

# Meet McGuireWoods LONDON

## What Lies Ahead?

As competition law and investment regulation continue to grow in importance, McGuireWoods London offers thoughts on some of the key issues to watch in these areas.

### FDI control will become even more strict.

Foreign investment controls have become an important consideration in any acquisition or investment, whether in the UK or elsewhere. The pandemic spurred tightening of the rules in many countries, driven by concerns about supply chains and depressed company valuations. New and expanded rules continue to be introduced, including in the UK from the end of this year. These aim to protect a wide range of companies and assets, in the tech and other sectors. It is more essential than ever to consider rules at an early stage in deal planning.

### Sustainability issues will increase in relevance.

It is often claimed that competition law holds back companies' responses to sustainability issues, including climate change. However, there is wide scope for lawful coordination between competitors in these areas. Although regulators are keen to emphasise this and will continue to produce guidance, ultimately it is up to companies and their advisers to move the agenda forward. In addition, sustainability justifications for transactions will continue to move to the forefront as companies consider "green deals." Within the bounds of state aid and subsidy rules, public funding for green projects will flow and businesses should take advantage of this.

### Competition compliance needs to be refreshed.

The pandemic altered corporate practices in many industries, which regulators and lawmakers have in many cases recognized as necessary and justified. But what may have been necessary during the pandemic may infringe competition law after it. For example, information exchange may no longer be legal. Well-advised companies will refresh their competition law compliance, including via training and audits, to spot illegal practices which may have developed. Regulators continue to expect compliance with the law and, as circumstances change, so must corporate behavior.

## Meet the Team



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The antitrust/competition law team at McGuireWoods London provides advice on all aspects of contentious and non-contentious EU and UK competition law, as well as a range of EU and UK regulatory issues. We offer pragmatic and risk-based guidance relevant to the industry in question and aimed at enhancing a client's ability to compete. We advise small UK-based companies through to worldwide household-name multinationals with the same rigour, attention to detail and value for money.

For more information, please contact **Matthew Hall**.