



Projects, Energy and Infrastructure

DLA Piper's Projects, Energy and Infrastructure team has a track record of successfully delivering first-rate legal services in all segments of the infrastructure and energy industries. We advise on energy law, infrastructure finance, transport matters and more.

Our lawyers understand the commercial, strategic, technical, geographical and political factors that shape and impact these industries, as well as the business issues and risks inherent when working in these sectors. Our market leading presence also allows us first-hand access to contacts, sponsors and key decision makers worldwide.

CAPABILITES

The group represents sponsors, contractors, multilateral institutions, corporations, developers, equity investors, financial institutions, governments, utilities and regulatory bodies in the procurement, development, financing, acquisition, construction and operation of a wide range of complex infrastructure and energy projects on nearly every continent.

These projects include:

- Power generation from natural gas, coal, petroleum and, renewables
- Pipelines
- Drilling platforms
- Transmission networks
- Mining facilities
- Defence and security projects
- Waste projects and resource recovery facilities
- Telecommunications networks
- Vessels
- Ports
- Airports
- Highways, toll roads and bridges
- Transportation systems including airports, heavy rail, light rail and bus
- Water supply and waste water systems

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RELATED SERVICES

- Environment, Health and Safety
- Financial Services
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- International Corporate
Reorganizations

RELATED SECTORS

- Energy and Natural
Resources

- Accommodation and healthcare facilities
- Sports, tourism and entertainment facilities

INSIGHTS

Publications

High Court rules BHP entities were associates

23 March 2020

On 11 March 2020, in an unanimous and landmark decision, the High Court of Australia handed down its decision on the technical meaning of “sufficiently influenced” which is used to determine who is an “associate” under Australia’s foreign income attribution rules. The decision has significant impact for large listed groups especially with a dual-listed company (**DLC**) structure and concerns the application of the Australian Controlled Foreign Company (**CFC**) rules.

Whilst the facts and future application of this case may principally be limited to the DLC type structures, the legal analysis of the definition of “associate” impacts on wider applications as this definition is used outside of the CFC provisions including the thin capitalisation rules, the debt/equity tests and the withholding tax rules.

Introducing the DLA Piper Project Simulator

17 March 2020

One of the most critical challenges faced by our global society is developing high-quality, sustainable infrastructure. To help businesses meet this challenge, DLA Piper has collaborated with leading strategy consultancy BTS to create **The DLA Piper Project Simulator (DPS)**, an interactive training tool.

Building tomorrow’s infrastructure

17 March 2020

What does the future look like for infrastructure as a whole?

COP25’s key outcome: adoption of the San Jose Principles on carbon market mechanisms – takeaways for business

12 February 2020

Ambitious countries are not waiting for full consensus on carbon markets.

Flexing PPPs

10 February 2020

This paper considers how governments can manage this vulnerability when contracting under a PPP contract. It also considers whether alternative contractual models might provide government with better value for money over the longer term.

Construction delays arising out of the Novel Coronavirus outbreak (AsiaPac)

7 February 2020

Since the first case of coronavirus was confirmed in Hong Kong in early February 2020, the government has imposed various measures in an attempt to contain the spread of the coronavirus. The resulting impact of the novel coronavirus is far-reaching and affects every industry and business in Hong Kong. This alert considers some of the key issues that construction contractors and developers in Hong Kong may face. If you need any specific advice, please contact May Ng or Sandy Au for further details.

First EU international agreement linking greenhouse emissions trading systems

24 January 2020

This publication offers you the latest insights and conclusions on the first international agreement linking greenhouse gas emissions trading systems.

Europe's Subsidy-free Transition – the road to grid parity

18 December 2019

In this report, we have partnered with inspiratia to shed light on the drivers, bottlenecks and prospects across Europe, lessons learned from countries at the vanguard of the transition, and to forecast the next wave of PPA trends.

Jury acquits foreign national in apparent rebuke of DOJ's attempt to police overseas corruption

4 December 2019

The result highlights some significant issues that may, in some cases, limit the ability of the DOJ to prosecute foreign nationals for corruption overseas.

Objectives of Ofgem's Targeted Charging Review

29 November 2019

On 21 November 2019, as part of its Targeted Charging Review (TCR), Ofgem has published its decision and impact assessment. One of the objectives of the TCR were to "consider reform of residual charging arrangements for both generation and demand, to ensure it meets the interests of current and future consumers".

European Offshore Wind – what does the future look like?

26 November 2019

The story of offshore wind in Europe is remarkable by any standards. In the space of little more than a decade, some 4,500 turbines have been deployed across the North Sea, the Baltic and the Atlantic. Europe installed 2.6GW of new offshore wind energy capacity in 2018 alone.

Changes to Equator Principles introduce new requirements in relation to human rights, climate change and Indigenous Peoples for project debt

22 November 2019

On 18 November 2019, the Equator Principles Association published version four of the Equator Principles (EP4), updating the international baseline for the identification, assessment and management of environmental and social risks in international project finance debt markets. The changes, which take effect on 1 July 2020.

Digital Transformation in Energy and Natural Resources

9 October 2019

The global demand for power rises, the requirement for increased productivity, greater efficiencies in distribution and flexibility for consumers (both corporate and residential) is also growing. As such, we have launched report on how digital technologies are impacting the Energy and Natural Resources sector.

Infra

8 October 2019

Using technology to improve infrastructure development and procurement. By dimitri papaefstratiou, partner, dla piper and vicky kefalas, head of investments, developments and projects at consolidated contractors company (ccc), the middle eastern construction conglomerate.

Japan's vision to realize a "Hydrogen-Based Society"

8 October 2019

Ahead of the Tokyo 2020 Olympic and Paralympic Games, the Japanese government, the Tokyo Metropolitan government and Japanese manufacturing companies are seeking to use these sporting events to introduce Japan's state-of-the-art technology in the field of hydrogen, by using hydrogen-powered vehicles and powering the Olympic village with hydrogen.

Distributed generation in Brazil

20 August 2019

The bright future of Brazilian renewable energy - increase in the production of electricity from renewable sources for Brazilian consumers and offset the surplus with their local distribution company.

Coal, iron ore, LNG... Hydrogen?

20 August 2019

Hydrogen shows potential to become new export industry down under.

Projects Global Insight Issue 2, 2019

20 August 2019

[PROJECTS GLOBAL INSIGHT](#)

One of the key trends in this issue is growing interest in sustainable, resilient and regenerative projects. This is driven by the heightened awareness and concern surrounding global warming and climate change and, arguably, a lack of funding following the global financial crisis.

Responsible investing

20 August 2019

The rise of responsible investing and global renewable energy opportunities with growing exposure given to environmental, social

and governance (ESG) issues.

Key themes in distressed projects

20 August 2019

Issues and challenges facing global infrastructure projects, and a look at possible solutions and mitigations.

Vendor financing for stage 1 of the bridge power project in Ghana

20 August 2019

Case study of unique, limited-recourse vendor financing for combined cycled gas turbine power project in Ghana. The vendor financing for this project won the Best Financial Structure Silver award and Best Utilities Project Gold award at the Partnerships Awards 2019.

What is the future of LNG pricing?

20 August 2019

Is LNG pricing linked to crude oil an outdated model?

Procurement Pulse

25 July 2019

[PROCUREMENT PULSE SERIES](#)

An interesting selection of case law this month, two of which look at the extent to which a contracting authority can control aspects of its procurement procedure.

Renewable Energy in Africa

18 June 2019

The African continent, with a population exceeding one billion people and an estimated combined economy of USD1.5 trillion, presents huge opportunities for investors, developers and operators across the renewable energy sector.

Procurement Pulse

31 MAY 2019

[PROCUREMENT PULSE SERIES](#)

Further evolution of the efficacy of judicial review as a remedy in below threshold procurements is seen in the Kenson case this month. The case sought to make a distinction between obligations of contracting authorities as they are mandated by law, and those parts of the procurement procedure which are no more than their exercise of commercial judgment.

Procurement Pulse - Our view on developments this month

3 MAY 2019

[PROCUREMENT PULSE SERIES](#)

In case law this month the courts have looked at long established issues - that re-negotiating essential contract terms risks being a substantial modification which requires a new procurement, that the utilities rules apply to passenger transport suppliers operating on a fixed network, and that exempting ambulance services from the procurement rule.

Top of Mind: Litigation

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

Procurement Pulse - Our view on developments this month

6 MAR 2019

[PROCUREMENT PULSE SERIES](#)

Procurement Pulse - Our view on developments this month

DLA Piper in Latin America: 2018 in review

28 FEB 2019

While challenges always lie ahead, we are excited by the region's continuing growth.

Projects Global Insight Issue 1, 2018

19 December 2018

[PROJECTS GLOBAL INSIGHT](#)

Welcome to DLA Piper's Energy and Infrastructure Projects Global Insight. In this and twice-yearly issues of Global Insight, we seek to share the knowledge we've gained and put the spotlight on some of the most innovative, market-leading transactions we have been involved in.

APPs en América Latina: resolución de disputas a través de arbitraje inversor-estado

18 DEC 2018

Medidas de protección de la inversión pueden encontrarse en los contratos de APP, pero también en el derecho internacional.

Procurement Pulse - December 2018

10 DEC 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners

Energy & Natural resources case law update

5 DEC 2018

Given the often complex nature of business in the Energy and Natural Resources sector, it is inevitable that disputes will arise, and that the law will develop apace.

Martial law is introduced in Ukraine starting from 26 November 2018

28 NOV 2018

On 26 November 2018, the Parliament of Ukraine imposed temporary martial law in some regions of Ukraine approving respective Decree of the President of Ukraine. The martial law is introduced in response to escalation of Russian aggression in the Black Sea and the Sea of Azov. The Law will come into force only after it is officially published.

The 116th Congress: prospects for tax policy as House shifts to Democrats

8 NOV 2018

Key issues arising from the overall shift of the House from Republican to Democratic control.

Supply chain human rights risk management: Blockchain and emerging technology

8 NOV 2018

Global businesses, financiers and investors are faced with an increasingly complex and interconnected legal, financial and reputation risk agenda related to human rights and other responsible business conduct issues.

UK Budget 2018: Finance, Projects and Restructuring

29 OCT 2018

Today's Budget 2018 was relatively light in terms of major tax changes applicable to Finance and Projects as a whole, which is perhaps not surprising given Brexit and the political landscape. Instead, various more targeted reforms were the order of the day - which will affect some taxpayers more than others. There was however, a potentially significant change for Restructuring with HMRC being given further powers to recover tax in an insolvency context. Further details are set out below.

Procurement Pulse - September/October 2018

11 OCT 2018

[PROCUREMENT PULSE SERIES](#)

Monthly update of procurement case law and other relevant intelligence for procurement practitioners

Supreme Court Corner Q3 2018

27 SEP 2018

The court rules on recovery of lost foreign profits and ponders patentability issues in an invention's sale to a third party that is obligated to keep the invention confidential.

Positive signs for issuers and the marketplace: Argentina economic briefing

7 SEP 2018

The financial press continues to portray Argentina as another merging-market casualty but, to the contrary, there are a number of positive financial signs, for investors, the country and the marketplace, in today's Argentine economy.

A new Finnish support scheme for renewable electricity generation

17 JUL 2018

In November 2018, the Finnish Energy Authority will launch a call for tenders on a new premium scheme for renewable electricity investments, replacing the current feed-in tariff system.

What drives the largest PPA markets in Europe?

12 JUL 2018

The number and volume of power purchase agreements being signed in Europe is on the rise. However, almost all of the recent activity has been in just three countries: the Netherlands, Norway and Sweden. This note examines why these three have emerged as the main centers.

The New FIDIC Conditions of Contract for Construction from the Polish perspective - report

10 JUL 2018

DLA Piper's Litigation and Regulatory team in Warsaw has prepared a report on the key changes in the 2017 edition of the FIDIC Conditions of Contract for Construction.

OECD releases new guidance on the application of the transactional profit split method under BEPS Actions 10

3 JUL 2018

The Guidance will likely continue the uncertainty for taxpayers as they develop and maintain their transfer pricing policies.

Infrastructure in the Angolan Energy Sector

14 JUN 2018

The Angola Strategy 2025 (AE2025) sets out a long term vision for the country's power sector. The Strategy identifies investment in the electricity sector as crucial, and in order to achieve the fairly ambitious targets set, the Government has set out an equally ambitious infrastructure plan.

Endeavours and expectations in the energy sector

6 JUN 2018

So called "endeavours clauses" often arise in energy and natural resources contracts during the negotiation phase where it would be uncommercial for a party to commit absolutely to achieving a particular objective.

Procurement Pulse

25 JUN 2018

PROCUREMENT PULSE SERIES

Monthly update of procurement case law and other relevant intelligence for procurement practitioners.

Is collaborative working improving in operational PPPs?

16 MAR 2018

An in-depth look at some of the key questions facing the PPP market, with direct input from those at the coalface of the industry.

DLA Piper on off-the-grid energy solutions for Africa

6 APR 2018

Corporate power purchase agreements (PPAs) are creating development opportunities for large and small companies alike across Africa.

Tax incentives in Puerto Rico: a quick introduction

13 JUN 2017

Puerto Rico offers a spectrum of economic incentives aiming to promote many key industries. This handbook offers a quick look at ten of the most significant of these incentives.

Electrify Africa Act is now law

2 MARCH 2016

The law demonstrates broad bipartisan support for a comprehensive US policy aiming to facilitate private financing and PPP structures as tools to develop power projects in sub-Saharan Africa, which should provide opportunities for investors, sponsors and lenders to advance their projects.

Slavery in the supply chain: new corporate reporting obligations for companies

9 DEC 2015

HEALTH, SAFETY AND ENVIRONMENTAL MATTERS SERIES

The UK's Modern Slavery Act 2015 is in force, imposing on companies new reporting requirements and new enforcement powers, including the creation of an Independent Anti-Slavery Commissioner.

Historic reform in Mexico clears the way for foreign investment in energy sector: 5 key aspects

19 DEC 2013

A clear roadmap for the regulation of hydrocarbons

The EU looks at fracking: regulations taking shape

21 NOV 2013

US commits \$7B to ambitious Power Africa initiative

2 JUL 2013

A new initiative aiming to double access to power in sub-Saharan Africa

Preparing for EMIR and Dodd-Frank: Our capabilities

8 MAY 2013

The European Market Infrastructure Regulation (EMIR) has been in force since 16 August 2012, however, in the first few weeks of 2013, the detailed technical rules implementing the regulation were finalised and came into force on 15 March 2013.

New York Assembly passes two-year fracking moratorium, while Illinois moves forward

11 MAR 2013

[Events](#)

[Previous](#)

TechLaw

5 March 2020

TechLaw Event Series

Sydney

TechLaw

3 March 2020

TechLaw Event Series

Melbourne

Surveyor sessions: PropTech in 2020

27 February 2020

Real Estate Seminar Programme

Manchester

Planning permissions and obligations

19 February 2020

Real Estate Seminar Programme

London

Exit strategies and considerations for commercial premises

29 January 2020
Real Estate Seminar Programme
London

IPEM 2020

28-30 January 2020
Paris

Surveyor sessions: Lease renewal (54 Act) tips and tactics

21 November 2019
Real Estate Seminar Programme
Manchester

Business outsourcing for real estate

13 November 2019
Real Estate Seminar Programme
London

An overview of key current challenges and issues when procuring construction contracts

10 October 2019
Real Estate Seminar Programme
London

Brexit and sustainable energy

25 September 2019
London

Market update and opportunities in Kazakhstan

18 September 2019
London

Planning for Regeneration

11 July 2019
Real Estate Seminar Programme
Manchester

Risks on Real Estate Deals - what is now possible to insure?

19 June 2019
Real Estate Seminar Programme
London

What Next for the ICT Sector in 2019?

12 JUN 2019
Manchester

CVAs and Tenant Insolvency

21 MAY 2019
Real Estate Seminar Programme
London

Connectivity Matters

9 MAY 2019
Real Estate Seminar Programme
Manchester

Property Issues on Corporate Transactions - A Guide for Corporate Occupiers

2 MAY 2019
Real Estate Seminar Programme
London

Mixed Use Developments

27 MAR 2019
Real Estate Seminar Programme
London

Preparing a Site for Sale

21 MAR 2019
Real Estate Seminar Programme
Sheffield

Turning a Rigid Lease into Flexible Working

20 MAR 2019
Real Estate Seminar Programme
Manchester

TechLaw Event - "M&A for the New Digital Economy"

7 MAR 2019
TechLaw Event Series
Amsterdam

Joint ventures

13 FEB 2019
Real Estate Seminar Programme
London

TechLaw Event - Online platforms - beyond playing innocence?

17 JAN 2019
TechLaw Event Series
Amsterdam

A tax revolution from April 2019: Taxing non-UK resident investors in UK property

17 JAN 2019
Real Estate Seminar Programme
London

Infrastructure Drinks Reception

5 DEC 2018
Manchester

TechLaw London 2018

5 DEC 2018
TechLaw Event Series
London

Connectivity and Next Gen Buildings

23 NOV 2018
Real Estate Seminar Programme
London

TechLaw Event - Virtual Competition

22 NOV 2018
TechLaw Event Series
Amsterdam

Middle East Tech Summit 2018: The Digital Imperative

5 NOV 2018
TechLaw Event Series
Dubai

Preparing a site for disposal – conditional break clauses, environmental liability and splitting a site prior to sale

3 OCT 2018
Real Estate Seminar Programme
London

Planning for regeneration

19 SEP 2018
Real Estate Seminar Programme
London

Turning a rigid lease into flexible working – a look at removing or reducing landlord consents, expanding user clauses, break clauses and co-locating

5 SEP 2018
Real Estate Seminar Programme
London

TechLaw in Germany

14 JUN 2018
TechLaw Event Series
Munich

A Layman's Guide to Real Estate Tax Structures

23 MAY 2018
Real Estate Seminar Programme

London

The Problem Development Site

9 MAY 2018
Real Estate Seminar Programme
London

Neighbourly Matters

24 APR 2018
Real Estate Seminar Programme
London

NEWS

DLA Piper advises on the disposal of Cyprus' largest wind farm to Ancala Partners

20 March 2020
DLA Piper has advised Platina Energy Partners and local partner Mr Kleanthis (Akis) Ellinas on the disposal of the largest wind farm in Cyprus to Ancala Partners, an independent infrastructure investment manager.

DLA Piper lawyers named Acritas Stars

10 March 2020
Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper advises Ireland's NTR on PPA as part of financing of Swedish wind project

7 February 2020
DLA Piper has advised Irish renewable energy investment firm NTR on the acquisition, financing and Corporate Power Purchase Agreement (CPPA) with NORD/LB of 94MW wind projects in Sweden and Finland. NTR acquired these portfolio projects, called VindIn, in 2019, a transaction in which DLA Piper also advised on.

Pressure on corporate responsibility driving deal flow in renewable energy sector

18 December 2019
Increased pressure on corporate companies to have better 'green' credentials and the end of Government incentives has seen the number of subsidy-free renewable energy projects increase by more than 1,000 per cent since 2013, according to research from global law firm DLA Piper, using data from inspiratia.

DLA Piper named Firm Of The Year for Projects, Energy & Natural Resources by Legal 500 UK Awards 2020

11 December 2019

DLA Piper has been named as 'Firm of The Year' for Projects, Energy & Natural Resources by the Legal 500 UK Awards 2020.

DLA Piper advises lenders on the financing of the Stavro Wind Project in Sweden

8 November 2019

DLA Piper has advised DekaBank Deutsche Girozentrale as lender to a 254 MW wind park located in Örnköldsvik municipality, Sweden. This is DLA Piper's third wind farm project with DekaBank in the last two years.

DLA Piper recognised at Partnerships Awards for its role on the Bridge Power Project in Ghana

10 MAY 2019

DLA Piper has been acknowledged for its role advising on the vendor financing for Stage 1 of the 400MW CCGT Bridge Power Project (the Bridge Project) in Ghana at the 2019 Partnerships Awards, held on 9 May 2019 in London.

DLA Piper advises the UK government on Heathrow expansion

3 MAY 2019

DLA Piper has successfully advised the Department for Transport (DfT) on the Heathrow expansion project for the new third runway.

DLA Piper boosts project finance offering with partner hire in London

3 APR 2019

DLA Piper today announces that project finance lawyer Nacim Bounouara has joined the firm as a partner in its Finance and Projects practice, based in London.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

DLA Piper advises Australia's Transport for NSW on Regional Rail Project

14 FEB 2019

DLA Piper is delighted to announce that today Transport for NSW achieved contract close on the Regional Rail Project, which will see a fleet of new trains deliver safer, more comfortable and more reliable journeys across the state.

DLA Piper expands new Dublin office with four-partner hire

9 JAN 2019

DLA Piper today announces the appointment of four new partners from highly-regarded Irish firms to its newly opened Dublin office into four key practice areas of Finance and Projects (F&P), Corporate, Intellectual Property and Technology (IPT) and Employment. These hires follow the appointment of Corporate partner David Carthy as Ireland Country Managing Partner in May 2018.

DLA Piper advises Proparco FMO and Société Générale on the €90 million financing of SIFCA

11 OCT 2018

DLA Piper advised Proparco FMO and Société Générale as lenders on the financing of SIFCA, a leading agro-industrial company in West Africa, with a €90 million loan.

DLA Piper advises Element Power on the sale of part of its business to Norwegian energy group Statkraft

5 OCT 2018

DLA Piper has advised global renewable energy developer, Element Power, on the sale of its power projects and asset management business covering Ireland and the UK, to Statkraft, a Norwegian state-owned utility.

DLA Piper advises Palisade on acquisition of equity stake in HCL fiber optic cable business

14 September

DLA Piper has advised Palisade Investment Partners Limited (Palisade), on behalf of funds that it manages, on the acquisition of a significant equity stake with board representation in HCL Limited Partnership, HCL LP General Partner Limited and International Connectivity Services Limited.

DLA Piper's Natasha Luther-Jones and Peter Ihrfelt acclaimed in The Legal Power List 2018

14 AUG 2018

DLA Piper global Co-Chair of Energy and Natural Resources, Natasha Luther-Jones, and the firm's Head of the Energy sector in Sweden, Peter Ihrfelt, have been named as two of the 100 most influential lawyers in the global wind energy industry, in *The Legal Power List 2018* published by the intelligence service A Word About Wind.

DLA Piper advises lenders on Blackrock's acquisition of a 197.4 MW wind project in Norway

2 JUL 2018

DLA Piper has advised DekaBank Deutsche Girozentrale as lenders in relation to the acquisition by Blackrock, the world's largest investment company, of a 197.4 megawatt (MW) wind farm in western Norway from Zephyr.

DLA Piper launches Renewable Energy in Africa Guide

19 JUN 2018

DLA Piper's global Energy practice has today launched Renewable Energy in Africa, a major new guide for clients.

DLA Piper advises NORD/LB on the project financing of the first non-subsidy wind farm in the UK

6 JUN 2018

DLA Piper has advised Norddeutsche Landesbank (NORD/LB) on the project financing for the construction and operation of a wind farm in the United Kingdom for German developer Energiekontor. The overall financing volume amounts to GBP 10.4 million.

DLA Piper receives *Latin Lawyer* Deal of the Year award

25 APR 2018

DLA Piper received *Latin Lawyer's* Project Finance Deal of the Year award for its representation of Abengoa in the sale of a combined cycle power plant to a consortium consisting of Macquarie Capital and Techint.
