



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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