

CLIFFORD  
CHANCE



# Asset Finance Legal Update

March 2025

## CLIFFORD CHANCE PUBLICATIONS



**The EU Omnibus Package – streamlining the EU carbon border adjustment mechanism**



**Ukraine – the latest global sanctions and export controls**



**Data Centre Insights 2025**

## LEGAL AND REGULATORY



**Rating criteria – Structured aviation transactions methodology updated**



**UK Secretary of State for Transport delivers speech on the next steps for modernising the aviation sector, including SAF mandate and related consultation on price guarantee**



**DfT consults on funding of SAF revenue certainty mechanism**



**FCA reviews private market valuation processes**





## **The EU Omnibus Package – streamlining the EU carbon border adjustment mechanism**

A proposal for reform of the EU's carbon border adjustment mechanism (CBAM) has been included as part of the European Commission's Omnibus 1 package of sustainability legislation reforms.

While many criticisms of the CBAM have been levelled at its impact on developing countries, these proposals primarily aim at reducing the complexity of CBAM obligations that heavily impact small companies, offering exemptions for importers of small quantities and streamlining compliance for others. Other proposals have been made to simplify some of the administrative aspects of the regime, and also reflect the fact that these changes have been proposed not long before the full regime comes into effect in 2026.

Clifford Chance has prepared a briefing paper discussing the proposal. To view a copy of the briefing paper, please click on the link to the PDF version. Alternatively, you can access the paper via the Clifford Chance website.

Links:

- [Clifford Chance website version](#)
- [PDF version](#)

[Back to top](#)



## **Ukraine – the latest global sanctions and export controls**

The US, EU, UK, Poland, Japan, Singapore, Australia and Ukraine have imposed sanctions and export controls on Russia. These new sanctions are complex, multilateral and continue to be incrementally changing in real time in response to the developments on the ground in Ukraine. Our team of sanctions experts is monitoring the situation closely and we will endeavour to keep our briefings up to date.

Clifford Chance has prepared a briefing paper discussing these sanctions and export controls, as well as measures adopted in response by Russia, as of 6:30 pm GMT, 27 February 2025. To view a copy of the briefing paper, please click on the link to the PDF version. Alternatively, you can access the paper via the Clifford Chance website.

Links:

- [Clifford Chance website version](#)
- [PDF version](#)

[Back to top](#)



## **Data Centre Insights 2025**

As geopolitical focus intensifies around technology leadership, data sovereignty and environmental considerations, data centres and their role in the global digital economy are in the spotlight. Governments around the world are introducing or upgrading policies intended to

boost digital infrastructure, including incentivising the development of data centres.

Clifford Chance has prepared a briefing paper discussing the five factors that we expect to impact the data centre industry in 2025. To view a copy of the briefing paper, please click on the link to the PDF version. Alternatively, you can access the paper via the Clifford Chance website.

Links:

- [Clifford Chance website version](#)
- [PDF version](#)

[Back to top](#)

## LEGAL AND REGULATORY



### **Rating criteria – Structured aviation transactions methodology updated**

Morningstar DBRS has updated the following criteria:

- Rating Structured Aviation Transactions

Morningstar DBRS has conducted a periodic review of the Methodology. The update is not deemed to be material and determined that no credit ratings are expected to change as a result of this update.

Links:

- [Morningstar DBRS webpage](#)
- [Rating Structured Aviation Transactions](#)
- [Press release](#)

[Back to top](#)



### **UK Secretary of State for Transport delivers speech on the next steps for modernising the aviation sector, including SAF mandate and related consultation on price guarantee**

A speech delivered on the 18 March 2025 by the Secretary of State for Transport, Heidi Alexander MP, on the next steps for modernising the aviation sector has been published.

The speech was delivered at the AirportsUK annual dinner, focusing on the areas of expansion, modernisation and decarbonisation. Amongst other things, the speech covers:

- the Chancellor 's approval to launching the UK Airspace Design Service (UKADS), reviewing key processes behind modernising airspace, and to an Airspace Design Support Fund to deliver faster progress;
- the Government has signed the Sustainable Aviation Fuel (SAF) mandate into law and is launching a consultation into a price guarantee for UK SAF producers and investors; and
- current plans for airports expansion and modernisation, including the plans for a third runway at Heathrow airport and the extension of the final decision on the development of

Gatwick airport to 27 October 2025.

Links:

- [Department for Transport homepage](#)
- [Speech](#)

[Back to top](#)



## **DfT consults on funding of SAF revenue certainty mechanism**

The Department for Transport (DfT) has launched a consultation on the sustainable aviation fuel (SAF) revenue certainty mechanism. The mechanism is intended to reduce the risks of revenue uncertainty for emerging SAF producers.

The consultation follows the Government's response to the April 2024 consultation on revenue certainty options and the announcement of the SAF Revenue Support Mechanism Bill in the King's Speech. It seeks feedback on:

- how the mechanism could be funded;
- the DfT's proposal that the mechanism be funded by industry, preferably by introducing a levy on jet fuel suppliers; and
- any funding mechanism and design issues not addressed in the April 2025 consultation on revenue certainty options.

Comments are due by 31 March 2025.

Links:

- [DfT homepage](#)
- [Consultation webpage](#)
- [Consultation](#)

[Back to top](#)



## **FCA reviews private market valuation processes**

The Financial Conduct Authority (FCA) has published its findings from a multi-firm review of private market valuation processes, identifying both good practices and areas for improvement. The review was conducted in response to the growth of private markets in recent years and examined valuation practices and governance for private equity, venture capital, private debt, and infrastructure assets. It found that firms generally exhibited good practices in investor reporting, process documentation, and the use of third-party valuation advisers, and were consistently applying valuation methodologies.

However, the FCA also identified areas requiring improvement, including the need for better identification and documentation of potential conflicts of interest and increased independence within firms' valuation processes. In addition, the FCA noted that some firms needed to enhance their processes for ad hoc valuations during market disruptions. The FCA has emphasised that these improvements are particularly important as retail investor exposure to private assets increases.

Links:

- [FCA homepage](#)
- [Review webpage](#)
- [Press release](#)

[Back to top](#)

#### *Additional Information*

This publication does not necessarily deal with every important topic nor cover every aspect of the topics with which it deals. It is not designed to provide legal or other advice. Clifford Chance is not responsible for third party content.

Please note that English language content may not be available for some content.

Some third-party content may only be available if your organisation possesses a licence for the relevant website.

All links to content were valid at the time of compilation, but urls may sometimes change. In the event of difficulty in accessing any of the content of this Alert please reply to this e-mail, stating which item(s) you cannot access.

#### ► **Financial Markets Toolkit**

##### **LONDON**

[Oliver Hipperson](#)

##### **NEW YORK**

[Zarrar Sehgal](#)

##### **EUROPE**

[Tobias Schulten](#)

##### **ASIA**

[Fergus Evans](#)

##### **MIDDLE EAST**

[Stephen Chance](#)

##### **Knowledge Director**

[Marisa Chan](#)

#### **Follow us**



[LinkedIn](#)

#### **Browse our podcasts**



[View our library](#)

UK: We are sending this email on the assumption you do not live or work in New York State. If that is not the case, please [follow this link](#).

If you prefer, you can write to us with your marketing or monitoring request at Marketing Department, Clifford Chance, 10 Upper Bank Street, London, E14 5JJ, UK.

This email does not necessarily deal with every important topic or cover every aspect of the topics with which it deals. It is not designed to provide legal or other advice. Prior results do not guarantee a similar outcome.

Clifford Chance LLP is a limited liability partnership registered in England & Wales under number OC323571. The firm's registered office and principal place of business is at 10 Upper Bank Street, London, E14 5JJ. The firm uses the word "partner" to refer to a member of Clifford Chance LLP or an employee or consultant with equivalent standing and

qualifications. The firm is authorised and regulated by the [Solicitors Regulation Authority](#) (SRA) under SRA number 447778.

For further details about Clifford Chance, including our [Privacy Statement](#) see our [website](#).

Copyright: © Clifford Chance. 2025. All rights reserved.