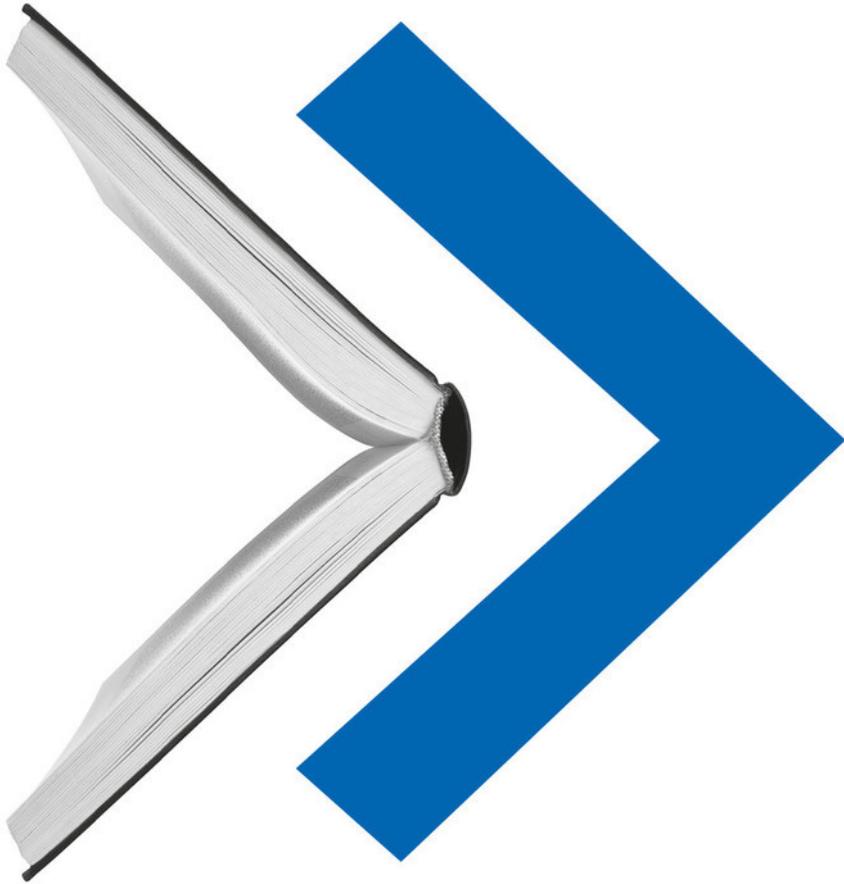


EVERSHEDS  
SUTHERLAND

## **Staying ahead of the game**

A guide to global  
retirement benefits



As more businesses become international in nature, there are increasingly issues that need to be considered when choosing how to enter and operate within multiple jurisdictions.

Providing employees with the financial incentives to retire is of growing significance, particularly as life expectancy and regulation increase, and the proportion of retirement income likely to be provided by the government decreases. Failing to plan ahead now in this way can adversely impact on corporate succession planning in the future.

It has therefore never been more important to work with a legal partner who understands the issues you are likely to face and has the breadth of experience to guide you.

Eversheds Sutherland's award winning global Retirement Benefits team provides pensions and benefits legal advice in our domestic markets and coordinated advice across multiple jurisdictions. Our advice is pragmatic and solutions-oriented.

With over 100 lawyers across Europe, the United States, the Middle East and Asia, and trusted partner firms in other jurisdictions, we have the depth and coverage to assist you with any retirement benefits issues you may experience, wherever you have operations and regardless of national boundaries.

We go beyond simply advising on the law. We are actively involved with some of the most influential industry and governmental organizations in this area, including the UK Pensions and Lifetime Savings Association, PensionsEurope, the International Pension and Employee Benefits Lawyers Association (IPEBLA), the European Insurance and Occupation Pensions Authority (EIOPA), the Financial Services Institute (FSI), the U.S. Department of Labor and the US Department of the Treasury. This keeps us actively involved in shaping pensions and benefits law and policy across the globe, rather than simply reacting to it. This, in turn, keeps both us and our clients ahead of the curve.

Our collective legal experience, our global project management and our influence at national and international policy levels mean that we are able to offer advice that anticipates industry trends and help you better prepare for, and manage, your obligations and risks in this evolving area.

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*"They are timely with their responses and their advice is spot-on. They are informative, creative and balanced."*

**Richard Proko.**  
**Director, Retirement Plans. Tyco International**

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# Retirement plans

Choosing and administering the varying models of retirement and benefit solutions can be challenging for employers operating across multiple jurisdictions. Our lawyers can provide you with legal support on the choice and ongoing maintenance of the full range of products in this heavily regulated market.

Eversheds Sutherland also supports retirement product and service providers from the insurance, broker-dealer, banking, investment advice and management, mutual fund, retirement platform, record-keeping and other sectors. We have extensive experience serving the market for all types of retirement plans, executive compensation and medical, life insurance and other welfare benefit plans, including defined benefit plans, defined contribution plans, 401(k) and 403(b) plans and ERISA matters.



## Did you know

Our US Employee Benefits group was ranked by Chambers, US News and Legal 500 in 2016.

# Pension plan investment

Pension plans are investing in more complex ways than ever before. Without diligent and thorough legal advice delivered by lawyers who have extensive experience in the field, fiduciaries, trustees and plan sponsors could find themselves under scrutiny for failing to take appropriate legal advice, or even entering into investments on questionable terms.

With extensive knowledge on the full range of investment products including pooled funds, derivatives, ERISA issues

and employer stock incentives, we can advise you throughout the pension plan life cycle on any proposed investment. We can also advise providers on their products for pension plans and sponsors on plan investments. Our role is to guide you through your chosen investment and the legal complexities of financial securities law and pension regulations that apply.

# Pensions insurance



Pensions insurance and de-risking has become a major focus for corporate plan sponsors as they look to insure their pension liabilities.

It is vital for all parties that these transactions are properly documented, with risks for plan sponsors, trustees and insurers appropriately addressed via negotiation and drafting. Without legal advice delivered by pensions and insurance lawyers who are experienced in the field, plan sponsors, trustees, fiduciaries and insurers are exposing

themselves to the risk that a contract does not offer them appropriate protection, or is inconsistent with regulatory requirements.

Our Pensions Insurance and De-risking team advises on all aspects of buy-in and buy-out insurance policies, including contract terms, drafting and review of benefit specifications, quotations, other contractual documents and legal and regulatory compliance.

# Executive compensation

Our Executive Compensation practice will work with you to create practical and innovative solutions, tailor made to your concerns, covering share incentive schemes, other equity-based compensation, cash-based incentive plans, deferred

compensation arrangements, and employment agreements. We help our clients through executive compensation matters that deal with just one country as well as matters that span multiple jurisdictions and require a global, joined-up approach.

*"I was extremely satisfied with the service they provided. They were very responsive, showed attention to detail and were commercially aware. Their interaction with the other advisors was very good. It became complicated and difficult, and they demonstrated flexibility in with that for us. I think the work they did to get us there was definitely top-notch."*

**Maria Atkinson**  
**Total Reward Manager,**  
**Europe. Premier Farnell plc.**

# Experience

Our work for global employers covers every aspect of pensions and benefits. Below you will find a number of examples of our work, each of which demonstrates our capability:

- advising on the pensions aspects of international mergers and acquisitions, pre, during and post-deal, including benefits harmonization across jurisdictions
- advising a Fortune 50 company on complex leveraged employee stock ownership plan, executive compensation matters and ongoing retirement plan issues
- establishing cross-border schemes and multi-national pooling arrangements
- executing retirement benefit plan changes, closures and wind-ups in a range of different countries
- managing pension requirements for an internationally mobile workforce, including guidance on taxation and local law requirements and establishing plans for globally mobile employees
- developing creative pension plan funding solutions, including advice on funding structures designed to utilize corporate assets to manage cash flow
- advising on the transfer of pension plans between jurisdictions to manage compliance and governance risk
- helping to develop an international compartmentalized defined contribution retirement fund across multiple EU jurisdictions
- advising on global outsourcing arrangements across jurisdictions including Europe, the US, China, India and the Philippines
- managing the process of negotiating with unions in the Netherlands to implement new pension arrangements
- seconding a UK partner to join a project management team in Germany to manage the transition of retirement benefit arrangements and administration services to a new third party provider
- acting in relation to general compliance matters relating to qualified and non-qualified US retirement plans and health and welfare arrangements, as well as a range of other ERISA matters

## Did you know

Eversheds Sutherland (US) clients consist of leading plan sponsors and retirement providers, including:

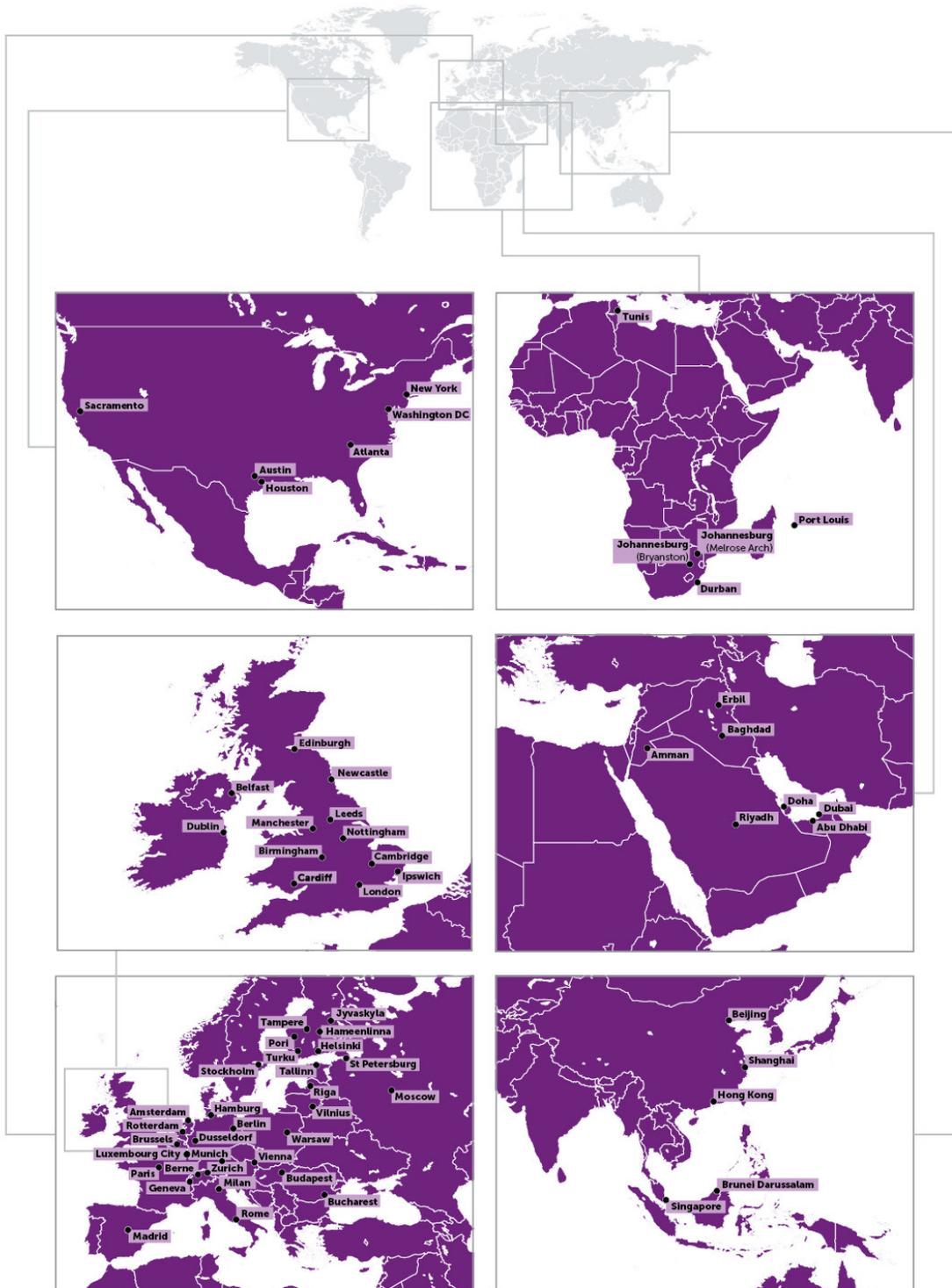
- five of the top 10 401k administrators
- six of the top 10 independent broker dealers
- seven of the top 10 variable annuity issuers
- nine of the fortune 50 companies

Our European pensions team have won numerous industry awards, including:

- Professional Pensions UK Pensions Awards - Pension Lawyers of the Year 2017
- European Pensions Awards - European Pensions Firm of the Year 2016
- German Occupational Pension Scheme Prize 2015
- Irish Pensions Awards - Law Firm of the Year 2015



# Eversheds Sutherland Global



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\*Bergamin Pension Law in association with Eversheds Sutherland

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structure and a list of offices, please visit [www.eversheds-sutherland.com](http://www.eversheds-sutherland.com).  
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