

NB. – THE COMMERCIAL SEA PORTS OF UKRAINE BECAME THE OBJECT OF THE CONCESSION. – NOVEMBER 22, 2012

With a view of coming into operation of some provisions of the Law of Ukraine "On Sea Ports of Ukraine", the Cabinet of Ministers of Ukraine has adopted the resolution "On some issues of concession of state property" № 1055 dated October 15, 2012 (hereinafter - "**Resolution**"), according to which 18 state enterprises, namely seaports, identified as objects of state property, which can be granted to concession.

In accordance with the provisions of the Resolution, the List of state-owned property which can be transferred to the concession is supplemented by the following section:

"Property companies that are integral property complexes or a system of integral property complexes providing comprehensive services in the field of operation of sea ports and their infrastructure"

This section includes 18 state enterprises - all is seaports of Ukraine, namely

- **State Enterprise "Odessa Commercial Sea Port"**
- **State Enterprise "Nikolaev Commercial Sea Port"**
- **State Enterprise "Illichivsk Commercial Sea Port"**
- **State Enterprise "Sea Commercial Port "Yuzhny"**
- **State enterprise "Mariupol Commercial Sea Port"**
- **State Enterprise "Sevastopol Commercial Sea Port"**
- **State Enterprise "Kherson Commercial Sea Port"**
- **State Enterprise "Kerch Commercial Sea Port"**
- **State Enterprise "Feodosia Commercial Sea Port"**
- **State Enterprise "Yalta Commercial Sea Port"**
- **State Enterprise "Berdyansk Commercial Sea Port"**
- **State Enterprise "Belgorod-Dnestrovsky Commercial Sea Port"**
- **State Enterprise "Evpatoria Commercial Sea Port"**
- **State Enterprise "Izmail Commercial Sea Port"**
- **State Enterprise "Specialized Sea Port "Oktyabrsk"**
- **State Enterprise "Reni Commercial Sea Port"**
- **State Enterprise "Skadovsk Commercial Sea Port"**
- **State Enterprise "Commercial Sea Port "Ust-Dunaisk"**

The state authority authorized to sign the concession contracts is the Ministry of Infrastructure of Ukraine.

At the same time the Resolution stipulates that in the propose of drafting of the concession tenders regarding the property of seaports and relative concession agreements, obligations of the concessionaire shall include, in particular, fulfillment of obligations of the state-owned enterprises (including obligations related to the credit repayment), which directly relates to the assets granted to concession.

It should be expected that details of such obligations will be announced at the time of concession tenders.

This information shall not be considered as a legal advice and is accurate at the date of its publication. Should you require further information, please contact the law firm Rabomizo.