



The Global Legal Network
Celebrating 40 Years

EXPANDING ABROAD - KEY CROSS-BORDER ISSUES FOR US BUSINESSES MAKING ACQUISITIONS OVERSEAS

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OVERVIEW

- Achieving growth through overseas acquisitions
- What issues surprise Americans the most?
- Jurisdictions specifically considered:
 - Canada
 - China
 - Belgium
 - United Kingdom

OVERVIEW

- Can I use my favorite US M&A forms abroad?
- Employment law requirements
- Unexpected regulatory consent requirements
- Key cultural issues
- Other surprises

CAN I USE MY US M&A FORMS ABROAD?

- Choice of law and jurisdiction
- Form of document
 - Common law countries
 - Civil law countries

EMPLOYMENT LAW REQUIREMENTS

- European countries
 - Asset purchases
 - Automatic transfer of employees
 - Changing employment terms post deal
 - Share purchases
 - Duties to consult or inform
- Other countries

REGULATORY CONSENTS

- Canada – First Nation issues
- China – the role of central & local government
- Merger control
- Our increasingly protectionist world
 - National security
 - Covid-19
 - Protecting PPE & vaccine industries
 - Buying assets on the cheap

KEY CULTURAL ISSUES

- China
- Europe
- Language
 - Table / punt
 - Quite
- Cultural fit
- Starting the meeting

OTHER SURPRISES

- Duties of good faith
- Local nationality requirements
- Stamp duty
- Notarization (the last word)

POP UP QUESTION

- If your British boss tells you that your idea is interesting and that she will table it at the next meeting, does she mean:
 - A. She is interested in the suggestion but will not take it forward
 - B. She doesn't think it makes sense and will not take it forward
 - C. She likes the idea and will take it forward
 - D. She doesn't think it makes sense but will take it forward

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