

**ORETETI**  
LAW OFFICE

# FIRM PROFILE



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# TABLE OF CONTENT

|                                     |
|-------------------------------------|
| 01   ABOUT US                       |
| 02   VISION & MISSION               |
| 03   AREA OF EXPERTISE AND PRACTICE |
| 04   THE TEAM                       |

# ABOUT US

ORETETI Associates is a leading, full service corporate and commercial law firm in the United Republic of Tanzania, with a multi-disciplinary team of lawyers working on various areas of practice. Through our extensive experience as a firm combined with that of our lawyers, independently, we have established a strong market knowledge not only in Tanzania but also in the world. We deliver legal services to a broad range of clients across numerous sectors and professionals.

ORETETI Associates provide legal services to clients in banking and finance, private equity, energy, infrastructure, oil and gas, mining and minerals, telecommunications, hospitality and leisure, insurance, Arbitration and dispute resolution.

Oreteti Associates, provides Legal, Tax and Business Solutions to Public/Private East Africa Business and Corporate Community.

It is a matter of paramount importance that, our clients meets their target at exact timing with less cost.

Our specialization includes, Corporate Governance, Alternative Dispute Resolution, Tax, Wealth, Investments and Business Solutions.



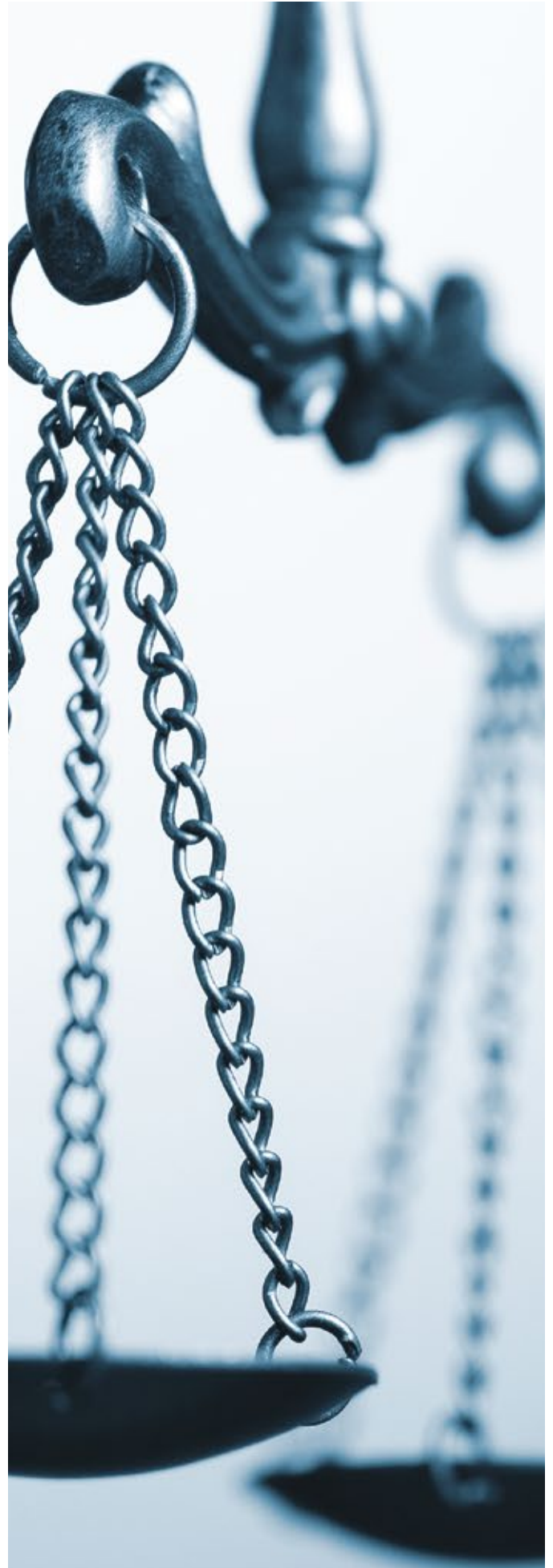


# VISION & MISSION

Our firm's vision is to provide legal services to all businesses, institutions or persons, to offer practical solutions to our clients and to be universally recognized as a full service law firm.

We undertake to embrace our client's needs and address them soundly by offering turn-around time, to enable them make informed decisions.

We have a reputation for providing exceptional legal services. We are renowned for our commitment to excellence and for our ability to find innovative solutions to the most complex of legal problems which our clients recognize and value.



# AREAS OF EXPERTISE AND PRACTICE.

ORETETI Associates offer a diversity of expertise in all areas of major practice. We are a full service law firm with leading expertise in various areas of Law in Tanzania. The partners offer a full complement of Legal Services in the following fields of law:-

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- Property and Conveyancing Law
  - Corporate and Commercial Law
  - Tax Law
  - Constitutional/ Administrative Law
  - Competition Law
  - Contracts Law
  - Labour and Employment Law
  - Insurance Law
  - Intellectual property law
  - Notarial Practice
  - Family Law
  - Administrative and Public Law
  - Banking and Finance Law
  - Energy Law
  - Legal and Governance Audit
  - Probate, Succession and Trusts
  - General Litigation/Alternative Dispute Resolution
  - Consultancy on matters of law
  - Entertainment Law.

## CORPORATE AND COMMERCIAL LAW

There are various ways to do business. While you as our client undertakes to carry on with your day to day running of your business. We take care of your legal needs arising from the commercial aspect of your business. This ranges from Incorporation of the Company, Legal Compliance, Mergers and Acquisition, Filing of Returns, Taxation to General Contracts.

*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

We focus on not only understanding our clients business needs but assist them to prosper in their business by eliminating any legal glitches that they may encounter on a day to day running of their business. We further advice on structuring of transaction such as sale of shares, sale of businesses and sale of assets. Moreover, we advice on mergers, acquisitions, takeovers and draft joint ventures.

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

The partners and the associates of the firm also draft contracts and other documents such as Agreements for sale Leases, Shareholder Agreements and any other commercial contracts that the clients needs for the prosperity of his business.

# PROPERTY AND CONVEYANCING LAW



Tanzania today is experiencing a construction boom due to the changing economic times. The projects are of an unprecedented scale. Our lawyers are well vast with the Property and Conveyancing Law. They possess a wealth of knowledge and experience in aspects of property law they can therefore face the challenges of such major projects.

We advice on property acquisition and development and further prepare the requisite instruments to necessitate the acquisition. We also prepare the necessary documentation for transfer of immovable properties and register Mortgages and Charges in favor of our clients. In addition, we provide advice on real estate matters and we litigate in respect of all property-related matters including expropriation matters.

*In summary the areas of practice under this head include:*

- Real Estate acquisitions and sale of property
- Construction contracts, project management, consultancy, agreements
- Mortgages/charges
- Land regulations governing acquisitions and sale of property
- Land registries and allotments
- Stamp duty
- Change of land user
- Due diligence and preparation of title search reports
- Regulatory laws including those relating to licences and approvals
- Property tax and other taxes on real estate
- Preparation and registration of Transfers
- Representation in Court of Alternative Dispute
- Resolution incase of real estate
- Preparation of Leases, Grants, Tenancy Agreements, Licenses and other contracts associated with real estate.

# GENERAL LITIGATION AND ALTERNATIVE DISPUTE RESOLUTION



Our Attorneys at Law provide specialized and quality legal advice on issues of litigation arising from various areas of the law. Litigation is an unpleasant experience and 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 client. Our lawyers are equipped with vast knowledge, experience and training to effectively attend to our client's best interests. They are equipped with excellent investigative skills and are extremely resourceful in locating requisite evidence to solve claims.

Our practice areas include:-

- Torts
- Bankruptcy
- Professional liability
- Assessment of liability and wrongful arrest
- Litigation in respect of negligence claims-personal and accidental injuries

## **Quantification Of Damages**

Alternative Dispute Resolution is used to resolve conflicts out of court. Some of the resolution methods including negotiations and mediations help to avert a costly unproductive litigation process. Our team of lawyer's posses the requisite experience to resolve complex Alternative Dispute Resolution issues and represent clients not only in Arbitration proceedings but also mediation to avoid public and lengthy battles.



## CONSTITUTIONAL AND ADMINISTRATIVE LAW

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Issues of violation of the constitution are intricate. Cases dealing with constitutional issues are of importance due to the impact they have on people. There is finality to constitutional cases because such cases interpret constitutional provisions with finality and can only be changed by amending the Constitution, hence reference to the Constitution as the Supreme Law of the land. Our clients have relied on the firm to give legal and constitutional advice and representation. We therefore represent clients who may have a constitutional claim or need to defend against a constitutional challenge or were they may need to have the constitution amended and where a client is convinced that a statute is unconstitutional.

Generally, our Attorney's at Law give effective advice on interpretation and application of Constitutional and Administrative law.



## LABOUR AND EMPLOYMENT LAW

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The firm advises its clients on the legal aspects of employment and labour law to ensure full compliance with all the applicable laws and provisions. We further represent our client's matters of breach of the employment law. Our services in this category include representation in the labour court, advice on termination of employment and on retrenchment and rationalizations, drafting of Employment Contracts with respect unions on behalf of our clients.

Our group of lawyers, also advice on labour implications of mergers and acquisitions on the employees. advises clients on employment, industrial, labour and other service law issues. This includes advice on terms of appointment and conditions of service, transfer, layoff, retrenchment, discharge or dismissal of employees and structuring of voluntary retirement schemes, employee stock options etc.



## INSURANCE LAW

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We offer 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.

## TAXATION AND AUDIT LAW

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We understand the Legal intricacies of Tanzania Tax regime.

Our firm is well versed in the tax field of Transfer Pricing, Income Tax, Tax Procedures, Filing of cases to the Tax Tribunal, Custom and Excise Laws, Capital gains and Corporate Tax.

Our firm Represent the interests and defend the rights of taxpayers faced with tax audit. Represent taxpayer in a lawsuit in the Tribunal and in the High Court.

Represent and defend taxpayers being criminally prosecuted for tax related charges, stock options etc.

## INTELLECTUAL PROPERTY LAW

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This is an area of practice we specialize in, it involves aspects of law that include:-

### ***Entertainment Law***

Includes various areas of intellectual property blending together to protect the rights of authors, performers, owners and businesses for their creative accomplishments.

### ***Patent, Trademarks and Copyrights***

These are rights to owning distinctive invention, design, emblem, picture, logo or wording. We focus on registering these Patent rights for our clients and undertake legal proceedings by litigating and/or Alternative Dispute Resolution when an Intellectual Property dispute arises and/or when there is infringement.

## FAMILY LAW

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On matters of family, family being the heart of our society, our group of advocates are equipped with vast knowledge in Family law matters. We represent clients undergoing divorce proceedings and judicial separation, custody of children and their support and adoption and general matters touching on Family Law.



### ***Internet Law***

Involves domain disputes, copyrights, trademarks, breaching of licensing and privacy policies



## BANKING AND FINANCE

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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 clients on regulatory matters, lending and prepare the essential documentation.

We also advise and assist borrowers, buyers and financial institutions in transactions, including, asset acquisition and leveraged financing, securitization, project financing, restructuring and recapitalization, banking transaction documentation including bank guarantees, letters of credit and other trade finance documentation.





# THE TEAM

**ERICK REX KIDYALLA**  
*Managing Partner*

Holds LLB and LLM in Corporate and Commercial Law. (Registered advocate of the high court of Tanzania) specialized in Banking Law, Corporate Law, Conveyancing, Oil and Gas, Tax Law, Immigration Law, Intellectual property

**CLAUS THOMAS MWAINOMA**  
*Associate*

Holds LLB, specialized in Litigation, Criminal & Civil Law, Probate Law, Family Law, Land Law and Labour Law (Registered advocate of the high court of Tanzania)

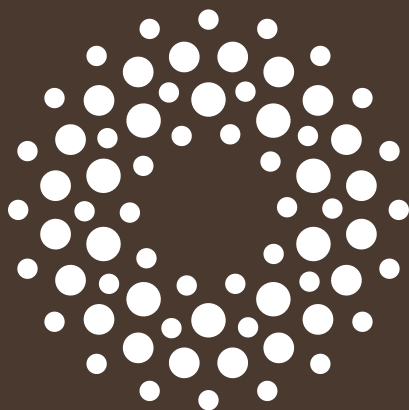
**NINA CUTHBERT NGAJ**  
*Human Resource and Corporate Compliance*

Holds Masters in BA,  
Specialized in International business

**KENNETH JOHN SIWILA**  
*Junior Associate*

Holds LLB, specialized in Corporate Law, Merger & Acquisition, Banking & Finance.





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