

Mergers & Acquisitions

Tax & Legal support throughout the deal lifecycle

January 2021



Mergers & Acquisitions | Tax & Legal support throughout the deal lifecycle



M&A activities will have a strong influence in shaping the post-pandemic "next normal" business environment. The S&P 1200 companies, for example, have a record US \$3.8 trillion in cash reserves and the ability to service debt in a 'dovish' monetary environment¹. The private equity sector also has US \$2.5 trillion worth of funding ready to be deployed on opportunities.

At Deloitte we expect to see broader recognition of social and environmental responsibilities driving not just scrutiny of deals but also reshaping portfolios through acquisitions and disposals. The announced or planned IPOs in EMEA are clear, evidence that there is money in the market with investors actively looking for opportunities, in particular private equity firms.

Deal strategies in a complex climate

As organizations try to reshape their business, raise capital, and drive competitive advantage, deals will remain an important part of the recovery equation. A combination of defensive and offensive M&A strategies should emerge as companies strive to drive transformation amid the current climate².

Defensive M&A

- M&A to salvage value. Companies that have been severely impacted by the crisis and are in a financially vulnerable position, will need to take decisive measures to secure their survival.
 Some will turn to portfolio optimization to identify assets that lack strategic fit and could be divested. Others will take radical actions including distressed asset sales to salvage value from loss-generating divisions.
- *M&A to safeguard markets to maintain competitive parity.* Companies where the impact has been less severe, will need to build financial resilience by extracting deep synergies from recent deals. Many will consider alliances or co-investment opportunities to reduce risk and capital outlay in their core business.

Offensive M&A

- *M&A to transform business and safeguard the future*. Companies with a strong balance sheet but expecting a significant degree of structural disruption to their sector would use M&A to safeguard their customer base and supply chain. While others will explore acquisitions and alliances to close gaps in their portfolio and accelerate long-term transformation to their business models.
- M&A to change the game. A select few resilient and strategically well-placed companies should use M&A and other investment activities to capture unassailable market leadership. It would require alliances that includes both large specialist partners as well as start-ups from the innovation ecosystem. They also need to use M&A to acquire disruptive companies at the edge of their existing businesses and use those as the springboard to launch new offerings that will shape their sectors in the future.



M&A and COVID-19: Charting new horizons View the report

Tax and legal support throughout the deal lifecycle

Deloitte offers differentiated solutions to help companies identify M&A opportunities, assess risks and exposures, understand the tax synergies that can be captured in transactions, and deploy offensive and defensive M&A strategies to navigate uncertainty and rebuild profitability. With a potentially busy transactional period ahead, companies will need support in several different areas throughout the deal lifecycle.



Deloitte advises businesses in determining strategic approaches to grow or rationalize their portfolio or take out costs to drive shareholder value. We focus on delivering value to clients throughout their journey and bring an industry perspective to transactions.



¹ Deloitte, M&A and COVID-19: Charting new horizons, 2020, p.4

² Deloitte, *M&A and COVID-19: Charting new horizons*, 2020, p.7

Contacts:

Deloitte can provide a full range of advice (strategy, finance, tax and legal) before, during and after a transaction, negating the need for separate advisors. Our international footprint provides global, regional and local expertise where the client deal is done.

If you would like to discuss any issues relating to a corporate transaction, please call your usual Deloitte partner or:



Brian Pinto

Deloitte Global Leader Tax & Legal M&A bpinto@deloitte.com



Dr. Markus Schackmann Deloitte Global Leader Deloitte Legal M&A mschackmann@deloitte.dl

Deloitte.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited ("DTTL"), its global network of member firms, and their related entities (collectively, the "Deloitte organization"). DTTL (also referred to as "Deloitte Global") and each of its member firms and related entities are legally separate and independent entities, which cannot obligate or bind each other in respect of third parties. DTTL and each DTTL member firm and related entity is liable only for its own acts and omissions, and not those of each other. DTTL does not provide services to clients. Please see www.deloitte.com/about to learn more.

Deloitte is a leading global provider of audit and assurance, consulting, financial advisory, risk advisory, tax and related services. Our global network of member firms and related entities in more than 150 countries and territories (collectively, the "Deloitte organization") serves four out of five Fortune Global 500® companies. Learn how Deloitte's approximately 330,000 people make an impact that matters at <u>www.deloitte.com</u>.

Deloitte Legal means the legal practices of DTTL member firms, their affiliates or their related entities that provide legal services. The exact nature of these relationships and provision of legal services differs by jurisdiction, to allow compliance with local laws and professional regulations. Each Deloitte Legal practice is legally separate and independent, and cannot obligate any other Deloitte Legal practice. Each Deloitte Legal practice is liable only for its own acts and omissions, and not those of other Deloitte Legal practices. For legal, regulatory and other reasons, not all member firms, their affiliates or their related entities provide legal services or are associated with Deloitte Legal practices.

This communication contains general information only, and none of Deloitte Touche Tohmatsu Limited ("DTTL"), its global network of member firms or their related entities (collectively, the "Deloitte organization") is, by means of this communication, rendering professional advice or services. Before making any decision or taking any action that may affect your finances or your business, you should consult a qualified professional adviser.

No representations, warranties or undertakings (express or implied) are given as to the accuracy or completeness of the information in this communication, and none of DTTL, its member firms, related entities, employees or agents shall be liable or responsible for any loss or damage whatsoever arising directly or indirectly in connection with any person relying on this communication.

© 2021. For information, contact Deloitte Global.