

FIRM PROFILE

March 2021



SANG CHAMBERS & PARTNERS

*(Advocates; Commissioners for Oaths; Notaries Public; Tax Agents, Trade Marks, Patents
Agents; Arbitrators; & Legal Auditors)*

DRAWN BY:



SANG CHAMBERS & PARTNERS

ADVOCATES

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UPPERHILL

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1. CONTACTS:

Nairobi/Head Office:

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2nd Floor, Suite No. 2.1

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Kericho Office:

Sinendet Towers,

9th Floor, Office No. 9A

Nairobi Road

P.O. Box 22944-00100

Kericho, Kenya

kericho@sangchambers.co.ke

2. BANKERS:

NCBA Bank

KCB Bank

National Bank of Kenya

3. INSURANCE:

Professional Indemnity Cover of **KES 100 Million** with BRITAM.

4. FORMATION:

The firm encompasses the partnership of Bernard Kibet Sang and Mary Wanjira Njagi. The same was registered on 28th March 2018, but previously traded under the name Magut and Sang Associates, which was established in December 2012.

5. MISSION:

Provision of professional and quality legal services.

6. VISION:

To be a leading law firm in provision of professional and quality legal services.

7. AREAS OF PRACTICE:

7.1. **CONVEYANCING, COMMERCIAL AND CORPORATE TRANSACTIONS**

The Advocates in the firm have experience in acting for wide range of clients, including banks, financial and mortgage institutions, building societies, micro-finance institutions, public corporations and other lending institutions in all aspects of laws and practice relating to lending, credit and securities, drafting offer letters, drawing and perfecting securities such as Debentures, Charges, Mortgages, Chattel Mortgages, Guarantees, Assignments, wide range of agreements governing various commercial relations and transactions including investment agreements.

Tax Advisory: Advising and acting for clients on a wide range of tax matters, including but not limited to tax regime; tax planning, tax evasion and avoidance, taxation disputes settlement and penalties, and international taxation law. Our firm has a qualified **tax agent**.

Formation and incorporation of Companies, business organizations, non-profit organizations, charities and NGO's e.t.c, rendering advice as to the choice of suitable business organizations, advising on capitalization, directorships; advising on related aspects of labour law, taxation, statutory and other regulatory aspects;

Our firm handles all matters relating to companies statutory compliance, annual and other returns, advising on law of meetings and proceedings, assisting in extracting resolutions, maintaining and updating registers of companies custody of company seals etc.

Negotiating commercial contracts and drafting a wide range of commercial instruments including agreements for mergers, acquisitions, joint ventures, sale of businesses as going concerns, establishing Joint-Venture vehicles and overseeing implementation of their mandate etc.

Advising and assisting Banks, Commercial institutions etc in the enforcement of securities, agreements and contracts including realization of securities.

Negotiating real estate development contracts, setting up single-purpose Joint-Venture vehicles, negotiation lending for such developments, negotiating ownership ratios, coordinating professional consultants for such developments and transacting sales of developed units.

Advising insurance companies, co-insurers, Brokers and Agents on various aspects of insurance law and related aspects under common law and statutory laws.

Reviewing and drafting policy documents and related instruments.

7.2. COMMERCIAL AND CIVIL LITIGATION

Advocates have experience in appearing before all classes of Courts in Kenya to prosecute or defend cases on behalf of banks, financial institutions, state-owned corporations, individuals and other business establishments in wide range of cases with a debt collection department which has experience in enforcement of securities and related litigation. Acting for banks in enforcing and recovering under security documentation.

The firm has wide experience in both commercial, civil and criminal litigation in all classes of Courts in Kenya in cases arising out of contract, Land and property matters, Leases, commercial transactions, agency, motor accidents, industrial and labour matters, election Petitions, take-over, acquisitions, administrative decisions and excesses in the realm of administrative/public law, constitutional law and References, criminal law, family law – including petitions for divorce, maintenance, alimony, custody of children, secured provisions, enforcement of children's rights under the Children Act, Adoption proceedings and related matters, probate and Administration causes and Management of estates, workman compensation and Labour matter, insurance, and Public procurement and disposal matters.

Handling general property litigation, advising receivers, administrators and liquidators on receivership and winding-up/insolvency/liquidation of companies, enforcement of foreign judgments and arbitration awards, advising on shareholder disputes, intellectual property and passing-off disputes and employment litigation.

The firm also represents clients in litigation matters before various arbitral tribunals such as; Rent Tribunal, Business Premises Tribunal, The Co-operatives Tribunal, Public Procurement Administrative Review Board, among others.

7.3. ALTERNATIVE DISPUTE RESOLUTION

Our firm recognizes the usefulness of Alternative Dispute Resolution (ADR) as an increasingly popular mode of resolving commercial disputes. We undertake work in arbitration, mediation, conciliation etc, including advising clients in all aspects of ADR, and representing clients before ADR tribunals/fora. One of the partners, Ms Njagi, is a certified Arbitrator.

7.4. AVIATION, ADMIRALTY & MARITIME LAW

Undertaking litigation arising out of Kenyan Aviation law and other international charters and protocols; claims arising under charter parties and bills of lading contracts, laytime and demurrage claims and general average claims; all types of marine insurance claims including claims arising under cargo insurance, general hull insurance and other claims.

Resolving international trade disputes.

7.5. INTELLECTUAL PROPERTY (“IP”)

Registering, protecting, and enforcing Intellectual property rights including but not limited to trademarks, patents, copyrights, industrial design rights and trade secrets.

One of the partners, Mr. Sang, is a qualified **Patent Agent**, and also acts a **Trade Marks Agent**.

7.6. LEGAL AUDITING AND COMPLIANCE

The firm also carries out legal auditing and compliance for various clients, with its Advocates duly trained for the same.

7.7. MATTERS TAX

Advising and representing clients in matters tax. One of the partners, Mr. Sang, is a registered **Tax Agent** and performs all functions that tax agents are mandated to perform.

8. CLIENTELE

The firm’s clientele includes the following:

- i. **State Corporations:** *eg National Oil Corporation of Kenya (NOCK), Kenya Electricity Transmission Company Limited (KETRACO), Kenya Accountants and Secretaries national examinations Board (KASNEB), Commission for Revenue Allocation (CRA), Export Processing Zones Authority (EPZA) and The Presidents Award;*
- ii. **Various Corporate and Commercial entities:** *eg Yooshin Engineering Corporation, Triclover Industries (K) Ltd, Osho Chemicals (K) Ltd, Chai SACCO, Kencream SACCO, URMAAS, London Distillers (K) Limited, Iringa Vegetable Oil and Related Industries Ltd (IVORI), Sunlife Properties Ltd, Metro Cleaners Ltd, Emkay International Ltd, Kayman Group Ltd, and Eagle Group E.A Ltd.*
- iii. **Various Sole Proprietorships and individuals (TBA);**

9. OUR PEOPLE

9.1. PARTNERS

9.1.1. BERNARD KIBET SANG (Senior Partner)

Academic Qualifications

Master of Laws (LL.M)-Public Finance & Financial Services Law, UoN
Bachelor of Laws (LL.B), Upper Second Class Honours, Moi University,
Post-graduate Diploma in Law, Kenya School of Law,
CPA (now at section III), KASNEB
O-Levels: Alliance High School

Professional Qualifications

Advocate of the High Court of Kenya,
Commissioner for Oaths,
Notary Public
Tax Agent
Trade Marks & Patent Agent
Legal Auditor
Law Lecturer, Moi University (Past, MKU & JKUAT)

Professional Memberships:

Law Society of Kenya (LSK)
East Africa Law Society (EALS)
Commonwealth Lawyers Association

Career:

Mr. Sang holds a **Master of Laws degree (LL.M)** (in **Public Finance and Financial Services Law** (i.e *Procurement & Public Accounting Law, Advanced/International Tax Law, Banking & Financial Services Law, Capital Markets & Securities Law, together with GATT-WTO Law, International Investments Law, Jurisprudence and Legal Theory, Law and Development, and Research Methodology*). He is also a Graduate from Moi University, Eldoret, Kenya where he graduated in 2007 with a **Bachelor of Laws degree (LL.B), Second Class Honours, Upper Division**.

After the graduation, Sang joined the leading firm of **Kipkenda, Lilan & Koech Advocates** where he worked as an intern/pupil from July 2007 till January 2009. Mr. Sang was admitted to the Bar as an Advocate of the High Court of Kenya on 8th October, 2009, upon which he continued working in the firm of Kipkenda, Lilan & Koech Advocates till December 2011.

In January 2012, Mr. Sang joined the leading firm of **Walker Kontos Advocates** as an Associate Advocate in the **Commercial and Conveyancing Department**. Thereafter, he left to join the firm of Magut and Sang Associates as a Partner, before founding the current firm as a Managing Partner.

Legal Practice

Sang has experience in **Commercial, Civil and Criminal Litigation** as well as Alternative Dispute Resolution including mediation and Arbitration, and has had the opportunity to participate in precedent-setting cases in the High Court and the Court of Appeal. He is an able litigator who has represented clients in complex and sensitive Commercial Disputes, Property Disputes on land and environment, Public Finance disputes like tax and procurement, Labour Law, Administrative Law, Insurance Law, Family Law, Probate and Administration matters and has also represented clients in various Courts and Tribunals in Kenya.

Sang also has wide experience in **Conveyancing, Commercial Transactions, and Corporate Law** having had an opportunity of representing a wide range of clients, especially banks, financial and mortgage institutions, micro-finance institutions, public corporations and other lending institutions in the practice relating Security documentation and/or perfection, Law of Business Associations including but not limited to incorporation and restructuring of Companies, Sole Proprietorships and Partnerships, non-profit organizations, charities and NGO's.

Academia

Sang is also a scholar who lectures at Moi University (MU), and previously Mount Kenya University (MKU) and Jomo Kenya University of Science and Technology (JKUAT). Sang's areas of specialization in academia is **Public Finance and Financial Services Law**, with experience in **Property Law and Commercial Law**.

During his teaching experience, Sang has taught/handled the following courses: **Property (Land) Law, Conveyancing Law and Practice, Commercial Law, Capital Markets Law, Insurance Law, Tax Law, Banking & Negotiable Instruments Law, Law of Succession, Trust Law & Trust Accounts, Family Law, Accounting for Lawyers, Social Foundations of Law, Critical Thinking & Writing, Legal Research Co-ordination & Research Supervision and Moot Courts Co-ordination.**

9.1.2. MARY WANJIRA NJAGI, MCI Arb. (Partner)

Academic Qualifications

Bachelor of Laws (LL.B)(Hons)-MKU,
Post-graduate Diploma in Law (Kenya School of Law)
Diploma in Law (KSPS)-Credit
Arbitration-CI Arb.
O-Levels: Enoomatasiani Sec. School

Professional Qualifications

Advocate of the High Court of Kenya
Certified Arbitrator, CI Arb.(K)
Legal Auditor

Professional Membership

Law Society of Kenya (LSK), and
East Africa Law Society (EALS)

Career:

Ms Njagi is a graduate from Mount Kenya University, Nairobi, Kenya where she graduated in the year 2012 with a Bachelor of Laws degree (LL.B), Second Class Honours, Upper Division. She also holds a Diploma in Law (Credit) from the Kenya School of Professional Studies. She is certified as an Arbitrator by the Chartered Institute of Arbitrators (Kenya).

Ms Njagi's experience in legal practice goes back to 2008. In 2008 and later 2015 Ms Njagi undertook attachment and pupillage, respectively, in the firm of Muthoga Gathuru & Co. Advocates in Nairobi. Between 2010 and 2014 she worked as a legal assistant in the firm of Nchogu Omwanza & Nyasimi Advocates in Nairobi.

She joined the Kenya School of Law for her Post Graduate Diploma in Law in the year 2014. After commendable hardwork and progression in the legal journey that started in 2008, Ms Njagi got admitted as an Advocate of the High Court of Kenya in January 2016. Upon admission, she joined the firm of Magut and Sang Associates in 2016 as an Associate Advocate, before being admitted to the current firm as a partner.

Legal Practice:

Ms Njagi has wide experience in Civil, Commercial and Criminal Litigation, and Alternative Dispute Resolution including Arbitration and has had the opportunity to participate in precedent-setting cases in the High Court and the Court of Appeal. She is an able litigator who has represented clients in weighty Environment and Land Law, Family Law, and Administrative Law, Commercial litigation, Insurance Law, Labour Law, Probate and Administration matters and has also represented clients in various Courts and Tribunals in Kenya.

All in all Ms Njagi has a hands-on experience in legal matters and can efficiently deliver on short notice.

9.2. ASSOCIATE ADVOCATES

The firm employs Associate Advocates from time to time, to assist the partners.

9.3. SUPPORT STAFF

The firm has an **Administrative/Front Office Assistant** well trained with computer skills; a **clerk** who travels to various registries countrywide in the course of their duties; a **messenger** who ensures prompt and efficient delivery of mails to clients, and advocates. The firm also contracts an **Accountant** to help it in book keeping and financial management.

In addition to the foregoing human resource base of the firm, we also outsource various services from time to time selectively so as to maintain and not to compromise confidentiality whilst attaining the deserved efficiency and in a manner affordable to our clients.

9.4. PUPILS/LEGAL INTERNS

The firm takes in at least two (2) pupils (legal interns) annually for purposes of training and assisting in the firm affairs whilst learning.

10. GENERAL INFORMATION

The firm has also embraced Information Technology as a useful aspect of its development. It is computerized and its entire staff is fully trained in the use of computers. The firm enjoys Internet connection for ease of communication with its clients and also for purposes of quick and current research. The firm has put in place an electronic **Legal Management System (Global Wakili)** that enhances efficiency in the management of the firm.

The firm is equipped with a library, including an **e-library**, complete with all statutes of the Country and has in place a mechanism of updating them. It has a variety of books, law reports and research materials to enable the firm conclude most of its research in-house.

Staff development and progression is an important part of the firm. Staff members have opportunities and support towards their continuous training. As part of the policy of our firm, Staff as well as advocates are encouraged to attend short relevant courses, workshops and seminars from time to time as we believe in expanding capacity, widening interpersonal skills and being prepared to tackle any challenges that may arise from time to time. All Advocates frequently attend Continuous Professional Development (CPD) courses to sharpen their skills.

Advocates in the firm are members of the Law Society of Kenya (LSK), East African Law Society (EALS) and Commonwealth Lawyers Associations (CWA) and the firm ensures that they all take out current practicing certificates and professional indemnity cover promptly every year.

11. CORPORATE SOCIAL RESPONSIBILITY (CSR)

The people in the firm are encouraged to participate in service to community as part of fulfilling the noble duties of productive and helpful lawyering.