

DEVELOPING PRIVATE-PUBLIC PARTNERSHIP FOR INFRASTRUCTURE: THE LEGAL FRAMEWORK AND FINANCING ISSUE

Legal and contractual aspects of PPP's in Chile and Latinamerica.

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Looking for local currency financing to circumvent the lack of international capital.

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DEVELOPING PRIVATE-PUBLIC PARTNERSHIP FOR INFRASTRUCTURE: THE LEGAL FRAMEWORK

- ✓ Urban and suburban highways
- ✓ Port infrastructure
- ✓ Airport infrastructure
- ✓ Sanitary System
- ✓ Transit systems
- ✓ Public Health Facilities
- ✓ Urban Development and Public Services
- ✓ Others

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...No one regulation will fit all these types of ventures.

Legal framework (business model) to be applied will depend on many aspects, but mainly on the role of both parties: Private and Public side... and it's relation.

DEVELOPING PRIVATE-PUBLIC PARTNERSHIP FOR INFRASTRUCTURE: THE LEGAL FRAMEWORK

This pannel does not pretend to analyze, in detail, all aspects to be considered in PPP's norms and regulations.

We seek (if my colleagues will agree) to have an overview of the international (european and latinamerican) experience and local applications focused in some of the most important issues, like:

- Private-public role
- Institutionality
- General rules, goals and criterias
- Types of contracts
- Public-private initiative
- Transparency vs flexibility

DEVELOPING PRIVATE-PUBLIC PARTNERSHIP FOR INFRASTRUCTURE: FINANCING ISSUES

The relation between legal framework and financial issues is obvious. For obvious sometimes forgotten...

Legal framework defines:

- 1.The business model (structure of revenues and costs)
- 2.The regulation scheme (restrictions and obligations)
- 3.Main source of risk (which is the core risk of a PPP business?)

Cost and availability of financing for PPPs depends strongly on this issues, given a Capital Market (which is an issue for itself).