

# *PwC Legal Middle East – Government consulting*





## Who we are

The Government Consulting team is part of PwC Legal ME LLP, serving the Middle East with a prime focus on the UAE and Saudi Arabia. We work closely with PwC across various industries and sectors in providing legal and regulatory consultancy services to our clients, helping them solve their important problems.



## Who we work with

- Federal and state legislatures;
- Local governments and executive agencies;
- Sector regulators and national program units;
- Government business functions; and
- Government independent agencies and state owned enterprises.



## What difference we make

We work with government leaders to enhance public services, support business growth, and people's prosperity by working diligently and creatively on country and sector specific legal infrastructure.

We partner with policy makers and decision takers to upgrade their legal and regulatory ecosystem to adapt to shifting economies, tighter budgets, emerging trends, and innovative breakthroughs.

We also bring insights and international expertise through benchmarking and comparative analysis. Having access to PwC Legal global network of 185 jurisdictions worldwide enables us to tap into leading latest legal trends and bring best practices to our clients customised to their very own needs and fitting smoothly into national ecosystems.

We also conduct stakeholder engagement and solicitation exercises to bring in business and sector insights to policy makers and legislatures. These take account of legislative and regulatory impacts on those entities and sectors captured by their jurisdiction.



## How we help

### *Enabling strategy and transformation:*

We know what it takes to put vision and strategy into policies and binding legal instruments that will not only enable implementation but will also enable accountability and compliance. Successful results can be achieved if there is a commitment and consensus to change, which in many ways can only be regulated through binding legal instruments at national and state levels. We have worked on the implementation of new regulatory rules, new economic strategies and setting up new legal entities for the delivery of emerging roles.

### *Government and organisation restructuring:*

We assess legal mandates and capacities and advise on functions required to implement these mandates. We also advise on the legal requirements for mergers or areas of separation of legal mandates within government or state owned entities. We have worked on regulatory-service provision spin offs, corporatisations and other forms of legal entity and mandate restructuring. We also provide the required legal documentation for the implementation of a proposed approach.

### *Establishing a case for change:*

We assess and evaluate current laws, regulations and contractual instruments, and benchmark these against best international practices and key emerging developments, identifying gaps, challenges and opportunities. We provide analysis on the options for improvements and reform, map key stakeholders and decision makers to the options and support the development of a case for the proposed changes.

## The challenge



### Restructuring of municipal companies to introduce a stake for the country's Sovereign Wealth Fund

- Restructuring municipal entities owned by three key municipal companies of three municipalities in one of the GCC countries, so as to introduce 75% stake into a country's sovereign wealth fund; and
- Developing the companies' existing legal framework bylaws to reflect new ownership and a governance structure to enable efficient operations and financial sustainability.

## The project

- We conducted a thorough assessment of the current legal framework of the three municipal companies, including an analysis of the companies bylaws and governance structures and key operational impediments;
- We identified two ownership and governance structures and provided a detailed analysis of each structure supported by international and local benchmarks and two site visits to similar entities in Turkey and Malaysia; and
- We provided the final recommendations and implementation tool kit for the best fit ownership and governance structure and supported our client in presenting the proposed solution to key stakeholders.

## The value added

- We undertook proactive legal diagnosis identifying key legal impediments hindering the operations of the municipal companies;
- We designed a new ownership and governance structure that captures the objectives, and safeguards the municipal development objectives;
- We introduced PwC global network expertise to support the international benchmarking; and
- We undertook implementation support, including advice on key legislative amendments required.



### Legal framework for the set up of a Unified National Medical Record

- Enhancing the services provision in the health services sector at national level through enabling access to unified records across all government service providers;
- Enabling the set up and implementation of a centralised national database system to leverage population health data in health analytics and provide insight to the clinicians which will contribute to the development of healthcare services and solutions; and
- Enabling fast and reliable access to patients medical data.

- We advised on the required legal framework to support the implementation and enforcement of a unified national medical record across all health services providers and regulators in the country.

- The success of unified platform is dependent on the engagement of all stakeholders and market participants which require an enabling legal framework to ensure sound implementation and enforceability, which we delivered; and
- We supported our client in achieving its mandate to develop, operate and manage the innovative platform for health services solutions related to national medical records.

## Our innovation

We have proven synergies with other PwC services and have partnered successfully in delivering best comprehensive end to end services to our clients. Having access to industry subject matter experts enables our lawyers to read the laws within the industry/business context and offer the best legal solutions.

Being part of a global network of PwC allows us access to experts in more than 185 jurisdictions around the world which brings international and regional experience to our clients.

Our people are a healthy mix of local and international lawyers and consultants, and we understand the region and countries we provide services in, we also understand our clients' governmental needs and current ecosystem, which help us provide a tailored service.

## Sample projects

We have been working closely with key government clients, helping them implement their national strategies and enhancing laws and regulations for better societies and economic growth through various legal models.

We don't have a one size fits all approach. Instead, we partner with our clients and invest in understanding their needs, challenges and opportunities, and put our best proven tools and methodologies to serve our clients in a creative and efficient manner.

In addition to working with centers of government, we also work with sector specific entities, in energy and infrastructure, health care, financial services, and cities and master developers such as free and special economic zones.

### The challenge

### The project

### The value added



#### Legal framework for regulating crowdfunding

- Supporting the growth in crowdfunding platforms in the country and the growing need to protect investors' interests in the absence of clear rules around risk associated with peer to peer funding platforms.

- We conducted an assessment on the regulatory environment in the relevant jurisdiction and identified a legal base for regulating the crowdfunding activities;
- We identified the required legal instrument for introducing new rules and worked closely with the state regulator on the legal rules for enforcement; and
- We advised on the final draft of the rules and provided an overview on implementation measures required.

- The legal rules achieved the right balance between regulating the activity/providers in a way that protects investors' interest but at the same time doesn't hinder sector growth; and
- We were able to strike a good balance between regulation and compliance burden on small to medium enterprises so as not to overburden emerging businesses.



#### Legal framework for the set up and operations of Innovation Fund

- Enhancing innovation among entrepreneurs by allowing more access to finance to innovators in a GCC country by setting up an innovation fund to guarantee finance extended to fund beneficiaries;
- Supporting the set up of the fund by providing a legally feasible yet flexible set up to support government sponsorship to enable the implementation of the financial model; and
- Solving the challenge of a limited legal mandate to the project sponsor.

- We conducted an assessment on the regulatory environment in the relevant jurisdiction to set up an Innovation Fund;
- We identified a requirement to regulate federal government access to a guarantee fee (innovation fund), and copyrights revenues (accelerator);
- We conducted a legislative impact assessment on the innovation initiatives to determine potential conflicts and areas for change; and
- We advised on the best set up and operational structure that would achieve the required governance of the sponsoring government entity without exposing it to legal liability or jeopardising its legal mandate.

- The legal set up designed and implemented was a unique and creative structure that allowed the government to sponsor the fund without having to compromise on its mandate;
- We enabled the sound implementation of the guarantee scheme without comprising on the sponsors' or the beneficiaries interests; and
- We supported our client beyond implementation in negotiating and settling the contractual arrangements for the hosting and operations of the fund.

## Let's talk



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