

MINISTRY OF PLANNING AND INVESTMENT
PUBLIC PROCUREMENT AGENCY



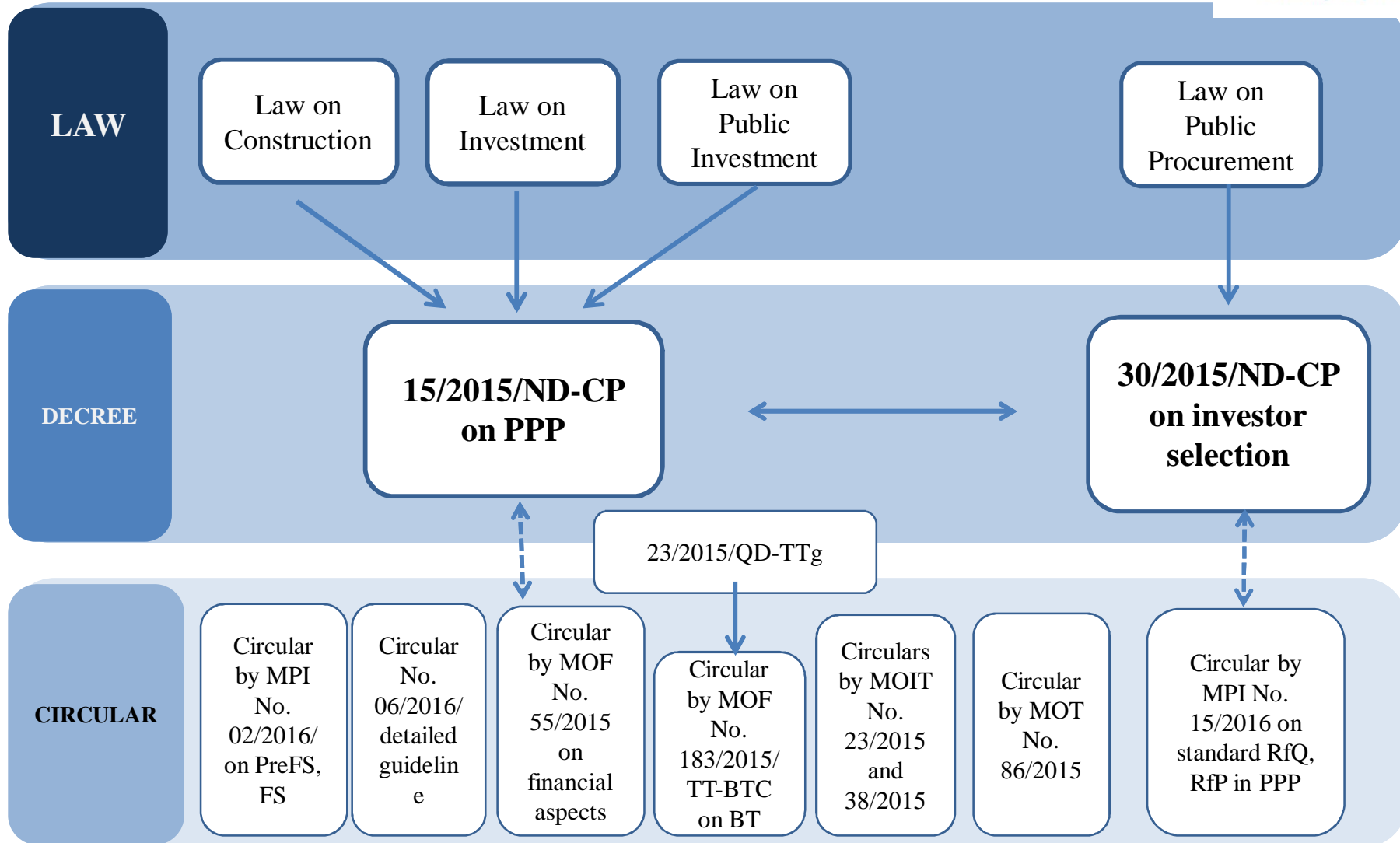
OPEN OPPORTUNITIES FOR EU INVESTORS

- PPP IN VIETNAM -

Phnom Penh, 31 Oct 2017

CONTENTS

1. INSTITUTIONAL PERSPECTIVES
2. LEGAL PERSPECTIVES
3. FINANCIAL PERSPECTIVES



- Well-prepared projects before marketing to the investors
- Mainly operate in a competitive environment with open bidding
- Transparency and publicity of project and bidding information on muasamcong.mpi.gov.vn or ppp.mpi.gov.vn

- Central Steering Committee for promotion of PPP investment, chaired by a Deputy Prime Minister
- Focal points / state management division in line ministries and provinces
- The champion of PPP projects are ministries and provinces

- Revisions to Decree 15:
- Revision to Decree 30:
- Preparation of the Law on PPP

LEGAL PERSPECTIVES (1)

- Enforce the binding contract between government agency and investors
- Propose to abolish Investment registration certificate for PPP projects
- Recognize step-in right of lenders
- Enable assignment of rights and obligations [being proposed: after construction completion]
- Make clear procedure to contract amendment

LEGAL PERSPECTIVES (2)

- Applicability of foreign law: must not contradict the provisions of the laws of Vietnam
- Mortgage the assets
- Assurance of exercise of land use rights
- Assurance of property rights
- Dispute settlement

Direct liability from government may take form(s) of:

1. Contribution to the CAPEX of project
2. Contribution to the cost of land clearance
3. Unitary payments for service availability
[including the sources of public entity earnings,
eg.hospitals]

Enabling the private financing:

1. Assurance of public services provision
2. Required equity threshold
3. Investment incentives:
 - CIT tax
 - Favorable treatment on import/export tax
 - Reduced cost for using land

Possible contingent liability from government:

1. Assurance of foreign currency balance (volume)
2. Closely assessed guarantees for obligations of the investor



THANK YOU!

[For more info](#)

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