

ELP PRIVATE EQUITY & VENTURE CAPITAL PRACTICE PROFILE

India has seen a surge in foreign direct inflows of capital into diverse sectors. While India has emerged as a preferred destination and source, investment from and to India is regulated. In this environment, **ELP** consistently strives to devise fully compliant, creative, practical and sophisticated solutions for its clients.

ELP's Private Equity & Venture Capital team has assisted key stakeholders in private funds, including investment managers, sponsors and seed investors, lead investors, funds of funds, placement agents and co-investors. The team has represented both funds and portfolio companies on transactions, and therefore has a sound understanding of concerns from all perspectives.

ELP-SERVICES

Fund Formation

ELP seamlessly leverages its team and advises on all aspects of fund formation covering jurisdiction, tax, legal, regulatory and commercial matters. The practice includes:

Conceptualising and Structuring

- Undertaking jurisdictional analysis and structuring the transaction keeping in mind the key drivers, legal and tax implications, and regulatory parameters; and
- Coordinating with foreign counsel and assisting on local law matters across various jurisdictions (for e.g. Dubai, Singapore, Mauritius and the Cayman Islands)

Documentation

- Drafting all related fund documents; and
- Assisting in drafting, and negotiating with Limited Partners, General Partners, Placement Agents, Service Providers and other intermediaries

People Related Planning

- Employee reward schemes and carry arrangements;
- Employee relocation plans; and
- Other tax effective compensation models to meet commercial objectives

Regulatory and Ongoing Advice

- Drafting and making applications before the Securities and Exchange Board of India (SEBI), the Reserve Bank of India (RBI), the Foreign Investment Promotion Board (FIPB), the Competition Commission of India (CCI) and other regulators for, inter alia, making applications (wherever applicable), registering funds as Foreign Venture Capital Investments (FVCIs), DVCFs, Foreign Institutional Investments (FIIs);
- Regulatory compliance, reporting and ongoing monitoring issues and governance

Deal Execution

ELP has been known for its solution oriented approach and work under strict timelines. Our deal execution assistance includes:

Transaction Related Assistance

- Legal and Tax Due Diligence;
- Capital Structuring and Repatriation;
- Entry and Exit Strategies;
- Advice on Foreign Exchange and Corporate Laws; and
- Inputs on Financial Models.

Transaction Documentation

- Drafting, negotiating and finalising all sorts of transaction documents;
- Advising and assisting on review of pre and post conditions precedents, corporate resolutions, and closing certificates; and
- Assisting in regulatory filings and/or applications necessary for transactions.