

France

PPP legislation of 2004



TYPE OF TOOL
Legal instrument



MAIN SECTOR
All sectors



INFRASTRUCTURE GOVERNANCE PILLARS
Efficient and effective public procurement

In a nutshell



OBJECTIVE: The PPP legislation of 2004 sets out the legal and institutional framework for PPPs in France.



Agency in charge
Mission d'appui aux partenariats public-privé (MAPPP)



Levels of government
National and sub-national



Year of implementation
2004



Current status
Fully operational

Overview

Concession arrangements (or “user-pay PPPs”) have been long used in France. More recently, the use of government-pay PPPs has significantly increased with new legislation passed in 2004 which introduced the contrat de partenariat (partnership contract) and set the basis for a central PPP unit. The Legislation of 2004 (PPP law) created a legal framework for Public Private Partnerships in France and MAPPP became responsible for the preliminary evaluation of PPP projects. This legal framework has been merged into the new public procurement code in 2015. Since 2004, more than 250 partnership contracts have been concluded in various sectors from public street lighting to universities, transportation or prisons. For example, in the rail sector, modifications to the existing PPP legislation allowed the railway infrastructure manager to enter into PPPs and contribute financially to the projects. Two main PPP models have since been adopted in French high-speed rail (HSR): partnership and concession. Four public-private partnerships have been concluded and launched between 2010 and 2012, including Liséa (Vinci Group), for the construction of the South Europe-Atlantic high-speed railway line (LGV SEA); Ere (Eiffage Group), for the construction of the LGV high-speed Brittany-Loire line; and Oc’Via (Bouygues Group), for the construction of the Nîmes-Montpellier bypass. France has the largest PPP program in Europe, accounting for about 57% of the total PPP investment in HSR across all European countries (European Court of Auditors, 2018).

REFERENCES:

- European PPP Expertise Centre (2012), *France: PPP Units and Related Institutional Framework*, https://www.eib.org/attachments/epec/epec_france_ppp_unit_and_related_institutional_framework_en.pdf
- European Court of Auditors (2018), *A European high-speed rail network: not a reality but an ineffective patchwork*, https://www.eca.europa.eu/Lists/ECADocuments/SR18_19/SR_HIGH_SPEED_RAIL_EN.pdf