BCLP. Client Intelligent

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Our team in Sydney ensures that our international clients doing business in Australia and our Australian clients doing business internationally receive high quality, connected legal advice, wherever and whenever they need it. We advise clients who are active across a range of industries, focusing particularly on our Firm's priority sectors: Real Estate and Infrastructure, Energy Transition, Financial Institutions, Sports, Media & Entertainment and Food & Agribusiness.

Our Australian practice is conducted through Bryan Cave Leighton Paisner (Australia) Pty Limited ("BCLP Australia"), an Incorporated Legal Practice registered with the Law Society of New South Wales. BCLP Australia is staffed by Andrew Hockley, who leads our Global Antitrust, Competition and Trade Group and Corporate and Finance Transactions Partner, and Patrick Johnson, who is the Principal of BCLP Australia.

BCLP Australia acknowledges the Traditional Owners of the lands where we operate and conduct our business in Australia. We pay our respects to Elders past, present and emerging.

Please see Legal Notices for regulatory information regarding BCLP Australia.

MEET THE TEAM

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On 10 April 2024, Australia's Federal Government announced far-reaching reforms to its merger control regime, most notably the introduction of a new single, mandatory and suspensory, merger control system. The reform package is due to come into effect from 1 January 2026 and will align Australia's regime for reviewing M&A transactions from a competition perspective with the majority of other merger control regimes globally.

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Improving liquidity for Asian real estate investors - Part 3

A common route for property owners to effect divestiture of their real estate assets to de-risk their investments and to improve liquidity is to sell down part of the asset and form a joint venture with the buyer. Alternatively (or as a hybrid), an owner may sell the whole or part of its properties – but on the basis that it receives a lease back immediately on completion so that it can continue to use the property (or properties). In this third article in our "Improving Liquidity for Asian Real Estate Investors" series, we explore sale and leaseback arrangements and how these arrangements can help de-risk investments and provide liquidity for real estate investors in Asia. In case you missed them, you may be interested in Part 1 and Part 2 in the series which examined the key issues that Asian real estate investors should consider if they are contemplating a partial sale and entering into a joint venture with a new capital or op...

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Improving liquidity for Asian real estate investors - Part 2

In this second article (in our three part series which explores joint venture and sale and leaseback arrangements for Asian real estate investors), we examine some of the key economic considerations that investors should bear in mind when considering selling down interests and forming a joint venture (JV) involving Asian real estate: (i) funding, (ii) distributions and waterfalls and (iii) exit mechanisms.   In case you missed it, the first article in the series 'Improving liquidity for Asian real estate investors - Part 1' where we discussed some of the other key JV considerations for Asian real estate investors (e.g. structure, governance and control, conflict of interests and deadlock) is available for you to read.

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Mar 23, 2023

Improving liquidity for Asian real estate investors - Part 1

Three years after the outbreak of COVID-19, restrictions have finally eased in Asia. However, investors in the region are still feeling its effects as well as headwinds caused by higher interest rates, rising inflation, supply chain constraints and tightening labour markets – not to mention the potential impact on the broader banking system of the recent failures of Silicon Valley Bank and Signature Bank in the US. These are challenging times and Asian real estate investors have certainly not been immune to these challenges.   Investors in many locations (including Asia) are experiencing property market slumps partly driven by unfavourable revaluations by lenders and banks of mortgaged properties and the calling in of loans or the anticipated calling in of loans. This is a time when property owners may need to consider ways to de-risk their investments and to improve liquidity by divesting (wholly or partly) of their real estat…

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