



# Asset Finance and Lending Regulatory Compliance

DWF has a strong reputation for non-contentious Financial Services Regulatory work. Members of the FSR team specialise in providing compliance advice to businesses and individuals operating within the UK financial services industry, including those authorised by the Financial Conduct Authority (FCA).

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## Our expertise in the field of financial services and products covers;

- ✓ Start up projects, including process/route to market development, product design and marketing
- ✓ Standard and bespoke documentation for all types of small and medium ticket end user funding, including loans, leases and HP/conditional sale agreements
- ✓ Corporate governance and commercial arrangements
- ✓ Intermediated market issues and documentation, including broker oversight and commission disclosure
- ✓ Assisting firms and senior managers through the minefield of FCA compliance, including authorisations and SMCR individual approvals; financial promotion; SYSC arrangements; Consumer Duty conformity; SUP, DISP and other Handbook requirements.
- ✓ CCA regulated compliance, including prescribed contract and post-contract documentation, CONC application, and breach/enforceability issues.
- ✓ Reviews of process and documentation
- ✓ Regulatory Reporting
- ✓ Supporting Firms in dealing with adverse disclosures, s166 appointments and 'close supervision
- ✓ We also provide our finance clients with advice and documentation on other compliance issues that affect their activities, including data protection, anti-money laundering and bribery/corruption legislation. Although of wider application, these areas of law require a high level of finance industry knowledge to ensure that clients adopt the right balance between technical and commercial considerations.

## Our Clients

Our clients include retail banks, leasing companies, asset and motor finance providers, retail and commercial lenders, and intermediaries. We also act for businesses and individuals whose core activity is primarily outside the lending industry, such as insurers, manufacturers and retailers, but who increasingly require CCA and FCA compliance advice.

## Our Advisers

Our advisers are a mixture of lawyers and non-lawyers providing regulatory consultancy services. This enables us to seamlessly combine high level legal advice and volume resources to support project activities such as FCA applications and remediation exercises

| DWF are associate members of the Finance and Leasing Association, the BVRLA and UK Finance

# Key Members of our Team



**Richard Humphreys**

**Head of Consumer Credit  
Regulatory**

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Richard is a highly experienced regulatory lawyer. He has spent 35 years servicing the compliance advisory requirements of commercial and consumer finance businesses, with a particular focus on CCA and FCA regulation.

Richard provides clients with pragmatic and holistic advice, combining the grasp of technical detail required for the application of CCA Regulations and FCA Handbook Rules with an understanding of the commercial demands which underpin everyday business activity, in order to deliver 'real world' solutions to compliance issues.

This approach has allowed Richard to build long term 'trusted advisor' relationships with clients, delivering informed commercial support to in house lawyers and compliance teams whenever the size or complexity of a regulatory compliance issue requires specialist experience or additional resources.



**Felicity Rowan**

**Head of Financial  
Services Advisory**

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Felicity's experience in financial services started with seven years in the FCA's Enforcement Division. She has since spent sixteen years in private practice, during which time she has worked both externally and internally (on secondment) for a wide range of finance clients. This mix of advisory roles has given her a complete understanding of the regulatory arena. Felicity knows the mindset of the FCA, but she also appreciates the practical challenges faced by firms, and is extremely knowledgeable and pragmatic in her approach.

Felicity's experience covers a broad range of financial services, including insurance, mortgages and consumer credit. Her key strengths include FCA notifications; product design and distribution; perimeter issues; corporate governance and Senior Manager arrangements, and SYSC/SUP/DISP compliance. Felicity has been individually ranked by Legal 500 every year since 2014



**Luis Hernandez**

**Head of Consumer and  
Retail Consulting**

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Luis has specialised in financial services regulatory consulting for over 15 years. This includes 6 years working for the FOS, as well as for commercial clients ranging from banks and insurers to smaller consumer credit providers. This background has provided him with the ability to tailor his consulting approach according to the size and nature of his clients.

Luis' experience covers conduct risk failure; regulatory due diligence; review of prospective authorisations and existing permissions; product, process and controls outcome testing; root cause analysis and remediation of issues. He is familiar with all elements of complex project delivery, including the engagement of multiple stakeholders, designing and developing quality oversight functions, and reviewing compliance and operational policies and procedures.

DWF also has a team of contentious lawyers specialising in dealing with court claims and FOS complaints involving asset finance and lending clients. Contentious issues can generate the need for non-contentious solutions to prevent re-occurrence, and the two teams often work in conjunction to provide a client with an holistic service.

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