

## TAX LAW | FRANCE

Gide assists its clients on all the tax issues relating to their corporate management and strategies, regardless of their business activity. The firm's expertise covers every aspect of tax law - corporate income tax, financial products, individual taxation, registration duties, VAT, business tax, etc. - at both the domestic and cross-border level.

Gide's Tax team numbers over 20 lawyers, including five partners and one counsel, as well as a translator and a specialised research assistant. Our tax team is one of the most highly recognised in Paris. It is markedly international and is able to work equally well in French and in English. Our educational backgrounds are varied: universities, business schools, accountancy training, notaire accreditation, other courses of study, and experience gained abroad, etc.

We combine our wealth of experience in the area of French tax law with a true understanding of the main tax systems around the world and of international structures. We are members of professional associations for tax advisors such as the *Institut des Avocats Conseils Fiscaux* (IACF), the International Fiscal Association (IFA), as well as the International Academy of Estate and Trust Law (IAETL).

We regularly contribute articles to specialised journals such as *The International Tax Review*, *Droit Fiscal*, *Bulletin Joly*, *Option Finance*, *Bulletin de Gestion Fiscale des Entreprises* and frequently lecture at academic conferences.

The strengths of our tax practice include:

- **Pooled expertise and experience:** we work closely with other departments in the firm (especially Corporate and M&A, Finance, Employment law, Real Estate transactions and financing), which enables us to be involved in a large number of matters touching on extremely diverse areas and issues. We therefore remain at the cutting edge of technical and practical solutions and are able to provide our clients with maximum comfort even on the most innovative structures.
- **An international network:** we work closely with the tax advisers in the firm's international offices - our International Tax Practice Group (ITPG) includes over 50 tax lawyers in 12 countries - as well as with leading firms in other jurisdictions.
- **Assistance tailored to clients' needs:** the firm is able to set up a team of sufficient size and skill to handle the most complex matters.
- **Up-to-date resources:** we have well-furnished documentation services as well as top-of-the-line software for data research and references which enables us to avoid conflicts of interest.

## The Tax Department's Main Practice Areas

### Mergers & Acquisitions

We work closely with the M&A/Corporate department in order to reduce the tax consequences generated by transactions (e.g. capital gains tax, registration duties, withholding tax). We also perform acquisition audits, draft agreements, and negotiate the granting of accreditations by the tax authorities.

### Tax Issues for Corporate Groups

We advise a large number of companies on the tax issues they encounter on a daily basis: tax optimisation (tax consolidation, transfer of losses, territoriality, etc.), taxation of distributed income (withholding tax, etc.).

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## Real Estate Transactions and Financing

We handle a large number of financing transactions and acquisitions of real estate asset portfolios (offices, businesses, housing) involving French and foreign investors.

Since 2004, Gide has been instrumental in defining and implementing the legal and tax regime governing the *Organismes de Placement Collectif Immobilier* (OPCI), the French non-listed REIT.

## Banking & Finance

We are frequently involved with our Banking & Finance department in securitisations and structured finance transactions. We have experience in the taxation of financial instruments, derivatives, and capital markets, whether domestic or cross-border. We also set up French and foreign investment funds and were the originators of the first real estate FCPR (*Fonds Commun de Placement à Risque*).

## Employee Savings Schemes

We advise on the setting up of employee savings plans (stock-options, share warrants for entrepreneurs (BSPCE), company savings schemes (PEE), voluntary employee savings partnership plans (PPESV)) for French or foreign groups in France, either as a distinct process or in the course of an acquisition or restructuring deal.

## International Taxation

A global perspective permeates all our activity, whether with regard to the coexistence and interactions between various national tax laws or the impact of EU law. Although this international context generates risks of double taxation and discomfort for taxpayers, it also provides great optimisation opportunities.

## Tax Litigation

We assist our clients - individuals or legal entities - in their dealings with the tax authorities at every step of a tax audit or dispute. We have also developed our expertise in the area of criminal tax law.

## Individual Taxation

We also assist many clients with their personal tax matters (inheritance of family business, inheritance of private assets, international and domestic tax planning, wealth tax).

*Gide Loyrette Nouel A.A.R.P.I. provides tax advice on a wide range of issues including M&A, real estate and investment funds. The 14-lawyer team has 'long term real estate structuring experience, particularly on collective funds and investments in France or in other European countries' and is also strong in the insurance and financial services sectors. The firm recently assisted Morgan Stanley International with the combination of all of its French activities within Morgan Stanley France, as well as AEW Europe with the acquisition of the Interstellar portfolio. Amundi, Swiss Life Reim and Mercialis are other key clients. Olivier Dauchez and Christian Nouel are highly experienced and Laurent Modave is praised for 'his clarity, assistance in decision-making, and knowledge of the property industry'. Bertrand Jouanneau is also recommended. »*

**Legal 500 EMEA 2018**

*“Advises on a variety of matters, including tax litigation, VAT, real estate investments, M&A transactions, capital markets transactions and indirect tax. Frequently works on international matters. Clients come from different industry sectors such as financial services, real estate and retail. New additions to the team's client roster include Redevco. Clients value the team's ability 'to give perspective to our problems; they don't only focus on our immediate concerns, but always try to understand how the solution can be efficient over time.' Sources additionally report: 'It is an excellent firm with up-to-date knowledge of the law.' Acted for Amundi Immobilier on the acquisition of the four-star Hotel Pullman Paris Tour Eiffel from Jesta Group, via a share deal. Represented Swiss Life REIM in the acquisition and financing of a portfolio of ten hotels located in Germany, from LFPI Hôtels FCPI. »*

**Chambers Europe 2018**

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