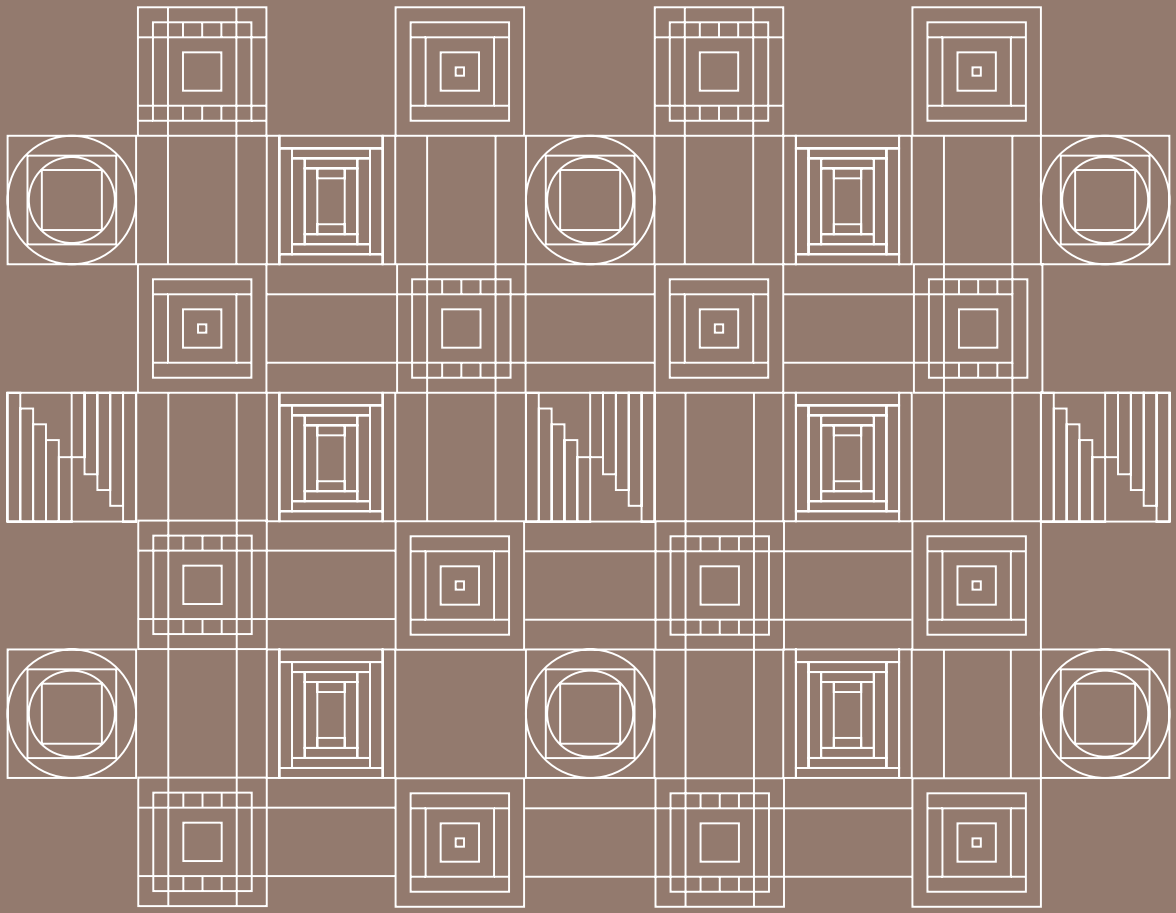


ÆQUITAS

INFRASTRUCTURE PROJECTS.
PUBLIC-PRIVATE
PARTNERSHIP (PPP)

Infrastructure projects. Public-private partnership (PPP)

AEQUITAS is regularly supporting infrastructure projects of great importance for different sectors of Kazakhstan economy: energy, transportation, mining, etc. Regardless of the industry and venture complexity, the firm's lawyers possess sufficient experience and knowledge to promptly render legal services necessary for its implementation. The firm was engaged as a legal advisor when creating an artificial island in the Caspian offshore zone and constructing oil pipelines and infrastructure facilities in the Caspian Sea ports, provided preliminary legal evaluation for the construction of a ski resort, and advised the Government of the Republic of Kazakhstan in connection with construction of the Almaty-Astana motorway. AEQUITAS' recent work involves legal support to infrastructure projects using alternative energy sources.

Recently, Kazakhstan has been going proactive in developing the public-private partnership (PPP) sector. In light of the state policy pursued in this area and the clients' interest, AEQUITAS is paying most serious attention to the PPP matters.

AEQUITAS and Kazakhstan Public and Private Partnership Center JSC, main coordinator of the PPP projects in Kazakhstan, have entered into a Partnership Agreement. The Partnership Agreement based cooperation implies implementation of joint research initiatives and joint advice, engagement of the firm's lawyers to work on legislative framework improvement and access to information on the Kazakhstan's key PPP projects.

International rating agency asialaw (2018-2025) recommends AEQUITAS as Kazakhstan's leading law firm in Projects & Infrastructure.

services

Advice on different issues of local law (antimonopoly, currency and investment) applicable to infrastructure and PPP projects. Drafting of legal opinions and documents required for their implementation. Analysis of legal risks.

Client representation and participation in negotiations with the key project participants, including representatives of governmental agencies.

Advice regarding land legal relationships and title to immovable property.

Environmental advice in connection with implementation of projects.

Drafting of concession agreements and contracts mediating the PPP projects implementation (including project agreements, construction agreements, management and financial agreements).

All-round organizational and legal support to projects, including applying possible schemes and methods to procure state assistance.

Legal substantiation of the optimum models for infrastructure projects implementation, including using the PPP mechanism.

Legal evaluation of project risks and recommendations to optimally allocate these among the participants.

Advice and legal assistance in the process of obtaining governmental agency's consents and approvals necessary to implement projects.

Advice on project financing, including drafting of legal opinions, deal structuring and development of appropriate documentation, including security instruments.

most representative projects

Please note that AEQUITAS participated in many PPP projects but most of them are confidential. Therefore, below we specified only those mandates, information about which may be disclosed.

Advice to the international development banks on the USD 585 million debt financing of the BAKAD project and assistance to adapt the international project finance structure to the Kazakhstan legal environment. BAKAD is the first concession project of special significance in Kazakhstan involving construction and operation of a high-speed ring toll road. The project is being implemented under a 20-year build-transfer-operate (BTO) concession agreement entered into by the Republic of Kazakhstan and BAKAD Investment and Operation LLP established by the Turkish sponsors Alarko and Makyol alongside Korean sponsors SK Engineering & Construction and Korea Expressway Corporation. The project is financed by the European Bank for Reconstruction and Development (EBRD), Eurasian Development Bank (EDB), and Islamic Development Bank (IsDB).

Comprehensive due diligence of the Almaty Industrial Zone (AIZ) to evaluate legal, regulatory and infrastructure aspects for establishment of business relations between the client and AIZ. This collaboration contemplated construction of a large plant capable of becoming an important element of industrial development of the region. The transaction was of strategic importance for the client and the industrial zone, because the initiative was aimed at strengthening of production capacities, creation of new workplaces and development of infrastructure in Almaty. The work involved identification of legal risks, development of recommendations and elaboration of solutions allowing to ensure long-term and stable partnership relations.

AEQUITAS Law Firm successfully supported strategic entry of a foreign investor, Chinese Corporation Sinoma Cement Co., Ltd., member of China National Building Material Group (CNBM), into capital of QazCement Industries, one of the leading cement companies of Kazakhstan, and implementation of a major investment project in the territory of Kazakhstan. AEQUITAS team ensured comprehensive legal support of the transaction, including: legal analysis of the framework investment agreement between the client and the target company; filing and support of documents to obtain approval from the antitrust authority and authorized agency in the subsoil use sphere; drafting of advice regarding the transaction structure and mechanics, including transfer of share; legal due diligence; and review of an investment agreement between the Government of the Republic of Kazakhstan and the target company. Completion of the approval procedure will allowed the client to become the holder of 70% share in the target company and invest in construction of a modern cement plant in Akobe Oblast (Baiganinskiy Region).

Advice to a Hungarian national company in connection with an infrastructure initiative to create toll roads electronic control system to be introduced in Kazakhstan. AEQUITAS lawyers developed the project concept, including selection of the best form of business incorporation in Kazakhstan, and complex corporate governance structure. The firm's lawyers advised the client on all matters of investment protection in Kazakhstan, as well as the issues of contemplated operating activities.

most representative projects

Advising a foreign company, one of the world leading aluminum producers, regarding acquisition of land plots in the territory of Kazakhstan for the purpose of subsequent construction of administrative facilities. When working on this project, the firm's lawyers conducted legal due diligence of land plots; analyzed the town planning and other regulations allowing to evaluate the possibility of constructing an administrative building with the set parameters on the selected land plots; drafted sale and purchase agreements on acquisition of the land plots and other required accompanying documents. When working on this mandate, AEQUITAS lawyers not only advised the client on any issues arising in the course of the Kazakhstan market review, but also fully supported the process of executing the transaction aimed at acquisition of the land plots, including obtainment of the required approvals of competent authorities, registration of the right of ownership to the land plots, etc.

AEQUITAS team supported a comprehensive infrastructure and investment project in the renewable energy and waste management spheres related to the contemplated construction of Kazakhstan's first solid waste processing plant with power generation in Almaty. The project was implemented in the interests of a large Chinese group of companies with the participation of the Almaty City Akimat and included drafting of a country entry report on admission of foreign investment to waste-to-energy projects, as well as legal due diligence of the key project agreements entered into with governmental agencies and infrastructure operators. As part of the project, AEQUITAS team drafted a comprehensive legal report covering all key blocks of regulation applicable to the project.

AEQUITAS team supported a large-scale infrastructure project in the electrical power sector, involving a contemplated implementation of the EPC project on construction of a coal-fired thermal power plant in the Republic of Kazakhstan. The end client was a major Chinese engineering institute acting in the interests of a Kazakhstan project company. The project required comprehensive legal elaboration on all key regulatory aspects, including the issues of acquiring rights to a land plot, obtainment of permitting documents, environmental regulations, mandatory design documentation expert examinations, construction activities licensing, equipment import and certification requirements, and labor and localization requirements to engagement of foreign contractors and personnel.

AEQUITAS participated in a major transaction involving acquisition of the only plant in Kazakhstan producing caustic soda, which is also one of the largest enterprises in the northern Kazakhstan. The transaction also provided for the acquisition of three other large enterprises, two of which are subsoil user companies. When working on the matter, AEQUITAS provided a set of services, including due diligence, analysis of risks and elaboration of recommendations, active participation in negotiations with sellers, drafting of transaction documents (share pledge agreements, articles of association, share sale and purchase agreements, shareholders' agreements, debt transfer agreements, wagon sale agreements, assignment agreements, subordination agreements, etc.), support of the stage of closing the transaction.

most representative projects

Advice to a foreign EPC Contractor on legal implications/ impact and drafting of comprehensive market entry report for undertaking the EPC works and supply of equipment for a power plant development in Kazakhstan, including labor, insurance, social, IP, tax, health, environmental and safety issues, procurement methods and tendering/experience and qualification requirements, local presence requirements, description of the forms of contract normally used or accepted in Kazakhstan (such as FIDIC forms), details of applying for licenses, permits and other approvals that must be obtained for undertaking and completing the EPC works, key commercial risks and legal requirements for power plant projects, impact of CSR and NGOs on execution of EPC Contracts and supply of equipment.

Advice to Hewlett-Packard in connection with a transaction involving supply of automated railway control equipment to the national railway operator. The legal support of the transaction was performed according to the Samruk-Kazyna's procurement rules. The firm's lawyers modified the standard tender winner's contract to conform to Hewlett-Packard's habitually used Automated System Development and Supply Contract.

AEQUITAS team is supporting an international infrastructure project in the renewable energy sphere in the Zhambyl region of the Republic of Kazakhstan involving the sale of a 1 GW wind farm and a 300 MW BESS energy storage system with 600 MWh capacity. The project is being implemented through a consortium with participation of the largest Chinese manufacturer of energy and industrial equipment and a local contractor, and involves entering into a long-term (for 25 years) electrical energy sale and purchase agreement with the Financial Settlement Center. As part of the project, AEQUITAS lawyers act as the Kazakhstan law counsel for the largest Chinese manufacturer of energy and industrial equipment and ensure comprehensive support during the second round of tendering and preparation for the EPC contract negotiations, including legal analysis of tender documentation, identification of regulatory and commercial risks, and preparation of the client's legal position on key provisions of the EPC contract and a set of subcontracting agreements.

AEQUITAS conducted due diligence of a major multimodal transportation and logistics company, which is a subsidiary enterprise of the national railway operator of the Republic of Kazakhstan. The target company provides full range of transportation and logistics services, integrating transportation using railway, maritime, air and automobile transport. The company uses port and airport infrastructure and a chain of warehouses and terminals to ensure efficient cargo delivery. When working on this assignment, the firm's lawyers reviewed the activities of the target company and drafted a report on certain aspects of its activities pertaining to assets, immovable property, taxation, finances, company's transactions with counterparties, corporate and labor issues, material contracts, activities of subsidiaries, etc.

membership

ratings

"Exceptional research and practical background, extremely experienced team. The questions raised were covered in full, the consultants even went outside the scope and the direct questions and considered it as a complex matter, which allowed us to have a more complete opinion".

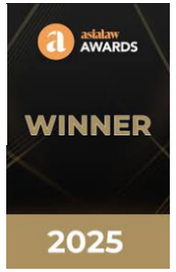
The Legal 500 2026

"AEQUITAS provides rigorous and professional advice in a short time".

Chambers 2026

"AEQUITAS demonstrates a keen understanding of business needs and an ability to provide pragmatic legal advice aligned with commercial objectives".

Chambers 2025

"They are very commercial, have hands-on transactional experience, provide great client service and are generally very pleasant to deal with. The quality of advice is consistent and of very high standard – timely, accurate and commercial".

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