

Banking and Finance in Switzerland

Baker & McKenzie Switzerland serves its banking and finance clients from Zurich and Geneva, the two main financial centers in Switzerland. Hence, our banking and finance lawyers are close to the banking industry and can thus monitor both the legal developments in the banking and finance sector and their practical implementation. The permanent contacts of our lawyers in Switzerland with the largest banks, with many regional and local banks and private banks as well as with the regulator enable them to thoroughly understand their clients' business and needs.

We assist domestic and foreign banks (including private banks), asset managers, industrial companies, private equity investors, public sector entities as well as individuals in all questions and issues arising from their finance transactions and their banking contracts in general. A significant number of our lawyers have worked in banks or at the regulator before joining Baker & McKenzie. As part of our monitoring of legal and regulatory developments, we frequently publish articles on banking and finance issues.

Ways we assist our clients:

- Domestic and foreign banks and financial institutions: We assist them in structuring and documenting their bilateral or syndicated credit facilities on a secured or unsecured basis and in the context of a wide range of financing needs such as for acquisitions, mergers, public takeovers, asset based finance (including art and private jet financings), commodities, trades, real estate projects, export transactions or for general corporate purposes. We draft financial lease agreements and coordinate bilateral and syndicated leasing transactions. Furthermore, we provide guidance on all issues related to lombard loans, advise on global custody, investment advisory or asset management agreements and assist our clients in all other legal issues arising from their banking contracts.
- Industrial, commercial, service and other companies: We regularly advise local and international companies in connection with their financing transactions by reviewing and negotiating credit facilities agreements, advising in the structuring of the security packages and creating security interests for the benefit of their lenders. The first and key step for us is to understand our clients' business in order to avoid or limit any adverse impact the granting of a security interest may have on their business. We also regularly advise companies in respect of all their other banking transactions such as in relation to the issuance of letters of credit, the operation of a cash pooling or the entry into hedging transactions.
- Private equity investors: We advise private equity investors on the structuring and negotiation of their debt financing transactions for acquisitions and leveraged buy-outs.
- Public sector entities: Our clients include governmental and state-owned entities (such as public transport enterprises or airports) and lending institutions providing financing to such entities. We give advice in this context on various structured financings, in the private placement of notes, long term and short term financings and infrastructure lending.

- Individuals: We provide guidance to individuals in relation to all legal aspects of their banking relationships (such as the opening of accounts, investment advice, asset management, bank secrecy questions or the recovery of assets deposited with banks).

Other areas where we provide advice:

- Legal opinions: We prepare legal opinions under Swiss law in relation to credit facilities agreements, derivative transactions and netting arrangements, the Swiss export risk insurance (insuring export transactions) and other banking and finance issues.
- Financial products and OTC-derivatives: We assist in the structuring and documenting of financial products, such as credit linked notes and other structured products, and assist in setting up and negotiating contracts dealing with OTC-derivatives, exchange-traded and centrally cleared derivative instruments, and this for regulated institutions, corporates, state-owned entities or individuals.
- Training: We regularly organize roundtables, business briefings or similar events for clients and potential clients where we address specific relevant legal issues or legal developments. Furthermore, our lawyers speak on a regular basis at seminars and publish articles on diverse topics. Some of our lawyers teach at universities and/or within the framework of further education programs for professionals of the financial sector.

Our Cooperation:

The banking and finance lawyers work closely with their colleagues in other practice groups who advise on financial market regulations, capital market or restructuring and insolvency and with our insurance and reinsurance lawyers who advise on all aspects of litigious and non-litigious insurance matters. Furthermore, our lawyers also participate, in, and contribute to, the European and the Global Banking Finance Group of Baker & McKenzie, and easily and efficiently bring banking and finance lawyers of other Baker & McKenzie offices to the table where required or advisable to help our clients to achieve their goals.

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