



Acquisition Finance

Tom Speechley

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One of the main issues for a buyer making an acquisition is how to finance it. *Acquisition Finance*, 2nd edition considers the commercial factors that influence the choice of finance and analyses the most common forms of debt and equity finance. Offering in depth expert advice it provides a full picture for each scenario of the transaction structure and process from the initial commercial stages, to the structuring aspects, due diligence process, the legal documentation process (including a detailed look at the various legal documents required), to funding and completion.

The second edition includes coverage of the following changes in the financial market:

Impact of the credit crunch on the acquisition finance market and the terms currently available to borrowers (pricing, level of restriction, balance of negotiating power between lenders and borrowers);
Types of acquisition finance currently available (less mezzanine finance, less second lien debt, but high yield debt market strengthening);
Typical funding structures in the post-credit crunch market;
How the financial assistance rules apply to buyouts since October 1, 2009;
Changes to the players in the acquisition finance market, including the increasing involvement of non-bank lenders;
Continued evolution of the private equity market;
Current state of the public-to-private market and its regulation reflecting changes to the Takeover Code since 2008.

Includes the following legislation and case law:

Companies Act 2006 - how the financial assistance rules apply to buyouts since October 1, 2009;

Changes to the Takeover Code since publication of the 1st edition in 2008;

Makdessi v Cavendish Square Holdings BV and another (Appeal) [2013] EWCA Civ 1539;

Re Uniq Plc [2011] EWHC 749 (Ch);

Barclays Bank Plc and others v HHY Luxembourg SARL & Anor (Rev 1) [2010] EWCA Civ 1248.

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