

GOVERNANCE, COMPLIANCE & REGULATION PRACTICE

The Ash St. Governance, Compliance and Regulation Team (GCR) is a blended legal, compliance and governance practice that draws on the private practice and in-house experience of Practice Director, Samantha Carroll and Special Counsel, Michelle Bradshaw. Their approach is to listen, understand and then provide clients with quality advice informed by their experience of what works in the real world.

Consistent with the Ash St. approach, the GCR Team leverage the complementary skill sets of the Corporate/M&A, Finance, Projects IT, IP, Real Property and Employment Legal Practices and Advisory Services to ensure that the right people are involved in our client's Governance, Compliance and Regulatory matters. This translates into achieving the best results and high quality outcomes for our clients.

SOME RECENT MATTERS

Clients across a myriad of industries and sectors, such as ADIs, Mining, NFPs, Insurance have engaged the GCR Team to advise on a number of Board related policies and core documentation such as:

- implementing the Banking Executive Accountability Regime (BEAR) framework medium sized ADIs
- review and development of a Privacy Framework which included, review of a Privacy Policy, Third Party Risk Assessment, Privacy Impact Assessment and Mandatory Data Breach Reporting Framework;
- development of a Remediation Framework;
- compliance maturity review of a Compliance Management Framework;
- review of a Risk Management Framework
- review and development of standardised Policy templates for Risk Policies (including Market Risk, Credit Risk, Liquidity Risk and Operational Risk Policies); and
- review and development of a Compliance Monitoring and Supervision Program.

OVERVIEW OF SERVICES AVAILABLE

There are a number of ways in which you can engage the GCR Team depending on your priorities, needs and ongoing requirements.

Ongoing

The GCR Team advise on issues such as providing technical legal advice on the laws, how to respond to non-compliance with obligations, governance and compliance advice on the overarching framework or operation of governance/compliance in an organisation.

They also provide governance/compliance advice on particular regimes such as the Anti-Money Laundering, Counter-Terrorism Financing legislation including reviewing or developing the necessary framework documentation and practical advice on how to effectively implement and operationalise compliance obligations.

The Team can also be engaged on a retainer basis to provide ongoing compliance and regulatory advisory services. Tailored to suit your needs, retainers can be entered into on a monthly, quarterly or annual basis and can be dialled up or down as needed.

Specific Services

The GCR Team routinely assess regulatory and other external environments to ensure they remain at the forefront of issues that you may face. We have summarised these specific services in the following matrix.

Specific Services	Client Solutions
<p>AML/CTF Governance, Compliance & Regulation Advice</p> <p>The GCR Team has extensive experience in anti-money laundering/counter terrorism financing (AML/CTF) requirements. Their practical in-house experience in the development and implementation of AML/CTF programs in organisations of varying sizes sets them apart from other lawyers.</p> <p>Their advice is tailored to your organisation and informed by their personal experience of implementing AML/CTF processes such as customer identification, PEP and sanctions screening, transaction monitoring and ongoing customer due diligence. Their focus is to ensure your AML/CTF program or AML/CTF process is both compliant and able to be successfully implemented.</p> <p>The GCR Team also have extensive regulatory experience with AUSTRAC including seeking clarification on regulatory approaches, proactive incident and breach reporting, preparing for onsite reviews by the regulator and responding to concerns over compliance with statutory requirements.</p>	<ul style="list-style-type: none"> ▪ reviewing and advising on the application of AML/CTF; ▪ designing an AML/CTF Program and/or supporting framework, policies, procedures and guidelines; ▪ advising on customer identification requirements (particularly for complex structures); ▪ advising on enhancement and remediation programs for AML/CTF frameworks or controls; and ▪ preparing and managing various responses and engagement activity with AUSTRAC.
<p>Independent Board Assessments</p> <p>The GCR Team are able to provide you with an independent review of board performance against key performance indicators. Their review criteria has been developed having regard to recognised principles of good governance and has also been tailored to review governance requirements for specific types of entities such as listed companies and superannuation boards.</p> <p>The Board services also extend to reviewing and advising on specific performance areas such as the adequacy and appropriateness of board reporting (particularly as this relates to compliance reporting).</p>	<ul style="list-style-type: none"> ▪ review of Board papers/presentations ▪ Board performance reviews ▪ advising Boards on regulatory obligations, managing conflicts of interest ▪ deep dive training and provision of templates to assist with on regulatory obligations with a specific focus on the role of the board in overseeing critical regulatory obligations Eg. AML/CTF ▪ review and advice on the adequacy of governance, risk and compliance frameworks and conduct risk and compliance cultures ▪ advising on the adequacy of structure and/or resourcing of risk and compliance functions

Specific Services	Client Solutions
<p>Independent Experts</p> <p>The GCR Team can also act as independent experts to review or develop compliance actions arising from Regulator actions such as an Enforceable Undertaking and conduct remediation reviews, regulatory change or enhancement programs to provide independence assurance to the Boards, executive management or regulators on the effectiveness of the program.</p> <p>Their extensive experience dealing with Regulators, deep legal expertise and practical experience enables the GCR Team to comprehensively review issues and provide pragmatic recommendations and solutions.</p>	<ul style="list-style-type: none"> ▪ targeted independent review and regulatory expert advice focusing on the adequacy of compliance arrangements for specific obligations such as AML/CTF obligations, NCCP (responsible lending) and privacy frameworks. ▪ assurance on the effectiveness of remediation programs to address compliance breaches. ▪ assurance on the effectiveness of regulatory projects to implement regulatory change or enhancements to compliance obligations frameworks.
<p>SMEs For Regulatory/Compliance Projects</p> <p>The GCR Team’s deep regulatory and compliance expertise means that they can effectively guide and direct large scale enhancement, remediation and regulatory change projects where you need a ‘safe pair of hands’ to ensure you achieve the objectives of your project.</p> <p>The GCR Team are highly experienced in the delivery of compliance and regulatory projects and can easily work with your internal or external project teams to provide technical subject matter expertise in a wide range of legislative regimes.</p>	<ul style="list-style-type: none"> ▪ guide and direct large scale product enhancement, remediation and regulatory change projects to ensure they align with legislative regimes

Specific Services

RegTech

The GCR Team recognise the importance of RegTech in today's regulatory and compliance environment which is demonstrated by the Teams' strong links to organisations such as GRC Solutions (leaders in the compliance training space) and SuperChoice (payment transfer platform). They can assist you in effectively implementing your RegTech solution in a range of ways including reviewing the solution to ensure it achieves the desired compliance outcome, advising or assisting with projects to implement the solution or performing an independent review post implementation.

Regulatory Change

The GCR Team are particularly focused on the challenges organisations face in the implementation of regulatory change, particularly where that change is rapid and constant. They can develop implementation packages for you with a key focus on practicality and scalability. An example of such a package is the BEAR Implementation solutions applied across 19 ADIs as well as the new Whistleblower regime solutions.

Client Solutions

- effective implementation of RegTech solution by:
 - reviewing the solution
 - advising/assisting (end to end)
 - independent, post implementation review

- advising and assisting clients on implementing regulator change
- review of impacted policies and compliance frameworks
- development of new policies and compliance frameworks
- communications
- executive level training to help responsible staff understand their obligations

The Team



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About Ash St. Legal & Advisory

Ash St. is an integrated professional services firm providing Legal, Compliance and other Advisory Services to solve complex business problems.

Established in 2013, Ash St. was founded to offer clients "The New Way" in professional services. With this foresight and the application of multiple professional disciplines we ensure our clients' complex business problems are solved.

We are industry agnostic and our professional disciplines in law include corporate transactions, corporate governance/compliance/regulation, project finance, project review, employment, product liability, social media, digital and IP, dispute resolution, reputation protection and crisis management.

We also provide corporate advisory services such as business strategy; market research; business planning and financial analysis; organisational design; change management; and leadership and talent management. We specialise in innovation and investment, matching businesses with networks, partners and capital, including non-bank debt and family office, high net worth and Venture Capital equity capital.

Reach out to Ash St. today to find out how we can help you convert the complex into opportunities.

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