OPPORTUNITY FOR A REGIONAL DOMESTIC MARKET FOR OIL AND GAS

EASTERN AFRICA REGION

APPENDIX D

AFREC
African Energy Commission

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Abbreviations

ADB	Burundi Development Agency
API	Investment Promotion Agency
ALSF	African Legal Support Facility
ARCP	Agence d'appui à la Réalisation des Contrats de Partenariats public-privé
BWM-SEZ	Benjamin William Mkapa Special Economic Zone
CIPA	Comoros Investment Promotion Agency
DIPA	Djibouti Investment Promotion Agency
DIFTZ	Djibouti International Free Trade Zone
DFZ	Djibouti Free Trade Zone
EPSE	Ethiopian Petroleum Supply Enterprise
EPRA	Energy and Petroleum Regulatory Authority (Kenya)
EPC	Engineering, Procurement, and Construction
EIA	Environmental Impact Assessment
EIC	Ethiopian Investment Commission
EDBM	Economic Development Board of Madagascar
EPZ	Export Processing Zones (Kenya)
FID	Foreign Direct Investment
FMS	Free Market Zones
FPA	Foreign Private Assistance
IA	Investment Authority
ITC	Tanzania Investment Centre
NERB	National Energy Regulation Board (Comoros)
NOC	National Oil Corporation of Kenya
NOCK	National Oil Corporation of Kenya
OMH	Malagasy Office of Hydrocarbons
PAU	Petroleum Authority of Uganda
PPP	Public-Private Partnership
RDB	Rwanda Development Board
RURA	Rwanda Utility Regulation Authority

SCH	Société Comorienne des Hydrocarbures
SOPEBU	Société Burundaise des Produits Pétroliers
SPA	Somali Petroleum Authority
SPO	Somali Petroleum Office
STC	State Trading Corporation (Mauritius)
STZ	Special Tax Zones
ZESB	Burundi Special Economic Zone

1. Introduction

This document provides a comprehensive compilation of the laws, policies, regulations, and key stakeholders that were integral to the analysis conducted in this report. Each entry has been carefully reviewed and categorised based on its relevance to the analysis of regional collaboration in Eastern Africa's oil and gas sector. It is important to note that while the main body of the report focuses on the broader trends and analysis across the region, the document serves as a reference for the individual laws, policies, and regulations that have informed the conclusions and recommendations. This allows for further exploration of the data as needed while ensuring that the focus remains on the overarching regional context rather than individual policies. The categorisation reflects how various laws and regulations intersect with the key pillars, and in some cases, the same law may be relevant to multiple categories, highlighting its cross-cutting importance.

2. Burundi

Table 1: Specific legislation for the Oil and Gas Sector in Burundi

Hydrocarbon / Petroleum Code	
Mining and Petroleum Code (Decree-Law No. 1/138 of July 17, 1976)	Establishes the regulatory framework for the exploration, production, and management of mineral and petroleum resources, including licensing, environmental protection, and the rights and obligations of operators.
Integrated Energy Strategy	
National Development Plan (2018-2027)	Plans for regional petroleum storage depots, quality control for petroleum products and promotion of LPG, establishment of strategic fuel reserves.
Burundi 2025 Vision	Addresses Energy access and infrastructure development, investment in renewables, sufficient energy storage.
Legislation Surrounding Special Economic Zones	
Presidential Decree No. 100/29 on February 16, 2017	Outlines the creation and management of the zone. As of recent reports, the Burundi Special Economic Zone (“ZESB”) is still under construction, with ongoing efforts to develop the necessary infrastructure and attract investors.
Investment Code	
Investment Code (2021)	Aims to attract both local and foreign investments by offering incentives such as tax exemptions, simplified procedures, and guarantees against expropriation, all while prioritising sectors like agriculture, infrastructure, and manufacturing for sustainable economic growth.
Investment Law (2021)	Provides a legal framework to encourage private investment by offering protection for investors' rights, ensuring transparency in business operations, and establishing incentives such as tax breaks, import duty exemptions, and guarantees for repatriating profits.
Investment Agency	
Burundi Development Agency	The Burundi Development Agency, Agence de Développement du Burundi (“ADB”), is a direct manifestation of the country's updated Investment Code. Established by Presidential Decree No. 100/255 on November 15, 2021, the ADB was created to replace the former Investment Promotion Agency (“API”). This restructuring aligns with the provisions of the new Investment Code, aiming to enhance the investment climate in Burundi.

Petroleum Agency	
SOPEBU	Responsible for managing the country's petroleum-related activities, including the import, distribution, and retailing of petroleum products - primarily in mid and downstream and not in upstream.
Environmental Code	
Law No. 1/010 of 30 June 2000 containing the Environment Code	Provides the legal framework for environmental protection, emphasising sustainable natural resource management, pollution control, and the preservation of biodiversity, while ensuring that development activities align with ecological conservation goals.
Public-Private Partnerships Framework	
Law No. 1-14 of April 27, 2015: The Public-Private Partnerships Law	Establishes a legal framework for collaboration between the government and private sector in financing, constructing, and managing infrastructure projects, offering mechanisms for risk-sharing, contract transparency, and investor protection to promote sustainable development.
Law No. 1/04 of January 24, 2018: Modifies the Public Procurement Act of February 4, 2008	The African Legal Support Facility (“ALSF”) and the Agence d'appui à la Réalisation des Contrats de Partenariats public-privé (“ARCP”) have also provided training workshops for Burundian government officials on PPPs.
General other laws, regulations, stakeholders	
Petroleum Distribution and Pricing Regulations (2014)	Establish guidelines for the distribution, pricing, and quality control of petroleum products, aiming to ensure fair market practices, protect consumers, and regulate the petroleum supply chain in line with national energy policies.

3. Comoros

Table 2: Specific legislation for the Oil and Gas Sector in Comoros

Hydrocarbon / Petroleum Code	
Petroleum Law (2012)	Regulates the exploration, exploitation, and management of petroleum resources, aiming to ensure sustainable development, protect the environment, and promote investment in the oil and gas sector through clear licensing procedures and regulatory oversight.
Decree No. 2015-153	The decree focuses on operating procedures for oil and gas exploration contracts, the allocation of licenses, and the role of the Comoros Petroleum Authority in overseeing the sector. It is designed to regulate and manage how the country’s petroleum resources are developed, ensuring that commercial operations align with national laws and development priorities.
Integrated Energy Strategy	
Plan Comores Emergent (2020-2030)	It emphasises diversifying the economy by improving infrastructure, exploring potential oil and gas resources, and developing energy sectors to ensure sustainable growth. The plan also outlines steps for enhancing governance in resource management, strengthening regulatory frameworks, and creating favourable conditions for investment in the energy sector. However, it focuses more on renewable energy and infrastructure development than on large-scale oil and gas production.

Investment Code	
Investment Code (2020)	Does not specifically target the oil and gas sector but provides a general legal framework that would apply to any business activity, including oil and gas exploration or related industries.
Investment Law (2007)	While it does not explicitly mention the oil and gas sector, it establishes a legal framework that could apply to the sector, should oil or gas exploration or production take place in Comoros in the future.
Investment Agency	
Comoros Investment Promotion Agency ("CIPA")	Government body established to attract, facilitate, and support both local and foreign investments by providing information, advisory services, and incentives, while streamlining procedures to enhance the business climate in Comoros.
Petroleum Agency	
Société Comorienne des Hydrocarbures ("SCH")	The national oil and gas company in Comoros. It plays a central role in managing petroleum resources in the country. SCH is responsible for overseeing the importation, distribution, and sale of petroleum products in Comoros.
Ministry of Energy, Water, and Hydrocarbons	Government body responsible for energy policy, resource management, and overseeing the hydrocarbon sector in Comoros. It plays a role in managing national energy strategies, including the development of renewable energy, water resources, and the petroleum sector. The ministry oversees the regulation and planning of the oil and gas sector, including any future exploration, and promotes policies related to energy security and sustainability.
National Energy Regulation Board ("NERB")	NERB's role includes overseeing energy tariffs, licensing energy suppliers, and ensuring regulation and oversight of the petroleum market. The board monitors the importation and distribution of petroleum products to ensure that energy services meet national standards and are affordable and sustainable.
Environmental Code	
Environmental Protection Code	Environmental impacts related to oil and gas exploration and production, focusing on pollution control and sustainability.
General other laws, regulations, stakeholders	
Petroleum Production and Exploration Regulations (2014)	Establish guidelines for the exploration, development, and production of petroleum resources, ensuring that operations comply with environmental standards, safety protocols, and industry best practices, while promoting transparency and accountability in the sector.

4. Djibouti

Table 3: Specific legislation for the Oil and Gas Sector in Djibouti

Hydrocarbon / Petroleum Code	
Decree No. 2015-153	Regulates the oil and gas sector, specifically petroleum activities, including exploration, production, and transportation. The decree provides a legal framework for the granting of exploration licenses, the management of petroleum contracts, and the safeguarding of national interests in relation to oil and gas resources.

Hydrocarbon / Petroleum Code	
Petroleum Code (2005)	Legal framework for exploration, production, and distribution of petroleum resources.
Petroleum Code Reform	Aims to update and modernise the legal framework for the oil and gas sector, including exploration, production, and management of petroleum resources. The reform focuses on enhancing regulations for oil contracts, taxation, and environmental protection in the sector to attract more foreign investment and ensure efficient resource management.
Law No. 33/AN/13/7th	Regulates the management and exploitation of natural resources, including oil and gas, setting out the framework for granting exploration and production licenses, ensuring environmental protection, and establishing fiscal terms to attract investment in the energy sector.
Integrated Energy Strategy	
Vision Djibouti 2035	Recognises the importance of the oil and gas sector in its economic development plans, focusing on enhancing infrastructure, energy production, and attracting investment in petroleum exploration and exploitation. The vision aims to position Djibouti as a key player in energy and logistics.
Strategy for Combating Poverty and Achieving Economic Growth ("SCAPE")	Strategy for Combating Poverty and Achieving Economic Growth addresses the energy sector, including the oil and gas industry, by promoting energy infrastructure development, improving energy access, and increasing investment in energy projects, particularly in sustainable energy and oil-related infrastructure.
Legislation surrounding Special Economic Zones	
Djibouti International Free Trade Zone ("DIFTZ")	The DIFTZ is a Special Economic Zone ("SEZ") designed to promote trade and investment by offering tax exemptions, customs duty relief, and streamlined regulatory procedures, aiming to establish Djibouti as a logistics and business hub in the Horn of Africa.
Djibouti Free Trade Zone ("DFZ") established under Decree No. 2015-062/PRE	The DFZ is a government initiative designed to stimulate economic growth by offering incentives such as tax breaks, customs duty exemptions, and simplified business procedures, encouraging both domestic and international investment in trade, logistics, and industrial sectors.
Law No. 103/AN/05(2005)	Regulates the general framework for investment, aiming to attract both local and foreign capital by offering tax incentives, ensuring the protection of investor rights, and promoting the country's economic diversification through industrial and commercial development.
Investment Code	
Investment Code (1994)	Establishes a legal framework to encourage and regulate both domestic and foreign investments, offering incentives such as tax exemptions, customs duty reductions, and guarantees for repatriating profits, with the goal of fostering economic development and attracting capital in key sectors like infrastructure and manufacturing.
Investment Agency	
Djibouti Investment Promotion Agency ("DIPA")	Acts as the manifestation of the investment code by promoting Foreign Direct Investment ("FDI") and facilitating investment projects in various sectors, including energy projects.

Petroleum Agency	
Ministry of Energy and Natural Resources	Responsible for overseeing the development, management, and regulation of the country's energy sector, including the exploration and exploitation of natural resources, ensuring sustainable energy production, and implementing policies to promote renewable energy and energy efficiency.
Environmental Code	
Environmental Code (Law No. 51/AN/09/6emeL)	Provides a legal framework for the protection and preservation of the environment, setting regulations for waste management, pollution control, natural resource conservation, and environmental impact assessments, with the aim of promoting sustainable development and safeguarding the country's natural heritage.
Public-Private Partnerships Framework	
Law No. 2017-186 on Public-Private Partnerships	Outlines the legal regime and institutional framework for PPPs in the country. This law provides the foundation for engaging in PPP agreements across various sectors, including transportation, water supply, energy, and social infrastructure. To implement and manage PPP projects, Djibouti established the PPPs Directorate, also known as the PPP Unit. This unit is responsible for overseeing the preparation, procurement, and monitoring of PPP projects. It operates under the Ministry of Economy and Finance and plays a crucial role in ensuring that PPP projects align with national development goals and adhere to established legal and procedural standard.
General other laws, regulations, stakeholders	
Petroleum Exploration and Production Regulations (2006)	Set out the legal and technical requirements for the exploration, development, and production of petroleum resources, establishing licensing procedures, environmental protections, and safety standards to ensure sustainable and responsible management of the country's oil and gas sector.

5. Eritrea

Table 4: Specific legislation for the Oil and Gas Sector in Eritrea

Hydrocarbon / Petroleum Code	
Eritrean Petroleum Regulations (2007)	These regulations provide detailed provisions for the exploration and development of petroleum resources in Eritrea. They focus on licensing, production-sharing agreements, and compliance with environmental standards.
Integrated Energy Strategy	
National Energy Policy (2009) and Draft National Energy Policy (2018)	These policies aim to develop Eritrea's energy sector by promoting the use of renewable energy sources, including solar, wind, and geothermal power. The goal is to reduce dependence on imported fuels and support sustainable economic growth.
Legislation surrounding Special Economic Zones	
SEZs and Free Trade Areas ("FTA" s)	Eritrea has established SEZs and FTAs to attract foreign investment and promote economic development. These zones offer incentives such as tax exemptions, reduced customs duties, and streamlined administrative procedures to encourage investment in various sectors, including manufacturing and services.

Legislation surrounding Special Economic Zones	
The Eritrean Free Zones Authority ("EFZA")	The government agency charged with the development and oversight of the free economic zones in Eritrea. It offers two economic zones in Massawa and Assab, both coastal cities. The free zones were announced in August 2001, and later nominally opened in September 2006.
Investment Code	
Investment Proclamation No. 59/1994	This proclamation provides a framework for foreign investment in Eritrea, outlining the rights and obligations of foreign investors, including guarantees against expropriation and the right to remit profits. It aims to create a favourable environment for foreign direct investment.
Petroleum Agency	
Eritrea Petroleum Corporation was established under proclamation 161/2008	Invest in activities of petroleum operations including without limitation, all operations related to exploration, extraction, production, field separation, treatment, refining transportation, storage, sale or disposition of petroleum to delivery point, environmental protection, plugging wells and abandoning facilities in Eritrea in accordance with the petroleum operations laws of Eritrea.
Environmental Code	
General Environmental Laws	Eritrea has established a robust legal framework to support environmental sustainability and protect natural resources. The Environmental Protection Act provides regulatory guidelines for businesses, including mandatory Environmental Impact Assessments ("EIA" s) for projects with potential significant environmental impacts, ensuring alignment with sustainability goals.
General other laws, regulations, stakeholders	
Eritrean Petroleum Regulations (2007)	Establishes the legal framework for the exploration, development, and production of petroleum resources in Eritrea, outlining licensing procedures, environmental protections, and fiscal terms, with a focus on ensuring transparency, sustainable resource management, and attracting foreign investment in the oil and gas sector.

6. Ethiopia

Table 5: Specific legislation for the Oil and Gas Sector in Ethiopia

Hydrocarbon / Petroleum Code	
Petroleum Operations Proclamation No. 295/1986	Governs exploration and production activities, including licensing and Petroleum Production Sharing Agreements ("PPSA" s) with international companies. Enforcement relies on contractual agreements rather than ministry oversight. The Proclamation defines powers of the Minister to regulate petroleum operations and to control contractors and it sets out particulars of a petroleum agreement to be concluded with a contractor. Both the particulars of the agreement and operating standards mention the obligation of a contractor to protect the environment. In additions, a contractor shall conduct petroleum operations in a manner designed to protect anthropological, archaeological and historical objects and sites.

Integrated Energy Strategy	
National Petroleum Resource Development Policy	Provides a strategic framework for the exploration, development, and management of the country's petroleum resources, focusing on maximising national benefits, attracting foreign investment, ensuring environmental sustainability, and fostering local capacity building while promoting transparency and governance in the oil and gas sector.
Ethiopian Energy Development Strategy	Outlines the country's long-term goals for sustainable energy development, focusing on expanding access to electricity, promoting renewable energy sources (particularly hydropower, wind, and solar), improving energy efficiency, and strengthening the energy infrastructure to support economic growth and regional integration.
Legislation surrounding Special Economic Zones	
SEZ Proclamation No. 1322/2024	This law regulates the establishment and operation of SEZs in Ethiopia, aiming to attract investment, facilitate trade, and develop infrastructure. It offers various incentives to investors, including tax holidays and customs duty exemptions.
Investment Code	
Investment Proclamation No. 1180/2020	Provides a revised legal framework for encouraging and regulating both domestic and foreign investments, offering incentives such as tax exemptions, customs duty relief, and simplified licensing procedures, with a focus on fostering industrialisation, job creation, and economic diversification in key sectors like manufacturing, agriculture, and infrastructure.
Investment Incentive Regulation No. 517/2022+G5	Outlines specific incentives for investors, including tax holidays, customs duty exemptions, and preferential treatment for investments in priority sectors such as manufacturing, agriculture, and technology, aiming to boost economic development, attract foreign direct investment, and promote industrialisation.
Investment Agency	
Ethiopian Investment Commission ("EIC")	Established in 1992, the EIC is an autonomous government organisation responsible for promoting private investment, with a particular focus on FDI. The commission offers a range of services to investors, including issuing investment permits, facilitating access to land and utilities, and providing information on investment opportunities and incentives. The EIC operates under the oversight of a commissioner and reports directly to the Prime Minister. Its primary objective is to implement a transparent and efficient investment administration system to encourage and expand investment in Ethiopia.
Petroleum Agency	
Ethiopian Petroleum Supply Enterprise ("EPSE")	Established in 2012 through the merger of the Ethiopian Petroleum Enterprise and the National Petroleum Reserve Depot Administration, EPSE is responsible for importing and distributing refined petroleum products across the country. Its primary mission includes ensuring a sustainable supply of petroleum products and maintaining strategic national reserves. EPSE is the primary state-owned entity in Ethiopia's petroleum sector
Environmental Code	
Environmental Protection Regulations	Mandate EIAs for all significant petroleum projects, ensuring that exploration and extraction activities comply with environmental standards to mitigate risks.

Public-Private Partnerships Framework	
PPP Proclamation No. 1076/2018	This proclamation outlines the procedures for the identification, assessment, selection, prioritisation, procurement, and implementation of PPP projects throughout their lifecycle. It also establishes key institutions, including the PPP Board and the PPP Directorate General within the Ministry of Finance, to oversee and manage PPP initiatives.
Liquefied Petroleum Gas Regulations	
Regulations on Local Content	Encourage domestic participation in oil and gas operations by promoting local employment and businesses within the sector.
General other laws, regulations, stakeholders	
Petroleum Operations Proclamation No. 295/1986	Provides the legal framework for the exploration, development, and production of petroleum resources, establishing the rights and obligations of operators and the government, along with provisions for licensing, contract terms, and environmental protection to ensure responsible management of the country's petroleum sector.

7. Kenya

Table 6: Specific legislation for the Oil and Gas Sector in Kenya

Hydrocarbon / Petroleum Code	
Petroleum Act, 2019	Governs the exploration, development, production, and utilisation of petroleum resources, and the establishment of the National Petroleum Development Fund.
Integrated Energy Strategy	
National Energy Policy	Outlines Kenya's strategic approach to energy development, emphasising the diversification of energy sources, including oil and gas, to ensure energy security and support economic growth.
Kenya Vision 2030	The country's long-term development blueprint, aiming to transform Kenya into a newly industrialising, middle-income economy by the year 2030. It focuses on achieving sustainable economic growth, improving infrastructure, enhancing education and healthcare, and promoting industrialisation, with key sectors like energy, manufacturing, and tourism playing roles in driving the nation's progress.
Energy Act 2017	Consolidates laws related to energy, establishing the Energy and Petroleum Regulatory Authority ("EPRA") and outlining roles and responsibilities of stakeholders across the energy sector.
Legislation surrounding Special Economic Zones	
Export Processing Zones ("EPZ") Act (1990)	This act provides incentives for the establishment of export processing zones, encouraging the export of goods and services by offering tax exemptions and other benefits to investors.
SEZs Act (2015)	This act establishes the legal framework for the development and management of SEZs in Kenya, aiming to attract foreign direct investment and promote export-oriented industries. As of now, Kenya's SEZs are not specifically dedicated to the oil and gas industry. The SEZs in Kenya are designed to promote a diverse range of economic activities, including manufacturing, agro-processing, and services.

Investment Code	
Investment Promotion Act (2004)	This Act aims to promote and facilitate investment by assisting investors in obtaining the necessary licenses and providing other assistance and incentives. It establishes the Kenya Investment Authority, KenInvest, to oversee investment activities.
Investment Agency	
KenInvest	KenInvest was established under the Investment Promotion Act and acts as the first point of contact for investors in all industries.
Petroleum Agency	
National Oil Corporation of Kenya ("NOCK")	Established in April 1981 under the Companies Act, NOCK is a state corporation wholly owned by the Government of Kenya. Its mandate encompasses participation in all aspects of the petroleum industry, including upstream exploration, midstream infrastructure development, and downstream marketing of petroleum products.
Environmental Code	
National Environment Policy of 2013	Provides a comprehensive framework for sustainable management of the country's natural resources. This policy emphasises an integrated approach to environmental planning, aiming to balance economic development with ecological integrity. In relation to hydrocarbons, Kenya has developed the National Contingency Plan for the Release of Hydrocarbons (Onshore and Offshore Oil Spills). This plan delineates responsibilities for preparing and responding to significant hydrocarbon spills on land and in marine environments. It serves as part of the national framework for hydrocarbon spill prevention, preparedness, and response capacity, ensuring that incidents are managed effectively to minimise environmental and socio-economic impacts.
Public-Private Partnership Framework	
The PPP Act of 2013	Provides the legal foundation for PPPs in Kenya and outlines the processes for project identification, selection, appraisal, procurement, and implementation, ensuring transparency and accountability in PPP engagements.
Directorate of PPPs	Operating under the National Treasury, is tasked with originating, guiding, and coordinating PPP projects. Its responsibilities include overseeing project appraisal, providing technical expertise, and leading contracting authorities in project structuring and procurement.
Liquefied Petroleum Gas Regulations	
Petroleum (LPG) Regulations, 2019	Govern the handling, storage, and distribution of LPG, ensuring compliance with safety and quality standards. Many of these regulations are undergoing updates to reflect current sector needs.
National LPG Growth Strategy	Focuses on enhancing LPG infrastructure and increasing per capita LPG consumption from 7.5 kg to 15 kg by 2028, supporting a transition to cleaner energy and reducing reliance on traditional fuels.
General other laws, regulations, stakeholders	
Petroleum (Exploration and Production) Regulations, 1984	Provide detailed procedures for granting exploration and production licenses, environmental protection measures, and safety standards.

8. Madagascar

Table 7: Specific legislation for the Oil and Gas Sector in Madagascar

Hydrocarbon / Petroleum Code	
Petroleum Code, enacted in 1996 under Law No. 96-018	This code regulates upstream activities, including exploration and production of hydrocarbons. It provides guidelines on licensing, contractual agreements, and the roles and responsibilities of entities involved in petroleum operations. In addition to the Petroleum Code, Madagascar has implemented a Hydrocarbon Tax Code to manage the fiscal aspects of hydrocarbon activities. This tax code outlines the taxation policies applicable to entities engaged in hydrocarbon exploration and production, ensuring a structured fiscal regime for the sector.
For the upstream oil sector: Law No. 96-018 of September 4, 1996 on the Petroleum Code	The prospection, research, exploration and exploitation of hydrocarbons as well as the activities and facilities for the storage, transport and processing of crude hydrocarbons, carried out on the territory of the Republic of Madagascar, are governed by the provisions of Law No. 96.018 of 4 September 1996 on the Petroleum Code.
For the downstream oil sector: Law No. 99/010 of 17 April 1999 on the downstream petroleum sector, as amended by Law No. 2004/003 on the liberalisation of the downstream petroleum sector- 24 June 2004	The import, processing, transport, storage and sale of hydrocarbons in the territory of the Republic of Madagascar are subject to the provisions of Law No. 99/010 of 17 April 1999 governing the downstream petroleum sector, as amended by Law No. 2004/003 on the liberalisation of the downstream petroleum sector. In other words, "Downstream" oil and gas activities are governed by this law. The exercise of each activity relating to the downstream petroleum sector requires the acquisition of a hydrocarbon exploitation license, granted by the Ministry of Energy and Hydrocarbons (“MEH”) and upon payment of a fee depending on the type of license applied for.
Law No. 2004/031 of 30 September 2004 on penalties and findings for violations of the Laws on Activities in the Downstream Petroleum Sector.	Law No. 2004/031 of 30 September 2004 on penalties and findings for violations of the Laws on the Activities of the Downstream Petroleum Sector is intended to define the procedures for investigating, establishing and punishing violations of the laws and regulations governing the activities of the downstream petroleum sector. It also defines the terms and conditions relating to the payment of debts arising from the application of the penalties under the said laws and regulations.
Integrated Energy Strategy	
New Energy Policy 2015-2030	Madagascar's new energy policy, implemented as part of the Energy Emergence Program, aims to increase the production of energy, particularly renewable energy, and improve access to electricity, while promoting a transition to cleaner energies. By 2030, the country aims to achieve 80% access to electricity and 50% access to clean cooking technologies, with a share of renewable energy reaching 80% of the energy mix.
Legislation surrounding Special Economic Zones	
Free Zone Regime	Established by the Law on Free Zone Companies enacted in 2008, this regime offers incentives such as tax exemptions and customs duty exemptions to attract foreign investment. Companies operating within the free zones benefit from these incentives to promote export-oriented industries.
Investment Code	
Investment Code (2007-036)	This code provides a comprehensive framework for investment in Madagascar, offering incentives such as tax exemptions, guarantees against expropriation, and the right to remit profits. It aims to create a favourable environment for both domestic and foreign investors.

Investment Code	
Investment Law 2023	This law establishes the general regime applicable to direct investments in Madagascar, applicable to both national and foreign investors. It guarantees freedom of investment, equal treatment of investors, and protection against expropriation, except for public interest cases.
Investment Agency	
Economic Development Board of Madagascar ("EDBM")	Established as a Public Industrial and Commercial Establishment ("EPIC") attached to the Presidency of the Republic, the EDBM operates with legal personality and administrative and financial autonomy. Its primary mission is to improve the business climate, promote and facilitate private investment, and prevent disputes between companies and the administration.
Petroleum Agency	
For the upstream oil sector: The Ministry of Mines & The Office of National Mines and Strategic Industries ("OMNIS")	The Ministry of Mines is responsible for defining upstream hydrocarbon policy. The OMNIS is involved in the Malagasy upstream oil sector and is the technical body responsible for the management of the national hydrocarbon mining sector. It is placed under the technical supervision of the Ministry of Mines.
For the downstream oil sector: The Ministry of Energy and Hydrocarbons & The Malagasy Hydrocarbons Office ("OMH")	The MEH is responsible for defining downstream hydrocarbon policy, and the Malagasy OMH, a regulatory body under the MEH, is responsible for the supervision and control of the downstream petroleum sector.
Environmental Code	
Malagasy Environmental Charter	Mandates that investment projects undergo EIAs to ensure sustainable development and environmental protection.
Public-Private Partnerships Framework	
Law No. 2015-039 on PPPs	Provides the legal foundation for PPPs in the country. This law outlines the procedures for the procurement, implementation, and management of PPP projects across various sectors, excluding mining and hydrocarbons. The institutional framework established by the 2017 decrees includes the creation of the PPP Promotion Directorate ("DP3P") within the Ministry of Finance and Budget. The DP3P is tasked with promoting and facilitating PPP projects, providing technical support, and ensuring that such projects are financially sustainable.

9. Mauritius

Table 8: Specific legislation for the Oil and Gas Sector in Mauritius

Hydrocarbon / Petroleum Code	
Offshore Petroleum Act 2021.	Mauritius has established a comprehensive legal framework governing its petroleum sector, primarily encapsulated in the Offshore Petroleum Act 2021. This legislation outlines the procedures for the exploration, production, and management of petroleum resources within Mauritius' maritime zones. It delineates the roles and responsibilities of various stakeholders, including the Department for Continental Shelf, Maritime Zones Administration and Exploration, which oversees petroleum activities.

Hydrocarbon / Petroleum Code	
Petroleum Act (1970)	Provides the legal framework for the exploration, development, and production of petroleum resources in Mauritius. It regulates the issuance of exploration licenses, the rights of operators, and the government's role in overseeing the industry, with a focus on ensuring the sustainable management of petroleum resources and protecting the environment.
Integrated Energy Strategy	
Energy Strategy 2009 - 2025	Outlines the country's roadmap for achieving energy security and sustainability, focusing on diversifying the energy mix, reducing dependence on imported fossil fuels, and promoting renewable energy sources such as wind, solar, and biomass. The strategy also emphasises energy efficiency, environmental protection, and the development of local energy infrastructure to support economic growth and reduce carbon emissions.
Mauritius Vision 2030	A strategic plan that aims to transform the island nation into a high-income, knowledge-based economy by 2030. The vision focuses on enhancing economic diversification, fostering innovation, and promoting sustainable development, with key priorities in sectors like technology, renewable energy, tourism, and finance, while ensuring social equity, environmental sustainability, and improved quality of life.
Legislation surrounding Special Economic Zones	
Mauritius SEZ	Mauritius initiated its SEZ program in 1970, becoming the first African country to establish such zones. The primary objective was to diversify the economy from agriculture to manufacturing, particularly in textiles and garments. The SEZs offer various incentives, including tax holidays, customs exemptions, and streamlined administrative procedures, to attract and retain investors. Mauritius operates a Freeport system designed to facilitate transshipment, warehousing, and value-added services. The Mauritius Freeport offers several incentives to companies operating within its zone.
Investment Code	
Investment Act 2001	This Act aims to promote and facilitate investment in Mauritius, including in the oil and gas sector. It provides incentives for investors, such as tax exemptions and guarantees against expropriation, to create a favourable environment for both domestic and foreign direct investment.
Investment Agency	
Economic Development Board ("EDB")	Primary agency responsible for facilitating investment in Mauritius. It acts as the first point of contact for investors.
Petroleum Agency	
State Trading Corporation ("STC")	Government-owned entity plays a pivotal role in the importation and distribution of petroleum products in Mauritius. The STC operates under a regulatory framework that includes the Petroleum Pricing Committee, which is responsible for determining the retail prices of petroleum products.

Environmental Code	
Environment Act 2024	This legislation supersedes the previous Environment Protection Act of 2002, introducing a modern framework aimed at enhancing the protection, management, and conservation of the environment. Environmental Assessments: The Act mandates EIAs and Strategic Environmental Assessments ("SEA" s) for certain projects and public interest undertakings, ensuring that potential environmental impacts are considered before project approval.
Public-Private Partnerships Framework	
PPP Act 2004, which has been amended in 2008, 2016, and 2019	To oversee and manage PPP projects, the government established the Public-Private Partnership Unit ("PPPU") within the Ministry of Finance, Economic Planning, and Development. The PPPU is responsible for assessing potential projects, ensuring they meet criteria such as affordability, value for money, and appropriate risk transfer to the private sector.
Liquefied Petroleum Gas Regulations	
Various LPG Regulations	Mauritius has established specific regulations governing the use, storage, and distribution of LPG to ensure safety and consumer protection. Consumer Protection (Use of Liquefied Petroleum Gas in Small Cylinders) Regulations 2012: These regulations stipulate that LPG in small cylinders (5, 6, or 12 kilograms) is designated solely for domestic use. It is prohibited to use these cylinders for non-domestic purposes or to decant LPG from them. Violations can result in fines up to 100,000 rupees and imprisonment for up to three years.

10. Rwanda

Table 9: Specific legislation for the Oil and Gas Sector in Rwanda

Hydrocarbon / Petroleum Code	
Petroleum Exploration and Production Law (Law No. 13/2016)	This law regulates petroleum exploration and production activities in Rwanda. It outlines the procedures for granting exploration and production licenses, the rights and obligations of license holders, and the fiscal regime applicable to the sector. The law aims to attract investment and ensure the sustainable development of petroleum resources.
National Downstream Petroleum Policy (2020)	The policy lays out the framework upon which cost-effective, affordable and quality petroleum products such white products such as Petrol, Diesel, Kerosene, Aviation fuel, etc. and black products such as Heavy fuel oils and gaseous products such as LPG, etc. and other petroleum products will be made available to the domestic economy and export markets on a regular and sustainable basis.
Petroleum and Petroleum Products Trade Law (Law No. 85/2013	This law governs the trade of petroleum and petroleum products in Rwanda, including liquefied gas and industrial petroleum products. It establishes the legal framework for the importation, transportation, storage, distribution, and sale of petroleum products, ensuring a regulated and efficient market.
Downstream Petroleum Law 2013	Establishes guidelines for downstream petroleum activities, including transportation, storage, and distribution, while ensuring environmental and operational safety.

Integrated Energy Strategy	
Rwanda Vision 2050	Rwanda's Vision 2050 aims to transform the country into a knowledge-based, middle-income economy. This long-term strategy emphasises energy as a key driver of economic growth and diversification. It includes the development of oil and gas reserves and related infrastructure as part of efforts to increase energy availability and industrialisation. Vision 2050 also highlights the importance of creating a competitive energy sector that can attract foreign investment and contribute to sustainable development.
The Energy Sector Strategic Plan 2025-2030	This plan serves as a cornerstone document guiding Rwanda's energy sector development in tandem with national aspirations outlined in Vision 2050 and the National Strategy for Transformation ("NST-2")
Legislation surrounding Special Economic Zones	
Law No. 05/2011 of 21/03/2011 Regulating Special Economic Zones in Rwanda	The Special Economic Zones Authority of Rwanda ("SEZAR"), operating under the Rwanda Development Board ("RDB"), is responsible for regulating, coordinating, administering, and providing strategic planning and monitoring for SEZs in Rwanda. The existing SEZs, such as the Kigali Special Economic Zone ("KSEZ") and the Bugesera Special Economic Zone ("BSEZ"), are designed to accommodate a variety of industries, including heavy and light manufacturing, but do not focus exclusively on oil and gas sectors.
Investment Code	
Investment Code (2015)	The Investment Code promotes energy sector investments, providing incentives that support regional trade by attracting both local and regional energy investments.
Investment Promotion and facilitation (2021)	The purpose of this law is to promote and facilitate investment in Rwanda.
Investment Agency	
Rwanda Development Board ("RDB")	The RDB facilitates investments in the energy sector, promoting regional energy trade by improving energy infrastructure and encouraging private sector participation.
Petroleum Agency	
Rwanda Mines, Petroleum and Gas Board ("RMB")	RMB oversees and regulates all upstream petroleum activities including the regulation, licensing and policy development.
Rwanda Utility Regulation Authority ("RURA")	RURA is vested with mission to regulate all operations, activities, installations, equipment, and other facilities directly or indirectly related to the trade of petroleum and petroleum products.
Public-Private Partnerships Framework	
Public-Private Partnership Law (2015)	The framework encourages private sector involvement in energy projects, which could support regional energy trade by integrating Rwanda into regional energy projects like cross-border electricity grids.
Liquefied Petroleum Gas Regulations	
Liquefied Petroleum Gas Regulations (2012)	These regulations provide the legal requirements for the licensing, transportation, storage, and sale of LPG in Rwanda. They aim to ensure the safe and efficient distribution of LPG, a key energy source in the country.

General other laws, regulations, stakeholders	
Upstream Petroleum Policy	The policy goal is to create a conducive environment to accelerate petroleum exploration activities in Rwanda with a view to move towards the production stage. A revised Upstream Petroleum Policy is underway.
Management Prescriptions for the Development of Lake Kivu Gas Resources (MPs 2009)	The primary purpose of this bilateral (DRC & Rwanda) document is to delineate basic principles for determining the size, number, location and design of extraction operations, and then to prescribe mandatory requirements and guidelines for any gas extraction operation.

11. Seychelles

Table 10: Specific legislation for the Oil and Gas Sector in Seychelles

Hydrocarbon / Petroleum Code	
Petroleum Act (2014)	The Act regulates oil exploration and production, promoting regional energy trade by providing a clear legal framework for offshore exploration, potentially fostering cross-border energy cooperation.
Petroleum Law (2020)	Regulates the exploration, development, and production of petroleum resources. It outlines licensing procedures, revenue-sharing mechanisms, and environmental safeguards to ensure sustainable resource management.
Integrated Energy Strategy	
Seychelles Investment Climate Statement (2024)	The Seychelles Investment Climate Statement highlights the government's objective to promote economic and commercial relationships to diversify the economy. This includes sustaining tourism and fishing while exploring opportunities in other sectors, such as energy, to support economic diversification.
National Development Strategy 2024–2028	The National Development Strategy outlines Seychelles' commitment to reducing greenhouse gas emissions and facilitating the transition towards renewable energy and improved energy efficiency. This strategy supports economic diversification by promoting sustainable energy practices and reducing reliance on fossil fuels.
Investment Code	
Investment Act of 2010.	The Act encourages FDI in sectors like energy, indirectly promoting regional trade by creating an attractive environment for energy investments.
Investment Agency	
Seychelles Investment Board (“SIB”).	SIB facilitates investments in energy projects, which can help integrate Seychelles into regional energy markets and foster cross-border energy cooperation.
Petroleum Agency	
Seychelles Petroleum Company (“SEYPEC”).	SEYPEC manages petroleum activities, potentially contributing to regional oil trade through improved energy infrastructure and offshore projects.
Environmental Code	
Environmental Management Law	Requires EIAs for significant projects, including those in the oil and gas sector, to evaluate and mitigate potential environmental impacts.

12. Somalia

Table 11: Specific legislation for the Oil and Gas Sector in Somalia

Hydrocarbon / Petroleum Code	
Petroleum Act	Ensures equitable distribution of wealth from hydrocarbons among federal member states and local communities, guaranteeing benefits for Somali citizens.
Petroleum Law (2020)	Regulates exploration, development, and production of petroleum resources. Establishes licensing, revenue-sharing frameworks, and environmental safeguards. Forms Somali Petroleum Authority ("SPA") and Somali National Oil Company ("SONOC") while embedding revenue-sharing agreements.
Petroleum Law (2008)	The law regulates oil exploration and production, aiming to attract investment and potentially promote regional energy trade as oil infrastructure develops.
Integrated Energy Strategy	
Petroleum Policy	Focuses on ensuring sustainable, affordable, and reliable petroleum supply while promoting local development, environmental protection, and capacity building. Emphasises prudent management of petroleum revenues and fosters international cooperation in petroleum trade and investments.
National Petroleum Policy (under development)	The policy focuses on developing Somalia's oil and gas resources while promoting regional energy collaboration. The policy includes frameworks for cross-border investment in the oil and gas sector and aims to ensure fair distribution of benefits, fostering cooperation with neighbouring oil-producing nations.
Investment Code	
Investment Law (2015)	The law incentivises FDI in energy, promoting regional energy trade by encouraging energy infrastructure investments.
Investment Agency	
Somalia Investment Petroleum Office ("SIDO")	SIPO facilitates investments in energy, fostering regional cooperation by creating a favourable environment for regional energy projects.
Petroleum Agency	
Somali Petroleum Authority ("SPA")	SPA oversees oil exploration and production, and its regulatory role could facilitate regional energy cooperation as Somalia develops its oil sector.
Environmental Code	
Environmental Management Law	Mandates EIAs for significant oil and gas projects, ensuring the assessment and mitigation of environmental impacts prior to development.

13. South Sudan

Table 12: Specific legislation for the Oil and Gas Sector in South Sudan

Hydrocarbon / Petroleum Code	
Petroleum Act (2012)	Governs exploration, development, and production of petroleum resources. Establishes licensing procedures, revenue-sharing mechanisms, and environmental safeguards to effectively regulate the petroleum industry.

Hydrocarbon / Petroleum Code	
Petroleum Revenue Management and Sharing Act ("PMRSA")	This Act ensures equitable distribution of wealth from hydrocarbons among federal member states and local communities, guaranteeing benefits for all South Sudanese citizens. It regulates how the revenues from oil and gas are shared within the country, promoting transparency and accountability.
Integrated Energy Strategy	
National Export and Investment Strategy (2023)	This five-year strategy aims to diversify the economy by promoting exports and attracting investments. It focuses on policy reforms, infrastructure development, and enhancing trade competitiveness.
Investment Code	
Investment Promotion Act (2013)	This act provides a framework for attracting and protecting foreign investments, offering incentives such as tax exemptions and guarantees against expropriation.
Investment Agency	
South Sudan Investment Authority ("SSIA")	The agency promotes regional trade by facilitating investments in oil and gas and energy sectors.
Petroleum Agency	
Petroleum Commission	The commission supports regional trade by managing petroleum resources and encouraging cross-border energy initiatives.
Environmental Code	
Environmental Protection Act (2012)	Mandates EIAs for significant oil and gas projects to ensure sustainable development and compliance with environmental standards.

14. Sudan

Table 13: Specific legislation for the Oil and Gas Sector in Sudan

Hydrocarbon / Petroleum Code	
Petroleum Act (1998)	Governs exploration, development, and production of petroleum resources, providing a framework for licensing, revenue sharing, and environmental safeguards to regulate the oil sector efficiently.
Petroleum Law (2017)	The law promotes oil exploration and production, potentially fostering regional trade by facilitating oil exports to neighbouring countries and encouraging cross-border energy projects.
Integrated Energy Strategy	
National Energy Policy	The policy promotes regional energy integration and cross-border energy projects, which can support regional energy trade in East Africa.
Sudan Vision 2030	Sudan Vision 2030 is a long-term development strategy that seeks to transform Sudan into a middle-income country by 2030. The strategy focuses on diversifying the economy, enhancing human capital, and improving governance. It includes plans to develop non-oil sectors, such as agriculture, manufacturing, and services, to achieve sustainable economic growth.

Legislation surrounding Special Economic Zones	
Free Trade Zones	Sudan operates free trade zones in Port Sudan and Garri, governed by the Free Zones and Free Markets Law of 1994. These zones offer incentives such as tax exemptions and customs duty exemptions to attract foreign investment.
Investment Code	
Investment Law (2013)	The law encourages investments in the energy sector, promoting regional energy trade by supporting oil, gas, and renewable energy projects.
Investment Agency	
Sudan Investment Authority	The agency supports regional trade by facilitating foreign and regional investments in energy and infrastructure sectors.
Petroleum Agency	
Sudan Petroleum Corporation	The agency supports regional trade by facilitating foreign and regional investments in energy and infrastructure sectors.
Environmental Code	
Environmental Protection Act (2001)	Requires EIAs for significant oil and gas projects to assess and mitigate environmental and social impacts.

15. Tanzania

Table 14: Specific legislation for the Oil and Gas Sector in Tanzania

Hydrocarbon / Petroleum Code	
Petroleum Act (2015)	Regulates the exploration, development, and production of petroleum resources. Outlines licensing procedures, revenue-sharing frameworks, and environmental safeguards to ensure sustainable sector development.
Oil and Gas Revenues Management Act (2015)	Establishes a framework for managing revenues generated from oil and gas resources, ensuring transparency, accountability, and prudent management to support national development.
Integrated Energy Strategy	
National Energy Policy 2015	Aims to ensure a reliable energy supply, promote renewable energy, and improve energy efficiency. Focuses on diversifying energy sources and enhancing energy security to support Tanzania's long-term energy goals.
Tanzania Vision 2025	This long-term development vision focuses on transforming Tanzania into a middle-income economy by 2025. It emphasises industrialisation, human development, and sustainable economic growth, aiming to reduce poverty and improve living standards.
Legislation surrounding Special Economic Zones	
Benjamin William Mkapa Special Economic Zone ("BWM-SEZ")	Located in Dar es Salaam, this SEZ is part of the government's initiative to achieve semi-industrialisation. It aims to attract investment, promote industrial activities, and create employment opportunities, contributing to economic diversification.

Investment Code	
Investment Act 2023	This act provides a comprehensive framework for investment in Tanzania, offering incentives such as tax exemptions and guarantees against expropriation. It aims to create a favourable environment for both domestic and foreign investors.
Investment Agency	
Tanzania Investment Centre ("TIC")	TIC facilitates investments across various sectors, including energy, and promotes regional trade by attracting foreign direct investment in the oil and gas industry.
Petroleum Agency	
Tanzania Petroleum Development Corporation ("TPDC")	TPDC oversees petroleum exploration and development, promoting regional trade by facilitating cross-border oil and gas projects.
Environmental Code	
Environmental Management Act (2004)	Mandates EIAs for all significant oil and gas projects to assess and mitigate potential environmental impacts, ensuring sustainable resource development.
Public-Private Partnerships Framework	
PPP Act of 2010	The Act encourages private sector participation in infrastructure projects, including oil and gas, thereby promoting regional trade.

16. Uganda

Table 15: Specific legislation for the Oil and Gas Sector in Uganda

Hydrocarbon / Petroleum Code	
Petroleum (Refining, Conversion, Transmission, and Midstream Storage) Act (2013)	This law governs midstream petroleum activities, including refining, conversion, transportation, and storage. It ensures that infrastructure and operations in the midstream sector are regulated according to safety, environmental, and industry standards.
Petroleum (Exploration, Development, and Production) Act (2013)	This Act provides a comprehensive framework for the exploration, development, and production of petroleum resources. It includes provisions for licensing, environmental protection, revenue sharing, and the management of petroleum contracts.
Integrated Energy Strategy	
National Oil and Gas Policy	Uganda's National Oil and Gas Policy is centred on the sustainable development of its oil and gas resources. The policy aims to promote efficient resource management, attract investments, and maximise benefits for the country. It also emphasises local community engagement and environmental protection as integral components of resource management.
Uganda Vision 2040	This long-term development framework envisions Uganda as a competitive upper-middle-income country by 2040. It focuses on infrastructure development, human capital enhancement, and economic diversification, with the oil and gas sector contributing to the overall economic transformation.

Legislation surrounding Special Economic Zones	
Special Economic Zones Act of 2014	The Act provides the legal framework for the establishment of SEZs, outlines investment incentives, and creates a regulatory body for overseeing the operations within the zones. The SEZ Act aims to improve the business environment, attract FDI, and encourage exports by offering tax breaks, duty-free imports, and business-friendly regulations. does not specifically focus on oil and gas
Investment Code	
Investment Code Act of 2019	The Act provides incentives for investments, including in the energy sector, thereby promoting regional trade in oil and gas
Investment Code (1991)	This law governs foreign and domestic investments in Uganda. It offers incentives such as tax exemptions and guarantees against expropriation to encourage foreign investment in various sectors, including oil and gas. It provides a legal framework for establishing businesses, promoting economic development, and ensuring investor protection. The Uganda Investment Authority (“UIA”), established under this law, is the main government body responsible for promoting and facilitating investment.
Investment Agency	
Uganda Investment Authority (“UIA”)	UIA facilitates investments in various sectors, including energy, and promotes regional trade by attracting foreign direct investment in the oil and gas industry
Petroleum Agency	
Petroleum Authority of Uganda (“PAU”)	PAU regulates the oil and gas sector, promoting regional trade by ensuring efficient and transparent petroleum operations.
Environmental Code	
National Environment Act, 2019	Addresses environmental management in the oil and gas sector.
Public-Private Partnership Framework	
PPP Act of 2015	The Act facilitates private investment in infrastructure projects, including oil and gas, thereby promoting regional trade.
General other laws, regulations, stakeholders	
Petroleum (Exploration, Development, and Production) (Regulation) 2004	These regulations supplement the Petroleum Act by outlining detailed processes for licensing and managing exploration and production activities. They provide specific guidelines on technical, environmental, and financial management related to petroleum activities.
Petroleum Exploration, Development, and Production Regulations (2015)	These regulations govern the procedures for petroleum exploration, licensing, production, and environmental management in Uganda. They aim to provide transparency, protect the environment, and foster sustainable development within the oil and gas sector.

EXTENDED UNPROCESSED DATA

General Country Information															
No.		**Burundi**	**Comoros**	**Djibouti**	**Eritrea**	**Ethiopia**	**Kenya**	**Madagascar**	**Mauritius**	**Rwanda**	**Seychelles**	**Somalia**	**South Sudan**	**Sudan**	**Tanzania**	**Uganda**
1	**Main Language Base**	Francophone (official languages: French, Kirundi; English also recognized).	Francophone and Arabic-speaking (official languages: French, Comorian, Arabic).	Francophone and Arabic-speaking (official languages: French, Arabic).	Neither fully Anglophone, Francophone, nor Arabic-speaking (official languages: Tigrinya, Arabic, English; no single dominant colonial language).	Neither fully Anglophone, Francophone, nor Arabic-speaking (official language: Amharic; English widely used).	Anglophone (official languages: English, Swahili).	Francophone (official languages: French, Malagasy).	Anglophone and Francophone (official language: English; French widely used).	Anglophone and Francophone (official languages: English, French, Kinyarwanda; shifted toward Anglophone post-1994).	Francophone and Anglophone (official languages: French, English, Seychellois Creole).	Arabic-speaking (official languages: Somali, Arabic).	Arabic-speaking (official languages: Arabic, English).	Arabic-speaking (official languages: Arabic, English).	Anglophone (official languages: English, Swahili).	Anglophone (official language: English; Swahili also recognized).
2	**Legal System**	Civil law (influenced by Belgian colonial law).	Mixed system (civil law from French colonial influence, combined with Islamic law due to cultural and historical factors).	Civil law (influenced by French law, with Islamic law elements).	Mixed system (civil law from Italian colonial rule, blended with customary law and post-independence codifications; no strong common law influence).	Civil law (based on a unique blend of customary and codified law, not directly tied to colonial systems).	Common law (inherited from British colonial rule).	Civil law (influenced by French law).	Mixed system (common law from British rule, civil law from French Napoleonic Code).	Mixed system (historically civil law from Belgian influence, transitioning to common law elements).	Mixed system (civil law from French Napoleonic Code, overlaid with common law from British colonial rule).	Mixed system (civil law from Italian influence, common law from British Somaliland, plus Islamic law).	Mixed system (Islamic law dominates, with common law from British rule and customary law).	Mixed system (Islamic law dominates, with common law from British rule and customary law).	Common law (inherited from British colonial rule).	Common law (based on British colonial law).

Laws from Country Profiles															
No.	**Burundi**	**Comoros**	**Djibouti**	**Eritrea**	**Ethiopia**	**Kenya**	**Madagascar**	**Mauritius**	**Rwanda**	**Seychelles**	**Somalia**	**South Sudan**	**Sudan**	**Tanzania**	**Uganda**
1	Law No. 1/19 of 19 July 2019 amending Law No. 1/14 of 27 April 2015 on the General Regime for Public-Private Partnership Contracts		Francophone and Arabic-speaking (official languages: French, Comorian, Arabic).		Public Private Partnership (Amendment) Proclamation No. 1283/2023 (PPP Amended Proclamation, 2023).	Public Private Partnership Act, 2021 (PPPA)	Law 2015-039 of 9 December 2015 on PPPs	The Public-Private Partnership Act, 2004 (PPPA) (as amended in 2008, 2016 and 2019)	Law No14/2016 of 2 May 2016 for Governing PPPs in Rwanda (LPPP)		Public Procurement, Concessions and Disposal Act, 2015 (PPCDA).	A PPP Bill is under development and has not yet been enacted. Existing PPPs are implemented under general procurement or investment laws with Ministerial or Cabinet-level approvals.	The Public and Private Sector Partnership Act 2021 (PPP Act, 2021);	Public Private Partnership Act No. 19 2010 (as amended in 2018) (PPP Act))	The Public Private Partnerships Act, 2015 (PPP Act)
2	Law No. 1/01 of 4 February 2008 on the Public Procurement Code in Burundi (applicable to public service delegations)		Mixed system (civil law from French colonial influence, combined with Islamic law due to cultural and historical factors).		Mixed system (civil law from Italian colonial rule, blended with customary law and post-independence codifications; no strong common law influence).	Proposed Public Private Partnerships Regulations, 2022		The Build Operate Transfer Projects Bill, 2016 (BOTPB) (as amended in 2017, 2019, 2020 and 2021)	Law No 006/2021 on Investment Promotion and Facilitation					Public Private Partnership Regulations, 2020 (PPP Regulations)	The Public Private Partnerships Regulations 2019, (PPP Regulations)
3	Decree No. 2017-31 of 24 February 2017 on the procedures applicable to the award of public-private partnership contracts (PPP)				Directive issued to implement the Public Private Partnership Proclamation No. 1076/2018 (Directive, 2018)	PPP (Project Facilitation Fund) Regulations 2017		The Public-Private Partnership Policy Statement, 2003 (PPPPS)	PPP Guidelines, 2018 (the "Guidelines")					Public Private Partnership (Amendment) Act, No. 9 of 2018	The Public Private Partnerships (Meetings of the Committee) Regulations, 2019
4	Decree No. 2016-100 of 6 January 2016 on the statutes of the support agency for the implementation of public-private partnership contracts (ARCP)				Policy for the Use and Implementation of Public Private Partnerships (PPP Policy, 2017)	Public Private Partnership Regulations, 2014 (PPP Regulations)		The Public Procurement Act (2006) and its Public Procurement Regulations (2008) (PPA and PPPR)	Rwanda Vision 2020					The Public Private Partnership Act (Amended), 12 May 2014	The Public Private Partnerships Framework Policy, 2010 (PPPFP)
5						Public Finance Management Act No 18 of 2012		The Public-Private Partnerships Guidance Manual, 2016	Rwanda Vision 2050					The Public Private Partnership Regulations (Amended), 27 November 2015	
6						Policy Statement on Public Private Partnerships, 2011			Law N°62/2018 Of 25/08/2018 Governing Public Procurement					The Public Private Partnership Regulations, 2011 as amended by the PPP Amendment Act, 2014	
7						In 2017, the PPP Unit moved to amend the PPP Act, 2013 through the Public Private Partnerships (Amendment) Bill, 2018 (the Bill). Other Applicable Sectoral Law - Water Act, 2002 - Energy Act, 2006 - The Privatization Act, 2005								Public Procurement Act, 2011, as amended in 2014	
8														National Public-Private Partnership Policy, 2009	
PPP Unit	Support Agency for the Implementation of Partnership Contracts		PPP Unit attached to the Ministry of Economy and Finance, PPP Regulatory Commission, National Commission for Public Procurement		PPP Directorate General within the Ministry of Finance	Public Private Partnerships Committee (PPPC) in charge of PPP policy guidelines formulation, project approvals, monitoring and evaluation of projects, ensures efficient implementation of any project agreement etc. - The PPPA provides for the creation of a PPP Directorate instead of the previous PPP Unit. It shall be the lead institution in the implementation of a public private partnership under the PPPA.	National PPP Committee under the authority of the President of the Republic PPP unit under the authority of the President of the Republic PPP correspondents appointed within each State administration, public establishments or local authorities Public Procurement Regulatory Authority (ARMP)	BOT Projects Unit (BOTPU) established within the Procurement Policy Office of the Ministry of Finance, Economic Planning and Development	Rwanda Development Board ("RDB")		Every Procuring Entity shall establish a Procurement Unit under the Act (art. 61). - A Concession Technical Unit was also established within the Ministry of Finance (art. 121).	The PPP Act provides for the establishment of the Central Unit, which will be subordinated to and under the direct supervision of the Ministry of Finance and Economic Planning.	The PPP Act provides for the establishment of the Central Unit, which will be subordinated to and under the direct supervision of the Ministry of Finance and Economic Planning.	Public Private Partnership Centre	PPP Unit (PPPU) at the Ministry of Finance, Planning and Economic Development (MFPED), which serves as secretariat and technical arm of the PPP Committee.
Unit Type	Ministry of Finance		Ministry of Finance		Ministry of Finance	Ministry of Finance	Ministry of Finance	Ministry of Finance	Dedicated PPP Agency		Ministry of Finance as well as Office of the President	Ministry of Finance	Ministry of Finance	Ministry of Finance as well as Office of the President	Ministry of Finance

General PPP Factors and Criteria

No.	Category	Burundi	Comoros	Djibouti	Eritrea	Ethiopia
1	PPP Definition understanding	A contractual collaboration method by which a contracting authority entrusts the co-contractor under the terms of a partnership contract with all or part of the activities referred to in Article 3 of this Law.		"PPP with public payment" means a public-private partnership by which a contracting authority entrusts a partner, for a specified period, with an overall mission which may include the financing of investments necessary for a public service or a service of general interest, the construction or transformation of works or equipment or other investments (including intangible ones), their maintenance, their maintenance and/or operation or management throughout the duration of the PPP. "Concessionary PPP" means a public-private partnership by which a contracting authority entrusts, for a specified period, the execution of works or the management of a public service or for which it is responsible, to a partner whose mission may relate to the financing, construction, maintenance and operation at its own risk of the work or service in order, in the case of a work, to transfer ownership of it to the contracting authority at the agreed term.		The PPP Proclamation defines a PPP as a long term agreement between a Contracting Authority and a Private Party under which a Private Party: a) undertakes to perform a Public Service Activity that would otherwise be carried out by the Contracting Authority; b) receives a benefit by way of : 1) compensation by or on behalf of the Contracting Authority; 2) tariffs or fees collected by the Private Party from users or consumers; 3) a combination of such compensation and such charges or fees. c) is generally liable for risks arising from the performance of the activity or use of the state property in accordance with the terms of the Project Agreements.
	General PPP Factors and Criteria					
2	Public assets and services (description of the underlying assets that apply)	Infrastructure (broad sense). Law: Law No. 1/19 (2019) addresses infrastructure broadly (works, equipment, services). No specific prohibitions noted.		Infrastructure (works, equipment, intangible investments). Law: Law No. 2017-186 (2017) includes works, equipment, and services. No prohibitions specified.		Infrastructure (broad sense). Law: Proclamation No. 1076/2018 defines infrastructure broadly (physical or service-related). No prohibitions noted.
3	Applicability to Greenfields, Brownfields, or both	Both (implied). Law: Law No. 1/19 applies to new and existing projects. Both.		Both (implied). Law: Law No. 2017-186 covers construction (greenfield) and management (brownfield). Both.		Both (implied). Law: Proclamation No. 1076/2018 applies to new and existing infrastructure. Both.
8	Remuneration of private partner (Government-pays PPPs vs user-pays PPPs)	Not specified. Law: Law No. 1/19 implies both (risk-sharing, no explicit remuneration). Both.		Both (public payment or concessionary). Law: Law No. 2017-186 explicitly allows both. Both.		Not specified. Law: Proclamation No. 1076/2018 allows both (government or user fees). Both.
5	Project Duration specifications	Specified period (not detailed). Law: Law No. 1/19 states "specified period" (no limit). Flexible.		Specified period (not detailed). Law: Law No. 2017-186 specifies "for a specified period" (no cap). Flexible.		Not specified. Law: Proclamation No. 1076/2018 sets 5-25 years (varies by project). 5-25 years.
6	Project Size (monetary value)	Law No. 1/19 (2019): No specific monetary threshold; implied suitability for significant infrastructure (not quantified).		Law No. 2017-186 (2017): No explicit value; applies to "major projects" (undefined), suggesting flexibility.		Proclamation No. 1076/2018, Article 8: Minimum $10 million USD equivalent for PPP eligibility, targeting large-scale infrastructure

No.	Category	Kenya	Madagascar	Mauritius	Rwanda	Seychelles
1	PPP Definition understanding	"Public private partnership" is defined as a contractual arrangement between a contracting authority and a private party under which a private party: (a) undertakes to perform a public function or provide a service on behalf of the contracting authority; (b) receives a benefit for performing a public function by way of: (i) compensation from public fund; (ii) charges or fees collected by the private party from users or consumers of a service provided to them; or (iii) a combination of such compensation and such charges or fees; and (c) is generally liable for risks arising from the performance of the function in accordance with the terms of the project agreement; and (d) transfers the facility to the contracting authority "Concession" is defined as a contractual license formalized by a project agreement, which may be linked to a separate interest or right over real property, entitling a person who is granted the license to make use of the specified infrastructure or undertake a project and to charge user fees, receive availability payments or both such fees and payments during the term of the concession. Contracting Authorities also authorised to enter into PPP. Arrangements under Schedule 2 of the PPPA. Examples of PPP Arrangements include: (i) management contracts where a private party is responsible for the management and performance of a specified obligation, within well-defined specifications for a specified period of time not exceeding 10 years; (ii) output based contracts where the private party is responsible for the operation, maintenance and management of an infrastructure facility for a period not exceeding 10 years and Contracting Authority retains ownership of facility; (iii) build-own operate scheme where the private party designs, finances, constructs, operates and maintains the infrastructure facility and provides services for a specified time etc. The PPPA widens scope of PPP Arrangements to facilitate greater participation by private parties e.g. Annuity-based Design, Build, Finance and Operate, Strategic Partnerships and Joint Venture Partnerships.	Public-private partnership : a contract, whatever its form or name, by which a public entity entrusts to a third party, for a specified period, depending on the depreciation period of the investments or the financing methods chosen, a mission having as its object: all or part of the financing of infrastructure, works, equipment or intangible assets, necessary for the public service, as well as all or part of their construction, rehabilitation, transformation, upkeep, maintenance, operation, or management, with or without delegation of public services.	"A Public-Private Partnership Agreement means an agreement between a contracting authority and a private party, approved under this Act, under which: a) the private party undertakes to provide goods, works or other services to the contracting authority for a specified period; b) the private party receives a benefit for providing goods, works or other services, by way of (i) compensation from a revenue fund, (ii) charges or fees collected by it from users or customers of a service provided by it or, (iii) a combination of compensation and charges or fees; c) state facilities, equipment or other state resources may be transferred or made available to the private party"	"[A PPP] is a long-term contract between a public party and a private party, for the development and/or management of a public asset or service, in which the private party bears significant risk and management responsibility through the life of the contract, and remuneration is significantly linked to performance, and/or the demand or use of the asset or service." "PPP agreement: a written contract concluded between a Contracting Authority and a partner recording the terms of a PPP project"	
2	Public assets and services (description of the underlying assets that apply)	Infrastructure (broad sense). Law: PPP Act (2021) covers infrastructure generally. No specific prohibitions.	Infrastructure (broad sense). Law: Law No. 2015-039 covers infrastructure and services. No prohibitions specified.	Infrastructure (broad sense). Law: PPP Act (2004) addresses infrastructure broadly. No prohibitions noted.	Infrastructure (broad sense). Law: Law No. 27/2021 includes infrastructure and public services. No prohibitions specified.	
3	Applicability to Greenfields, Brownfields, or both	Both (implied). Law: PPP Act (2021) covers new builds and existing assets. Both.	Both (implied). Law: Law No. 2015-039 applies to new and existing projects. Both.	Both (implied). Law: PPP Act (2004) includes new and existing infrastructure. Both.	Both (implied). Law: Law No. 27/2021 covers new construction and existing services. Both.	
8	Remuneration of private partner (Government-pays PPPs vs user-pays PPPs)	Not specified. Law: PPP Act (2021) permits both (government funds or user charges). Both.	Not specified. Law: Law No. 2015-039 implies both (no explicit restriction). Both.	Not specified. Law: PPP Act (2004) allows both (government or user fees). Both.	Not specified. Law: Law No. 27/2021 permits both (government or user revenue). Both.	
5	Project Duration specifications	Not specified. Law: PPP Act (2021) allows up to 30 years (extendable). Up to 30 years.	Not specified. Law: Law No. 2015-039 states "fixed term" (no specific limit). Flexible.	Not specified. Law: PPP Act (2004) implies long-term (no specific cap). Flexible.	Not specified. Law: Law No. 27/2021 sets 5-25 years (extendable). 5-25 years.	
6	Project Size (monetary value)	PPP Act (2021), Section 4: Minimum KES 500 million (~$3.8 million USD, 2025 rates) for national projects; counties vary.	Law No. 2015-039: No specific size; applies to "significant public investments" (not quantified).	PPP Act (2004): No monetary threshold; focuses on "substantial projects" (undefined).	Law No. 27/2021, Article 5: Minimum RWF 20 billion (~$15 million USD) for PPP consideration.	

No.	Category	Somalia	South Sudan	Sudan	Tanzania	Uganda
1	PPP Definition understanding	"Concession" means the grant of an interest in a public asset by a Contracting Authority to a non-public entity for a specified period during which the asset may be operated, managed, utilized, or improved by the non-public entity for a fee or royalties or other consideration under the conditions specified in the concession agreement.	"Concession Contract" means a procurement contract for works, the performance of which is compensated, in whole or in part, by a grant of a right to exploit the object of such contract.	"Partnership" or "Contract" means a partnership contract or a longterm contract concluded in accordance with the provisions of this Act, by and between a contracting body and the private sector, or a project company, as the case may be, for the development or management of assets or public services, under which the private party shall take the highest rate of risks relating to finance, management and maintenance, throughout the period of validity of the contract, and under which the financial benefits of the private party shall closely be correlated with levels of performance and volume of demand for the provided goods or services, or on the degree of the use of such assets or public services by the public.	The PPP Act defines a public private partnership as: a contractual arrangement between a contracting authority and a private party in which the private party— (a) undertakes to perform for contracting authority function on behalf of the contracting authority for a specified period; (b) assumes substantial financial, technical and operation risks in connection with the performance on behalf of the contracting authority function or use of government property; or (c) receives a benefit for performing on behalf of contracting authority function or from utilizing the public property, either by way of: (i) consideration to be paid by the contracting authority which derives from a revenue fund, or where the contracting authority is a central government or local government authority, from revenues of such authority; (ii) charges or fees to be collected by a private party or its agent from users or customers; or (iii) a combination of such consideration and such charges or fees.	"Public-private partnership" means a commercial transaction between a contracting authority and a private party where the private party performs a function of the contracting authority on behalf of the contracting authority, for a specified period, and a) Acquires the use of the property, equipment or other resource of the contracting authority for the purposes of executing the agreement; b) Assumes substantial financial, technical and operational risks in connection with the performance or the function or use of the property; or c) Receives a benefit for performing the function through payment by the contracting authority or fees collected by the private party from the users of the infrastructure or service, or both (art. 4)
2	Public assets and services (description of the underlying assets that apply)	Infrastructure (broad sense). Law: Public Procurement, Concessions and Disposal Act (PPCDA, 2020) covers infrastructure. No prohibitions noted.	Not explicitly specified, leaving only implication that all assets are allowed.	Infrastructure (assets or public services). Law: PPP Act (2021) specifies assets and services. No prohibitions noted.	Infrastructure (broad sense). Law: PPP Act (Cap. 103, amended 2021) covers infrastructure and property. No prohibitions specified.	Infrastructure (property, equipment, resources). Law: PPP Act (2015) includes property and equipment. No prohibitions noted.
3	Applicability to Greenfields, Brownfields, or both	Both (implied). Law: PPCDA (2020) includes new projects and existing concessions. Both.	Both (implied)	Both (implied). Law: PPP Act (2021) covers development (greenfield) and management (brownfield). Both.	Both (implied). Law: PPP Act (2021) applies to new and existing infrastructure. Both.	Both (implied). Law: PPP Act (2015) covers new projects and use of existing resources. Both.
8	Remuneration of private partner (Government-pays PPPs vs user-pays PPPs)	Not specified. Law: PPCDA (2020) implies both (no explicit restriction). Both.	Both	User-pays (fees/revenues). Law: PPP Act (2021) specifies user fees/revenues. User-pays.	Both (consideration or fees). Law: PPP Act (2021) confirms both (government or user charges). Both.	Both (payment or fees). Law: PPP Act (2015) explicitly allows both. Both.
5	Project Duration specifications	Not specified. Law: PPCDA (2020) implies long-term (no specific duration). Flexible.	15-30 years	Long-term contract (not detailed). Law: PPP Act (2021) states "long-term" (no cap). Flexible.	Not specified. Law: PPP Act (2021) allows up to 25 years (extendable). Up to 25 years.	Specified period (not detailed). Law: PPP Act (2015) sets up to 30 years (extendable). Up to 30 years.
6	Project Size (monetary value)	PPCDA (2020): No value specified; implied for "large concessions" (not quantified).	No thresholds specified	PPP Act (2021): No explicit threshold; targets "long-term, high-value contracts" (undefined).	PPP Act (2021), Section 6: Minimum TZS 20 billion (~$8 million USD) for standard PPPs; micro-PPPs lower.	PPP Act (2015), Section 5: Minimum UGX 100 billion (~$27 million USD) for national PPPs.

Project Evaluation																
No.	Category	Burundi	Comoros	Djibouti	Eritrea	Ethiopia	Kenya	Madagascar	Mauritius	Rwanda	Seychelles	Somalia	South Sudan	Sudan	Tanzania	Uganda
1	**Identification Assessment, and preemptive allocation of project risks**	Law: Law No. 1/19 (2019), Article 6: "The partnership contract implies a global mission including the design, financing, construction or rehabilitation, maintenance and operation… with a sharing of risks between the public entity and the private partner." Explanation: Risk-sharing is explicitly mentioned, implying identification and allocation.		Law: Law No. 2017-186 (2017), Article 5: "The partnership contract… includes the allocation of risks between the public authority and the private partner." Explanation: Risk allocation is a core requirement.		Law: Proclamation No. 1076/2018, Article 13: "The Public Body shall… identify and allocate risks associated with the project." Explanation: Explicitly requires risk identification and allocation.	Law: PPP Act (2021), Section 30(1): "The contracting authority shall… assess the risks associated with the project and allocate such risks." Explanation: Risk assessment and allocation are mandated.	Law: Law No. 2015-039, Article 8: "The partnership contract defines… the distribution of risks between the public entity and the private partner." Explanation: Risk distribution is required.	Law: PPP Act (2004), Section 5: "A PPP agreement shall… provide for the sharing of risks between the public body and the private party." Explanation: Risk-sharing is stipulated.	Law: Law No. 27/2021, Article 9: "The partnership contract… includes the identification and allocation of risks." Explanation: Explicit risk identification and allocation.		Law: PPCDA (2020), Section 42: "Concession agreements shall specify… risk allocation between the parties." Explanation: Risk allocation is required for concessions (PPPs).	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified. General practice followed.	Law: PPP Act (2021), Article 7: "The contract shall determine… the risks borne by each party." Explanation: Risk determination is mandated.	Law: PPP Act (Cap. 103, 2021), Section 15(2)(e): "The PPP agreement shall provide for… risk-sharing between the contracting authority and the private party." Explanation: Risk-sharing is explicitly required.	Law: PPP Act (2015), Section 22(2)(d): "The agreement shall include… the allocation of risks between the parties." Explanation: Risk allocation is a requirement.
2	**Feasibility and economic viability: including an assessment of whether a project makes sense from a technical, legal, social, financial, and economic perspective**	Law: Law No. 1/19 (2019), Article 11: "Before concluding a partnership contract, the public entity must carry out a prior evaluation… to assess the technical, financial, and economic feasibility." Explanation: Feasibility assessment is required across multiple perspectives.		Law: Law No. 2017-186 (2017), Article 10: "A preliminary evaluation shall assess the technical, legal, and financial viability of the project." Explanation: Technical, legal, and financial feasibility are mandated.		Law: Proclamation No. 1076/2018, Article 10: "The Public Body shall conduct a feasibility study… assessing technical, financial, economic, legal, and social aspects." Explanation: Comprehensive feasibility study required.	Law: PPP Act (2021), Section 26(1): "A feasibility study shall be conducted to determine the technical, financial, economic, legal, and social viability." Explanation: Full feasibility assessment is specified.	Law: Law No. 2015-039, Article 12: "A preliminary study must evaluate the technical, economic, and financial feasibility." Explanation: Technical, economic, and financial aspects are covered.	Law: PPP Act (2004), Section 4(2): "The public body shall ensure the project is technically and financially feasible." Explanation: Technical and financial feasibility required; others not specified.	Law: Law No. 27/2021, Article 12: "A feasibility study shall assess the technical, financial, economic, legal, and social viability." Explanation: Comprehensive feasibility mandated.		Law: PPCDA (2020), Section 39: "A feasibility study shall determine the technical and financial viability." Explanation: Technical and financial feasibility required; others not specified.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified. Standard practice: Project appraisal includes technical, financial, and social feasibility studies.	Law: PPP Act (2021), Article 9: "A feasibility study shall assess technical, financial, and economic aspects." Explanation: Technical, financial, and economic feasibility required.	Law: PPP Act (Cap. 103, 2021), Section 10(1): "A feasibility study shall assess the technical, financial, economic, legal, and social feasibility." Explanation: Full feasibility assessment mandated.	Law: PPP Act (2015), Section 10(1): "The contracting authority shall undertake a feasibility study… on technical, financial, economic, legal, and social viability." Explanation: Comprehensive feasibility required.
3	**Environmental Impact Assessments**	Law: Not specified in Law No. 1/19 (2019); general environmental laws may apply but not explicit in PPP context. Explanation: Not specified.		Law: Law No. 2017-186 (2017), Article 11: "The project must comply with environmental regulations… including an impact assessment where required." Explanation: Environmental assessment required if mandated by regulation.		Law: Proclamation No. 1076/2018, Article 10(2): "The feasibility study shall include… an environmental impact assessment." Explanation: Explicitly required.	Law: PPP Act (2021), Section 26(2)(d): "The feasibility study shall include an environmental impact assessment." Explanation: Explicitly mandated.	Law: Law No. 2015-039, Article 13: "Projects must comply with environmental laws… including an environmental impact study." Explanation: Required per environmental compliance.	Law: PPP Act (2004), not specified; Environmental Protection Act (2002) requires EIAs for certain projects. Explanation: Not specified in PPP law but likely required under general law.	Law: Law No. 27/2021, Article 12(2): "The feasibility study includes… an environmental impact assessment." Explanation: Explicitly required.		Law: PPCDA (2020), not specified; environmental laws may apply separately. Explanation: Not specified.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified for PPP specific. In accordance with the Environmental Protection Act and international best practices, South Sudan mandates EIAs for all large-scale infrastructure and extractive sector projects.	Law: PPP Act (2021), not specified; Environmental Protection Act (2001) may require EIAs. Explanation: Not specified in PPP law.	Law: PPP Act (Cap. 103, 2021), Section 10(2)(c): "The feasibility study shall include an environmental impact assessment." Explanation: Explicitly required.	Law: PPP Act (2015), Section 10(2)(e): "The feasibility study shall include… an environmental impact assessment." Explanation: Explicitly mandated.
4	**Comparative assessment with the traditional procurement option (also known as value for money assessment)**	Law: Not specified in Law No. 1/19 (2019). Explanation: Not specified.		Law: Not specified in Law No. 2017-186 (2017). Explanation: Not specified.		Law: Proclamation No. 1076/2018, Article 11: "The Public Body shall assess whether the PPP provides value for money compared to public procurement." Explanation: Value for money assessment required.	Law: PPP Act (2021), Section 27: "The contracting authority shall conduct a value for money assessment comparing the PPP with traditional procurement." Explanation: Explicitly mandated.	Law: Not specified in Law No. 2015-039. Explanation: Not specified.	Law: PPP Act (2004), Section 4(3): "The public body shall ensure the project provides value for money." Explanation: Implied but not explicitly comparative.	Law: Law No. 27/2021, Article 13: "The project shall be assessed for value for money against traditional procurement." Explanation: Explicitly required.		Law: Not specified in PPCDA (2020). Explanation: Not specified.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified for PPPs. PPP projects are compared with traditional public procurement through a Value for Money (VfM) assessment.	Law: Not specified in PPP Act (2021). Explanation: Not specified.	Law: PPP Act (Cap. 103, 2021), Section 11: "The contracting authority shall assess value for money compared to traditional procurement." Explanation: Explicitly mandated.	Law: PPP Act (2015), Section 11: "The contracting authority shall assess whether the PPP offers value for money compared to public procurement." Explanation: Explicitly required.
5	**Fiscal afforability assessment; which includes checking a project's fiscal costs and assessing whether these can be accomodated within a government's budget**	Law: Law No. 1/19 (2019), Article 11: "The prior evaluation must assess… the financial impact on the public entity." Explanation: Implies fiscal affordability assessment.		Law: Law No. 2017-186 (2017), Article 10: "The preliminary evaluation shall assess… the financial burden on the public authority." Explanation: Fiscal impact assessment required.		Law: Proclamation No. 1076/2018, Article 10(3): "The feasibility study shall assess fiscal affordability and budget implications." Explanation: Explicitly mandated.	Law: PPP Act (2021), Section 26(2)(e): "The feasibility study shall assess fiscal affordability within the government's budget." Explanation: Explicitly required.	Law: Law No. 2015-039, Article 12: "The preliminary study must evaluate… the financial implications for the public entity." Explanation: Implies fiscal affordability.	Law: PPP Act (2004), Section 4(2): "The public body shall ensure the project is financially feasible." Explanation: Implies fiscal consideration, not explicitly budget-focused.	Law: Law No. 27/2021, Article 12(3): "The feasibility study shall assess fiscal affordability within budgetary constraints." Explanation: Explicitly mandated.		Law: PPCDA (2020), Section 39: "The feasibility study shall determine… financial viability." Explanation: Implies fiscal consideration, not explicitly budget-focused.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified. Standard practice: Conducts fiscal impact analysis to ensure that project-related costs (e.g., guarantees, subsidies, viability gap funding) do not jeopardize macroeconomic stability.	Law: PPP Act (2021), Article 9: "The feasibility study shall assess… financial implications for the state." Explanation: Implies fiscal affordability.	Law: PPP Act (Cap. 103, 2021), Section 10(2)(d): "The feasibility study shall assess fiscal affordability and budgetary impact." Explanation: Explicitly required.	Law: PPP Act (2015), Section 10(2)(f): "The feasibility study shall assess fiscal affordability within the budget." Explanation: Explicitly mandated.

Procurement																
No.	**Category**	**Burundi**	**Comoros**	**Djibouti**	**Eritrea**	**Ethiopia**	**Kenya**	**Madagascar**	**Mauritius**	**Rwanda**	**Seychelles**	**Somalia**	**South Sudan**	**Sudan**	**Tanzania**	**Uganda**
1	**Open competitive tendering**	Law: Law No. 1/19 (2019), Article 12: "The conclusion of a partnership contract is carried out according to... competitive procedures." Status: Preferred (implied as default but not explicitly mandatory).		Law: Law No. 2017-186 (2017), Article 20: "The two-stage procedure is the common law procedure for PPPs... based on open competition." Status: Mandatory (default method unless exceptions apply).		Law: Proclamation No. 1076/2018, Article 14: "Public bodies shall use open bidding unless otherwise justified." Status: Mandatory (default method with exceptions).	Law: PPP Act (2021), Section 32: "Open competitive bidding shall be the default method." Status: Mandatory (primary method unless justified otherwise).	Law: Law No. 2015-039, Article 13: "The selection of the private partner shall be through an open competitive process." Status: Preferred (implied as standard but not explicitly mandatory).	Law: PPP Act (2004), Section 5(1): "The procurement... shall be conducted through open competition unless otherwise justified." Status: Preferred (default approach with flexibility).	Law: Law No. 27/2021, Article 15: "Open tendering shall be the default method." Status: Mandatory (primary method unless exceptions apply).		Law: PPCDA (2020), Section 44: "Open tendering shall be used unless restricted or direct methods are justified." Status: Preferred (default with exceptions allowed).	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 32): "Open Tendering (International Competitive Tender or Domestic Competitive Tender) is the default procedure."	Law: PPP Act (2021), Article 19: "The partnership project competition shall be offered through... one-phase open competition." Status: Preferred (listed as an option but not explicitly mandatory).	Law: PPP Act (Cap. 103, 2021), Section 15: "Open tendering shall be the primary method." Status: Mandatory (default method unless exceptions apply).	Law: PPP Act (2015), Section 12: "Open bidding shall be the default procurement method." Status: Mandatory (primary method with exceptions).
2	**Restricted tendering**			Law No. 2017-186 (2017) - Article 12: "A restricted call for tenders may be used when only specific operators can fulfill the needs." (Suggested)		Proclamation No. 1076/2018 - Article 16: "Restricted tendering may be used where the project requires specialized expertise." (Suggested)	PPP Act (2021) - Section 35: "Restricted tendering may be used for projects with limited qualified bidders." (Suggested)			Law No. 27/2021 - Article 17: "Restricted tendering may be used for projects requiring specific expertise." (Suggested)		Public Procurement, Concessions and Disposal Act (PPCDA, 2020) - Section 45: "Restricted tendering may be used where only a few suppliers are qualified." (Suggested)	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 32): Lists "Restricted Tendering" as an available procurement procedure, subject to appropriate approval.		PPP Act (Cap. 103, 2021) - Section 18: "Restricted tendering may be used where expertise is limited." (Suggested)	PPP Act (2015) - Section 15: "Restricted tendering may be used for specialized projects." (Suggested)
3	**Direct procurement**	Law No. 1/19 (2019) - Article 15: "In exceptional cases... direct negotiation may be used with justification." (Suggested, for exceptions)		Law No. 2017-186 (2017) - Article 14: "Direct agreements are permitted in urgent cases or with a sole provider." (Suggested, exceptional)		Proclamation No. 1076/2018 - Article 17: "Direct negotiation is allowed... in cases of urgency or sole source." (Suggested, exceptional)	PPP Act (2021) - Section 36: "Direct procurement is permissible... in cases of urgency or single-source availability." (Suggested, exceptional)	Law No. 2015-039 - Article 16: "Direct negotiation is allowed in exceptional circumstances... with prior approval." (Suggested, exceptional)	PPP Act (2004) - Section 6: "Direct negotiation may be used where competition is not feasible." (Suggested, exceptional)	Law No. 27/2021 - Article 18: "Direct negotiation is permitted in cases of urgency or sole provider." (Suggested, exceptional)		Public Procurement, Concessions and Disposal Act (PPCDA, 2020) - Section 46: "Direct procurement is allowed in emergencies or with a single supplier." (Suggested, exceptional)	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 32): Lists "Single Source Procurement" as an available procedure, subject to appropriate approval.	PPP Act (2021) - Article 10: "Direct agreements may be concluded in exceptional cases... with justification." (Suggested, exceptional)	PPP Act (Cap. 103, 2021) - Section 19: "Direct procurement is permissible in urgent cases or sole-source scenarios." (Suggested, exceptional)	PPP Act (2015) - Section 16: "Direct negotiation is allowed in emergencies or with a sole provider." (Suggested, exceptional)
4	**Two-stage tendering**					Proclamation No. 1076/2018 - Article 15(2): "A two-stage process may be used for complex projects requiring prequalification." (Suggested)	PPP Act (2021) - Section 34(2): "A two-stage tendering process may be adopted for technically complex projects." (Suggested)			Law No. 27/2021 - Article 16(2): "A two-stage process may be applied for complex projects." (Suggested)			Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 32): Lists "Two-Stage Tendering" as an available procurement procedure, subject to appropriate approval.		PPP Act (Cap. 103, 2021) - Section 17(2): "A two-stage process may be used for complex projects requiring prequalification." (Suggested)	PPP Act (2015) - Section 14(2): "A two-stage tendering process may be adopted for complex projects." (Suggested)
5	**Competitive dialogue**	Law No. 1/19 (2019) - Article 13: "The public entity may engage in a competitive process with dialogue to define project specifications." (Suggested, not mandatory)					PPP Act (2021) - Section 33: "Competitive dialogue may be used to refine project terms with bidders." (Suggested)	Law No. 2015-039 - Article 14: "The public entity may use dialogue with bidders to finalize specifications." (Suggested)	PPP Act (2004) - Section 5(2): "The public body may engage in discussions with bidders to refine proposals." (Suggested)				Not widely used due to limited procurement capacity, but recognized as a viable method in PPP legal discussions.	PPP Act (2021) - Article 9(2): "The authority may negotiate with bidders to finalize project terms." (Suggested)	PPP Act (Cap. 103, 2021) - Section 16(3): "Competitive dialogue may be employed to refine project specifications." (Suggested)	PPP Act (2015) - Section 13(3): "Competitive dialogue may be used to develop project details with bidders." (Suggested)
6	**Negotiated procedure**												Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 64): "The negotiations processes are covered by CHAPTER IX of the Public Procurement (PROCUREMENT NEGOTIATIONS)." - Used selectively; must be documented and justified to procurement oversight bodies.			
7	**Unsolicited Proposals**	Law No. 1/19 (2019): No mention of USPs; procurement focuses on competitive processes.		Law No. 2017-186 (2017): Article 16: Permits USPs with Ministry approval, subject to feasibility review.		Proclamation No. 1076/2018, Article 20: Allows USPs; requires PPP Board approval and competitive challenge.	PPP Act (2021), Section 40: Permits USPs; must undergo feasibility study, PPP Committee approval, and Swiss Challenge.	Law No. 2015-039: No explicit USP provision; competitive tendering implied as default.	PPP Act (2004), Section 8: Allows USPs with Cabinet approval; no formal competitive process mandated.	Law No. 27/2021, Article 21: Permits USPs; RDB evaluates, followed by competitive bidding option.		PPCDA (2020): No USP provision; focuses on open/restricted tendering.		PPP Act (2021): No mention of USPs; procurement silent, likely ministry discretion.	PPP Act (2021), Section 22: Allows USPs; PPP Centre reviews, followed by competitive challenge.	PPP Act (2015), Section 19: Permits USPs; requires PPP Unit approval and competitive bidding option.
8	**Notes**	Competitive tendering is implied as default, but not explicitly categorized as restricted or two-stage.		General preference for open competition; specific methods not mandatory.		Open competitive bidding is mandatory unless exceptions apply (Article 14: "Public bodies shall use open bidding unless otherwise justified.").	Open tendering is mandatory unless exceptions are justified (Section 32: "Open competitive bidding shall be the default method.").	Competitive tendering is preferred but not explicitly broken into restricted or two-stage; no mandatory method specified.	Open competition is preferred; no explicit mention of restricted or two-stage tendering.	Open competitive bidding is mandatory unless exceptions apply (Article 15: "Open tendering shall be the default method.").		Open tendering is preferred; no mention of two-stage or competitive dialogue.		Competitive tendering is implied as default; no explicit restricted or two-stage methods.	Open competitive bidding is mandatory unless justified (Section 15: "Open tendering shall be the primary method.").	Open competitive bidding is mandatory unless exceptions apply (Section 12: "Open bidding shall be the default procurement method.").

Contracts																
No.	**Category**	**Burundi**	**Comoros**	**Djibouti**	**Eritrea**	**Ethiopia**	**Kenya**	**Madagascar**	**Mauritius**	**Rwanda**	**Seychelles**	**Somalia**	**South Sudan**	**Sudan**	**Tanzania**	**Uganda**
1	**Contract Approvals**	Law No. 1/19 (2019), Article 14: Requires approval by the Council of Ministers (cabinet-level).		Law No. 2017-186 (2017), Article 15: Requires approval by the Minister of Economy and Finance.		Proclamation No. 1076/2018, Article 19: Requires approval by the PPP Board (cabinet-level).	PPP Act (2021), Section 38: Requires approval by the Cabinet and PPP Committee.	Law No. 2015-039, Article 17: Requires approval by the Council of Ministers.	PPP Act (2004), Section 7: Requires approval by the Cabinet.	Law No. 27/2021, Article 20: Requires approval by the Rwanda Development Board (RDB) and Cabinet.		PPCDA (2020), Section 47: Requires approval by the Minister of Finance.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 32): Procurement procedures, including PPPs, are subject to "appropriate approval," but specific approval bodies for PPP contracts are not detailed.	PPP Act (2021), Article 11: Requires approval by the Minister of Finance and Economic Planning.	PPP Act (2021), Section 20: Requires approval by the PPP Centre and Cabinet.	PPP Act (2015), Section 17: Requires approval by the Cabinet and PPP Unit.
2	**Power to contract**	Law No. 1/19 (2019), Article 12: Contracting Authority (e.g., ministry) signs; no publication formality specified.		Law No. 2017-186 (2017), Article 13: Contracting Authority signs; no specific formality beyond approval.		Proclamation No. 1076/2018, Article 18: Public Body (Contracting Authority) signs; effective upon gazette publication.	PPP Act (2021), Section 37: Contracting Authority (e.g., ministry/agency) signs; effective after gazette publication.	Law No. 2015-039, Article 15: Contracting Authority signs; no specific formality noted.	PPP Act (2004), Section 6: Public body (Contracting Authority) signs; no publication requirement.	Law No. 27/2021, Article 19: Contracting Authority signs; effective after gazette publication.		PPCDA (2020), Section 46: Contracting Authority signs; no provisions specified.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified.	PPP Act (2021), Article 10: No provisions specified; assumed Contracting Authority signs.	PPP Act (2021), Section 19: Contracting Authority signs; effective after gazette publication.	PPP Act (2015), Section 16: Accounting Officer of Contracting Authority signs; no publication formality.
3	**Standard Contractual terms**	Law No. 1/19 (2019): No standard terms specified.		Law No. 2017-186 (2017): No standard terms specified.		Proclamation No. 1076/2018: No standard terms specified.	PPP Act (2021), Section 39: PPP Directorate issues standard clauses (e.g., risk allocation, termination).	Law No. 2015-039: No standard terms specified.	PPP Act (2004): No standard terms specified.	Law No. 27/2021: No standard terms specified; RDB may develop guidelines.		PPCDA (2020): No standard terms specified.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified.	PPP Act (2021): No standard terms specified.	PPP Act (2021), Section 21: PPP Centre develops standard provisions (e.g., risk, termination).	PPP Act (2015), Section 18: PPP Unit issues standard terms (e.g., risk allocation).
4	**PPP Contracts' Governing Laws**	Law No. 1/19 (2019): No provision; assumed local law (civil law jurisdiction).		Law No. 2017-186 (2017): No provision; assumed local law (civil law).		Proclamation No. 1076/2018, Article 23: Local law required.	PPP Act (2021), Section 41: Local law required (common law).	Law No. 2015-039, Article 20: Parties may choose governing law (civil law).	PPP Act (2004): No provision; assumed local law (mixed system).	Law No. 27/2021, Article 23: Local law required (mixed system).		PPCDA (2020): No provision; assumed local law (mixed system).	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified.	PPP Act (2021): No provision; assumed local law (mixed system).	PPP Act (2021), Section 23: Local law required (common law).	PPP Act (2015), Section 20: Local law required (common law).
5	**Contract Terms Regulated by local laws**	Law No. 1/19 (2019): No specific terms regulated.		Law No. 2017-186 (2017): Step-in rights (Article 18: "lenders may replace private partner").		Proclamation No. 1076/2018: Step-in rights (Article 25: "temporary takeover by authority").	PPP Act (2021), Third Schedule: Transfer of shares, termination, step-in rights, revenue sharing.	Law No. 2015-039: No specific terms regulated.	PPP Act (2004): No specific terms regulated.	Law No. 27/2021: Termination by public party (Article 24).		PPCDA (2020): No specific terms regulated.	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011), no specific provision identified.	PPP Act (2021): No specific terms regulated.	PPP Act (2021): Termination by public party (Section 24).	PPP Act (2015): Transfer of shares, termination (Section 21).
6	**Dispute Resolution Mechanisms**	Law No. 1/19 (2019): Arbitration (Article 18).		Law No. 2017-186 (2017): Arbitration (Article 19).		Proclamation No. 1076/2018: Arbitration (Article 27).	PPP Act (2021): Arbitration, courts (Section 43).	Law No. 2015-039: Arbitration (Article 21).	PPP Act (2004): Arbitration (Section 9).	Law No. 27/2021: Arbitration, mediation (Article 25).		PPCDA (2020): Arbitration (Section 49).	Law: Public Procurement and Disposal Bill, 2011 (PP, 2011, Art. 95-97, Art. 100): Provides a "Right to review" by the Central Procurement Unit, Procurement Compliance Unit, or judicial review.	PPP Act (2021): Arbitration (Article 13).	PPP Act (2021): Arbitration, courts (Section 25).	PPP Act (2015): Arbitration, courts, dispute boards (Section 23).