

Public Private Partnerships

A full range of PPP transaction services



Public Private Partnership (PPP) is a popular mechanism for infrastructural projects and investments. These dealings are complex and require the close interaction between several disciplines. Laga is well equipped to cover all legal and tax angles of PPP initiatives and is a key partner, alongside Deloitte Belgium, within a PPP expert group established alongside the VUB (Vrije Universiteit van Brussel).

The firm assists clients with PPP transactions in the transport, education, energy and water treatment sectors to name a few. Advised clients include both public authorities such as the Belgian government, Belgian cities and other local public organisations, as well as financial institutions and private entities. Where appropriate to ensure a seamless and comprehensive high-quality service, we very regularly and closely work on a 'good friends' basis with select local law firms that are prominent in their respective jurisdictions.

Our firm provides PPP legal advice in the following areas:

Financing

Laga's banking & finance department focuses on all transactional and advisory aspects of banking and financial law. With its highly reputed expertise in public (re-) financing, project and real estate finance, the team assists clients with the all-important financing elements of PPP projects.

Public and administrative law

Public and administrative regulations are key components in any PPP project. Belgium's complex

government structure and the combination of Belgian and European legislation also bring the need for in-depth current knowledge. Laga has extensive experience in all aspects of public and administrative law, especially public procurement and so can assist with these essential aspects of public-private partnerships.

Tax

Tax (specifically VAT) needs to be taken into account in PPP projects, especially those with large transactions built on complex financial structures. The VAT team can assist clients with VAT aspects of real estate and financial transactions in both private and public sectors, also working closely with the finance and real estate teams to provide alternative financing advice.

Corporate law

With private involvement in PPP projects, there are also corporate legal points of attention which can require legal assistance. Laga's corporate law practice possesses the expertise to assist with, for example, the private equity and shareholder matters if a PPP transaction requires it.

Credentials

Laga's Banking & Finance, Corporate, Tax and Public, Administrative & Environmental law teams advised in the below PPP projects

University of Brussels

on two PPP projects including an ongoing student housing project (EUR 50M) relating to the extension by 500 student units of the student housing facilities at their Brussels campus

City of Ghent

as general advisor on various real estate, corporate, financial, employment and security related matters involving City related projects

BOZAR - Fine Arts Center Brussels

on the real estate renovation and development works involving Bozar's 35,000 sqm compound

Belgian solar-energy investment vehicle

on the structuring of a solar-energy related investment in Italy and France involving Belgian and Dutch SPVs beneficially owned by Belgian investors. Laga cooperated with prominent law firm' Amsterdam, Rome and Milan offices in advising the Belgian investors

A renewable energy investor group

on the structuring of a real estate certificate programme tailored to investment in a EUR 200 million wind-energy project

bpost

on the restructuring of its 679-account State treasury financing scheme

City of Antwerp

on the redevelopment of part of the City harbor as part of a five-year infrastructure project

City of Hasselt

on the relocation and legal structuring of the new police station for the zone HaZoDi

Municipality of Sint-Katelijne-Waver

on all different legal aspects of the PPP-project for the creation and operation of a new community centre

FIF - FSI

i.e. the *Fonds d'Infrastructure Ferroviaire / Fonds voor Spoorweg Infrastructure (FIF/FSI)*, a fund set up by the Belgian government, on its financing of development and acquisition of real estate assets historically owned by the Belgian railway company (total assets value EUR 400 million)

CFE

on the VAT regime of the different supplies made for a number of important projects, including the PPP Liefkenshoektunnel project, the offering for the new ZNA hospital, and a number of development projects (e.g., "t Rood Huys" and "Wolfabriek")

PPP re-development projects

as VAT advisor for several projects such as: Hoedhaar project, Tupperware site, Militair Hospitaal Oostende, Militair Hospitaal Antwerpen

Antwerp Port Authority

on the development of an onshore wind farm project together with another public party and a consortium of private parties

OVAM

on the structuring of Plan C, a network organisation aimed at stimulating sustainable recycling methods involving both public and private sector parties

(Laga's) heavily service oriented team has quickly made it a popular choice among clients"

Chambers Europe

AZ Maria Middelaes Ghent (AZMM)

on the financing of its more than EUR 200M new hospital construction project in Ghent

The three Belgian regional governments (Flanders, Wallonia, Brussels Capital)

on the refinancing, reorganization and guarantee structures granted by each region with respect to the obligations of Gemeentelijke Holding NV / Holding Communal SA

KBC

on a number of large assignments including project finance transactions and a project bond platform for the financing of large real estate and infrastructure projects such as the A11 motorway

ING

on the structuring and implementation of an innovative EMTN platform to attract long term financing from institutional investors in order to provide long term financing to the Belgian public and semi-public sector

The Flemish PPP-Centre of Excellence (PPS-Kenniscentrum)

on various tax matters in relation to Public Private Partnerships

A Belgian property developer

on various tax matters in relation to the re-development of the "Investeringszone Petroleum Zuid" site in Antwerp

C-Mine project

on various tax matters in relation to the re-development of the C-Mine site in Beringen

Gasmeter project in Ghent

as tax advisor to one of the consortia that intended to realise the Gasmeter site in Ghent

POM Antwerpen

(the development Company of the Province of Antwerp) on the structuring and creation of a new incubator to support start-ups in the province. One of the main attention points is the creation of a structure that offers maximisation of possible subsidy

WVI (intermunicipal company)

on the legal structuring possibilities for the redevelopment of a site containing an abandoned sugar factory; the redevelopment project concerns a mixed project with residential and social housing, a green zone and a business park

RAC (Breevast-Immobel joint venture)

on various aspects of the in excess of 150,000 sqm "Belair" project in Brussels, including on the syndicated credit facility for the construction of the first phase of 76,000 sqm of offices



Contacts

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For further information, visit our website at www.laga.be

A top legal practice in Belgium, Laga is a full service business law firm, highly recommended by the most authoritative legal guides. Laga comprises approximately 100 qualified lawyers, based in Brussels, Antwerp and Kortrijk. Laga offers expert advice in the fields of banking & finance, commercial, corporate/M&A, employment, IT/IP, public/administrative, insolvency and reorganisations, real estate, tax law and litigation. Where appropriate to ensure a seamless and comprehensive high-quality service, Laga lawyers work closely with financial, assurance and advisory, tax and consulting specialists, and with select EU and US law firms.

Laga provides thorough and practical solutions tailored to the needs of clients ranging from multinational companies, national large and medium-sized enterprises, and financial institutions, to government bodies.