

# LAW SOCIETY PROFESSIONAL TRAINING

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Centre of Excellence for  
Professional Education and Lifelong Learning



## Business Law Update 2023

<b>Date</b>	<b>15 November 2023</b>
<b>Time</b>	2.00pm to 5.30pm
<b>Venue</b>	<b>Main Lecture Theatre, Law Society of Ireland</b>
<b>Fee</b>	€198
<b>Discounted* Fee</b>	€175* Law Society Skillnet Fee
<b>CPD Hours</b>	2.5 general and 1 regulatory (by group study)
<b>Event Code</b>	23034

*\*This Law Society Skillnet discount is applicable to all practicing solicitors working in the private sector. The standard fee for this course is €198.*

### Aim and objectives

This annual conference is designed in collaboration with the Business Law Committee. The conference will involve three interactive panel of experts in the field aiming to provide a practical overview of recent practice, legislative and case law developments.

### Panel discussions will focus on:

#### 1. Spotlight on Anti- Money Laundering

This session will consider recent developments and professional insights in relation to certifying beneficial ownership.

#### 2. Competition Update - Investment Screening

This session will provide an update on new Irish competition law legislation and on new rules requiring pre-clearance of certain transactions involving non-EU buyers.

#### 3. Case Study Session – ‘Anatomy of a Deal’

This session will explore some key things to think about when buying or selling a private company. The Panel will use a case study to draw out both buyers’ and sellers’ perspectives. During the case study the panelists will use the discussion to focus on some recent hot topics in private company transactions, and to offer suggestions about how sellers’ lawyers can help get a private company ready for a sale transaction.

### Chairperson

#### **Máire Cunningham, Chair, Business Law Committee, Law Society of Ireland**

Máire is a partner in the corporate & commercial team in Beauchamps LLP. Máire acts for both investors and investees across all sectors including food, agri tech and med tech. Máire has extensive experience in all areas of corporate law with a particular focus on shareholder relations, private equity and venture capital. Máire also advises on the establishment of partnerships and partnership law.

### Speakers

#### **Eleanor Daly, Vice Chair, Business Law Committee, Law Society of Ireland**

Eleanor is a Director and Associate General Counsel with Meta, where she leads Meta’s

International Corporate Governance Team. Eleanor has many years' experience in the areas of corporate governance, company law, risk, compliance and legal entity management. Eleanor is the External Examiner to the Law Society of Ireland's Certificate in Company Secretarial Law and Practice and is also an External Advisor to the Qualifications Committee of the Chartered Governance Institute (UK and Ireland). From 2014 to 2018 Eleanor was a member of the Irish Company Law Review Group (the CLRG), a statutory advisory expert body charged with advising the Minister for Jobs, Enterprise & Innovation on the review and development of company law in Ireland. Eleanor is a co-author of the Irish Company Secretary's Handbook (Bloomsbury, 1st ed, 2011). In addition to being a Solicitor and Chartered Tax Advisor, Eleanor is also a Fellow of the Chartered Governance Institute in London. In 2022 Eleanor was Chair of the American Chamber of Commerce General Counsel Forum and is currently the Vice-Chair of the Business Law Committee of the Law Society of Ireland.

### **Philip Andrews SC**

Philip is a leading Irish antitrust and corporate enforcement practitioner. He is ranked Band 1 in all directories, is a Senior Counsel, and is co-author of the leading textbook on Irish antitrust enforcement - a work that has been cited by the Irish Supreme Court and the Competition Court. Philip worked in a top-tier Dublin firm for 21 years, including as Partner in charge of the EU, Competition, Regulated Markets and Trade Group. Prior to that Philip served as Legal Advisor to the Competition Authority, as Senior Associate in the Brussels Office of a major U.S. firm, and as a trainee in the European Commission. Among other accolades, Philip was listed as among the world's leading competition lawyers under the age of 40 in GCR's '40 under Forty' survey. He is a non-governmental adviser to the Competition Authority and is a past chair of the Law Society's EU and International Affairs Committee and a member of the Business Law Committee.

### **Úna Butler**

Úna Butler is a Member of Ireland's Competition and Consumer Protection Commission (CCPC) since January 2022. As well as collegiate decision making with other Members on all aspects of the organisation, she oversees the CCPC's Cartels and Digital Investigations Divisions. She was previously Director of Legal Services & General Counsel at the CCPC since 2014, overseeing legal advice on all aspects of the CCPC's work. Prior to that, she worked as a competition lawyer in private practice in Dublin.

### **Niamh Counihan**

Niamh is Matheson's Director of Legal and Regulatory Affairs and Pro Bono Partner dividing her time equally between her two roles. As a partner within Matheson's Risk Management Team, Niamh works closely with a team of multi-disciplinary specialists to provide legal and regulatory advice to the firm. She advises Matheson on all aspects of risk management, compliance and professional standards. In her role as Pro Bono Partner, Niamh is responsible for developing and leading Matheson's pro bono practice. Niamh has extensive knowledge and experience of contentious and non-contentious corporate restructuring and insolvency law matters and commercial litigation. Niamh is a member of the Pro Bono Pledge Steering Group which supports Public Interest Law Alliance in growing and developing Pro Bono Pledge Ireland and provides strategic direction to the operation and development of the Pledge. She has been a member of the Business Law Committee of the Law Society of Ireland since 2015 and lectures with the Law Society of Ireland.

### **Martin Farley**

Martin Farley has been a member of the competition law and State aid teams of the European Commission Legal Service since 2014. Prior to that, he spent 6 years in private practice at an international law firm. Martin holds an LLB in Law with European Legal Studies from King's College London and an LLM in European Law from the College of Europe. Martin is a Fellow of the Centre of European Law at King's College London, and was a member of the editorial board of the Journal of European Competition Law and Policy (JECLAP) between 2016 and 2022.

### **Gavin O'Flaherty**

Gavin is a partner in the Corporate Department in Eversheds Sutherland Ireland and has an extensive practice area in advising on mergers and acquisitions, joint ventures, shareholders agreements, corporate establishments, equity investments and general corporate law.

As part of his general corporate and m&a practice, he also has an established sectoral expertise of working with emerging growth companies on all aspects of their growth and also has an m&a specialism in relation to the technology, healthcare and agri-food sectors. He also works extensively in the area of foreign direct investment. He has obtained the Associate of the Irish Taxation Institute (AITI) qualification. Gavin lectures in the Law School of the Law Society of Ireland in relation to aspects of corporate law and speaks to other professional bodies in respect of corporate and partnership law. He also speaks regularly to the members of the Irish Taxation Institute and writes regularly in the Irish Tax Review, the bi-monthly publication of the Irish Taxation Institute.

### **Fiona O'Connell**

Fiona is a partner in O'Flynn Exhams LLP and has extensive experience in company and commercial law matters advising a broad range of private and public sector bodies as well as charitable organisations, banks, investors and PLCs. She advises several Irish charitable organizations on corporate governance matters. Her work includes drafting and advising on a wide range of commercial contracts and agreements with particular focus on non-disclosure agreements, shareholders agreements, joint ventures, partnerships, shared/ transitional services agreements, licensing of commercial rights as well as regulatory issues including GDPR. She also advises on investments in spin outs for third level institutions including related IP agreements. Fiona advises on significant mergers and acquisitions in the Irish market and her work in this area involves interaction with financial and taxation advisers to agree the terms of financing agreements, deeds of covenant, taxation warranties. She also advises on corporate restructurings and private equity as well as working with leading Irish banks on facility letters and related security. She has negotiated several refinancing's and settlement agreements with third party lenders. Fiona has lectured at UCC and at the Law Society of Ireland on company and consumer law and contributed to a book on data protection legislation. She is a current member of the Law Society's Business Law Committee.

### **Paul White**

Paul is a partner in A&L Goodbody's Corporate and M&A group. Paul is a specialist in corporate and commercial law including equity capital markets, mergers and acquisitions, joint ventures, corporate restructurings and corporate finance. He also regularly advises Boards of domestic and international public and private companies, regulated institutions and State bodies, and not-for-profit organisations on corporate governance and compliance issues. In addition to being a Partner in the Corporate practice, Paul served as Chairman of A&L Goodbody from 2010 until 2016; was Head of the Corporate practice between 2004 and 2010 and he managed the London office from 1999 to 2004. He also carries management responsibility for a number of the Firm's key relationships. Paul is a member of the Business Law Committee of the Law Society, and is a former vice chair of the Corporate and M&A Law Committee of the International Bar Association.

### **Paul Egan SC**

Paul, a former Chair of the Mason Hayes and Curran Corporate Department, specialises in corporate transactions, governance and regulatory matters. Clients know him for providing clear and practical legal advice. Paul is lead and conflicts adviser on company and securities law for several listed companies and major shareholders in such companies. Paul is a founding member and current Chair of the statutory Company Law Review Group, the body responsible for advising the Minister for Enterprise, Trade and Employment on company law. Paul was appointed Senior Counsel by the Government of Ireland in 2020, the first occasion the title was conferred on solicitors. Paul is author of several books, including *Irish Securities Law* (Bloomsbury, 2021) and Mason Hayes and Curran's *EU Securities Laws* (2022).

## **IMPORTANT**

- This is an in-person event and, unless otherwise stated, will not be available online or as a recording.
- In order to reduce waste and to support the work of the Law Society Environmental and Sustainability in Practice Taskforce, materials will not be printed. Instead, they will be emailed before the event.
- Solicitors are required to complete 20 hours CPD this year of which 5 hours must be

undertaken in person. Please see <https://www.lawsociety.ie/Solicitors/rules-legislation/CPD-Scheme/2023-cycle>

- For full programme details download the [Brochure](#)
- View our [Privacy Statement](#)
- If you have technical or other queries, contact the Law Society Professional Training team on [lspt@lawsociety.ie](mailto:lspt@lawsociety.ie)

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