


CROSS-BORDER ENGINEERING PROCUREMENT AND CONSTRUCTION CONTRACTS

PRACTICAL LEGAL AND TAX STRATEGIES

BREAKFAST BRIEFING

 VDB LOI CAMBODIA OFFICE

 August 25, 2023



HIGHLIGHTS

- VAT and withholding tax savings on construction contracts
- One or two contracts? What are the tax risks and savings?
- How to amend international construction contracts to fit the Cambodian situation?
- What are the key issues to watch for warranties?
- EPC contracts in an acquisition scenario: what clauses need amending
- How to align your EPC contract with the other project documents (i.e. PPA)?
- Practical issues involving completion and guarantees
- Changing the employer's representative

PROGRAM (DRAFT)

TIME	PROGRAM
09:00AM - 09:20AM	THE CLAUSES AND STRUCTURE OF CONSTRUCTION AGREEMENTS AND EPC AGREEMENTS <ul style="list-style-type: none">• How to align the various contracts with each other?• Negotiating warranties, penalties, conditions precedent, ...
09:20AM - 09:40AM	TROUBLESHOOTING CONSTRUCTION AND EPC CONTRACTS <ul style="list-style-type: none">• External financing: what are lender concerns?• EPC in an acquisition scenario• Cambodia specific clauses and CP's
09:40AM - 10:00AM	TAX OPTIMIZATION AND TAX CHALLENGES ON CONSTRUCTION AND EPC CONTRACTS <ul style="list-style-type: none">• One or two contracts?• Can VAT be avoided on cross-border construction projects?• What are the typical tax audit issues by the GDT on EPC contracts?
10:00AM - 10:15AM	Q&A

EVENT LOCATION



VDB LOI OFFICE CAMBODIA
No. 33, Street 294 (corner of
Street 29)
Sangkat Tonle Bassac
Khan Chamkarmorn
Phnom Penh 120101

SPEAKERS



Edwin Vanderbruggen
Senior Partner

Edwin has a vast experience advising Governments, sponsors and lenders on energy, transportation, water and waste projects in Bangladesh, Cambodia, Myanmar, Laos and Vietnam. His on-the-ground knowledge, practical approach and his well-known public speaking skills make him a very welcome guest at JOI's briefings in Tokyo for many years running. Now back after the COVID suspension, Edwin will outline the key things to know about these markets and projects, focusing on hot issues and real opportunities for Japanese investors in the energy and infrastructure space.



Mariza Ung
Partner

Mariza is an experienced legal adviser, providing due diligence and structuring services to clients in a range of industry sectors. She is particularly known for her deep knowledge of regulatory aspects in real estate and construction, including the regulatory aspects of large project transactions, such as licensing, and factory and environmental approvals. Furthermore, she is an outstanding expert on land issues. She has worked on some of the largest energy and infrastructure projects in the country, such as solar plants, industrial zones, and island resorts. Mariza is a member of the Bar Association of Cambodia.



Edith Ruan
Counsel

Qualified both in China and in New York, Edith advises clients on commercial transactions across the infrastructure, banking and finance, and telecommunications sectors. She also has extensive experience in supporting Chinese companies for their overseas projects and businesses, including CITIC, ICBC, Huawei, SinoHydro, ZTE, and other state-owned and private entities. She is based in Phnom Penh, Cambodia

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HOW TO REGISTER AND ATTEND?

Registration is free of charge for VDB Loi clients and invitees. Send your info (Name, Position, Company, Email, Contact Number) to Kathryn Ortega (kathryn.ortega@vdb-loi.com) or scan QR Code for online registration.

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<https://s.id/1RTXJ>