

# CONSTRUCTION AND REAL ESTATE

Capacity Statement



# About Us



Apolat Legal is one of the prestigious and professional law firms with headquarter located in Ho Chi Minh City.

With a team of young, dynamic, and experienced lawyers, Apolat Legal has gradually affirmed its position of providing legal services in Vietnam.

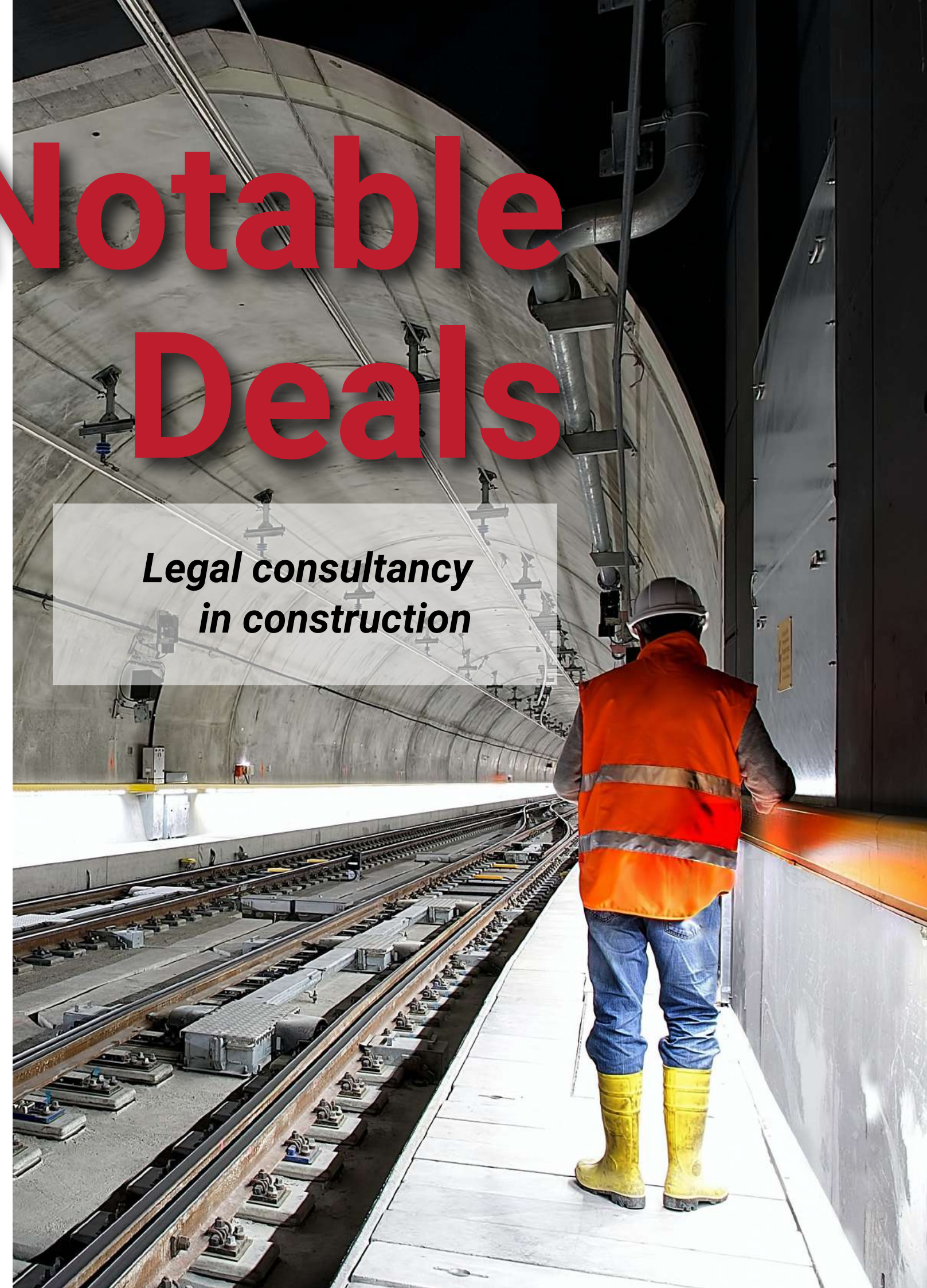
In its course of operation, Apolat Legal has consulted and supported thousands of businesses in many different industries, including those in the field of construction and real estate. In 2020, Apolat Legal was honored to be evaluated as a law firm with potential in construction matters by Asialaw (an organization specializing in evaluating and choosing the top law firms of each country and region in Asia annually).



# Notable Deals

## 1. Services provided include:

- (i) Reviewing Construction Contracts (Including FIDIC and other specialized contracts depending on each project);
- (ii) Consulting on issues to deploy construction investment activities in Vietnam;
- (iii) Consulting on termination and liquidation of contractors' activities in construction investment projects;
- (iv) Representing to apply for permits or approvals for domestic and foreign contractors to meet the conditions for participation in construction activities in Vietnam;
- (v) Consulting on other legal compliance issues in the field of construction.



***Legal consultancy  
in construction***

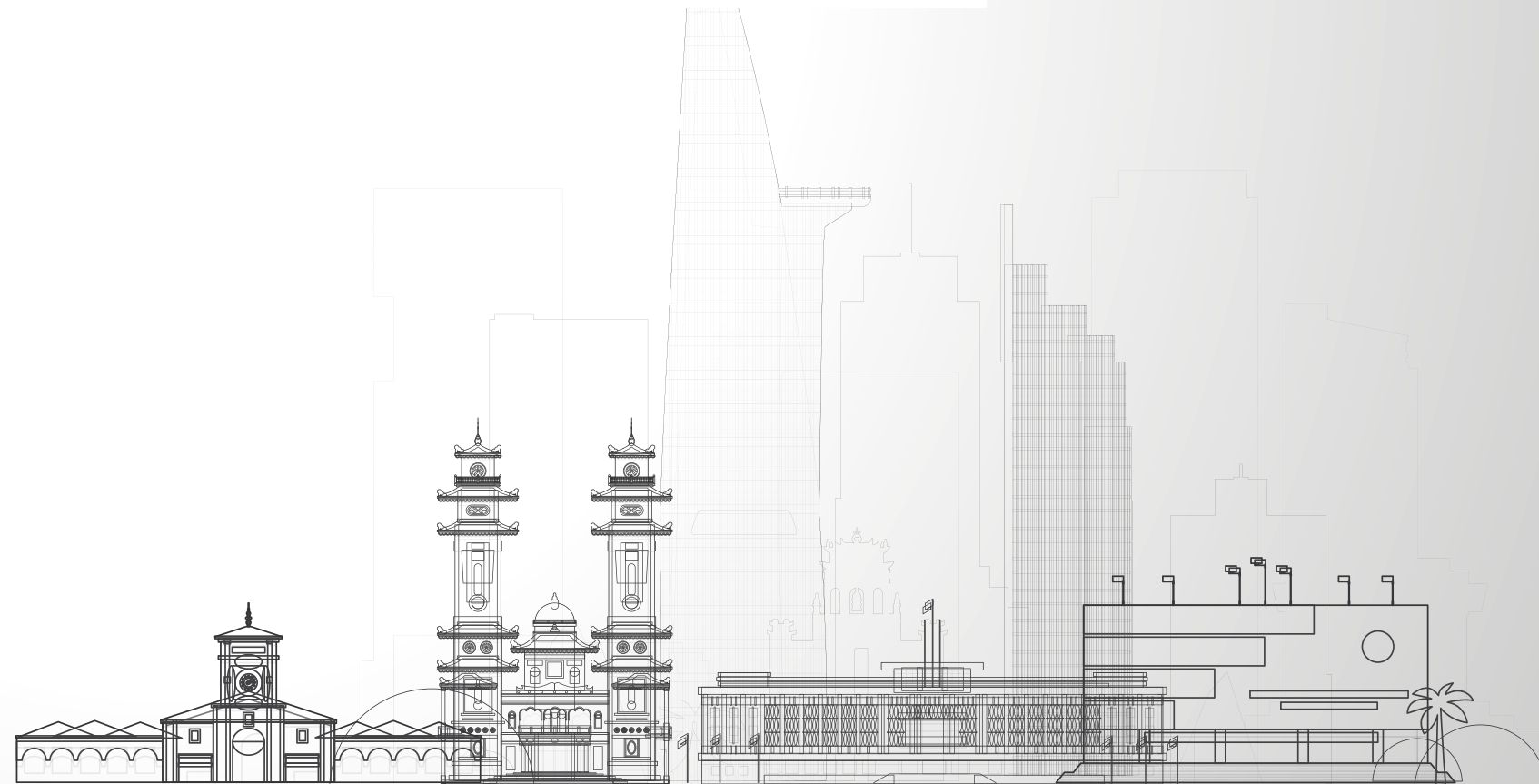


# Notable Deals

## 2. Typical and recent transactions:

Apolat Legal was selected as a legal advisor for the operation of large and medium-sized construction companies in the Vietnamese market in providing legal services related to construction investment projects built by those companies engaged in construction activities in Vietnam.

***Legal consultancy  
in construction***





# Notable Deals



## 1. Services provided include:

- (i) Evaluating the feasibility of the project and supporting to create project implementation ideas;
- (ii) Consulting and applying for approval of investment policy for the project;
- (iii) Consulting and applying for investment registration certificates for the project;
- (iv) Supporting in creating the site clearance plan;
- (v) Consulting and representing to apply for construction permit for the project;
- (vi) Providing legal support during the construction and implementation of the project;
- (vii) Consulting and supporting negotiations between the Investor and related parties on issues arising during the project implementation;
- (viii) Consulting and supporting the Investor to work with competent authorities on project-related issues.

***Legal consultancy  
on investment, creation,  
development of projects***



# Notable Deals

## 2. Typical and recent transactions:

**Consulting on transaction structure of apartment projects for a large real estate company in Vietnam (“Company”):**

Apolat Legal advised on transaction structure and conditions to operate a real estate development project under the management of the Company - specializing in the construction and trading of commercial apartments in Ba Ria-Vung Tau province, Vietnam. Apolat Legal has supported the Company from the stage of consulting the project structure, the form of capital mobilization in accordance with the law and the project implementation situation.

At the same time, Apolat Legal also supported in the preparation of transaction documents (deposit contract, purchase and sale contract, etc.) according to the consulted structure and conducted administrative procedures at the competent state agency for approval of the transaction documents.

***Legal consultancy  
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development of projects***



# Notable Deals

## **Investment consulting to create and develop an Industrial Zone project:**

Apolat Legal is the legal consultant in Vietnam for a Client who is a Korean investor in applying for the Government's investment policy for an industrial zone infrastructure development project in Quang Ngai province with a scale exceeding 245 hectares.

Apolat Legal also represents the Investor in working with local administrative agencies at all levels as well as Ministries - Agencies at the central level to explain and answer questions related to the project to obtain approval of the Prime Minister for the policy.

In addition to applying for approval of investment policy, Apolat Legal also accompanies the Client to advise on the application of construction permits, environmental impact assessment, fire prevention, etc., so that the Client has a sufficient legal foundation to confidently develop the project.

***Legal consultancy  
on investment, creation,  
development of projects***



# Notable Deals

**Consulting on procedures to apply for housing numbers for an apartment project:**

Apolat Legal represents a Singapore-invested real estate developer to advise and apply for housing numbers for more than 300 apartment units at a project in Cau Kho Ward, District 1, Ho Chi Minh City. Simultaneously, work with state agencies to explain problems in the application dossier to accelerate the process of applying for housing numbers for the apartment project.

***Legal consultancy  
on investment, creation,  
development of projects***





# Notable Deals



## 1. Services provided include:

- (i) Supporting by preliminary legal advice and assessment of position in the dispute;
- (ii) Representing to participate in the negotiation and conciliation process with the opposing party to resolve the dispute;
- (iii) Drafting authorization contracts and lawsuit documents in case of unsuccessful negotiation;
- (iv) Representing in working with competent state agencies and parties involved in the dispute;
- (v) Representing to participate in the dispute settlement process at Court or Arbitration to protect the legitimate rights and interests of customers.

***Settlement of  
disputes in relation to  
construction activities***



# Notable Deals

## 2. Typical and recent transactions:

We provided consulting services to resolve disputes relating to construction on claims for damages upon termination of construction contracts between a construction company and a Singapore-invested investor.

***Settlement of  
disputes in relation to  
construction activities***





# Notable Deals

## 1. Services provided include:

- (i) Search and introduce potential real estate and construction investment projects;
- (ii) Legal consulting related to the offering plan (for the seller) and the acquisition plan (for the buyer) based on project potential assessment, analysis of information on legal and market policies;
- (iii) Legal consulting on financial obligations and procedures to be carried out for an M&A deal of a real estate / construction investment project;
- (iv) Carrying out legal due diligence on targeted real estate / construction investment projects, thereby determining the real value of the project;
- (v) Consulting on restructuring, rearranging and implementing post-M&A project activities;
- (vi) Supporting and representing customers to negotiate with partners in M&A deals to help customers optimize advantages and minimize risks in the deal;
- (vii) Consulting and representing to carry out legal procedures related to M&A deals at competent state agencies.

*Consulting M&A transactions*





# Notable Deals

## 2. Typical and recent transactions:

### **Consulting on an M&A deal for a Beach resort – villas, golf courses real estate project**

Apolat Legal represented a foreign investor to acquire a Korean-invested company – the company that owns the largest real estate project in Binh Thuan province. The deal value is up to 100 million dollars.

### **Consulting on a cross-border M&A deal**

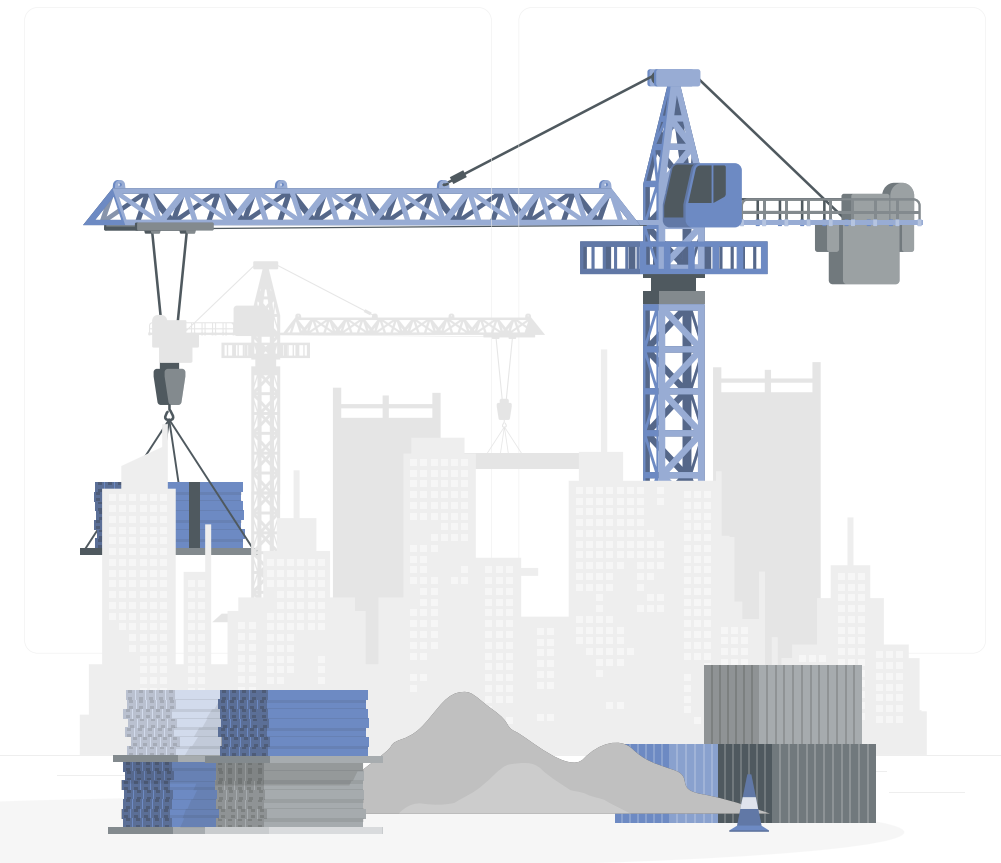
Apolat Legal has advised an investment company on the acquisition of a foreign company in the British Virgin Islands, holding a 70% stake in a public-private foreign joint venture in Vietnam to take over an office building for rent in District 1, HCMC.

### **Consulting on a M&A deal for real estate project in Vung Tau**

Apolat Legal has advised Taiwanese investors to acquire a Vietnamese company that owns 10,000 hectares of land in Vung Tau.

**Apolat Legal participated in consulting a series of real estate transactions from small to medium projects in Ho Chi Minh, Hanoi, and Dong Nai regions.**

***Consulting M&A transactions***







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