Ireland**, Lower Ground Floor, 13 Adelaide Road, Dublin 2.

**by Wire Transfer:** Wire your payment to **Bank of Ireland Inchicore, Dublin 8, Sort Code: 90-01-64, Account Name: Compliance Ireland, Account Number: 77062621 [IBAN IE93 BOFI 9001 6477 0626 21 BIC No BOFIE2D]** and use the invoice number as the payment reference.

**TERMS & CONDITIONS:** *Our Terms and Conditions and Cancellation Policy ('Terms') are located at [http://www.complianceireland.com/Events\\_Term\\_Cancel.html](http://www.complianceireland.com/Events_Term_Cancel.html). Please read the Terms before making your booking. A link to the Terms appears on each webpage advertising a course/Event. Please note that Compliance Ireland reserves the right to alter the content and/or cancel scheduled courses/Events. Where Compliance Ireland cancels a course/Event a full refund will be made. All bookings must be paid for in advance unless agreed otherwise. Please also see our Privacy Policy/Statement at <http://www.complianceireland.com/gpage.html>*

### About the trainers

**Peter Oakes** (Principal Director) - qualified Solicitor (in Ireland, the UK & Australia), former regulator (UK FSA Enforcement Officer & ASIC Senior Officer) and former Head of Legal & Compliance Functions for asset management & administration companies. Peter is a Member of the Panel Assessors appointed by the Financial Regulator and is a non-executive director of a regulated investment management company. Holds Graduate Diploma in Corporate Governance (Michael Smurfit School of Business, University College Dublin), the Diploma in Company Direction and is completing the Chartered Director Qualification (IoD). Peter is a member of Association of Compliance Officers in Ireland & Institute of Directors in Ireland.

**Kevin O'Doherty** (Principal Director) - a Fellow of the Institute of Chartered Accountants in Ireland. Kevin has held senior management roles in financial services firms, including Managing Director of the Irish trustee/custodial operations of a large international funds company. Kevin is a non-executive director of a financial trading company. He holds a Master of Business Studies (Finance), Postgraduate Diploma in Professional Accounting, both from University College Dublin, the Diploma in Company Direction and is completing the Chartered Director Qualification (IoD). Kevin is an associate member of Association of Compliance Officers in Ireland & Institute of Directors in Ireland.

**Compliance Ireland** commenced training and consulting services in Ireland in January 2004. **The business is 100% owned and operated by experienced Irish, UK & international financial services professionals.** **Compliance Ireland** has trained and delivered compliance presentations to more than 2,000 professionals from Ireland, the UK, other European Member States, U.S., Australia, the Middle-East and Africa (including company directors, Compliance Officers, MLROs, accountants, lawyers & HR professionals) across more than 400 Irish and UK financial services firms, law firms, universities and telecom businesses, plus in excess of 300 businesses based in other European Member States, the U.S., Australia, Middle-East and Africa.

We provide services to non-Irish businesses through our sister business, **City Compliance**, and we host [www.mifid.ie](http://www.mifid.ie), [www.antimoneylaundering.ie](http://www.antimoneylaundering.ie) and [www.privacy.ie](http://www.privacy.ie).

Visit [www.complianceireland.com](http://www.complianceireland.com) for more about our services.

### Here are more quotes from past attendees:

- "The way in which the material was presented was stimulating." and "... managed to make what is quite a technical subject very interesting" (Dublin Solicitors – AML attendees)
- "... worth attending for the number of absolutely crucial points driven home well." (Fund Administrator – AML attendee)
- "Really clarified what areas of risk I should be concerned with." (Financial Institution - Compliance Risk Monitoring attendee)
- "Excellent course – will definitely use Compliance Ireland in the future" (Bank & Investment Firm - Compliance Officer attendee)
- "Course material excellent- very informative & relevant as always" (Insurance Company – Compliance Statement attendee)
- "A very well presented course. A complex area that was approached logically. Obviously presenter knew the area extremely well and did not have to hide behind jargon or legislation. His ability to debate the issues was good also. The course was brought to life with real life examples." ((Irish) Financial Regulator - AML attendee)

Read more testimonials at <http://www.complianceireland.com/Testimonials.html>

Visit <http://www.complianceireland.com/Training.html> for further information

Email 'Subscribe' to [news@complianceireland.com](mailto:news@complianceireland.com) for regular regulatory news bulletins