



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan’s commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

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investment funds and asset management

overview

Portfolio managers, investment fund managers and dealers operate in a fast-paced marketplace governed by a myriad of complex rules and regulations. This dynamic demands hands-on legal knowledge and practical advice to encourage success in a competitive environment.

McMillan's Investment Funds and Asset Management (IFAM) team is highly regarded for the depth of its expertise, at both transactional and regulatory levels, as well as in related practice areas including regulatory affairs, derivatives and tax.

We act as a trusted advisor to many Canadian and foreign financial institutions, fund managers portfolio managers, dealers, service providers assisting clients in navigating Canada's ever changing complex regulatory scheme, helping clients prepare, adapt and satisfy their obligations so that they can take a proactive approach to running their business.

We routinely work with market participants and regulators with respect to the structuring and offering of investment products to the marketplace. Our lawyers are front and centre assuming leadership roles in key industry groups. This provides us with an unparalleled perspective on—and direct input into—the regulatory and market developments impacting our clients’ businesses.

Our lawyers have experience in relation to a vast array of transactions and ongoing matters including:

- regulatory and compliance advice with respect to investment funds, managers and dealers involved in investment product offerings
- market leader in alternative funds industry area, including structuring new alternative mutual funds pursuant to exemptive relief (final rule to be in force as of January 3, 2019)
- offerings of all forms of pooled (private) funds (both domestic and offshore) on a private placement basis, including master-feeder and tax efficient structures
- linked notes and prospectus-offered Canadian medium-term and structured note programs
- public offerings of conventional mutual funds, closed-end investment funds, other exchange-traded funds and commodity pools
- funds utilizing over-the-counter or exchange-traded derivative products; and alternative investment funds, including hedge funds



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- Canadian-based multi-manager funds with foreign investment managers and advisors
- assisting foreign-domiciled investment fund managers access the Canadian institutional market
- fund governance, M&A transactions, financings and reorganizations
- regulatory compliance and advice regarding *National Instrument 31-103 Registration Requirements, Exemptions and On-going Registrant Obligations*, and understanding MFDA and IIROC member rules; creating and updating compliance policies and rules; and provide guidance on investigations and audits by industry regulators
- fund reporting and compliance matters