

JunHe LLP is a full-service firm with a market-leading projects and infrastructure team.

—Chambers Global

Public Utilities

JunHe's lawyers have accumulated over 20 years of legal experience in public utilities in China, resulting in their leading position amongst their Chinese peers. Recently, JunHe expanded its services to overseas projects.

Our legal practice in public utilities covers areas such as investment, financing, and construction and operations in connection with urban gas, heat and water supply, sewage treatment, wastewater reclamation, domestic waste disposal, roads, bridges, rail transit, public parking lots, utility tunnels and other facilities. The applicable laws that need to be observed include Land Administration Law, Urban and Rural Planning Law, Construction Law, Company Law, Civil Code, Administrative Law, Bid Invitation and Bidding Law, Government Procurement Law, Highway Law, Environment Protection Law and other laws, regulations and regulatory documents governing the relevant industries. Our legal services involve various systems and practices with respect to the allocation and utilization of natural resources, urban and rural planning and designing, procedures for infrastructure construction, urban management, concession of municipal infrastructure and public utilities, environmental protection, labor, taxation, safety and so forth.

This area of practice has always been an active business scope for JunHe's Infrastructure and Project Finance team and they have accomplished many landmark projects in the market. With the further marketization of this area and the promotion of the Public-Private Partnership (PPP) approach and the development of the Real Estate Investment Trusts (REITS) business in China, JunHe's Banking and Finance, Capital Market, M&A, and Dispute Resolution teams have all expanded to practice in this area. Furthermore, JunHe plays an active role in and contributes to the marketization of this area and the promotion of PPPs, including participating in domestic legislation and theoretical research.

The scope of JunHe's legal services in urban public utilities projects:

- The design of the overall legal structure of the project as well as its legal structure for investment and finance;
- The application of BOT/TOT/BT/BOO within the Chinese legal system, especially after the promotion of PPP;

JunHe, founded in Beijing in 1989, is one of the first private partnership law firms in China. Since its establishment, JunHe has grown to be a large and recognized Chinese law firm. The firm has twelve offices around the world and a team comprised of more than a thousand professionals.



Their (JunHe's) expertise in infrastructure and energy project development and financing is sought by domestic corporations and investors.

—Chambers Greater China Region

<p>Law Firm of the Year - Energy & Natural Resources 2022, 2021, 2019, 2018 Deals of the Year - Yangtze Andes under China Yangtze Power Co-invests in South American Power Distribution 2021 Deal of the Year - Qian'an City Sponge City PPP Project 2016 <i>China Business Law Awards/China Business Law Deals of the Year</i></p> <hr/> <p>An Energy & Natural Resources Law Firm of the Year - China 2022 <i>In-House Community</i></p> <hr/> <p>Infrastructure Firm of the Year 2021 Impact Deal/Case of the Year - China Yangtze Power's Acquisition of the Largest Electricity Company in Peru 2021 <i>Asialaw Awards</i></p> <hr/> <p>Energy & Resources Deal of the Year - The Coastal Areas - Investment by EDF in Jiangsu Dongtai Offshore Wind Power Project 2021 <i>ALB China Regional Law Awards: The Coastal Areas</i></p> <hr/> <p>Deals of the Year - Beijing - M&A - China Yangtze Power's \$3.6 Billion Acquisition of Luz Del Sur 2021 <i>IFLR 1000 China Awards</i></p> <hr/> <p>Transport Deal of the Year - Bengal Dhaka Airport Highway Concession Project 2021 <i>The Asset</i></p>
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The achievements of our infrastructure and project financing team can be seen in many recent investments and developments such as the building of roads, bridges, water and power facilities that cover basic public needs. It is also reflected in the rise of environmental protection to improve the quality of life. The attracting of foreign investment, the adoption of project financing and the PPP model all point to the team's development. Other noteworthy developments include the rise in the "going out" of Chinese enterprises, the gradual implementation of the "One Belt One Road" initiative, and the necessary adjustments undertaken in the development of "dual circulation".

- Whole-process legal services (including the provision of legal advice and the preparation, review and negotiation of legal documents) for bid invitation and bidding, competitive negotiation and government procurement procedures on the selection of investors, contractors and operators;
- Drafting, reviewing, negotiating and assisting in the closing of project financing documents;
- Comprehensive legal consultancy for the construction and operational phases of various projects, including reviewing and advising on engineering contracts, construction contracts, procurement contracts, EPC contracts, construction agency contracts, entrusted operation contracts, operation service contracts and other legal documents;
- Legal services for project assets securitization (including ABS, REITS);
- Dispute resolution in relation to projects, including consulting on and acting as the agent in administrative litigation, civil litigation and arbitration.

Selected Deals

Beijing No.10 Water Plant A Project (2000-2018)

JunHe's lawyers acted as the Commission of Bid Invitation for International Investors regarding the concession of a project on behalf of the Beijing Municipal Government, and afterwards advised the Beijing Public Utility Bureau, the Beijing Municipal Administration Commission (now Beijing Municipal Commission of City Management) and the Beijing Water Authority, providing whole-process legal services in the international bid invitation and the bidding, restructuring, financing and revision of the agreements thereof.

Project of the Acquisition of the Swedish Biggest Environment Group Water Company by the Beijing Drainage Group Co., Ltd. and a Subordinate Fund of State Development and Investment Company Jointly Establishing a Company and a Fund (2013-2015)

JunHe advised on behalf of the founders of the Fund (at the early stage) and the Fund (at the later stage), led the legal team (comprising inter alia Swedish and Luxemburg lawyers), in examining, reviewing and revising all of the English legal documents, preparing and revising all of the Chinese legal documents, translating all the documents, conducting legal due diligence, and participating in the negotiations of the major acquisition documents in the whole process, as well as the establishment and acquisition of a shell company and the establishment of an SPV for the purpose of closing, and the works relating to the financing and guaranteeing of the target company as well as its restructuring.

Beijing Nangong Domestic Waste Incineration Power Plant Concession Project (2005-2017)

This was a financial cooperation project within the Sino-German Financial Operation Framework. The government and its entrusted construction agent have engaged JunHe's lawyers since March 2005. JunHe's lawyers advised on the international invitation for bid, the performance of contracts and dispute resolutions regarding the project, up to the signature and execution of the project concession agreement. In June 2017, the power plant succeeded in its first grid-connection by one ignition.