

# Outsourcing

Excellent legal guidance in implementing and enhancing partnerships

## **Towards operational excellence**

Outsourcing can be an important tool to achieve operational excellence, especially in today's challenging economic environment, where optimal business performance becomes increasingly important.

The main incentives to outsource and to achieve operational excellence are cost reductions, improved quality and competitiveness, innovation and harmonization of processes.

Outsourcing is characterized by a continuing cooperation between client and supplier, irrespective of the type of business operations that are being outsourced, such as human resources,

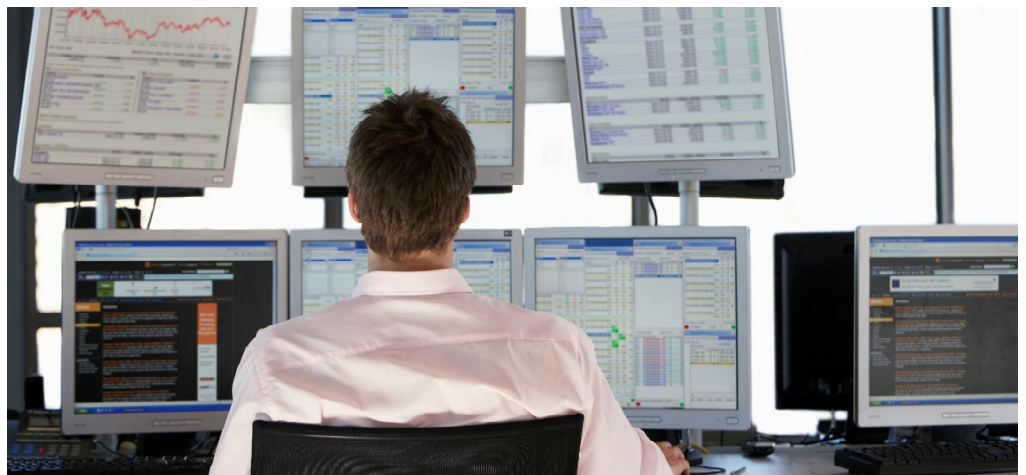
payroll activities, hospitality, catering, facilities management, procurement or IT

The performance of the supplier has a direct effect on the client's business performance. Exploring the possible business upside and legal risks of the cooperation and determining each of the parties' rights and obligations at an early stage is therefore essential.

## **Formalizing expectations**

Outsourcing projects are often multidisciplinary and complex processes. It requires strong structuring and planning skills from a dedicated transaction team to meet all parties' and stakeholders' expectations for a timely completion of the outsourcing project.

*Our full-service firm has all the right expertise and in-house specialists to address all relevant legal issues that we come across during an outsourcing process, whether relating to governance, contracting, employment law matters, pensions, intellectual property rights, data protection regulations or licenses and governmental approvals.*



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A strong partnership requires a sound contractual reflection of the rights and obligations of each of the parties and the expectations and risk allocations between the parties. Appropriate quality assurance, realistic business improvements, the possibility to monitor and, when needed, adjust the Key Performance Indicators, pricing and a workable governance structure to monitor all this are key to make the cooperation a success.

The right outsourcing contract documentation should be the script for a successful cooperation, covering all relevant stages of the outsourcing transaction, from transition provisions to detailed arrangements for a smooth exit for both parties.

Each type of outsourcing has its own (legal) mechanics. An on-site business process outsourcing project requires different contractual arrangements than an offshoring or cross-border outsourcing project.

What outsourcing processes often have in common, is that parties should have a win-win solution in mind for a successful cooperation; an unbalanced cooperation (or contract) will probably not survive very long.

## Our competence

Holland Van Gijzen in the Netherlands and Belgium has an experienced team of professionals providing legal guidance in outsourcing transactions. Our team has excellent (international) contracting skills and is praised for its commercial and creative approach and its ability to create practical arrangements. Our clients strongly benefit from our extensive experience in (turnkey) project management with multidisciplinary (cross-border) transactions. Our affinity with financial matters and our ability to understand tax matters in an outsourcing project will contribute to the efficiency of the contract documentation process.

We believe only tailor-made solutions will provide added value. Therefore, no outsourcing contracts should be the same. Sound legal documentation of the parties' wishes will contribute to creating a fruitful partnership.

## Contact persons

For more information, please contact our outsourcing specialists in the Netherlands and Belgium.

Holland Van Gijzen

Attorneys at Law | Civil Law Notaries

### About Holland Van Gijzen

Holland Van Gijzen is a leading Dutch law firm with an outstanding reputation with regard to providing legal services. Our attorneys at law and civil law notaries are active in all areas of law which are relevant to entrepreneurs and their businesses. With offices in Amsterdam, The Hague, Eindhoven, Rotterdam, Utrecht, Brussels and legal desks in London and New York, we are able to provide you with fitting answers to all your legal questions. In the Netherlands, Holland Van Gijzen Advocaten en Notarissen LLP has a strategic alliance with Ernst & Young Belastingadviseurs LLP.

For more information, please visit:

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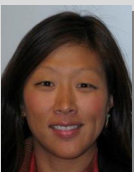


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