Legal Framework/ Enabling Environment Assessment for PPPs

Full Description

Legal Systems - Overview

- Sources of Law
- Key Features of Common Law or Civil Law Systems
- Key Issues in Civil Law systems that may impact PPP arrangements
- Finding Solutions to Constraints in the Host Country's Legal Environment

Find more about Legal Systems

Evaluating the Legal Environment

Set out below are some of the key questions regarding the host country’s Legal Environment that need to be asked when a Government is embarking on an infrastructure program or project:

- Contract Law - Limitations on Freedom of Contract
- Dispute Resolution Systems Available / Sovereign Immunity
- Gender-Responsive PPP Legal Framework
- Government Organization - Approval and Award / Monitoring and Regulation of PPP Projects
- Health and Safety Laws
- Insolvency Laws
- Insurance
- Labor Law / Employment Issues
- Land / Environment and Social Issues
- Mechanisms Enabling Legal Challenges Against PPP Projects
- Procurement Restrictions
- Restrictions on Foreign Investors / Currency Exchange Controls
- Standards and Public Liability
- Tariff Setting / Funding Constraints
- Taxation
- Constraints in the Law on Scope of PPP Projects

Read more at Evaluating the Host Country's Legal Environment

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