

BYRNE  
WALLACE

LAW FIRM



# Ireland - Gateway to Europe

*Why Ireland? Why ByrneWallace?*

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# Who is investing in Ireland?

- Over 1,000 of the world's largest international companies have established operations in Ireland.
- Over the past 10 years Ireland has attracted nearly 25% of all US foreign direct investment.
- Strong base of industries<sup>1</sup>
  - 9 out of 10 global ICT corporations
  - 9 out of 10 global pharmaceutical companies
  - 12 out of 15 global medical device companies
  - All top 10 "born on the internet" companies
  - 3 out of 6 top games companies
  - More than 50% of the world's leading financial services firms

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<sup>1</sup> Source : IDA Ireland

# Why Invest in Ireland?

## Strong Track Record<sup>1</sup>

- 1<sup>st</sup> in the world for inward investment by quality and value
- 1<sup>st</sup> in Europe for jobs created in R&D
- 1<sup>st</sup> in Europe for investment in Pharmaceuticals
- Increasingly global destination of choice for Outsourced Services
- Proactive approach to business

## Skilled workforce – talent is a key driver of FDI

- Ireland is globally recognised for having a highly educated and skilled workforce

## Gateway to Europe

- Easy access to European Markets of 500+ million consumers
- Eurozone trading
- English Speaking
- Tax - favourable and globally competitive tax regimes and double taxation treaties
- Investment incentives
- Strong Government support for research, development and innovation

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<sup>1</sup> Source: IDA Ireland

# The level of Foreign Direct Investment (FDI) into Ireland relative to the size of the economy is one of the highest in the world. So why Ireland?

## Excellent Business Environment

Ireland benefits from:

- a stable constitution based parliamentary democracy;
- a pro-business industrial development policy;
- an effective transport network;
- one of the most technologically advanced telecoms networks in the world; and
- one of the longest average industrial working weeks in the EU and the longest working year.

There is a strong commitment from government and other stakeholders to provide support to investment in Ireland.

Ireland's success in attracting FDI ensures a wide range of highly experienced financial, accounting and tax advisers. As a leading law firm ByrneWallace has excellent relationships with these providers.

## Access to Key Markets

Ireland, as part of the European Union (EU), has direct access to the world's second largest economy where goods, people and capital move freely and with over 500 million consumers. Aside from Malta, Ireland is the only English speaking country which uses the euro. The European mainland is readily accessible through Ireland's main ports and airports, increasing Ireland's attractiveness as a location for major international markets.

## Educated Labour Force

Ireland's young population and high-quality education system present a competitive advantage for any employer. Many of Ireland's third level students major in engineering, science or business studies and many graduates are proficient in more than one language. Ireland is globally recognised as having a flexible, skilled and highly educated workforce, with over 60% of students pursuing higher education.

## Taxes

Ireland has developed favourable and globally competitive tax regimes including competitive corporate tax, holding company regimes, R&D and IP credits.

## Favourable Corporate Tax Rates

Irish tax resident companies benefit from one of the lowest corporation tax rate of 12.5% on trading profits and certain distributions received from foreign trading subsidiaries. The scope of activities considered to be trading is broad and can include the development and exploitation of Intellectual Property. A company is tax resident in Ireland if it is incorporated in Ireland and if Ireland is the place of central management and control of the company.

## A Favourable Holding Company Regime

The principal benefits of locating a holding company in Ireland are the exemption from the charge to Irish capital gains tax in respect of the disposal of qualifying shareholdings in subsidiaries and the beneficial regime for the taxation of foreign dividends.

## Research & Development & Intellectual Property Tax Credit

Irish tax law also contains reliefs for expenditure in relation to intellectual property and research and development. Ireland has an R&D Tax Credit to incentivise companies to undertake new and/or additional R&D activity in Ireland. This is available to Irish tax-resident companies engaged in in-house qualifying R&D undertaken within the European Economic Area (EEA). R&D credits combined with corporate tax provides substantial tax deductions and credits. Companies located in Ireland can also potentially avail of favourable tax treatment in relation to intangible Intellectual Property assets transferred into Ireland.

## Special Incentives and Development Agencies

Industrial development agencies offer a range of attractive incentives for Inward Investors including tax and financial assistance which are administered through various government agencies. These include grants towards start-up costs such as training and employment, and grants in respect of investment in research and development projects. Rent remissions and rent allowances may also be available.

There are two principal national development agencies:

### The Industrial Development Authority (IDA)

- The IDA provides advice and assistance to overseas companies considering setting up an operation in Ireland and to those already established here. ByrneWallace has a strong working relationship with the IDA both in the US and in Ireland.
- The IDA owns a number of industrial parks with purpose-built factories and can also offer greenfield sites where promoters can construct custom-built facilities.
- The IDA's International Services Programme is specifically geared towards encouraging international services companies to locate in Ireland.
- The IDA has offices in the UK, France, Germany, Russia, Holland, Japan, Hong Kong, India, China, Korea, Taiwan, Australia, Brazil and six offices in the US: New York, Chicago, Los Angeles, Boston, San Jose and Atlanta.

### Enterprise Ireland

- Enterprise Ireland's role is to support the development of indigenous Irish industries and to encourage overseas industries in the food, beverage and timber sectors to locate in Ireland.
- Enterprise Ireland has offices in Ireland and around the world facilitating 60 countries.

## Network of World Class Suppliers and Business Supports

Ireland's position as a international manufacturing base has resulted in the development of a network of top-quality suppliers. As well as servicing the needs of Irish-based manufacturers, these companies supply facilities across Europe and worldwide. Most suppliers are accredited to ISO 9000 quality standards.

### Foreign Trade

Ireland has recently enjoyed record levels of external trade. The Index of Economic Freedom rates Ireland as Europe's most economically free country and the fifth in the world in this regard. Industrial products such as computers, chemicals, software and medical devices account for the majority of manufactured exports. The pharmaceuticals, information and communications technology, globally traded services and financial services industries are particularly important to the Irish economy.

US investment is key to the development of Irish industry providing a multiplier effect with new technology, export capabilities, and employment opportunities. Ireland is also an important European research and development centre for North American Firms.

# Our Foreign Direct Investment Expertise

## Corporate and Commercial

Our Corporate and Commercial team advise on:

- establishment of Irish operations
- mergers and acquisitions
- joint ventures
- restructuring
- all corporate and commercial contracts
- company law
- company secretarial services including incorporation services, compliance services and corporate governance

## Real Estate

Our Real Estate team uses its strong working relationship with Irish commercial agents to help negotiate commercial terms as efficiently as possible.

- all areas of Irish property law
- commercial property
- acquisitions
- development and expansion projects
- construction
- leasing of commercial and industrial space
- property financing
- asset management
- residential property
- home relocations

## Labor

Our Labor team is recognised as the leading team in Ireland.

- all aspects of EU and Irish labour issues
- all forms of employment contracts
- trade union recognition
- disputes
- transfer of undertakings
- employment permits
- dismissal and equality law

## Regulatory

Our Regulatory team advise on all areas of regulatory law including:

- foreign direct investment grants
- executive visas
- industry specific licences

## Intellectual Property

We advise in all areas of Irish and EU law including:

- intellectual property rights
- patents
- trade marks
- design rights
- copyright
- registrations
- exploitation (licenses and assignments)
- IP due diligence
- IP enforcement

## Outsourcing

Outsourcing is increasingly a key strategic decision for businesses. Our commercially focused team advise clients on the full process involving strategic, structural, commercial and legal know-how combining expertise from our corporate, employment, data protection, ICT and international teams.

## Tax

Our Tax team advise international corporations and financial institutions on all areas of tax involving Ireland including:

- financial services
- inward investment/cross border planning
- projects
- transfer pricing

## Life Sciences

Our dedicated Life Sciences team advise across the full range of commercial business requirements and has significant in-house and law firm experience in representing biotechnology, pharmaceutical, medical device and diagnostic clients in structuring and negotiating international transactions.

The team has particular experience in:

- clinical trials
- private equity funds investing in industry and companies involved in the establishment and provision of healthcare services
- strategic alliances
- mergers & acquisitions
- supply chain
- license and distribution
- regulatory

## ICT, Software & Digital Media

Our ICT team advise new and established companies, both Irish and International on:

- software
- digital media
- video game development
- online gaming
- online gambling
- cloud computing
- regulatory matters

Our lawyers have advised the following multinationals on their Irish operations



# Our Foreign Direct Investment Team

Our dedicated team draws together extensive expertise and industry knowledge from key practice areas.



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# About ByrneWallace

When you need the law to work for you, you need experts who are focused on supporting, protecting and promoting your interests.

## Excellence

ByrneWallace is one of Ireland's largest law firms with a team of 200 professionals which includes 33 highly experienced partners. We are dedicated to the protection and promotion of our client's interests through the provision of expert legal services. Our expertise is borne out of our 40 year heritage, our high professional standards and a commitment to recruit and develop the most talented lawyers.

## Integrity

We are driven to achieve excellence in everything we do. The law demands it and we deliver it to our clients in a practical and personable manner that distinguishes us from other law firms.

Recognising our integrity and excellence, we are the only top ten law firm in Ireland to be awarded the Lexcel accreditation – that is your independent guarantee that we apply the most rigorous practice standards.

## Progressive

To deliver excellence for our clients, we concentrate on our most important resource, our people. We have made it our mission to have the best people to deliver the best legal service to you.

We adopt a partner-led approach which fosters greater collaboration, a stronger connection to our clients and enables us to harness the collective experience of the ByrneWallace team.

## Connected

We offer a diversity of expertise that covers all significant areas of Irish law. This means that we can deliver the expert advice and knowledge which helps to protect and promote your interests and develop pragmatic and realistic solutions that work in the real world.

As a full service practice, we offer expert advice in the following areas:

- Banking and Finance
- Biotech
- Capital Markets
- Cleantech
- Consumer Law
- Construction & Procurement
- Commercial
- Corporate
- Corporate Restructuring & Insolvency
- Data Protection
- Dispute Resolution (litigation)
- Employment Law
- EU & Competition
- Green Economy
- Health Services & Healthcare
- ICT, Software & Digital Media
- Inward Investment
- Life Sciences
- Medtech
- Mergers & Acquisitions
- Outsourcing
- Pharma
- Private Equity
- Projects, Energy & Natural Resources
- Property & Real Estate
- Regulatory advices
- Retail
- Venture Capital
- Tax

## International reach

We conduct business locally, regionally and on a national and international basis with links to firms across Europe, the USA and Australasia. ByrneWallace is a member of ALFA International, a global legal network of law firms.

We maintain an office in New York to cater for the legal needs of our US clients looking to expand into Ireland and the rest of the EU. Through our association with leading Northern Ireland law firm, Mills Selig, we meet the needs of our clients throughout Ireland.

## Award-winning

- Lexcel Standard of Excellence - Lexcel is a standard of excellence in practice management awarded by the Law Society of England & Wales. It is developed for the global legal profession. It is awarded only to law firms that prove, under onsite assessment by an accredited external auditor, that they meet the highest standards of client care, risk, quality and business management. While over 1,000 firms have achieved Lexcel internationally, ByrneWallace is the first large law firm in Ireland to successfully achieve this accreditation.
- Irish Law Awards Winner
- Client Choice Awards Winner
- Chambers & Partners Top Ranked Leading Law Firm
- Legal 500 Top Tier Firm
- First Irish Law Firm to achieve ISO 14001 Environmental Management
- First Irish Law Firm to win Professional Services Green Award

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