



**Eric Belli-Bivar**

**Partner**

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**Toronto**

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Eric is a partner in the Finance Group in the Toronto office and acts on all types of debt and finance matters for lenders, borrowers, funds, sponsors, regulated financial entities and international financial institutions. Eric is experienced in all types of financings, including:

- Cross-border multi-jurisdictional syndicated and bilateral credit facilities
- Derivatives, including ISDA documentation and practice
- FINTECH, including Payment System Facilitators and Processors
- Structured Finance including securitization transactions, receivables financing and factoring
- Acquisition financing, especially private equity acquisitions and financing.
- Incorporation of domestic banks and registration of foreign banks, and Bank Act (Canada) regulatory compliance
- Public/Private (P3) financings

- Finance
- Corporate
- Capital Markets
- Public Private Partnerships and PFI

- Financial Services

English French

Eric is also experienced and advises financial services clients (including those involved in Fintech) on the regulatory compliance regimes applicable to money-laundering, bribery and corruption, and sanctions, as well as the relevant applicable legislation including the Proceeds of Crime (Money Laundering) and Anti-Terrorism Act and the Foreign Corrupt Practices Act. In the course of representing such clients, Eric has had significant dealings with regulatory bodies including the Office of the Superintendent of Financial Institutions (OSFI), the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC), the Ontario Securities Commission (OSC), the Financial Services Regulatory Authority of Ontario (FSRO), and the Financial Consumer Agency of Canada (FCAC).

Eric is called to the bars of British Columbia and Ontario and holds a B. Comm. (Hons) from UBC and an LLB from McGill University.

Eric has been recognized by *Chambers Global*, *Chambers Canada*, *Lexpert*, *Best Lawyers (Canada)* and the *Legal 500 Canada Guide* as a leading banking and finance practitioner. He has also been recognized as a leading lawyer in the *Guide to the World's Leading Financial Law Firms* published by the *International Financial Law Review* and, for several years, as an *Acritas Star*.

Eric is a member of the firm's Finance Group, the International Financial Services Group, the Global Derivatives Group, Blockchain/Digital Assets Group and the Retail Sub-Sector.

## LANGUAGES SPOKEN

- English
- French

## EXPERIENCE

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- Represented CaixaBank, one of Spain's largest financial institutions, in connection with the opening of their first representative office in Canada.
- Represents Altus Group Limited, a leading provider of commercial real estate services, software and data solutions in connection with its revolving bank credit facility of \$200 million with Bank of Montreal.
- Acted for Siemens Financial in connection with its participation in a syndicate of lenders providing a CAD300,000,000 facility to U.S. Steel Canada Inc. (June 2018).
- Acted for Sprott Resource Lending Partnership in a non-revolving secured \$140 million credit facility to Altius Minerals Corp. to fund its acquisition of coal and potash royalties from Prairie Mines & Royalty Ltd.
- Acted for Appvion, Inc. and its Canadian subsidiary, Appvion Canada, Ltd. in connection with its USD100,000,000 Senior Secured Debtor – in possession credit Facility (March 2018).
- Acted as Canadian counsel to Lloyds Bank plc in connection with its £100 million revolving credit facility to Rainy City Investments.
- Acted as counsel to Jipangu International Inc. and its affiliates in connection with a gold financing transaction relating to their gold mines in Nevada, USA, with Auramet Trading, LLC.
- Acted for Capital City Link General Partnership on the Northeast Anthony Henday Drive Project, a Public-Private Partnership (PPP) with the government of Alberta, to design, build, finance and operate the northeast leg of the Edmonton Ring Road.
- Acted for the Rideau Transit Group Partnership on the commercial and financial close to design, build, finance and maintain the \$2.1 billion Confederation Line, the City of Ottawa's first light rail transit system.

## CREDENTIALS

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### Admissions

- British Columbia
- Ontario

### Recognitions

- *Best Lawyers in Canada* (Corporate Law), 2013-2018, 2020-2023
- Recommended for Canada, "Financial Institutions: Risk & Regulatory Compliance", *Corporate Advisory Handbook*, Financier Worldwide, 2017
- Listed as Acritas Star™ Lawyer 2017-2021
- *Chambers Canada* (Banking & Finance), 2016
- *Chambers Global* (Banking & Finance), 2012-2015
- *Canadian Legal Lexpert® Directory* (Banking & Financial Institutions), 2019-2020
- *The Legal 500 Canada* (Banking and Finance), 2014, 2016-2021
- Expert Guides' Guide to the World's Leading Banking Finance and Transactional Lawyers, 1999-2017, 2021-2022
- Expert Guides' Guide to the World's Leading Banking & Finance Experts, 2017
- Leading Lawyer, IFLR 1000 Guide to the World's Leading Financial Law Firms, 2005, 2007

### Education

- LL.B., McGill University
- B. Comm. (Honours), University of British Columbia

## Memberships

- Law Society of Ontario
- International Bar Association
- Canadian Bar Association

## INSIGHTS

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### Publications

#### **Gems, coins, bells and bottle caps: Canadian AML regime amendments affect some video game and social media virtual currencies**

25 February 2021

Providers of video games and online entertainment that offer virtual currency as part of game play may be "money service businesses" under Canada's anti-money laundering rules.

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#### **Hands-off digital currencies! Canada's Senate calls for a light regulatory approach**

16 NOV 2015

Formerly considered a gimmick for geeks and gamers, digital currencies, such as Bitcoin, have since grown into a worldwide phenomenon that now garner significant public attention. Among the interested parties are both regulators and governments, including, recently, the Senate of Canada (Canada's Upper House of Parliament).

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- Co-author, "2019 Budget moves towards providing an oversight framework for retail payments", *National Banking Law Review*, Volume 38, Number 5, October 2019  
*This article was first published by DLA Piper in August 2019*
- Co-author, "Canadian competition body to examine FinTech sector", *E-Finance & Payments Law & Policy*, Vol. 10 Issue 6, June 2016  
*This article first appeared in Payments & FinTech Lawyer (formerly E-Finance & Payment Law & Policy) in June 2016*
- Co-author, "Emerging tools for bank resolution in Canada," *IBA Banking Law News*, Vol. 22 No. 1, March 2015, pages 17-19  
*This article first appeared in the March 2015 issue of the Newsletter of the Banking Law Committee of the Legal Practice Division of the International Bar Association (Vol 22, No 1), and is reproduced by kind permission of the International Bar Association, London, UK. © International Bar Association.*

## Events

### SPEAKING ENGAGEMENTS

- Co-chair and Presenter, The Intensive Short Course in Secured Lending and Debt Finance, Osgoode Hall Law School of York University, Oct 10-11, 2018
- Presenter, Commercial Agreements Bootcamp: Building Essential Negotiation and Drafting Skills, Ontario Bar Association, Nov 15, 2017
- Co-chair, The Intensive Short Course in Secured Lending and Debt Finance, Osgoode Hall Law School of York University, Nov 9-10, 2017
- Presenter, Commercial Agreements Bootcamp: Building Essential Negotiation and Drafting Skills, Ontario Bar Association, Nov 23,

2016

- Co-chair, "Negotiating and Drafting the Credit Agreement", The Intensive Short Course in Secured Lending and Debt Finance, Osgoode Hall Law School of York University, Oct 2016
- Co-chair and Panelist, The Intensive Short Course in Secured Lending and Debt Finance, Osgoode Hall Law School of York University, Oct 2015
- Presenter, "An Overview of the Implementation of Basel III in Canada", April 2014 [For more information, please see here for full paper published on November 24, 2014]

## NEWS

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## MEDIA MENTIONS

- Quoted, "Investment trends in legal technology," *The Lawyer Research Service*, January 2019
- Featured, "Canadian competition body to examine FinTech sector," *E-Finance & Payments Law & Policy*, June 2016