
THE MERGERS & ACQUISITIONS REVIEW

THIRD EDITION

EDITOR
SIMON ROBINSON

LAW BUSINESS RESEARCH

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For further information please email
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THE MERGERS & ACQUISITIONS REVIEW

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PREFACE

The past year has seen the financial crisis continue to escalate. Financial markets have witnessed a number of events that have had global effects, from the collapse of Lehman Brothers in September 2008, to Iceland's banking crisis and the nationalisation of various financial institutions by several governments. The consensus is that the decision not to rescue Lehman was a mistake, although, to date, this appears to be an isolated – if serious – error by the authorities in response to the banking sector crisis. Other responses to these turbulent market conditions include the decision to reduce interest rates to historically unprecedented levels and massive fiscal stimulus in many countries. More controversially, several monetary authorities have implemented a 'quantitative easing' policy. Taken together, these efforts seem, at the moment anyway, to have averted a full-scale depression, but this has clearly been achieved at the price of huge public-sector deficits and substantial debt burdens for future generations.

The current debate centres around whether the next stage will be a continuing crisis, a return to 'normality' or, as seems more likely, a slow and anaemic recovery. In any case, many observers predict significantly higher levels of inflation than seen in recent years. Although some tentatively predict that a recovery from the financial crisis is on the horizon, the topic remains one of ferocious debate.

Some questioned whether the banking crisis would seriously affect the wider economy. The last year has proved beyond doubt that those who predicted a wider financial crisis were correct. The crisis in the real economy has much further to run and a significant increase in unemployment, particularly in Europe, regrettably seems inevitable.

M&A activity has reflected this crisis. Lending remains very constrained and the most significant activity has been in the financial sector, although property companies are also severely stressed. The less welcome development over the past year or so has been the steady stream of distressed corporate rescues, some by takeover. More optimistically, many are now commenting that, for those with cash, there are bargains to be had.

From the lawyers' perspective, the next stages are likely to be of great interest as the authorities take steps to rebuild confidence in financial institutions. The regulatory architecture will change significantly, although the final form is not yet obvious.

I again wish to thank all the contributors for their continued support and cooperation – and all the unnamed others who have helped to produce this book, which, given the current economic climate, should hopefully provide interesting reading.

Simon Robinson
Slaughter and May
London
August 2009

Chapter 48

ROMANIA

*Ștefan Damian**

I OVERVIEW OF 2008/2009 M&A ACTIVITY

2008 was a substantially positive year for the Romanian economy, with virtually all indicators improving as compared to previous years. Last year marked stabilisation of the current account deficit. Moreover, the inflation rate continued its downward trend to 6.3 per cent as compared to 6.57 per cent in 2007, while the GDP registered a significant growth of 7.1 per cent.

Such positive results are an integral part of a relatively long period of solid economic results that started back in 2000, which have been supported by major legislative reforms implemented with the view of harmonising the local laws with the *acquis communautaire*. Such measures significantly improved the Romanian business environment and generated increased confidence of both foreign and domestic investors in the local economy. Other strengths of the local market were the relatively low employment costs as compared to other EU Member States, as well as a fairly new real estate market.

As a result, Romania ceased to be regarded by foreign investors only as a promising, yet still insecure emergent market. Instead, throughout 2008, major players who had put a foothold on the local market in previous years focused their strategies on consolidating and expanding their businesses via M&A transactions (mainly acquisitions).

The highlights of 2008 in the M&A market have been delivered by the insurance field and represented: the acquisition of Asiban in a €350 million transaction by the French company Groupama, as well as the acquisition of Unita, previously part of Vienna Insurance Group portfolio in a €230 million transaction awarded to the Austrian group Uniqa.

However, as a result of first signs of global economic and financial downturn, the end of 2008 marked the beginning of a negative economic cycle, anticipated by a swift

* Ștefan Damian is a partner at Țuca Zbârcea & Asociații.

slowdown in economic growth (i.e., down to a disappointing 2.9 per cent GDP growth in the fourth quarter, the lowest growth rate since 2000). Based on preliminary data, the growth slowdown at the end of 2008 was quickly replaced by steep recession in the first part of 2009, as the Romanian economy is expected to drop 4 to 6 per cent in the first six months of the year.

In absolute numbers, the decrease in the volume of M&A transactions was visible even in 2008 when the number of the transactions dropped compared to 2007. Still, their value reached a total of €6.5 billion, while direct foreign investment reached an aggregate of €9.02 billion.

No official data regarding the contraction of the M&A market in 2009 are available to the date. Still, it is estimated that it registered a significant drop of 75 per cent in the first five months of the year as compared to the same period in 2008.

II GENERAL INTRODUCTION TO THE LEGISLATIVE M&A FRAMEWORK

The statutory framework regulating the local M&A market may be divided into three main areas: the general corporate legislation; the capital market legislation; and the special statutes regulating privatisation field. Naturally, apart from these three major regulatory fields, special statutes, enacted with the view of regulating various industries, such as banking, insurance, pensions, etc., are relevant for the M&A market.

In addition, concerned about the economic risks posed by the global recession, the Romanian government focused on designing statutory tools aimed at supporting the economic sector, in general, and the financial sector, in particular.

i Companies Law

The fundamental legal enactment relevant for the M&A market is the Companies Law No. 31/1990 ('the Companies Law') frequently amended since its enactment. The most significant recent amendments brought by the Companies Law have been implemented by Law No. 441/2006, Emergency Government Ordinance No. 82/2007 and Emergency Government Ordinance No. 52/2008. The Companies Law provides for specific rules applicable for selling and purchasing participations in Romanian-based companies, while Chapter IV of the Companies Law regulates in detail the concept of merger and spin-off and the procedures to be pursued in the context of such transactions.

Also, as per the amendments inserted in the Company Law by means of Emergency Government Ordinance No. 52/2008, Romania transposed in its domestic legislation the provisions of the Directive 2005/56/EC on cross-border mergers of limited liability companies.

ii Capital market law

The capital market sector, although still young, has nevertheless seen notable expansion during recent years. The relevant Romanian statutory act regulating the capital market is Law No. 297/2004 on capital market. This act mainly transposes into the local legislation the relevant European legal rules. Currently, there are two regulated markets active in Romania, namely the Bucharest Stock Exchange and Sibiu Monetary-Financial and

Commodities Exchange. Formerly, it also implemented one electronic alternative trading system, Rasdaq (aiming to mirror the US NASDAQ system, based on a cooperation agreement between Romania and the US), which recently merged with the Bucharest Stock Exchange.

As proof of a broad process of development and sophistication of the local capital market, the first listing of an international company in Romania has recently been finalised, implementing significant regulatory amendments required for cross-border securities settlement and trade.

iii Privatisation legislation

A third set of relevant rules for the M&A sector is established by the special legislation regulating the privatisation field, which allows former state-owned companies to be transferred to privately-controlled entities.

The general rules on privatisation are provided by Emergency Government Ordinance No. 88/1997 on the privatisation of companies and Law No. 137/2002 on certain measures for accelerating the privatisation process. As privatisation involves making strategic decisions that have a significant impact on the economy, it is carried out by the Romanian government, as the co-coordinating authority, entitled to approve the national privatisation strategy. These laws establish the main rules and procedures to be observed for initiating a privatisation procedure, conducting the competitive process in a transparent and non-discriminating manner and concluding the shares' sale-purchase agreement.

iv State aid

In the current context of the financial crisis, state aid measures currently represent a 'hot topic'. The Romanian government initially hesitated to implement any of the proposed aid measures under the 'Temporary Framework for State Aid Measures to Support Access to Finance in the Current Financial and Economic Crisis' issued by the European Commission. However, recently, a state aid scheme in the form of guarantees was notified to and approved by the Commission and is currently operational in Romania.

The body in charge of implementing the scheme is EXIMBANK (i.e., the Export-Import Bank of Romania EximBank SA) and consists of a state guarantee amounting up to 90 per cent of the total credit value throughout its duration based on the general conditions laid down under the state aid temporary framework. The aid is granted for credits related to investments (the duration of the credit must not exceed six years) or for working capital (the duration of the credit must not exceed four years). The estimated number of beneficiaries is 180 (i.e., 100 for 2009 and 80 for 2010). Production of weapons, alcohol and tobacco, and gambling, as well as real estate transactions (construction or acquisition of real estate for the purpose of sale or rent) are not eligible for aid in the form of guarantees.

It should also be noted that other regional state aid schemes for investments are currently available in Romania in addition to state aid that may be available under the structural funds programmes. Moreover, there are signals that other state aid schemes are envisaged to be issued by Romania under the state aid temporary framework.

III DEVELOPMENTS IN CORPORATE AND TAKEOVER LAW AND THEIR IMPACT

2008 and the beginning of 2009 did not bring major changes in the general statutory framework regulating the M&A market. Such 'legislative silence' follows a period of fervent legislative activity in which the Companies Law, and also other special statutes, underwent major amendments. Therefore, such recoil in legislative process relevant for the M&A market is justified by a need for the business community, in general, and the legal practitioners, in particular, to assimilate the new rules.

Previous significant amendments to the Companies Law, implemented by means of Law No. 441/2006 were enacted in the context of Romania joining the EU. The novelties brought by such amendments relevant for the M&A market regard a more accurate legal definition of the concept of merger in line with the Council Directive No. 78/855/EEC, as well as a revising of the provisions legally imposed to be included in the merger and spin-off plan and intended to consolidate the protection granted to shareholders and third parties.

Another substantial novelty brought by such amendments is the implementation of two alternative systems governing the structuring and operation of Romanian joint-stock companies, namely the one-tier system and the two-tier system. As such, shareholders may opt for a 'classical' one-tier management mechanism (whereby the main managing competencies are to be carried out by the board of directors) or for the new two-tier system consisting of the company being operated by two separate bodies, namely the directorate and the supervisory board. All these significant changes are expected to improve the local business environment, by facilitating the streamlining of the decision-making process in Romanian entities.

A particular comment needs to be made with respect to the relatively newly regulated market for private pensions. 2008 marked the period when the Pillar II (Mandatory) Pension System has been implemented and became functional in Romania. Such system is designed as a private system, complementary to the public pension system and to the Pillar III (Optional) Pension System. Further to a four-month period of marketing competition ending in January 2008, 14 players managed to acquire various market shares in this industry. Still, the resulting market is highly polarised with the two leading pension fund managers holding more than 50 per cent of the market, and the top three players securing more than two-thirds of the market.

Such market concentration raises the risks of the other players not being able to develop, in the long term, viable businesses to compete with the market leaders. In such circumstances, the local regulatory body issued norms aimed at enabling mergers between pension funds, and thus supporting the strengthening of the smaller players (i.e., we specifically refer to the Norm No. 14/2008 issued by the Commission for the Supervision of the Private Pension System, on the protection of subscribers in the case of mergers of private pensions funds).

IV FOREIGN INVOLVEMENT IN M&A TRANSACTIONS

Following the favourable economic trends in 2008, the involvement of foreign investors in the Romanian M&A market represented the broad majority of the aggregate

investment flow placed into local transactions. During 2008, foreign direct investments increased by 24.4 per cent to €9.024 billion, compared to 2007 results. Out of the total investments, 50.1 per cent represented equity participation and reinvested profit, while the 49.9 per cent stood for intra-group loans.

Based on such results, Romania ranked tenth among Euro-zone countries with respect to foreign investment from other EU- Member States. The major capital investments exceeding €5 million each resulted in an aggregate €2.9 billion, out of which 20 per cent were performed in the financial sector. Energy and telecoms were other industries in which significant foreign capital has been invested.

The most active countries in terms of capital infusion were the Netherlands with 16 entries in top 100 capital investments exceeding €5 million (investments focused mainly in finance field) and Germany with 14 such major investments. German capital substantially financed the energy sector. The third place is held by Austria with nine €5 million equity investments. The focus of Austrian investors was on the insurance sector. Spanish investments complete top four investing countries, with seven investments exceeding €5 million. The most significant funds have been in the real estate sector.

As for 2009, the economic recession is expected to slow down foreign investments, especially in the real estate sector. However, it may be anticipated that the energy and infrastructure sectors will continue to be well-financed, particularly renewable energy.

V SIGNIFICANT TRANSACTIONS, KEY TRENDS AND HOT INDUSTRIES

i Significant transactions

2008 was marked by a number of high-profile transactions, even though the peaks of previous years, in terms of value of the transaction, have not been reached. The most active sectors were insurance, energy, food and pharmaceuticals. Also, real estate transactions flourished at least in the first part of 2008. More specifically, the following transactions were the milestones of 2008.

The takeover of the local insurer Asiban by the French group Groupama, following a transaction worth €350 million, historically the most significant transaction on the local insurance market. Asiban is the third largest Romanian insurer and its takeover involved a complex transaction with four financial groups selling their participations: BRD-Groupe Societe Generale, Casa de Economii si Consemnatiuni ('CEC'), Banca Transilvania and Banca Comerciala Romana ('BCR').

The second largest transaction completed in the insurance market was the Austrian group Vienna Insurance Group reaching an agreement for sale of Romanian insurer Unita to Uniqa Austria Group. The purchaser paid an estimated €230 million.

Notably, Vienna Insurance Group was also involved in a second M&A transaction, this time on the purchaser side, as it took over the insurance companies BCR Insurance and BCR Life Insurance from the BCR/Erste financial group. The transaction was worth approximately €244 million and was part of a regional M&A project involving the acquisition by Vienna Insurance Group of Erste Bank's insurance divisions in Romania, Austria, Czech Republic, Hungary, Croatia, Slovakia, Serbia and Ukraine.

In the renewable energy sector, the Czech energy giant CEZ took over two sole-purpose-vehicles from Continental Wind Partners designed to operate the largest two onshore wind farm projects in Europe, with a total capacity of 600MW; approximately double the size of the next largest fully permitted onshore wind farm in Europe, and triple the size of the largest current operational wind farm in Europe. The estimated value of the project was approximately €300 million.

The acquisition by the Dutch group Heineken of the Romanian local beer producer Bere Mures in consideration of an amount of approximately €150 million was the most prominent transaction in the fast moving consumer goods area. The completion of the transaction is expected to consolidate the first-rank position held by Heineken on the Romanian market.

In the pharmaceuticals market, the American private equity fund Advent took over the local medicinal product manufacturer LaborMed, in a transaction worth €123 million.

Local dairy products company LaDorna changed its ownership, as a result of a deal concluded between its then CEO Jean Valvis and the French producer Lactalis. The transaction had an estimated value of €100 million.

Another defining feature of 2008 was the decline of the real estate market in comparison to its boom in 2006 and 2007. More specifically, in contrast with 2007, the real estate market plunged at a rate of 39 per cent leading experts to consider the above-mentioned figure as a sign of even further decline in this sector in the future.

Although 2008 represented a downfall year for the market, the top five real estate transactions were worth in aggregate €807 million. Among those, the most significant transactions were the acquisition by RREEF Real Estate, a Deutsche Bank fund, of the Upgrung project, at a value of €340 million and the deal concluded between the Italian Immobiliare Grande Distribuzione that sold its network of 15 malls to the American fund New Century Holding for an estimated aggregate price of €182.5 million. Also, Deutsche Gesellschaft für Immobilienfonds mbH ('DEGI'), part of Aberdeen Property Investors Group, purchased Iris Shopping Centre in Bucharest for a significant consideration amounting to approximately €150 million.

2009 is expected to mark a drop both in absolute numbers and the value of M&A transactions, as a result of the decline of the capital markets and limited access to credit. Foreign investors are redesigning their expansion and consolidation strategies and are reducing the resources to be injected in investments abroad. As a result, many M&A projects expected to unfold in 2009 have been cancelled or postponed. For example, voestalpine, Austria's largest steel producer, postponed its investment in a new steel plant, a massive green-field project in south-eastern Romania, worth up to €6 billion.

The energy sector, in general, and the wind farms business in particular, promises to remain one of the few bright spots in a contracting M&A market throughout 2009. It can also be anticipated that, as part of the governmental stimulus effort, significant funds will be allocated to financing infrastructure projects such as construction and rehabilitation of roads, public transportation, etc.

ii The 'depletion' of the privatisation pool

During the past years, the privatisation process was the engine which entailed the shift from a post-communist centralised economy to the market economy and constantly represented a significant part of the overall M&A market. The value of privatisation transactions peaked in 2005 when the majority stake in BCR, Romania's largest commercial bank, was sold to the Austrian Erste Bank and registered an expected decrease in 2006. Basically, after several years of intense privatisation, the 'privatisation pool' gradually reaches its limits.

As a proof of such decrease of privatisation, during 2008 the Romanian Privatisation Authority concluded only 37 relatively small transactions.

VI FINANCING OF M&A: MAIN SOURCES AND DEVELOPMENTS

The 'money crisis' is acknowledged as one of the fundamental causes of the current worldwide economic downturn. With private investors investing significant amounts throughout 2008, but scaling-back their investment projections for 2009 and 2010, alternative sources of financing are critical for the Romanian economic engine. In such circumstances, two alternative sources are expected to compensate, at least partially, the decrease in private equity investment.

i EU-granted structural funds

A notable source of funds infusion expected to have a significant impact on the Romanian business environment is EU-granted structural funds. Romania's accession to the EU coincided, at the European Community level, with the outset of a new phase of the reform of regional development policy. The new plan, scheduled for 2007 to 2013, established a set of structural measures designed to grant financial assistance to the Member States, in order to reduce the economic and social disparities within the EU region. From 2007, the EU allotted a generous budget, amounting to approximately €336 billion, distributed under three structural instruments, scheduled to be gradually spent, until 2013 by Member States less developed than the EU's average standards.

Due to its relatively poor economic status compared to other EU countries, Romania is one of the main beneficiaries of the structural funds and is able to access all three: the European Regional Development Fund, the European Social Fund and the Cohesion Fund.

These structural instruments shall be used for achieving clearly established strategic aims, such as convergence, regional competitiveness, territorial European cooperation, etc. In absolute numbers, Romania has been allotted a massive €19.668 billion, out of which over €12.5 billion shall be distributed through the structural funds within the convergence objective and over €6.5 billion through the Cohesion Fund.

However, Romania encountered difficulties in absorbing the allocated funds. In 2007 the fund absorption was almost nonexistent, despite the optimistic foresight of local authorities. For the period 2007 to 2009 the budgets of the approved projects absorbed only 34 per cent of EU funds, however so far only 4 per cent of the funds have actually been received by the beneficiaries.

The causes of such poor absorption of the European funds include the:

- a* non-existence of a major project in the infrastructure sector, where approximately €5.7 billion is allotted for the construction of roads;
- b* lack of initiative from the companies that operate in rural areas mainly because of unclear requirements to be fulfilled when applying for such funds; and
- c* insufficient information provided to potential applicants.

ii Financing agreements with the IMF

As an alternative source of financing, even though impacting only indirectly on the M&A market, is the €12.95 billion standby agreement concluded at the end of March 2009 by the Romanian authorities and the International Monetary Fund. Romania will also be granted external financial aid from the European Union, the World Bank and the European Bank for Reconstruction and Development worth €7 billion.

The IMF and EU-supported programme is designed to cushion the effects of the sharp drop in capital inflows while addressing Romania's external and fiscal imbalances and strengthening the financial sector. The programme's objectives include:

- a* reducing the fiscal imbalance to bring the deficit back under 3 per cent of GDP by 2011;
- b* maintaining adequate capitalisation of banks and liquidity in domestic financial markets;
- c* bringing inflation within the NBR's target range and maintaining it there; and
- d* securing adequate external financing and improving confidence.

Such sources of financing are expected to bring the long expected 'defrost' in crediting activity and improve the overall standing of local economic indicators.

VII EMPLOYMENT LAW

Prior to Romania's accession to the European Union in 2007, most of the European employment regulations had already been transposed into Romanian legislation, including the Council Directive 2001/23/EC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses ('Directive 2001/23/EC').

Directive 2001/23/EC was transposed in the Romanian legislation by Law No. 67/2006 on the employees' protection in the case of transfer of undertakings businesses or parts of undertakings or businesses. The central rule established by Law No. 67/2006 is that the rights and the obligations of the transferor, deriving from individual labour agreements or the collective bargaining agreements, or both, in force at the date of the transfer, shall be fully binding on the transferee. Both the transferor and the transferee of the business shall be under an obligation to inform in writing the representatives of their own employees, at least 30 days prior to the transfer of the business with respect to:

- a* the proposed transfer date;
- b* the reasons for the transfer;
- c* the legal economical and social consequences of the transfer of business on the employees;

- d* the measures to be taken with respect to the employees; and
- e* the working conditions at the place of work after the transfer.

After Romania's accession to the EU in 2007, there have been no significant amendments or developments to Romanian employment legislation.

VIII TAX LAW

The Fiscal Code is the fundamental statute which outlines fiscal policy in Romania. This legal enactment has been significantly amended in the context of harmonising Romania's tax legislation with EU fiscal regulations. Since its accession to the EU, customs barriers have ceased to exist between Romania and the other EU Member States. The provisions of the Savings Directive (2003/48/EC), Interest and Royalty Directive (2003/49/EC) and Mutual Assistance Directive (77/799/EEC) have been also transposed.

Starting 1 January 2005, the central tax measure which has proved successful for the M&A market is that the standard corporate tax rate is 16 per cent. At the beginning of 2009 there has been pressure to increase this tax but to date the government has maintained this relatively low level of direct corporate taxation. In addition, with the view of enhancing the capitalisation of local companies, the Romanian government considers the establishment of additional measures, such as the tax exemption for reinvestment of profit in equipment and technology.

In the field of excise duties the most important changes are aimed at harmonising such duties. After Romania joined the EU and customs barriers disappeared, new concepts were introduced to regulate the exchange of excisable products between Member States (e.g., registered operators, fiscal representative).

IX COMPETITION LAW

In Romania, the merger notification threshold consists of a twofold turnover criterion computed for the year preceding the merger, as follows: the aggregate worldwide turnover of the undertakings concerned exceeds the equivalent in lei of €10 million, and there are at least two undertakings involved, each obtaining, in Romania, a turnover exceeding the equivalent in lei of €4 million.

In 2008, the Romanian Competition Council assessed and cleared approximately 74 mergers concerning markets playing a significant role in the economy, such as the expansion of the Carrefour and Delhaize local retail chains; the acquisition of sole control over Automobile Craiova SA by Ford Motor Company USA in the car manufacturing market; and the acquisition of sole control by Brau Union AG Austria over Bere Mures SA in the beer manufacturing market. The indirect acquisition of sole control by Lactalis Group through BSA International SA over an important local player (Dorna Lactate SA and Dorna SA) in the market of manufacturing and trade of milk and milk products was also cleared.

In addition, in the insurance market, the Romanian Competition Council authorised the acquisition of sole control by Uniqa Versicherungen AG over Unita Vienna Insurance Group SA, as well as the acquisition of indirect sole control by

Generali PPF Holding BV over Asigurare Reasigurare ARDAF SA and Roumanie Assurance International SA.

The Competition Council also assessed mergers entering Phase II, such as the acquisition of sole control by Mechel International Holdings AG Elvetia over Ductil Steel SA Buzau. Phase II was opened when the notified operation was qualified as a horizontal merger, raising serious competition concerns. The merger eventually received unconditional clearance.

Failure to notify a merger exceeding the notification threshold may lead to fines of up to 1 per cent for notification delay cases; and up to 10 per cent for implementing mergers without prior notification. The fines are computed based on the parties' turnover for the year preceding the sanctioning decision. In 2008, the Competition Council made use of such instrument applying fines for notification delay.

Since 1 January 2007, Romania has been part of the European Union. Therefore, mergers exceeding the European notification threshold are handled by the European Commission based on the one-stop principle.

X OUTLOOK

The prospects for the local M&A market for the second part of 2009 and 2010 are regarded by domestic and foreign investors with prudence. While still injecting money into local businesses (in the first five months of 2009 foreign direct investment amounted to approximately €1.6 billion) the medium-term future is still uncertain.

Therefore, a steep drop in the M&A market, in terms of both absolute number of transactions and value is expected and the 'heart' of the M&A market throughout 2009 and 2010 will be formed by lower-profile transactions. A relaunch and expansion of the M&A market is expected by the local business environment in the second part of 2010.

Given that many businesses are likely to face economic difficulties in the near future, it is expected that the local M&A market will offer opportunities for well-capitalised entities to close profitable acquisition deals.

In the field of privatisation, the relevant public authority initiated 17 other transactions, the most significant being the sale of the majority stake in companies in the defence sector, namely Avioane SA Craiova and IAR Ghimbav, as well as the mining sector. Also, the business community is awaiting, with particular interest, the privatisation of other significant entities such as Oltchim (in the chemical industry), and two railway companies, CFR Marfa or CFR Calatori.

STEFAN DAMIAN

Țuca Zbârcea & Asociații

Ștefan Damian is deputy managing partner at Țuca Zbârcea & Asociații.

He has built up a considerable body of practice and experience on the merger and acquisitions/privatisation, post-merger and acquisitions/privatisation issues affecting private and state-owned enterprises, and on the reorganisation of corporate and commercial relationships.

Ștefan Damian is the key relationship partner for a number of big corporate and M&A clients. Since 2001, he has advised ArcelorMittal on all of their privatisation/M&A and corporate projects in Romania: the \$500 million privatisation of Sidex Galati (the largest privatisation process in central and eastern Europe at the time), the acquisition of other four state-owned companies (Siderurgica SA, Petrotub SA, Tepro SA and Romportmet). He also coordinates the team of lawyers handling all Erste Bank's legal matters in Romania, having assisted the Austrian banking and financial group in relation to a variety of acquisitions, corporate, capital markets and banking issues; he has also coordinated the legal work for Voestalpine in relation to its prospected greenfield investment in Romania worth €7 billion.

His area of practice also covers capital markets, as well as competition and antitrust law. He speaks English fluently.

ȚUCA ZBÂRCEA & ASOCIAȚII

4-8 Nicolae Titulescu Avenue

America House

West Wing, 8th Floor

Sector 1

Bucharest 011141

Romania

Tel: +40 21 204 88 90

Fax: +40 21 204 88 99

office@tuca.ro

www.tuca.ro