Standardization of PPP Terms and Practices – Developing Templates for PPP Contracts

Submitted by: Berwin Leighton Paisner
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Bob Charlton, Partner - Head of Asia

APEC Workshop on Infrastructure Financing – 23 July 2015
Introducing BLP

An award-winning, international law firm with over 840 lawyers in 13 offices around the world. We have won seven Law Firm of the Year awards in our home markets since 2004 - recognising the firm’s quality and innovation.
Our experience in PPP

1. Involved in PPP/ PFI since inception in late 1980s
2. Acted for the first UK government PPP projects & first PF2 projects
3. Drafted concession agreements which continue to be used as templates
4. UK top-ranked in built environment
5. Advised on first funding competition for UK Treasury
6. Deep understanding of public sector considerations and politics behind PFI
PPP has revolutionised the infrastructure landscape in the UK

Over 700 PPP projects undertaken in the UK...

- Devonport Royal Dockyard
- HS1: Channel Tunnel
- London’s Crossrail Project
- River Severn Crossing
- M25 Dartford Crossing
Growth of PPP internationally

UK model widely used as a basis for PPP programmes in many countries

Financing is often governed by English law

Take advantage of experience and avoid mistakes
Standard PPP Contract – Risk Allocation
PPP project risk transfer

Public Sector

- Title
- Site
- Planning

PRIVATE SECTOR

- Time
- Build
- Financing

PROJECT RISKS
Conclusions

• Standardization of PPP Terms and Practices undoubted key component of the success of the UK PPP Market.

• Development of the Standard PPP Contract requires consideration of local conditions/risk allocation.

• Standard PPP Contract needs to be tightly controlled when deployed in the local markets.

• Uniform market terms and conditions aid bankability, efficiency and contract administration.

• Overseas Standard PPP Contracts template can help identify Best Practice
Any Questions?
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This document provides a general summary only and is not intended to be comprehensive. Specific legal advice should always be sought in relation to the particular facts of a given situation.