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Concession and PPP Laws

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As discussed in Legislative Assessment, a government may decide to enact a PPP law or a concession law for a number of reasons, such as to give priority to a process of developing, procuring and reviewing PPP projects that will take priority over sector laws, or to establish a clear institutional framework for developing, procuring and implementing PPPs. PPP laws can also be used to close gaps in the laws of a host country may need to allow for successful infrastructure PPP projects, such as enabling the grant of step-in rights to lenders and requiring open and fair procurement processes. These modifications may be embodied in sector-specific law, or in the case of procurement, a procurement or competition law, or the can be included in a general concession or PPP law. This site includes links to guidance on drafting PPP/ Concession laws and sample enacted PPP laws.

While guidance and examples can be useful, each PPP/ concession law needs careful drafting to be consistent with the host country's existing laws. Legal draftsmen need to strike a balance between setting ground rules that encourage transparency and imposing general restrictions that may hinder bidding teams from achieving value for money or sensible solutions when bidding out PPP projects.

Guidelines

UNCITRAL Legislative Guide 2019

- The Model Legislative Provisions and the Legislative Guide on Public-Private Partnerships were prepared by the United Nations Commission on International Trade Law (UNCITRAL) and adopted in 2019. The Model Legislative Provisions translate into legislative language the advice given in the recommendations contained in the Legislative Guide and the Model Legislative Provisions are intended to assist in the establishment of a legislative framework favourable to public-private partnerships (PPPs). The user is advised to read the Model Legislative Provisions together with the Legislative Guide, which provides background information to enhance understanding of the legislative recommendations. The Model Legislative Provisions and the Legislative Guide update, expand and replace two earlier texts prepared by UNCITRAL, namely the Legislative Guide on Privately Financed Infrastructure Projects (2000) and the Model Legislative Provisions on Privately Financed Infrastructure Projects (2003).

EBRD Core Principles for a Modern Concession Law

- The European Bank for Reconstruction and Development (EBRD) defined a set of core principles for a modern concession law as legislative guidelines (English French and Russian). The Legal Transition Group of the EBRD prepared the paper EBRD Core Principles for a Modern Concessions Law - selection and justification of principles which explains each of the principles. These principles are based on international standards and best practices and therefore can assist in assessing a country’s modern concession law and in identifying the need for reform. These principles are meant as guidelines only.

OECD Principles for Public Governance of Public-Private Partnerships

- OECD Principles for Public Governance of Public-Private Partnerships provide concrete guidance to policy makers on how to make sure that Public-Private Partnerships (PPP) represent value for money for the public sector.

EBRD/UNECE model law for public-private partnerships/concessions

- The EBRD/UNECE model law for public-private partnerships/concessions is the text of a Model Law for Public-Private Partnerships/Concessions. It has been developed in collaboration by the United Nations Economic Commission for Europe (UNECE - Working Party on PPPs) and the European Bank for Reconstruction and Development (EBRD). The EBRD PPP Guidelines comprise of a set of Model Laws, Policies and Templates that have been produced according to best practices and international standards, and can be used by Governments and respective agencies as benchmark and reference material.

PPP Online Reference Guide

- The Reference Guide aims to help government officials and other interested parties in answering following questions:
  - What are PPPs, and why use them?
  - What kind of policy, legal, and institutional framework is need to ensure PPPs achieve their stated objectives efficiently and effectively?
  - What is the process for developing and implementing a PPP project?

World Bank Guidance on PPP Legal Frameworks

- The World Bank Guidance on PPP Legal Frameworks explains why a suitable PPP legal framework is essential and describes mechanisms for designing and implementing such framework. Drawing on good practice sources and benchmarks, including the UNCITRAL legislative Guide, UNCITRAL Model Legislative Provisions and UNECE Guiding Principles, it provides succinct, practical guidance.

Standard on Public-Private Partnerships / Concession Legal Framework in support of the Sustainable Development Goals and its Accompanying Guide

- The Standard on Public-Private Partnerships / Concession Legal Framework in support of the Sustainable Development Goals and its Accompanying Guide establish a legal framework for Public-Private Partnerships (PPPs) aimed at achieving the Sustainable Development Goals (SDGs). This framework will govern the contracts that implement these partnerships, including the rules and procedures for their selection, preparation, appraisal, procurement, and implementation. Developed by UNECE.

Other references

Visit Select WBG PPP Toolkits for more information on PPP.

The Infrascope Latin America (2014) includes an information tool and benchmarking index that evaluates government capacity to implement sustainable and efficient infrastructure public-private partnerships. The Infrascope Africa (2015) includes informational tool and benchmarking index that evaluates government capacity to implement sustainable and efficient infrastructure public-private partnerships, and How to Manage Unsolicited Proposals show examples of how to manage an unsolicited proposal (USP), a proposal made by a private party to undertake a public-private partnership (PPP) project, submitted at the initiative of the private firm, rather than in response to a request from the government.

Attached for information are also some links to commentaries prepared by third parties as well as summaries. The inclusion of these publications does not mean that they or their authors are in any way approved or endorsed by the World Bank, the PPPRC or by the donors who support the website. To view and download the summaries, go to PPP Legal Framework Snapshots or visit PPP Country Profiles prepared by The African Legal Support Facility (ALSF).

Examples of PPP Laws

Set out below are links to examples of PPP/Concession Laws enacted in various countries.

Sub-Saharan Africa

- **Angola**
  - PPP Laws/Concession Laws - Angola
- **Benin**
  - PPP Laws/Concession Laws - Benin
- **Botswana**
  - PPP Laws/Concession Laws - Botswana
- **Burkina Faso**
  - PPP Laws/Concession Laws - Burkina Faso
- **Burundi**
  - PPP Laws/Concession Laws - Burundi
- **Cabo Verde**
  - PPP Laws/Concession Laws - Cabo Verde
- **Cameroon**
  - PPP Laws/Concession Laws - Cameroon
- **Central African Republic**
  - PPP Laws/Concession Laws - Central African Republic
- **Chad**
  - PPP Laws/Concession Laws - Chad
- **Comoros**
  - PPP Laws/Concession Laws - Comoros
- **Congo, Democratic Republic of**
  - PPP Laws/Concession Laws - Congo, Democratic Republic of
- **Congo, Republic of**
  - PPP Laws/Concession Laws - Congo, Republic of
- **Côte d'Ivoire**
  - PPP Laws/Concession Laws - Côte d'Ivoire
- **Djibouti**
  - PPP Laws/Concession Laws - Djibouti
- **Eritrea**
  - Currently no PPP-specific legal framework on record
- **Eswatini**
  - PPP Laws/Concession Laws - Eswatini
- **Ethiopia**
  - PPP Laws/Concession Laws - Ethiopia
- **Gabon**
  - PPP Laws/Concession Laws - Gabon
- **Gambia**
  - PPP Laws/Concession Laws - Gambia
- **Ghana?**

    - PPP Laws/Concession Laws - Ghana
- **Guinea**
    - PPP Laws/Concession Laws - Guinea
- **Guinea-Bissau**
    - PPP Laws/Concession Laws - Guinea Bissau
- **Kenya**
    - PPP Laws/Concession Laws - Kenya
- **Lesotho**
    - PPP Laws/Concession Laws - Lesotho
- **Liberia**
    - PPP Laws/Concession Laws - Liberia
- **Madagascar**
    - PPP Laws/Concession Laws - Madagascar
- **Malawi**
    - PPP Laws/Concession Laws - Malawi
- **Mali**
    - PPP Laws/Concession Laws - Mali
- **Mauritania**
    - PPP Laws/Concession Laws - Mauritania
- **Mauritius**
    - PPP Laws/Concession Laws - Mauritius
- **Mozambique**
    - PPP Laws/Concession Laws - Mozambique
- **Namibia**
    - PPP Laws/Concession Laws - Namibia
- **Niger**
    - PPP Laws/Concession Laws - Niger
- **Nigeria**
    - PPP Laws/Concession Laws - Nigeria
- **Rwanda**
    - PPP Laws/Concession Laws - Rwanda
- **Sao Tome and Principe**
    - PPP Laws/Concession Laws - Sao Tome & Principe
- **Senegal**
    - PPP Laws/Concession Laws - Senegal
- **Seychelles**
    - PPP Laws/Concession Laws - Seychelles
- **Sierra Leone**
    - PPP Laws/Concession Laws - Sierra Leonie
- **Somalia**
    - PPP Laws/Concession Laws - Somalia
- **South Africa**
    - PPP Laws/Concession Laws - South Africa
- **South Sudan**
    - Currently no PPP-specific legal framework on record
- **Sudan**
    - PPP Laws/Concession Laws - Sudan
- **Tanzania**
    - PPP Laws/Concession Laws - Tanzania
- **Togo**
    - PPP Laws/Concession Laws - Togo
- **Uganda**

    - PPP Laws/Concession Laws - Uganda
- **Zambia**
    - PPP Laws/Concession Laws - Zambia
- **Zimbabwe**
    - PPP Laws/Concession Laws - Zimbabwe

Middle East and North Africa

- **Algeria**
    - PPP laws/Concessions Laws - Algeria
- **Egypt**
    - PPP Laws/Concession Laws - Egypt
- **Iran**
    - PPP Laws/Concession Laws - Iran
- **Iraq**
    - PPP Laws/Concession Laws - Iraq
- **Israel**
    - PPP Laws/Concession Laws - Israel
- **Jordan**
    - PPP Laws/Concession Laws - Jordan
- **Kuwait**
    - PPP Laws/Concession Laws - Kuwait
- **Lebanon**
    - PPP Laws/Concession Laws - Lebanon
- **Morocco**
    - PPP Laws/Concession Laws - Morocco
- **Oman**
    - PPP Laws/Concession Laws - Oman
- **Saudi Arabia**
    - PPP Laws/Concession Laws - Saudi Arabia
- **Syria**
    - PPP Laws/Concession Laws - Syria
- **Tunisia**
    - PPP Laws/Concession Laws - Tunisia
- **United Arab Emirates**
    - PPP Laws/Concession Laws - United Arab Emirates
- **Yemen**
    - Currently no PPP-specific legal framework on record

East Asia and the Pacific

- **Australia**
    - PPP Laws/Concessions Laws - Australia
- **Cambodia**
    - PPP Laws/Concession Laws - Cambodia
- **China**
    - PPP Laws/Concession Laws - China
- **Fiji**
    - PPP Laws/Concession Laws - Fiji
- **Indonesia**
    - PPP Laws/Concession Laws - Indonesia

- **Japan**
  - PPP laws/Concessions Laws - Japan
- **Kiribati**
  - PPP Laws/Concession Laws - Kiribati
- **Lao PDR**
  - PPP Laws/Concession Laws - Lao PDR
- **Malaysia**
  - PPP Laws/Concession Laws - Malaysia
- **Mongolia**
  - PPP Laws/Concession Laws - Mongolia
- **Myanmar**
  - PPP Laws/Concession Laws - Myanmar
- **New Zealand**
  - PPP Laws/Concessions Laws - New Zealand
- **Papua New Guinea**
  - PPP Laws/Concession Laws - Papua New Guinea
- **Philippines**
  - PPP Laws/Concessions Laws - Philippines
- **Republic of Korea**
  - PPP Laws/Concessions Laws - Korea, Rep
- **Samoa**
  - PPP Laws/Concession Laws - Samoa
- **Singapore**
  - PPP Laws/Concessions Laws - Singapore
- **Thailand**
  - PPP Laws/Concessions Laws - Thailand
- **Timor-Leste**
  - PPP Laws/Concessions Laws - Timor-Leste
- **Tonga**
  - PPP Laws/Concessions Laws - Tonga
- **Vanuatu**
  - PPP Laws/Concessions Laws - Vanuatu
- **Vietnam**
  - PPP Laws/Concessions Laws - Vietnam

South Asia

- **Afghanistan**
  - PPP Laws/Concessions Laws - Afghanistan
- **Bangladesh**
  - PPP Laws/Concessions Laws - Bangladesh
- **Bhutan**
  - PPP Laws/Concessions Laws - Bhutan
- **India**
  - PPP Laws/Concessions Laws - India
- **Maldives**
  - PPP Laws/Concessions Laws - Maldives
- **Nepal**
  - PPP Laws/Concessions Laws - Nepal
- **Pakistan**
  - PPP Laws/Concessions Laws - Pakistan
- **Sri Lanka**

- PPP Laws/Concessions Laws - Sri Lanka

Europe and Central Asia

- **Albania**
  - PPP Laws/Concession Laws - Albania
- **Armenia**
  - PPP Laws/Concession Laws - Armenia
- **Azerbaijan**
  - PPP Laws/Concession Laws - Azerbaijan
- **Belarus**
  - PPP Laws/Concession Laws - Belarus
- **Belgium**
  - PPP Laws/Concession Laws Belgium
- **Bosnia and Herzegovina**
  - PPP Laws/Concession Laws - Bosnia and Herzegovina
- **Bulgaria**
  - PPP Laws/Concession Laws - Bulgaria
- **Croatia**
  - PPP Laws/Concession Laws - Croatia
- **Czech Republic**
  - PPP Laws/Concession Laws - Czech Republic
- **Denmark**
  - PPP Laws/Concession Laws - Denmark
- **Estonia**
  - PPP Laws/Concession Laws - Estonia
- **France**
  - PPP Laws/Concession Laws - France
- **Georgia**
  - PPP Laws/Concession Laws - Georgia
- **Germany**
  - PPP Laws/Concession Laws - Germany
- **Greece**
  - PPP Laws/Concession Laws - Greece
- **Hungary**
  - PPP Laws/Concession Laws - Hungary
- **Italy**
  - PPP Laws/Concession Laws - Italy
- **Kazakhstan**
  - PPP Laws/Concession Laws - Kazakhstan
- **Kosovo**
  - PPP Laws/Concession Laws - Kosovo
- **Kyrgyz Republic**
  - PPP Laws/Concession Laws - Kyrgyz Republic
- **Latvia**
  - PPP Laws/Concession Laws - Latvia
- **Lithuania**
  - PPP Laws/Concession Laws - Lithuania
- **Malta**
  - PPP Laws/Concession Laws - Malta
- **Montenegro**
  - PPP Laws/Concession Laws - Montenegro

- **Netherlands**
  - PPP Laws/Concession Laws - Netherlands
- **Poland**
  - PPP Laws/Concession Laws - Poland
- **Portugal**
  - PPP Laws/Concession Laws - Portugal
- **Republic of Ireland**
  - PPP Laws/Concession Laws - Ireland
- **Republic of Macedonia**
  - PPP Laws/Concession Laws - Republic of North Macedonia
- **Republic of Moldova**
  - PPP Laws/Concession Laws - Republic of Moldova
- **Romania**
  - PPP Laws/Concession Laws - Romania
- **Russia**
  - PPP Laws/Concession Laws - Russia Federation
- **Serbia**
  - PPP Laws/Concession Laws - Serbia
- **Slovak Republic**
  - PPP Laws/Concession Laws - Slovak Republic
- **Slovenia**
  - PPP Laws/Concession Laws - Slovenia
- **Spain**
  - PPP Laws/Concession Laws - Spain
- **Tajikistan**
  - PPP Laws/Concession Laws - Tajikistan
- **Turkey**
  - PPP Laws/Concession Laws - Turkey
- **Turkmenistan**
  - PPP Laws/Concession Laws - Turkmenistan
- **Ukraine**
  - PPP Laws/Concession Laws - Ukraine
- **United Kingdom**
  - PPP Laws/Concession Laws - United Kingdom
- **Uzbekistan**
  - PPP Laws/Concession Laws - Uzbekistan

Latin America and the Caribbean

- **Antigua and Barbuda**
  - PPP Laws/Concession Laws - Antigua and Barbuda
- **Argentina**
  - PPP Laws/Concession Laws - Argentina
- **Belize**
  - PPP Laws/Concession Laws - Belize
- **Bolivia**
  - PPP Laws/Concession Laws - Bolivia
- **Brazil**
  - PPP Laws/Concession Laws - Brazil
- **Chile**
  - PPP Laws/Concession Laws - Chile
- **Colombia**

    - PPP Laws/Concession Laws - Colombia
- **Costa Rica**
    - PPP Laws/Concession Laws - Costa Rica
- **Dominica**
    - Currently no PPP-specific legal framework on record
- **Dominican Republic**
    - PPP Laws/Concession Laws - Dominican Republic
- **Ecuador**
    - PPP Laws/Concession Laws - Ecuador
- **El Salvador**
    - PPP Laws/Concession Laws - El Salvador
- **Grenada**
    - PPP Laws/Concession Laws - Grenada
- **Guatemala**
    - PPP Laws/Concession Laws - Guatemala
- **Guyana**
    - PPP Laws/Concession Laws - Guyana
- **Haiti**
    - PPP Laws/Concession Laws - Haiti
- **Honduras**
    - PPP Laws/Concession Laws - Honduras
- **Jamaica**
    - PPP Laws/Concession Laws - Jamaica
- **Mexico**
    - PPP Laws/Concession Laws - Mexico
- **Nicaragua**
    - PPP Laws/Concession Laws - Nicaragua
- **Panama**
    - PPP Laws/Concession Laws - Panama
- **Paraguay**
    - PPP Laws/Concession Laws - Paraguay
- **Peru**
    - PPP Laws/Concession Laws - Peru
- **Puerto Rico**
    - PPP Laws/Concession Laws - Puerto Rico
- **Saint Lucia**
    - PPP Laws/Concession Laws - Saint Lucia
- **Saint Vincent and the Grenadines**
    - Currently no PPP-specific legal framework on record
- **Suriname**
    - Currently no PPP-specific legal framework on record
- **Trinidad and Tobago**
    - PPP Laws/Concession Laws - Trinidad and Tobago
- **Uruguay**
    - PPP Laws/Concession Laws - Uruguay
- **Venezuela**
    - PPP Laws/Concession Laws - Venezuela

North America

- **Canada**
    - PPP Laws/Concession Laws - Canada

- **United States of America**
  - PPP Laws/Concession Laws - United States

Further Reading and Resources

- *Legal & Institutional Frameworks in Africa: A comparative analysis* - ALSF, 2024
- *Establishing and Reforming PPP Units - Analysis of EPEC Member PPP Units and lessons learnt*, European Expertise Centre (EPEC), August 2014.
- *Overview of the PPP Legal and Institutional Frameworks in the Western Balkans*, European PPP Expertise Centre (EPEC), July 2014.
- *Serbia - PPP Units and Related Institutional Framework*, European PPP Expertise Centre (EPEC), June 2014.
- *PPP Units and Programmes in Asia and the Pacific* United Nations Economic and Social Commission for Asia and the Pacific (UN ESCAP), April 2014. This publication presents a list of PPP Units and Task Forces active in the Asia-Pacific region.
- *Portugal - PPP Units and Related Institutional Framework*, European PPP Expertise Centre (EPEC), January 2014.
- *United Kingdom/England - PPP Units and Related Institutional Framework* European PPP Expertise Centre (EPEC), June 2012.
- *France - PPP Units and Related Institutional Framework*, European PPP Expertise Centre (EPEC), May 2012.
- *Moving Forward on Public Private Partnerships: U.S. and International Experience with PPP Units*, by Emilia Istrate and Robert Puentes, Brookings Institution, December 2011.
- *Dedicated Public-Private Partnership Units: A Survey of Institutional and Governance Structures (Les Unités Consacrées aux Partenariats Public-Privé: Une Étude des Structures Institutionnelles et de Gouvernance)*, Organisation for Economic Co-Operation and Development (OECD) 2010 (English and French).
- *Designing and Using Public-Private Partnership Units in Infrastructure - Lessons from Case Studies around the World* by Apurva Sanghi, Alex Sundakov, and Denzel Hankinson, Gridlines No. 27, Public-Private Infrastructure Advisory Facility (PPIAF) September 2007.
- *Public-Private Partnership Units - What Are They and What Do They Do?* Public Policy for the Private Sector Note 311, World Bank, September 2006.

Related Content

- **Laws and Regulations**
- **PPP Legal Foundations - Further Reading**
- **Legislation and Laws - General and Sector Specific**
- **Regulatory Systems and Sector Overview**

- **Country Profiles**

Additional Resources

- Country Profiles
- PPP Legal Framework Snapshots (A-C)
- PPP Legal Framework Snapshots (D to R)
- PPP Legal Framework Snapshots (S to Z)

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