



HERBERT
SMITH
FREEHILLS



TONY COBURN

CONSULTANT

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Tony, a full-time consultant, is the head of the Australian Banking Regulatory team.

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BACKGROUND

Tony has a Bachelor of Laws from the University of Auckland and a Master of Laws from the University of New South Wales. He is admitted in New Zealand, and in New South Wales, Victoria and several other Australian states.

KEY SERVICES

Financial Services Regulatory
Anti-money laundering

KEY SECTORS

Financial Institutions
Consumer

EXPERIENCE

He advises clients on Australian consumer credit and retail banking law, payment systems regulation, personal property securities laws, and anti-money laundering and privacy legislation. He also has expertise in relation to the supply of goods and services to Australian consumers.

Tony has in-depth knowledge of the development and distribution of regulated financial products, under consumer credit legislation and the financial services provisions of Australia's Corporations Act 2001. He advises clients on significant retail banking-related transactions (including co-branded arrangements and loyalty schemes), electronic banking and payment systems. He also assists clients with regulatory and licensing requirements to establish and operate financial institutions in Australia.

Tony advises and represents clients in alliances, joint ventures, business process re-engineering, outsourcing and procurement of services by financial institutions, especially in the retail banking and payment systems sectors. He regularly liaises with various regulatory bodies including the Australian Prudential Regulation Authority (APRA), the Australian Securities and Investments Commission (ASIC), AUSTRAC (the Australian Government's financial intelligence unit) and the Australian Competition and Consumer Commission (ACCC).

Tony has advised:

- a major trading bank in its review and redesign of documents and processes for the purposes of Australia's Personal Property Securities Act 2009
- issuers of credit cards to establish a loyalty program or to negotiate with providers of rewards programs
- credit and debit card issuers in negotiations with payment systems providers
- an Australian bank in preparing margin lending and securities lending documentation (in connection with the recent regulation of margin lending products under Australia's Corporations Act 2001)
- a margin lending institution on compliance with the margin lending requirements of the Corporations Act 2001

Tony is a contributor to LexisNexis's Australian Consumer Credit Law Service and Personal Property Securities in Australia. He is a member of several industry bodies including the Financial Services Committee of the Business Law Section of the Law Council of Australia.

From 2000 to 2003, Tony was a senior executive and chief legal officer of a Silicon Valley-based software company that supplied the financial services sector.

