



**Law
Associates
Advocates**



FIRM PROFILE

2022

BACKGROUND

M/s Law Associates Advocates (the Firm) is a full-service law firm that constitutes of several advocates, legal consultants and a number of paralegal and administrative staff. It was established way back in May 1991. It is a partnership registered entity under the laws of Tanzania.

The Firm has evolved over the years in terms of personnel and a wide spectrum of legal services it offers. Some of its partners and Associates are also admitted and practicing in Zanzibar.

One of the attributes of the Firm includes its ability to find innovative solutions to the most complex legal problems and the highest level of professionalism, integrity and diligence. Law Associates Advocates is a one-stop hub to your most pressing legal queries. Be it a massive corporate matter, or a sensitive criminal one, you can find your solution with us.

With retainer-options we can be a part of your legal panel and offer you timely advice on a day-to-day basis as well. This way, you don't have to be drowning when you are contacting a lawyer.



SPECIFIC AREAS OF LEGAL PRACTICE AND COMPETENCY

The Firm offers a diversity of expertise in all areas of major law practice in Tanzania. The Firm offers a full complement of Legal Services in the following fields of law

- › Land Law and Conveyancing
- › Mining, Energy, Oil & Gas
- › Corporate and Business Law
- › Secretarial Services Support
- › Intellectual property law
- › Banking and Finance Law
- › Labour and Employment Law
- › Regulatory Law
- › Competition Law and Mergers & Acquisition
- › Aviation and Maritime Law
- › Tax Law
- › Insurance Law
- › Consultancy on matters of Environmental Law
- › General Litigation/Alternative Dispute Resolution
- › Telecommunications Law
- › Procurement Law, etc.
- › Administrative and Public Law
- › Probate, Succession and Trusts



LAND LAW AND PROPERTY CONVEYANCING

The Firm is privileged to have lawyers possess a wealth of knowledge and experience on Land/Property and Conveyancing Law. We advise on property acquisition and development and further prepare the requisite instruments to necessitate the acquisition including survey and planning laws.

We also prepare the necessary documentation for transfer of immovable properties and register Mortgages and Charges in favor of our clients. The Firm also provides advice on real estate matters and litigate in respect of all property-related matters.



MINING, ENERGY, OIL AND GAS

Tanzania is one of the African Countries endowed with rich mineral deposits ranging from Gold, Diamonds, Platinum and various types of gemstones among others. It is also home of a huge discoveries of energy sources such as oil, gas, coal, Iron etc.

Presence of these resources has attracted a number of both international and local investors. Large energy and mining investments require expertise, experience, skills, techniques, innovation to meet various demands and interests. The Firm recognizes all these needs.

With its vast experience in both local and international know-how coupled with good relationships with stakeholders and a broad ranging of skills and experiences in land and conveyancing, corporate, competition, mergers & acquisitions, tax, securities, environmental law etc., the Firm is dedicated to deliver composite legal services to assist its clients realizing their investment plans and goals.



CORPORATE LAW

There are various ways to do business in Tanzania and elsewhere in the world. While our clients run their businesses, we take care of their legal needs arising from commercial aspects. These commercial aspects range from incorporation of all kinds of Companies and other organizations such as trust bodies, non-profit organizations and charities, partnerships, registration of branches of foreign companies, representative offices, registration with the Tanzania Investment Centre (TIC), de-registration, winding-up and liquidation of companies etc.

Our corporate law Team enjoys a fair and just reputation for the quality of their work. We assist our clients to prosper in their business by eliminating any legal hitches that they may encounter on a day to day running of their businesses.

Under this head, we undertake other areas of practice that are affiliate to commercial law. They include: - Business law, Commercial law, Partnerships, Company law, Labour and Employment law, International Trade law etc.

We, in particular advice on structuring of transactions such as sale of shares, sale of businesses and sale of assets. Moreover, we advise on mergers, acquisitions, takeovers and draft complex contracts of various nature including joint ventures, Distribution, Agency & Franchise Agreements etc.

We conduct due diligence and carry out investigations on any matter referred to us and compile reports thereon for our corporate clients. We also advice on tax implications in relation to various commercial transactions.

As a result of research, consultations and presentations that they have been involved into the team has gained enormous personal experiences over the years working as corporate lawyers for reputable national and multinational clients. We have also served as legal advisors to the successful public listing at the Dar es Salaam Stock Exchange and the London Stock Exchange.

We further conduct searches at various registries, e.g., Registrar of Companies (BRELA), Land Registries.



SECRETARIAL SERVICES SUPPORT

The Firm has a dedicated Company Secretarial Department comprised of experienced and committed lawyers. This department provides expert and practical assistance to local and multinational companies, their Boards of Directors and Managements and all companies' compliance issues. In particular we act as company secretaries of various local and international companies, maintenance of statutory records and record-books.

The Firm also provides advisories on all matters concerning shares, meetings of directors and shareholders and all other compliance issues.



INTELLECTUAL PROPERTY LAW

The Firm offers broad -based services in this area including advice on acquisition, registration, protection, exploitation and litigation of Intellectual Property Rights. These rights include: trade and service marks, patents, industrial designs and copyright. The Firm has put in place effective and pro-active trademark clearance and registration strategies to ensure that all registered brands are properly protected.

In particular the Firm provides advisories on trademarks clearance searches and registration, maintenance and renewal, auditing trademarks portfolio, trademarks docketing, and trademarks acquisition and assignment, trademarks conflict prevention and resolution etc. The Firm is also very good in handling trademarks litigations at the office of the Registrar of trademarks, Fair Competition Commission (FCC), Fair Competition Tribunal (FCT) and the Court of Appeal of Tanzania.



BANKING AND FINANCIAL SERVICES

The Firm has made several legal advisories in various banks and financial institutions. The firm's attorneys' have specialized knowledge and experience in banking and finance law to enable them efficiently assist financial institutions in their day-to-day operations. We advise our clients on regulatory matters and prepare the essential documentation.

We, in particular, offer expert services on

- › Project financing
- › Restructuring and recapitalization
- › Banking transaction documentation including bank guarantees, letters of credit and other trade finance documentation
- › Preparation, drafting and execution of lending and security documents
- › Advice on all aspects of banking
- › Advice on international development projects
- › Banking compliance rules and regulations
- › Preparation of contracts and various financing documentation
- › Registration of securities at respective registries
- › Recovery and litigation proceedings at every level; etc.



LABOUR AND EMPLOYMENT LAW

The Firm advises its clients on all legal aspects of employment and labour law to ensure full compliance with all the applicable laws, regulations and rules. We offer a comprehensive range of professional services on labour and employment matters as follows

- › Drafting of Employment Contracts
- › Advice on the labour implications on acquisitions and mergers
- › Advice on termination of employment, retrenchment and rationalization
- › Advice on alternative means of dispute resolution, including mediations and arbitration
- › Formulation of strategies in preventing strikes, lock-outs and other forms of industrial action
- › Representation in the labour courts and institutions
- › Advice on unfair labour practices
- › Advice on statutorily-based employment conditions and minimum standards
- › Industrial law litigation
- › Processing of Work Permits and Residence Permits for employees of foreign investors; etc.



REGULATORY LAW

Privatization in Tanzania has led to the enactment of regulatory laws and creation of regulatory bodies in areas such as telecommunications, broadcasting, water and energy, transportation, banking and many other areas. Compliance with the regulatory requirements is becoming more complex and costly. Investigations by various authorities and enforcement are increasingly frequent and more aggressive.

The Firm has over the years exhibited competency on knowledge of procedural rules in dealing and achieving results in Competition investigations and inquiries; mergers and acquisitions; regulatory proceedings before the Fair Competition Commission, the Fair Competition Tribunal, EWURA, SUMATRA, TCRA; and high profile private antitrust lawsuits before the High Court (Commercial Division and the Main Division) and the Court of Appeal of Tanzania. This department also houses regulatory lawyers who have offered services to a wide range of local and international clients in the area of Tobacco (both downstream and upstream), Telecommunication, Energy, Water, Transport, and Maritime among others. We understand that compliance to the regulatory regime is important to the sustainability of a business. We usually work closely with the regulatory authorities in identifying the specific sector risks and advise our clients on how to manage such risks. In this regard, we boast a strong relationship with regulatory authorities in Tanzania.

The Firm has made several legal advisories to Regulators like, Tanzania Mining Commission, Energy and Water Utilities Regulatory Authority (EWURA), Tanzania Communications Regulatory Authority (TCRA) etc.



COMPETITION, MERGERS & ACQUISITION

The Firm has built immense capacity in this area. It has had advantage of advising and representing various corporate clients from within and outside Tanzania on Competition and Mergers & Acquisition.



AVIATION, CARRIAGE BY SEA AND MARITIME LAW

The development of aviation law in Tanzania has paralleled the growth and development of the aviation industry. Tanzanian transportation law both on land and sea are largely based on English Law on the same subjects.

Given that Tanzania is a prominent multi sea-ports country the Firm specializes in dealing with all sorts of shipping and admiralty related contentious and non-contentious matters. Lawyers from the Firm have represented various foreign clients on matters relating to arrest of vessels as well as suits involving cargo claims.

The firm stands ready to offer advice pertaining to aviation law and matters relating to the industry as well. Areas of specialization include

- › Interpretation of insurance policies
- › Advice regarding insurance claims
- › Analysis of international conventions
- › Advice on licensing air transportation
- › Accident inquiries and advice on liability claims (cargo and passengers)
- › Advice on sea transportation
- › Maritime Law and Shipping generally
- › Ocean Management and Coastal Zone Law



TAX LAW

We understand the Legal intricacies of Tanzania Tax regime. Our Partners, Associates and Consultants have established a solid track record for high quality and sound as well as extensive experience in negotiating and contesting tax disputes including matters concerning double-taxation treaties with various countries.

Specialist services offered by the Firm on this category include

- › Advice on all tax matters, including the most tax-effective structuring of transactions and the selection of appropriate tax structures for the establishment of new businesses
- › Transfer pricing and transfer pricing policies
- › Negotiating with Tanzania Revenue Authority and the Ministry of Finance
- › Litigating on tax matters in the appropriate courts, including Tax Revenue Appeals Board, Tax Revenue Appeals Tribunal and at the Court of Appeal



INSURANCE LAW

The Firm offers legal services in the insurance industry. In particular, we advise on the insurance legislation and litigation on policy liability or repudiated claims. We advise on the regulatory aspects and compliance with the applicable legislation. Our Attorney's assist in assessment of liability on policy and analyze product liability claims with a view to resolving such claims. A complete range of services include advice on

- › Aviation and marine insurance
- › Professional indemnity
- › Financial Institutions – Banker Blanket Bond
- › Product liability
- › Fire, accident and general liability insurance
- › Reinsurance
- › Policy drafting and underwriting
- › Disputes resolution and litigation; etc



ENVIRONMENTAL LAW

We have responded to the increasing demand for services in this area. Staffed by consultants, we can assist clients to accommodate the need for environmental protection. To avoid inevitable conflict arising from non-compliance of environment laws we offer the following services

- › Advice on legislation relating to the environment
- › Advice on risk assessment
- › Co-ordination of environmental impact assessment studies
- › Civil litigation
- › Defending criminal prosecutions
- › Dispute resolution through mediation
- › Making representations to public authorities
- › Updating clients on developments in environmental law
- › Advise on Environment Management Assessment (EMA); etc



GENERAL LITIGATION AND ALTERNATIVE DISPUTE RESOLUTION

Litigation is an unpleasant experience. That is why we try as much as we can in litigation prevention. However, if push comes to shove, we confidently and aggressively represent our clients in all the courts in Tanzania including in ombudsmen and tribunals.

Before, we resort to litigation our lawyers constantly evaluate each case on its own merit. During evaluation, we look at realistic outcome prior and throughout the litigation process so as to ensure the best outcome for our clients.

The Firm has a good ethical and rectitude track record in both civil litigation and criminal litigation.

The Firm provides a specialized and quality legal advice on issues of litigation arising from various areas of the law. Our practice areas include

- › Banking and financial institutions related Disputes
- › Telecommunications
- › Construction disputes
- › Arbitration
- › Commercial and industrial disputes
- › Commercial frauds (including urgent attachment orders)
- › Mining disputes
- › Personal injury claims
- › Land disputes
- › Criminal law
- › Cases predicated on breach of contracts of sales and supplies
- › Insurance
- › Competition, Mergers & Acquisition
- › Procurement
- › Broadcasting
- › Intellectual Property
 - › Misfeasance Actions
 - › Oppression Actions

The firm has had a rare opportunity of handling some of the biggest cases locally and internationally in terms of complexity and amounts involved in the areas of Mining, Tax, Competition, Commercial, Energy, Insurance, labour and employment, intellectual property, contracts etc.

AFFILIATE / ASSOCIATES PARTNERS

We do not Affiliate/Associates partners. However, the Firm has got a reputable international law firm with which we cooperate on a case-to-case basis. This is Hogan Lovells. Hogan Lovells is co-headquartered in London and Washington, D.C. It also has offices in South Africa and other parts of the world.

NUMBER OF EMPLOYEES

The Firm has twenty-eight employees comprising of Four Partners, two Associates Partners, Four Advocates, two legal officers, one paralegal, a court clerk, an administrative officer, IT officer, accountant/cashier, secretary, librarian, two security guards, two drivers and two office attendants.



THE FIRM'S ATTORNEYS

Dr. Ringo Willy Tenga

Has been a legal advisor and consultant for some leading businesses in Tanzania including land; mining and oil & gas; competition and mergers & acquisition, corporate matters, banking and finance law; telecommunications; regulatory law etc.

He has undertaken numerous legal commissions in advising, reviewing, carrying out due diligence, competition and mergers & acquisitions and restructuring for several companies. He was consultant to the Government of Zanzibar on trade liberalization and free port legislation. Has been also the Legal Advisor to specialized NGOs on land tenure related matters (Pastoralists' Land Tenure, Law of Succession, Common Property Regimes, Consumer Protection Laws, etc.).

He also has undertaken Consultancy Works with Government Ministries (esp. the Ministry of Lands – Unit Titles (Condominium) Registration which included the consideration of Mortgage Financing Law. Later in 2007 – 8 Member of Ministry of Land's Unit Titles Regulations Drafting Task Force, Lead Consultant in Drafting of Conversion of Existing Properties to Unit Title Regulations;

World Bank Co-Consultant in Review of Land Tenure System in the SAGCOT Corridor of Tanzania (also known as the Uhuru Railway Corridor- covering 7 Regions of Southern Tanzania – Pwani to Rukwa/Katavi) , 2012; Team Leader of World Bank Tanzania LGAF Report for 2015 (With Dr. Sist Joseph Mramba) etc.



LLM, JSJ Cornell University, New York

Partner

Mr. Cuthbert Tenga

He is a Senior Partner admitted in the Bar since 1996 to date. His Roll Number 599 with a renewed practising status. Before then he worked as an Advocate for Tanzania Legal Corporation and later as Corporation Secretary with Arusha International Conference Centre.

In all these organization Mr. Cuthbert was involved in industrial disputes, negotiations of agreements, all corporate matters including corporate governance, company secretarial matters etc. specializing in commercial law, transactional law and all corporate matters. Having worked Court work in all matters of Criminal and Civil Nature (Litigations), International Law, Law of the Sea, Labour and Environmental Law.



LL. B (Dar), LL.M (Canada).

Partner

Mr. Sam A. Mapande

A senior Partner and has been a practicing advocate since 2004 to date. He was admitted in the bar with Roll No 1026 and his status is current. He specializes in commercial law, tax law both local and international, mercantile law, transportation law, communication law, banking law, Maritime Law, International Law, Law of Conveyancing, Company Law, mining, oil & gas law, etc.

He worked as a Corporation Secretary (Assistant Managing Director) for the National Shipping Company where he was involved in industrial relations and disputes, development of Maritime Laws and negotiations of bilateral agreements, insurances, maritime conventions and corporate matters and company secretarial practices.

He participated in the public listing of various companies at the Dar es Salaam Stock Exchange and at the London Stock Exchange. He has since then been providing advisory services on various issues including corporate matters generally and corporate governance, secretarial services etc. to these public listed companies. He is also advising

acquisitions etc. Mr. Mapande has extensive experience in drafting development agreements; Collective Investment Schemes for clients, and Trusts.

Mr. Mapande has advised various clients on mining rights and intervened on behalf of Clients with the Commissioner for Mines; carried out due diligence on mineral rights on behalf of mining houses; advises lenders on the potential use of mineral rights as security for loans; a consultant on environmental standards; co-drafter of various regulatory statutes like EWURA, SUMATRA along with Professor Ashley Brown of Harvard University.



LL.B. (Dar), LL.M. (Wales); Maritime Law (Cambridge).

Partner

Mr. Rosan Mbwambo

A Senior Partner and Advocate admitted in the Bar since 1998 and practicing as such since then to date. His Roll Number is 670 with a renewed status. His main areas of specialization include both national and international arbitration, telecommunications laws, commercial law, public procurement law, competition law, mergers & acquisitions, secretarial services in both private and public companies.

He has also been providing advisory services on arbitration, procurement, construction and construction disputes, finance and banking law, intellectual property law, mining, energy and oil & gas law, labour law, land law and conveyancing, company law, bankruptcy, insurance law, media law, receivership, international trade, tax and civil law.

Mr. Mbwambo is one of the foremost experts on Alternative Disputes Resolution (ADR) - reconciliation, adjudication, mediation and arbitration both national and international. Currently, he is a resource person in the Tanzania Institute of Arbitrators (TIArbs)

and National Construction Council (NCC) arbitration courses program. He is also one of the resource persons in the Institute of directors training programs where he is teaching directors of both private and public companies on matters of corporate generally and corporate governance.

He is associated with ground breaking decisions in litigation and arbitration in his areas of specialization.

He is presently in panel of Arbitrators with NCC and TIArbs). He also currently a sitting member and de-facto deputy chairman of the Public Procurement Appeals Authority (PPAA).



LL. B (Dar), LL.M (Dar)

Partner



LL. B (Hons) (Mzumbe),
PGD in Legal Practice (LST)

Associate Partner

Mr. Emmanuel Ndanu

Mr. Ndanu, an Associate Partner admitted in the bar in 2011 with Roll Number 2571. His practicing status is current and has been working with the Firm since then. Mr. Ndanu forms part of is part of the Firm's litigation team. In that capacity, he participates in the entire process of litigation, including drawing up pleadings and appearance in courts to prosecute or defend cases on behalf our clients. He specializes in commercial law generally, mining, energy and oil & gas, labour law, banking and financial institutions law, land law, insurance, public procurement, intellectual property etc.



LL. B (Hons) (Mzumbe),
PGD in Legal Practice (LST)

Associate Partner

Mr. Rahim Mbwambo

Mr. Rahim, an Associate Partner admitted in the bar in 2010 with Roll Number 2202. His status is current.

Mr. Rahim is well experienced counsel who has worked with the Firm since 2010. He has taken part in many of the ground-breaking cases in the Firm. He is one of the foremost industrial law experts in Tanzania and he forms part of the formidable litigation team of the Firm with skills extending to Civil and Criminal litigation. He has also provided advisory services to various clients on matters of commercial law, corporate governance in line with labour relations law and regulations, banking and financial law, intellectual property etc.



LL. B Open University of
Tanzania, PGD in Legal
Practice (LST)

Advocate

Mr. Herry Paradise Kauki

Mr. Herry Paradise Kauki is an Advocate admitted in 2016 with Roll Number 5253. He has since worked with the Firm and he specializes in all corporate matters and company secretarial services, banking matters and securitization documents, insurance, civil and criminal litigation.



LL. B Tumaini University,
PGD in Legal Practice (LST)

Advocate

Mr. Victor Kikwasi

Mr. Kikwasi is an Advocate admitted in the bar in 2016 with Roll Number 5850. His status is current. He contributes to the Firm's work on corporate matters generally. He is also specifically dealing with matters involving Arbitration, competition, telecommunications, international law, construction disputes, banking law, contracts law, land law, intellectual property law etc.



LL. B Tumaini University,
PGD in Legal Practice (LST)

Advocate

Mr. John James

Mr. James is an Advocate admitted in the bar in 2018 with Roll Number 6713. He contributes to the Firm's work, especially in criminal and civil litigation. He specializes in labour law, land, intellectual property, trademarks, telecommunications, banking, insurance, construction disputes law, contract, mining, oil and gas etc.



LL. B Tumaini University,
PGD in Legal Practice (LST)

Advocate

Ms. Nsangizyo Zilahulula

Ms. Nsangizyo is an Advocate admitted in 2016 with Roll Number 5631 and has been with the Firm since then. Her area of specialization is mainly in Arbitration and civil law and procedure. She is responsible in advising clients on procedures of appeals particularly in the Court of Appeal. She is also dealing with matters of intellectual property law, banking law, insurance law, land law and conveyancing, construction law etc.



LLB (Zanzibar University)
PGD in Legal Practice (LST)

Advocate

Ms. Susan Botto

Miss Susan Botto is an advocate admitted in the bar in 2021 with Roll number 10228, she is specialized in Civil Litigation and Corporate matters, she is also specifically dealing with matters involving Islamic Law (Sharia), Labour Law, Land and Intellectual property, Banking Law, mining, oil and gas etc.

She also Interpret laws, rulings and regulations for natural and juristic persons, conduct legal research and gather evidence, Explain the law and give legal advice, offer legal representation at arbitration or mediation hearings, Draft, review and manage wills, trusts, estates, contracts and deeds, manage regulatory and compliance-related services, facilitate innovative solutions to client problems, Offer legal representation to clients in court proceedings on civil or criminal matters.



LL. B (University of Dodoma)
PGD in Legal Practice (LST)

Advocate

Mr. Hilal Hamza

Mr. Hilal Hamza is an Advocate enrolled at the bar in 2019 with Roll no 8325. He is specialized in corporate law, Intellectual property specifically Copyright, trademark, patents, and Civil litigation.

He handles corporate compliance affairs on behalf of clients, Company Secretarial services, provides legal opinions and Consultancy on legal procedures involved in business acquisition. He holds a firm experience in Civil litigation in Contract law, land law, Intellectual property infringement, insurance law and Commercial law.



LL. B (St. Augustine University)
PGD in Legal Practice (LST)

Advocate

Ms. Mary Peter Machira

Ms. Mary Peter Machira, is an Advocate admitted in 2018 with roll number 7968 and has been in the firm since 2018. She is specialized in Land matters, Civil Law & Procedure, Law of Contracts, Banking Law, Taxation Law, Matrimonial Law and Probate.

She advises clients on Law of Contracts and Banking Law, provides legal opinion and consultancy on legal procedure involved in those areas. Since she has joined our team in 2018, she holds a firm experience in Civil Litigation, Land Law and intellectual property.

LEGAL AND OTHER OFFICERS

The Firm has legal officers and paralegals who assist the advocates and partners in carrying out their daily legal duties.

The Firm has also a team of dedicated m of professionals and consultants in their own fields, mainly in Information Technology (IT) and finance matters.

FACILITIES

Apart from experienced Partners, Associates and staff, the Firm has also a big library, well-equipped office with modern computing facilities, word processing, data storage, and retrieval facilities.



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CONTACT

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