

## Legislation review

Kazakhstan: Public Private Partnership legislation review

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# Kazakhstan: PPP legislation review

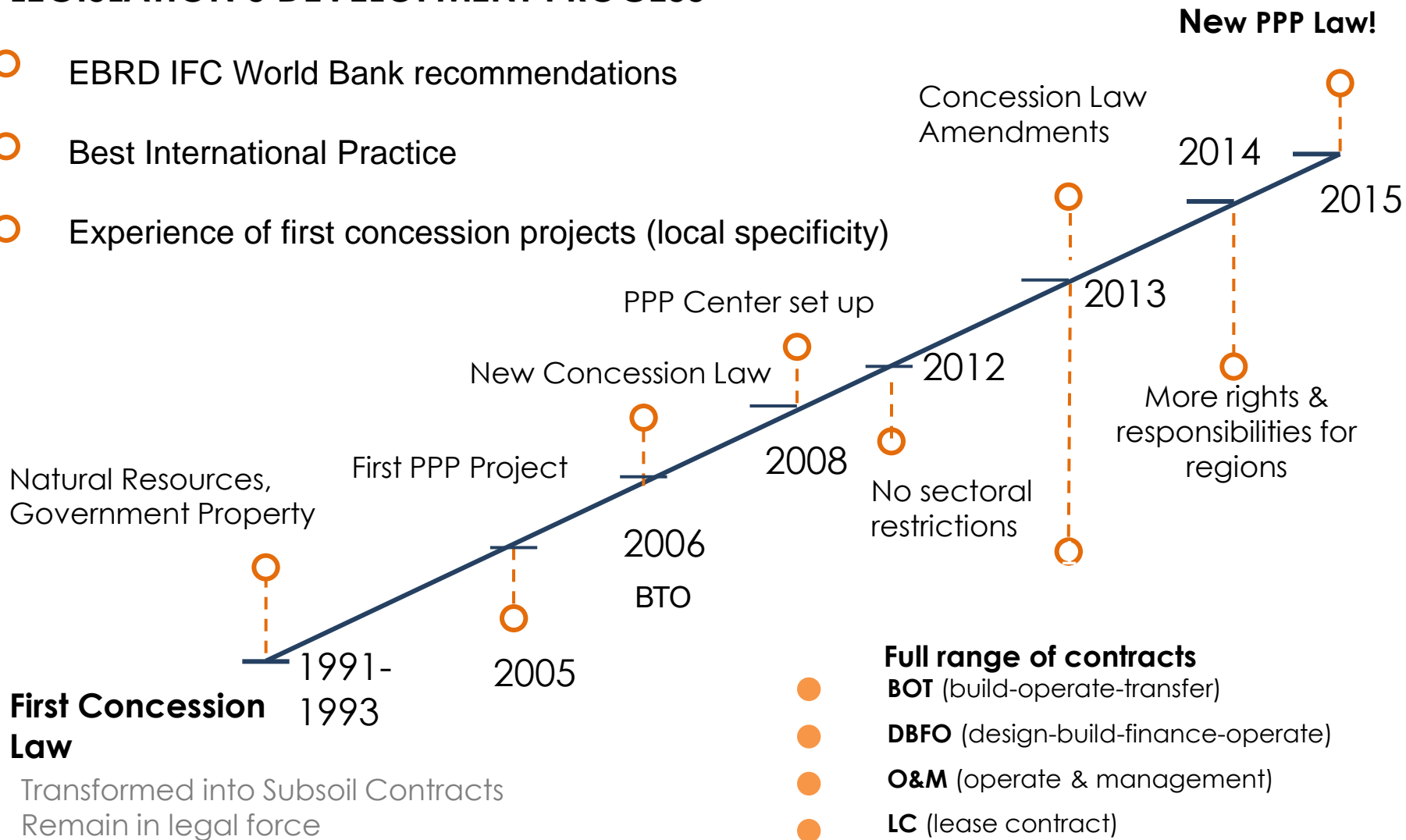
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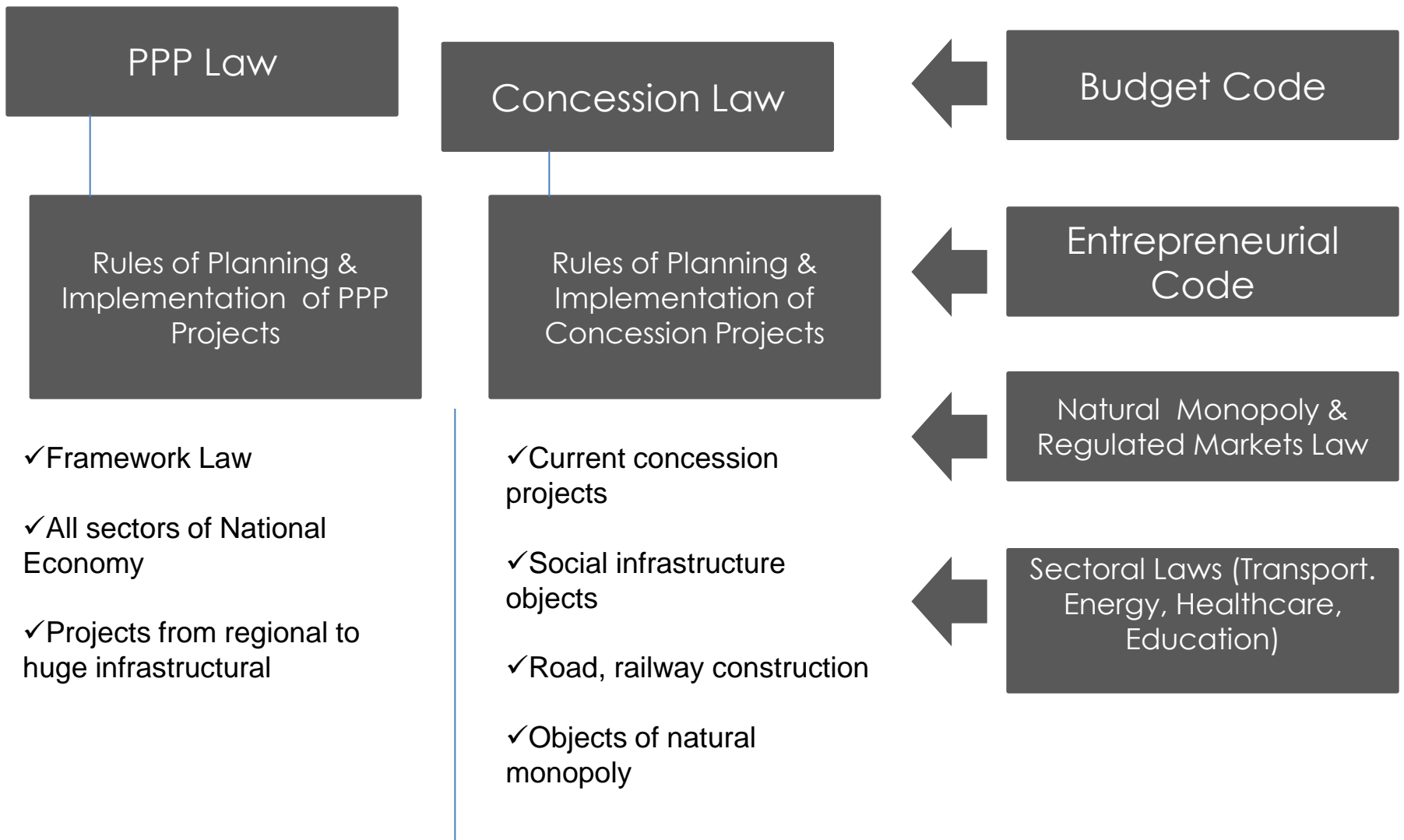
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# LEGISLATION'S DEVELOPMENT PROCESS

- EBRD IFC World Bank recommendations
- Best International Practice
- Experience of first concession projects (local specificity)



# PPP LEGAL FRAMEWORK



# Rules of Planning & Implementation of PPP Projects

- ✓ General provisions
- ✓ Process of planning
- ✓ Tender process
- ✓ Direct negotiations process
- ✓ PPP projects Monitoring & Evaluation
- ✓ Documents' templates



PPP PROJECT STEP-BY-STEP PROCEDURES

## Contract PPP



Wide range of PPP contracts

Lease Contract

- Long term lease of private property

R&D Contract

- New technologies, scientific researches

Life Cycle Contract

- From Design to Maintenance (road construction, railway transport)

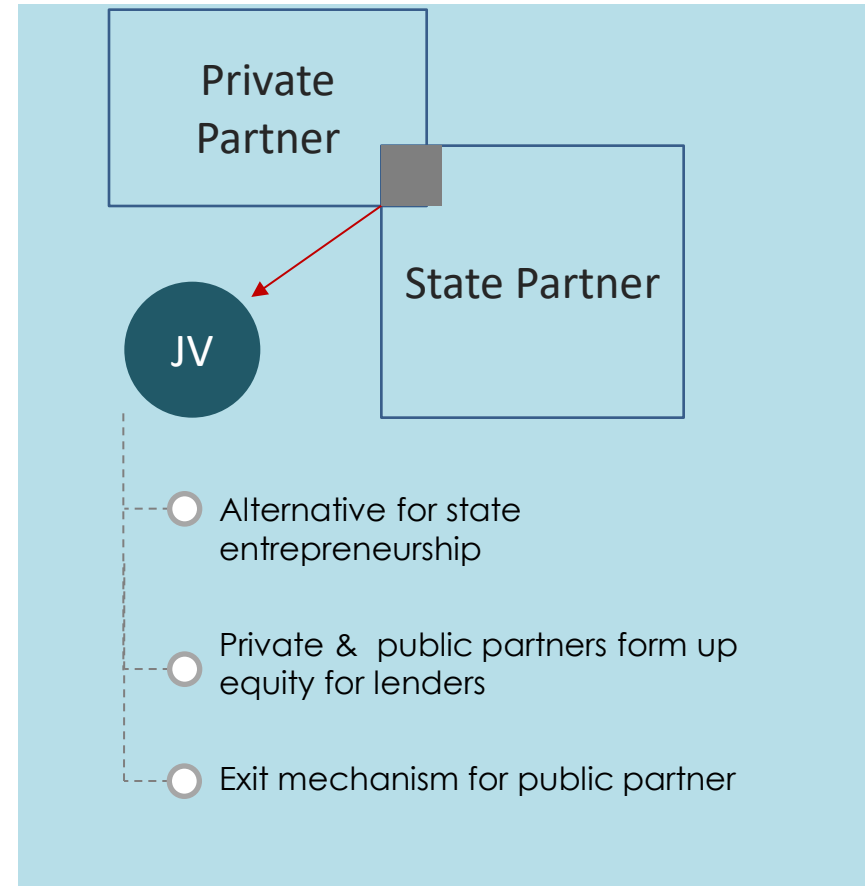
Service Provision Agreements

- Service Maintenance &

## Institutional PPP



Joint Venture



## PAYMENTS

- subsidies
- investment costs compensation
- operation costs compensation
- management fee
- availability payment

## SUPPORT

- state guarantee
- transfer IP
- provision of in-kind grants
- co-funding
- guaranteed procurements

### GOVERNMENT

- ❑ Land
- ❑ Government financial support
- ❑ Equity formation
- ❑ Utilities & Infrastructure
- ❑ Transfer of government property

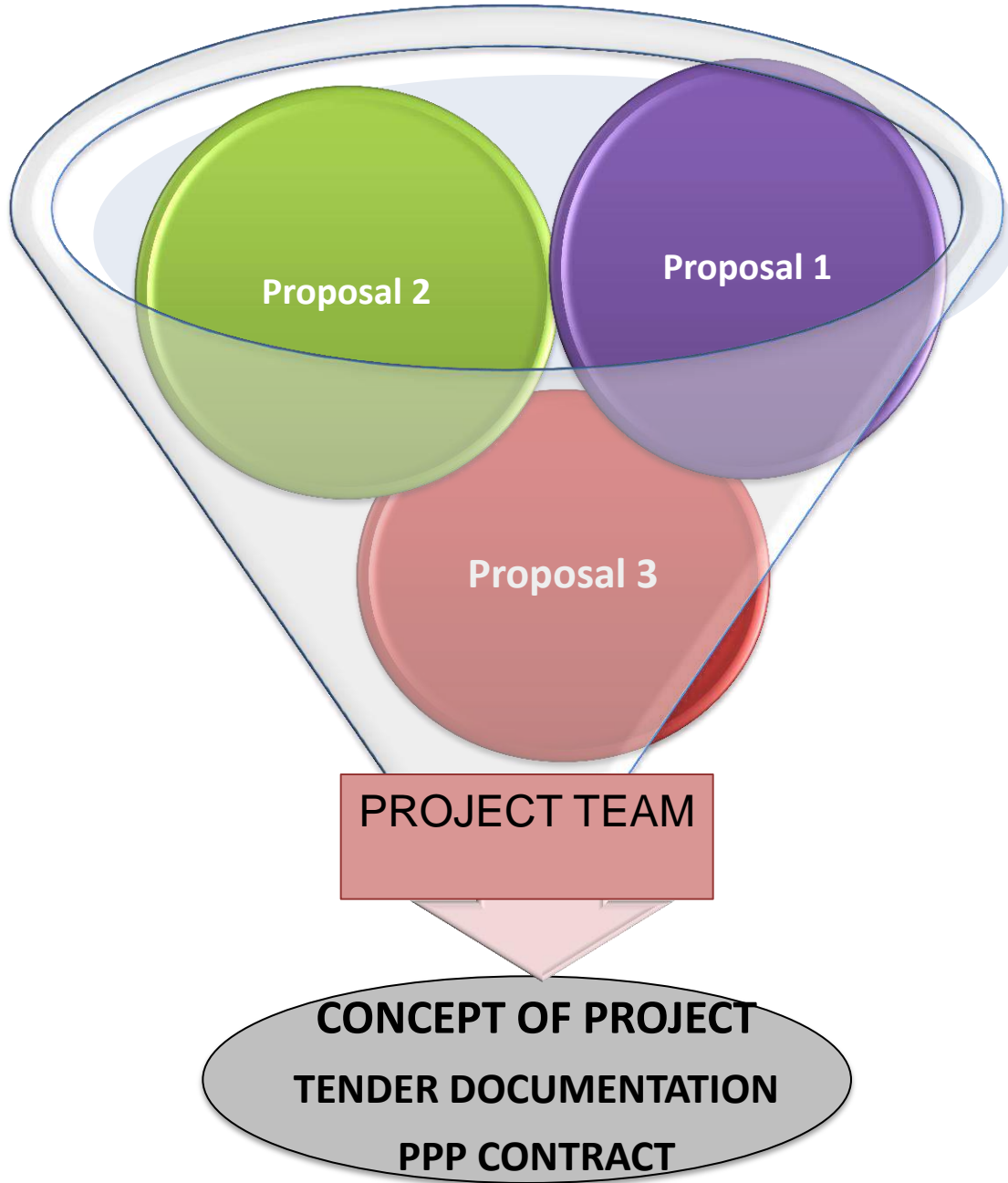
### PRIVATE PARTNER

- ❑ Funding
- ❑ Management
- ❑ Design
- ❑ Intellectual property

### NATIONAL COMPANY

- ❑ Service provision
- ❑ Transfer of property
- ❑ Co-funding

# COMPETITIVE DIALOGUE



## WHAT FOR?

- ✓ to accommodate the needs of potential private partners
- ✓ to reach optimal technical, financial and legal parameters of PPP project

## WHEN?

### ✓ *BEFORE THE TENDER PROCESS*

Participation in process of tender documentation development, working under draft of PPP contract

### ✓ *DURING THE TENDER PROCESS*

Tender documents correction

PPP Contract provisions negotiations



# KAZAKHSTAN PPP CENTER

Providing a sustainable development for PPP in Kazakhstan using global best practices

Structural reform of the legislation for the development of PPPs and other types of infrastructure

Training and professional development to PPP Project Management

Motivation for government and private sectors to enter into PPP



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