



CAPABILITY STATEMENT

Cummings Pepperdine is a unique firm for the alternative assets and crypto industries advising on the three key business areas of:

LAW TAX FCA

We provide relationship-based holistic solutions linking law, tax and FCA compliance - with all these services under one roof together with a focus on integrated governance and risk procedures.

Specialising in these three key areas allows us to offer clients a wide breadth of assistance to cater to their core business needs. A sound understanding of law, tax and FCA issues, with the ability to apply solutions to problems arising in these areas, is essential to ensure any business runs smoothly.

OUR AREAS OF EXPERTISE

We offer advice and solutions in many areas within law, tax and FCA.

Our specialisms include:

- Hedge funds
- Fund managers
- Cryptocurrencies
- Tax structuring
- FCA financial reporting
- FCA rules and governance
- FCA resilience testing
- Regulation and compliance

Our services are tailored to your business and our time and cost-effective service delivers.

CUMMINGS PEPPERDINE

+44 7734 057 327

Green Park House, 15 Stratton Street,
London W1J 8LQ

www.cummingspepperdine.com

GOVERNANCE

Whilst it goes without saying that strong corporate governance leads to long term success for all businesses, for those who are regulated, it is an FCA requirement and, therefore, mandatory.

Cummings Pepperdine works with you to support and guide you through the process of setting up systems and then work with you as part of a team to run and develop all that you need. We have a depth of expertise in understanding and implementing FCA rules into everyday corporate life.

We are experts in the FCA's demands, particularly the SM&CR and SYSC rules. Our aim is to work with you to embed good practices to enable your business to adhere to regulations, remain compliant and simultaneously drive forward commercial success.

CULTURE AND CONDUCT PROGRAMME

The Cummings Pepperdine Culture & Control Programme is an innovative, independent service which performs due diligence on the governance systems of asset managers to ensure compliance with the FCA's requirements.

What's included?

- A documented review of governance systems mapped against FCA requirements
- A step-by-step programme to remedial implementation
- A quarterly review programme
- A report to included in due diligence procedures
- On-going support
- on-going training via our specialist learning management system

We provide managers with on-going support to successfully complete due diligence requests and train staff for FCA and allocator interviews.

HEDGE FUNDS

Cummings Pepperdine advises on fund structures across the board - stand-alone, master-feeder, segregated and umbrella. We advise clients who sit on regulatory hosting platforms at both fund manager and fund level. Our help and advice runs from end to end, inception onwards, to help funds prosper and develop.

We have particular expertise in structuring funds and drafting and negotiation fund documentation including:

- Offering memorandum
- Subscription agreement
- Investment management agreement
- Investment advisory agreement
- Administration agreement
- Custody agreement
- Depositary agreement
- Marketing documents

FUND MANAGERS

We have experience of structuring fund managers: LLPs and limited companies as well as GPs, looking at the optimum structure from both the tax and legal perspectives.

And we work at all stages of the life of managers, from inception to onward growth and development.

Our work includes:

- Tax and legal structuring
- FCA rules
- FCA applications
- FCA financial reporting
- FCA governance
- SM&CR

CRYPTOCURRENCY

Cryptocurrency advice is a core offering for Cummings Pepperdine. Our lawyers were among the earlier advisers in the newer investment areas of digital assets and have built up many layers of experience as part of growing and fast-developing new markets.

We help our clients find solutions through the combination of our knowledge and experience. We are up to speed with the latest laws, legislation and regulation and advice on how these apply to digital assets and their eco-systems.

Our work in cryptocurrencies includes:

- Regulation of cryptoassets
- Structuring
- Wallets
- Trading
- Exchanges
- Custody solutions
- Compliance
- FCA advice
- FCA resilience
- FCA governance
- Terms of business

TAX ADVICE AND FCA ACCOUNTING

Our selected tax team provides corporate tax advice to companies and their shareholders, LLPs and their partners.

We give our clients tax-efficient and commercial options for their business from start-up and beyond.

Our work in tax advice includes:

- Selecting a company or an LLP
- Company incorporation
- FCA regulatory capital
- FCA reporting
- Annual audit
- Management accounting
- Company secretarial services
- Registered office services

FCA REGULATION AND COMPLIANCE

Regulation is continually evolving. We help our clients stay abreast of the developments.

Using our knowledge and experience, we provide a transparent service that cuts through confusion.

We can update you on changes to legislation and explain how it will impact to ensure that your business fully complies - and with minimal disruption to you.

We have particular expertise in the rules, regulations and legislation which impacts fund managers including:

- AIFMD
- Financial Promotions
- MiFID II
- Collective investment schemes
- Post-Brexit marketing
- Marketing rules
- AML5
- FSMA
- FCA Handbook

ICARA – THE NEW ICAAP

We were early researchers on the requirements of the new ICARA regime, which will come into force in 2022, replacing the existing ICAAP.

The ICARA Process will need to demonstrate a truly capable, robust and functioning governance and risk management systems. This must be accompanied by the full, necessary public disclosures which flow from it. The FCA has said it will concentrate on the following risks: risk to market; risk to customer and risk to firm.

We provide:

- An ICARA Process gap analysis
- Bespoke drafting
- Tailored ICARA training
- Alignment of your strategy and customer needs

WHAT CUMMINGS PEPPERDINE CAN DO FOR YOU

We will guide you across a range of tasks and provide solid solutions to issues and problems you may encounter.

For example, we can support you with:

- Tax and legal structuring and advice
- FCA rules
- FCA applications
- FCA financial reporting
- FCA governance
- FCA resilience testing
- FCA advice
- Regime structuring
- Compliance
- Regulatory advice
- Governance advice and resilience testing
- Advising on exchange rules
- Policies and procedures
- Highlighting areas of risk and/or concern

HOW WE WORK

At Cummings Pepperdine we pride ourselves on our unique approach which is based on four core values:

- Teamwork
- Reliability and expertise
- Passion and creative energy
- Extended value

Teamwork:

Through our team-work approach, your business needs are ours to meet. Consisting of a range of experts, one of our team will always be able to help. With our easily approachable

and friendly manner we are simply a phone call away. We will deal with the challenges you face and overcome them with you, allowing you to progress whilst we remain at your side throughout. Think of us as your very own in-house law and compliance department.

Reliability and expertise:

Law, tax and FCA areas develop swiftly so addressing them correctly and aptly is fundamental. That is why we work as a team of professional experts keeping abreast of new developments in these areas and consistently developing our own knowledge and expertise. You can always rely on and trust in us.

Passion and creative energy:

We are passionate that our clients succeed and that their business projects progress - we work diligently to ensure we support you in doing so. Along with offering solutions to your law, tax and FCA issues, we take pride in offering extensive support services such as acting as a sounding board, drawing up essential contracts and quick over the phone business advice to those niggling

Extended value:

Along with offering solutions to your law, tax and FCA issues, we take pride in offering extensive support services such as acting as a sounding board, drawing up essential contracts and quick over the phone business advice to those niggling questions.

Click here now to
make it all work

Watch our
introductory video

claire.cummings@cummingspepperdine.com
serena.joseph@cummingspepperdine.com
samantha.fitter@cummingspepperdine.com

nigel.tobin@cummingspepperdine.com
PA@cummingspepperdine.com

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