



20<sup>th</sup> Annual Pension Lawyers Association  
Conference 2015



# Panel Discussion

*Practical approaches to retirement fund investment in Private Equity funds*

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# Introduction

- Nature of a Private Equity (PE) fund
- Regulation 28 of the PFA and PE fund investment
- Trustee duties when making investments in PE funds
- Distinction between PE fund and property investment
- Where are retirement funds going wrong?
- Approach to local PE funds vs foreign PE funds

# What is “market practice”?

- Different LPs and GPs have differing views
- Key themes:
  - management fees
  - haircut on carry
  - transaction costs

# The Big Stick

- GP Termination
- Why is it important in the context of a closed ended fund
- What to look out for and insist on

# Side Letters

- What are 'side letters'
- Regulation 28 and licensing of FSP
- Reporting and costs

# Co-investment rights

- What to look for in constructing a co-investment right

## Co-ordination

- Co-ordination in relation to multiple LPs
- Uncoordinated and inconsistent
- ILPA terms



## LP Status

- Membership of advisory committee and investment committee of PE funds
- Managing conflicts



Questions?



THANK YOU