

INSTITUTIONAL & REGULATORY REFORM | PROJECTS

Gide offers market-leading experience advising governments, public companies and international financial organisations on institutional and regulatory reform. Gide lawyers have extensive experience in amending and drafting legislation, including PPP and foreign investment-related laws and regulations and project-specific authorisations, as well as establishing new institutional bodies and industry regulators. The breadth of their practice experience gives them a unique perspective on institutional and regulatory issues, which guarantees efficient and dynamic assistance to comprehensively answer clients' concerns when advising an authority or government.

As a proof of their unparalleled insight in the field, Gide lawyers have played an active role as members of the UNCITRAL panel of experts for drafting the Legislative Guide on Privately Financed Infrastructure Projects (2000) and its Addendum on Model Legislative Provisions (2003). These are currently used by legislators in most countries to elaborate their PPP legal framework and draft the corresponding legal provisions. Our lawyers' comprehensive legal knowledge and wide-ranging experience give authorities and governments the edge they need to succeed in their institutional and regulatory reforms. In this respect, the fact that Gide lawyers have been chosen by the following countries to draft their PPP/Concession Laws speaks for itself: **Iraq** (2010), **Jordan** (2010), **Egypt** (2010), **Albania** (2007), **Kuwait** (2006), **Senegal** (2003), **Croatia** (2002), **Slovenia** (2002), etc.

Selected Recent Transactions

Review of PPP Legal Framework

- **Programme for Infrastructure Development in Africa (PIDA) (2014)**: advising the African Development Bank on the PIDA in order to develop a project finance strategy for the financing of infrastructure projects on the African continent. Gide's scope of work includes the review of the PPP laws and regulations of all African countries.
- **Review of PPP Framework, Kurdistan Region in Iraq (2014)**: reviewing the legal, regulatory and institutional framework for the implementation of PPP projects in the Kurdistan Region for the IFC and the Government of the Kurdistan Region.
- **Drinking Water PPP Project, Burkina Faso (2013)**: advising the World Bank and the Government of Burkina Faso on a study regarding the fair price for drinking water in Burkina Faso and the implementation of a strategy for water PPP projects in rural and semi-rural areas.
- **Moscow Regional PPP Law, Russia (2013)**: advising the Government of Moscow on the regional PPP legal framework, including analysis of the federal and local PPP legislation and developing the regional law on PPPs on the basis of the Russian legislation and best international practice. The project was supported by EBRD.
- **Assessment of PPP Legal Framework and PPP Strategy, Burkina Faso (2011)**: advising the World Bank and the Government of Burkina Faso on the elaboration of a PPP Strategy for Burkina Faso, drafting of a new Public-Private Partnership law (and bylaws) and setting up of an agency dedicated to PPP in Burkina Faso.
- **Perm Krai Regional PPP Law, Russia (2011)**: advising EBRD and the Perm Krai Region on the creation of a regional PPP framework.
- **PPP Regulatory Framework Reform, Kazakhstan (2011)**: advising the Government of the Republic of Kazakhstan on the review of the PPP framework and recommendations for legislative improvements in accordance with international best practice.
- **Assessment of PPP Legal Framework, Ukraine (2011)**: advising the Public-Private Partnerships Development Program (P3DP) and EBRD on a diagnostic review, in the light of international best practice, of the legal and regulatory framework for PPP applicable in Ukraine to serve as basis for the legal reform to be carried out over the next few years.

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- **Assessment of PPP Legal Framework, Bulgaria (2009):** advising the Council of Ministers of the Republic of Bulgaria on the survey of some European PPP legislation, with a particular focus on coordination during the preparation and granting of concessions, as well as the monitoring during their implementation. Scope of work included the drafting of PPP Guidelines and the organisation of workshops.
- **Concession-related Legal Framework Assessment, EBRD countries (2005-2008):** advising on the assessment of concession-related legislation in the 28 EBRD countries in 2005 with an update in 2008 that included a benchmark against several Western European Concession legislations.
- **Identification of legal impediment to non-sovereign financing of infrastructure, Russia (2005):** advising the EBRD on the analysis and recommendations concerning legal impediments to non-sovereign financing of infrastructure projects in Russia.

Drafting PPP/Concessions Laws

- **United Nations Private Sector Development Programme, Iraq (2010):** advising as UNIDO legal expert in relation to the legislative assessment of the existing legal framework and conducting the drafting of an Economic Reform Law, as well as other legislation necessary for the development of the private sector in Iraq.
- **PPP Law, Jordan (2010):** advising the Government of the Hashemite Kingdom of Jordan and the Jordanian Executive Privatization Commission on the drafting of a new PPP Law.
- **PPP Law, Egypt (2010):** advising the Government of the Arab Republic of Egypt on the development and drafting of a PPP Law which has been promulgated as Law No. 67 for 2010.
- **PPP Law, Albania (2007):** advising the IFC and the Government of Albania on the drafting of a best practice PPP Law and the creation of a PPP agency.
- **PPP Law, Kuwait (2006):** advising the World Bank and the Government of Kuwait on the drafting of a best practice PPP Law and the creation of a PPP agency.
- **Concession Law/BOT Law Reform, Senegal (2003):** advising the Government of Senegal and the World Bank on the drafting of a Concession/BOT Law, the first in the region, with a special emphasis on "bankability" aspects, and the creation of an infrastructure council.
- **Concession Law Reform, Slovenia and Croatia (2002):** advising the IFC, EBRD and the Governments of Croatia and Slovenia on the drafting of modern concession laws.

Sector-specific Legislative and Regulatory Reforms

- **Legal, regulatory and tax framework for oil activities, Somalia (2015-2016):** advising the World Bank and the Federal Government of Somalia on the review of the legal, regulatory, and tax framework for oil activities in Somalia. Advice covered building the foundation for a federal approach to the development of natural resources in Somalia, and redistributing revenues from the exploitation of natural resources throughout Somalia.
- **Hydrocarbons Code, Republic of Congo (2012-2014):** advising the Republic of Congo on the review of the new hydrocarbons code and model production sharing contract in the context of the reform of the legal regime applicable to upstream activities.
- **Law on Special Economic Zones, Republic of Congo (2012-2013):** advising the Government of the Republic of Congo on the drafting of a new law governing the country's special economic zones: preparing an international comparative study, institutional structuring and drafting of the law.
- **Nouadhibou Free Zone, Mauritania (2012):** advising the Mauritanian Government on the implementation of a free zone in the region of Nouadhibou.
- **Review of Oil & Gas Legislative Framework, 16 African countries (2011-2012):** advising the African Petroleum Producers Association (APPA) on the review and the comparative study of the oil and gas legislation, regulations and model contracts in force in the 16 APPA member countries with the aim of incorporating standards, rules and practices into a harmonised model contract.
- **Small Hydro Power Plants - Regulatory Framework Improvement, Albania (2011):** advising the Government of Albania and the IFC on improvements to the regulatory framework pertaining to small hydro power plants and renewable energy, which specifically included improvements to the draft Renewable Energy Law, the standardised power purchase agreement, the grid connection agreement, the standardised Concession Contract and sponsor selection criteria.

« Impressive French firm which is particularly well regarded for its francophone capabilities. Regularly assists clients with energy, mining, infrastructure and water projects, with extensive experience advising sovereign entities. The Paris head office is heavily involved in Africa work, and the firm also has regional offices in Algeria, Morocco, and Tunisia. Sources recognise its regional knowledge: 'It's a very strong firm in francophone Africa.' Interviewees add: 'They are serious lawyers with that cultural edge; they've been in the market a long time.' Advised EGL on the USD600 million development of a hydropower plant on the Ruzizi River. Advised the World Bank and the government of Somalia on a review of the state's existing petroleum sector to develop a federal approach to the development of natural resources. »

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