

## INVESTMENT MANAGEMENT

Led by an integrated platform of French, English, and US lawyers, Gide's Investment Management practice group advises asset managers, investment funds and institutional investors on all aspects of fund activities. The group combines the unique expertise of both common law and civil law lawyers.

Through a global network of 12 offices in Europe, Asia, North America, Africa and the Middle East, no matter where a fund makes its investments or offers its securities, Gide can provide comprehensive and local legal advice on the following matters:

- Fund structuring
- Taxation
- Financial services regulations
- Negotiations of key agreements, with custodians, broker-dealers, distributors
- Regulatory investigations and disciplinary litigations

### An Extensive Knowledge of the Funds Industry

Gide has an extensive knowledge of the funds industry. We advise on and structure numerous types of funds, including:

- Private equity and venture funds
- Real estate funds
- Infrastructure funds
- Debt funds
- UCITS funds

We are actively involved in the consultation process which precedes new legislation and regulations and in the development of French and European policy-making. Our lawyers have close working relationships with national regulators (French Treasury, French regulator, FCA) and provide significant support to industry and trade bodies (AIMA, Invest Europe and France Invest). We ensure that our clients can satisfy the ever-changing regulatory requirements and that their funds can pursue their investment strategy.

### A Complete Funds Legal Practice

Gide offers its clients a complete legal service covering all legal matters involved in investment fund transactions:

#### Structuring and Documenting

- **Structuring various types of funds** - advising fund managers to adapt fund structures to the latest market practices in light of local regulatory and tax constraints and negotiating with potential investors and counterparties.
- **Formation and documentation** - preparing the PPM and governing documents, and setting up offshore and onshore funds and investment management and advisory vehicles.
- **Day-to-day operations** - representing funds and asset managers on an ongoing basis in their relations with investors, counterparties, distributors and regulators.
- **Restructuring** - advising asset managers in the restructuring of their funds following regulatory developments such as UCITS V and on-going developments under the AIFMD including Brexit.

ALGIERS

BEIJING

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CAIRO

CASABLANCA

ISTANBUL

**LONDON <**

**NEW YORK <**

**PARIS <**

SHANGHAI

TUNIS

WARSAW

## Tax Aspects

- **Complex domestic and international tax planning** - analysing and structuring tax efficiency of funds and platforms for cross-border investing to mitigate overall worldwide taxation as well as local country taxation on a jurisdiction by jurisdiction basis.
- **Structuring carried interest and incentive arrangements** - advising on carried interest schemes, and other incentive arrangements in respect of onshore or offshore funds.

## Financial Services Regulation

- **Authorisation** - representing fund managers seeking authorisation and advising on procedures and preparing organisational documentation. Completing the registration process with local regulators in the EU and other foreign jurisdictions.
- **Regulatory matters** - advising funds and asset managers on the various facets of EU and national regulations. Advising on the compliance, internal management and other organisational requirements arising notably from the AIFMD, MiFID and UCITS.
- **Financial promotion rules** - ensuring that funds stay within the boundaries of the various financial promotion requirements and the conduct of business rules which apply in the EU and the various jurisdictions where the funds are to be marketed.

## Investing

- **Acquisitions and sales of portfolio investments** - advising funds on all stages of an acquisition or sale of portfolio investments, including private equity, debt or real estate.
- **Restructuring distressed investments** - advising on and negotiating all corporate aspects of restructurings and advising clients on acquisitions of specific debt instruments.
- **Representing fund investors** - advising fund investors for their primary investments in funds.
- **Secondary transactions** - acting on the sale and purchase of portfolios of interests in various types of funds
- **Advising buyers, sellers and fund managers** including in relation to stapled financing commitments for current or new fundraisings as part of an overall secondary solution.

## Litigation

- **Disciplinary proceedings** - advising on litigation including contentious regulatory actions.
- **Insider dealing / market abuse law and regulation** - advising on the various issues raised by insider dealing and market abuse law and regulation and all aspects of the conduct of business requirements, including AMF / FCA rules and other investment or marketing restrictions.

*“Outstanding private equity team with particular focus on venture capital and fund-raising, acting for both investors and companies. Recognised for its expertise in the technology sector. Also noted for its leading practice in fund formation matters including private equity, real estate and infrastructure funds. Clients appreciate the team’s ‘really quick and good understanding of who we are and our constraints.’ Sources value the provision of ‘the multi-expertise of a one-stop shop and the follow-up on all subjects by a single team’.”*

**Chambers Europe 2018**

*“The ‘truly transaction-oriented’ Gide ‘always delivers an outstanding level of service’, with ‘a great response in terms of time, substance and general guidance’ and, according to one client, has ‘by far the best mix of technical expertise and practical experience among asset management lawyers’. The team ‘knows the industry in France, Europe and North Africa’ and is considered ‘a trendsetter with a reliable global network’ as well as ‘a great partner for long-term matters as it provides stability’.”*

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## CONTACT PARTNERS

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