

IQ-EQ France

Fiducie services in 3 minutes

Introduction

Within the private asset ecosystem, IQ-EQ is a major international investor services group, with over 5,000 employees in 25 countries and assets under administration (AUA) exceeding US\$750 billion. Supported by the dynamics of our group and with the ambition of contributing to the creation of added value for our customers, IQ-EQ in France supports entrepreneurs, alternative investment professionals and managers by offering them a range of services across the entire investment value chain.

The seeds of our business in France were sown over 20 years ago when entrepreneurs established 3 separate forward-thinking firms that are preeminent in their area of specialism across funds, fiducie and corporates. IQ-EQ has brought those businesses together to provide a unique offering in the French market combined with additional services IQ-EQ can offer private and institutional asset owners and asset managers.

IQ-EQ is recognised as the undisputed leader and pioneer of fiduciary services in France. In fact, we have been setting up fiducies and acting as fiduciary since the 2007 French Law reform that introduced the fiducie. We have built a unique and effective business model that combines a front office and a middle office with highly qualified professionals including lawyers and legal experts to support the different stages of your fiducie project. From initial structuring to set-up, management, and termination, our focus is on protecting and enhancing client assets by ensuring complete compliance with French law and all relevant regulations

We provide fiduciary services both for fiducie security interest (*fiducie-sûreté*) and fiducie asset management (*fiducie-gestion*) across a range of tangible and intangible assets.

A *fiducie* (French trust) is a transaction where a person transfers assets, rights or collateral to a special-purpose entity administered by a fiduciary for that person's own benefit or for the benefit of a third party or lender. *Fiducies* can be used for a number of different purposes, including as collateral backing a loan, assigning asset management duties to a third party for corporate and asset-related transactions or ensuring that contractual obligations are properly performed. As 'fiduciaires', we manage all kinds of assets to help secure our clients' transactions, including stocks and shares, real-estate assets, commodities, inventories, vehicles, brands and receivables.

Our offering includes the following services:

- Structuring the *fiducie* transaction
- **Setting up the *fiducie*:** Signing the *fiducie* agreement, creating the *fiducie* entity and transferring assets
- **Managing assets:** Managing the fiducie entity based on the types of assets transferred and in accordance with the wishes of the parties
- **Termination of the *fiducie*:** Returning or realising (valuation, assignment or disposal) of the fiducie's assets

We can help with the following scenarios:



Securing financial transactions

- Security for financing or refinancing by solvent companies
- Security for financing or refinancing by distressed companies
- Security for financing as part of an off-plan property transaction (known as VEFA in France)



Asset planning

- Protecting and managing assets for vulnerable people
- Ensuring the longevity of family assets
- Safeguarding the interests of people receiving a sudden, significant inheritance
- Optimising the disposal of a director's business assets after their death
- Bespoke management of assets designated for a specific purpose



Securing the execution of contractual obligations

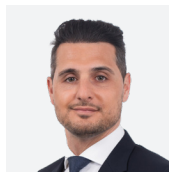
- Executing the disposal of negative-priced assets
- Transferring share ownership
- Executing a business turnaround plan: arranging disposals and financial backing, including management of preferred shares
- Escrow services in the event of commercial disputes or M&A transactions (seller's guarantee)
- Securing the execution of an employment protection plan (PSE in France)
- Securing the execution of a shareholders' agreement
- Management of local job creation loans.
- Ring-fencing assets or a business division (threshold breaches, competition law)

Our dedicated team



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Our onboarding process

- Initial conversation with the client to understand the issues and expectations of each party affected by the transaction and to guide them to a relevant fiducie structure to suit their circumstances
- A written service proposal followed by a formal engagement letter, then negotiation and signature of the fiducie agreement allowing the transfer of assets and detailing how the fiducie will be managed
- Performing fiduciary duties and reporting regularly to concerned parties.

*Data as of March 2024

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