

Kabalan & Associates

مكتب المحامي نورالدين قبلان

Lebanon Legal Update

13 October 2017

Public Private Partnership Law issued

The long awaited Public Private Partnership (PPP) Law has been finally enacted by the Lebanese Parliament on 14 September 2017.

The projects related to communication, electricity and civil aviation are also regulated by this Law.

The previous High Council for Privatization has been replaced by the High Council for Privatization and Partnership ("the Council").

The projects are proposed to the Council either by its President or the competent Minister. Once the project is approved, a Special Committee is formed and shall be assisted by financial, technical and legal consultants to prepare related studies. When the project is finally approved by the Council, it is transferred to the Council of Ministers for approval.

Following the Council of Ministers' approval, a public tender to choose the private partner is launched and shall include the qualifications required for the size and the nature of the project. Based on the Special Committee's recommendations, the Council shall choose the qualified private partners. The Special Committee shall discuss with them the Tender Book. The Tender Book shall be thereafter approved by the Council and the Council of Ministers. The qualified private partners shall submit their offers based on the Tender Book. The winner is declared by the Special Committee after the Council's approval.

The winner shall establish a Lebanese Joint stock Company for purposes of the project - which shall be exempt from the requirement of having Lebanese members and shall be subject to special requirements.

The PPP agreement shall be signed between the competent Minister and the established Joint stock Company.

Decrees may be issued to determine the implementation of this Law.

Please contact us should you have any queries in relation to this update.

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Further advice should be taken before relying on the contents of this note

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Kabalan & Associates is a law firm with offices in Beirut & London and registered as Etude Maitre Noureddine Kabalan with the Beirut Bar Association.

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