



SEMPÉRTEGUI ONTANEDA  
ABOGADOS



## Services

The services of Sempértegui Ontaneda Abogados are focused on meeting the needs of the foreign investor who is considering Colombia as an investment destination.

### ■ Assistance in the process of installation of the investment

#### a) Exploratory regulatory analysis

In order to adequately analyze the legal implications of setting up a business activity in Colombia, Sempértegui Ontaneda Abogados prepares legal reports that thoroughly analyze the relevant aspects of the regulations applicable to the specific economic activity of the client.

This analysis includes initial assessments on relevant fields, such as taxation, labor law, currency exchange regime, foreign direct investment rules and its legal protection, applicable rules of competition law and rules for doing business with the state. The report is specifically addressed to the client and the necessary explanations and clarifications will be made to make it a useful tool for corporate decision-making.

#### b) Incorporation of the investment in Colombia

Once the first phase is executed and the decision to move forward with the foreign investment is made, Sempértegui Ontaneda Abogados **executes all the necessary acts for the proper incorporation of the business in Colombia:**

- Tax planning strategy, including the international component.
- Incorporation of the business, according to the model decided.
- Labor strategy and specific contracts.
- Foreign trade strategy for the applicable activity.
- Intellectual property protection.
- Obtaining migratory permits for foreign personnel.
- Insurance negotiation.

### ■ Legal advice for the execution of projects

Our team is able to provide legal advice in all phases of projects in the following areas and industries:

- Energy (oil, gas, electricity, renewable energy) and extractive industry (mining)
- Public and private infrastructure
- Commercial and retail.
- Tourism
- Finance
- Residential and commercial real estate
- Healthcare and pharmaceutical
- Agriculture
- Industry and manufacturing
- Education

### ■ Investment in Latin America from Colombia

Because of its legal and natural characteristics, Colombia is the natural point of entry of foreign investment to Latin America, from North America, Europe and Asia. Once the investment in Colombia is established, **the firm advises clients in its expansion process in the region**, under a model similar to the one used for Colombia. For the provision of this service, legal teams are structured ad-hoc with members of the firm and external professionals, to meet the exact needs of the client.

## ■ Services for specific cases

From the experience of the law firm in Colombia and abroad, we offer specific services to attend to the following needs:

- Submission of proposals and negotiation of contracts with the government.
- Legal representation in processes of mediation, arbitration and commercial, national and international litigation.
- Negotiation of complex contracts, national or international.
- Transactions related to the stock market.
- Tax planning, national or international.
- Foreign trade strategy planning.
- Legal representation in litigation against the government.
- Preparation of internal anti-corruption codes, observing national and foreign legislation.
- Structuring of public - private partnerships.
- Analysis to prevent risks arising from legal changes because of national commitments on climate change.
- Development of legal or regulation draft texts, to be presented as an alternative to the competent authorities.

## Professionals

The team of professionals that integrates Sempértegui Ontaneda Abogados in Colombia **has decades of experience in the specialized representation of companies in the country**, in each of the areas of service offered in this presentation. In addition, the experience of the team in international projects **allows us to understand the client's needs and work under the global standards of legal services.**

## ■ Success cases

Some success cases of the professionals who are part of the law firm are:

- A business was successfully represented in an arbitration court against a multinational company for violation of the commercial agency contract and violation of free competition.
- An American investor was advised for the development of a waste to energy conversion project in Valle del Cauca Department.
- National and foreign companies have been successfully advised in the optimization of their tax obligations, through national and international planning.
- The interests of a not-for-profit entity were successfully represented in the defense for the non-extinction of ownership of 834 commercial stores.
- International oil companies have been advised in the process of acquiring assets in Colombia, as well as selling them.
- Several companies have been judicially represented in contentious-administrative proceedings against DIAN, obtaining favorable judgments from the Council of State.
- Dozens of real estate projects have been structured, using commercial and stock market vehicles.
- A contractor client was successfully advised, in the event of a bankruptcy of one of its international partners in an PPP project, that prevented the development of the project.
- Advisory in the process of expansion of electric transmission in Colombia, as a result of which, the Colombian government was able to select investors for the construction of new transmission networks.
- Foreign companies established in Colombia have been successfully advised in the process of making investments in other Latin American countries.
- An important financial institution was legally advised in twelve international contracts of financial derivatives and securities, including ISDA, GMRA and GMRLA, as well as the effective issuance and trading of securities of that entity.
- Several financial entities were advised in their M&A processes.
- A financial entity was represented in the negotiation of several contracts for the acquisition of goods and services with multinational companies.



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