



MAWERESIBANDA
COMMERCIAL LAWYERS

FIRM PROFILE

ABOUT US

Founded in 2001, MawereSibanda Commercial Lawyers is a full service law firm specializing in corporate law, with offices in Harare's central business district. The founders of the firm also founded Makuyana Legal Practice in Gaborone, Botswana, the beginning of our expansion into the region and the continent.

We appreciate the implications of globalization on our client and have positioned ourselves as a global player by developing close relationships with law firms in various parts of the world. This enables us to provide a coordinated and cost effective legal service across different jurisdictions.

AFFILIATIONS

Chambers and Partners has described us as "a firm to watch". We are a ranked firm in the Chambers Global Guide and one of our partners is a ranked lawyer in the General Business Law category.

We are active members of the International Bar Association (IBA) and our lawyers attend trainings, conferences and seminars offered by IBA as a means of keeping up with global trends.

We are experts in the field of banking, lending, securitization and cross border financial transactions and are members of the Loan Markets Association.

The International Trademark Association (INTA), is the global association of trademark owners and professionals. Our lawyers attend the annual international meetings and conferences. We are members of the Zimbabwe Institute of Patent and Trademark Agents (ZIPTA) and one of our partners is the Vice President for the year 2016.

We hold a Certificate of Good Standing with the Law Society of Zimbabwe (LSZ). One of our partners is a councillor in the LSZ council and another is trustee for LSZ's Compensation Fund.

EXPERTISE

Corporate Advisory

We advise Zimbabwe and Botswana listed and non-listed companies in the negotiation, structuring, implementation and monitoring of different kinds of transactions in the SADC and COMESA. We have expertise in the following:

- Legal due diligences;
- Mergers and acquisitions;
- Regulatory compliance;
- Stock exchange rules and regulations; and
- Cross-border transactions.

Banking & Finance

We advise the majority of the country's financial institutions. We have an intimate and current knowledge of the legal and regulatory framework governing banking and financial matters in Zimbabwe and Botswana. We advise on the following:

- Issuance of local and Eurodollar bonds;
- Loan syndication;
- Project financing;
- Legal due diligences;
- Corporate lending;
- Asset financing;
- Exchange control regulations;
- Securitization; and
- Corporate restructuring.

Tax Law

We advise our corporate clients on various aspects of tax law. Our services in this respect include the following:

- Providing tax advisory services.
- Estate Planning to minimize the tax liability
- Assisting clients structure commercial transactions and investments in a tax efficient way.
- Review of tax related provisions of transaction documents such as merger agreements, acquisition agreements and loan agreements among others.
- Engaging ZIMRA on behalf of clients and negotiating interest rates and/or penalties imposed by the revenue authority with a view to reducing the same where possible.
- Advising clients on new tax regulations and guidelines that affect them.
- Legal representation in all tax courts.
- General Tax advice.

Corporate Governance Practice

MawereSibanda provides support and advice to directors, boards and their committees and senior executives on various corporate governance matters that confront companies, businesses and the leadership.

We offer the following services:

- Board induction and ongoing training on board structure and procedures
- Drafting, evaluating or advising on drafting of a Board Charter and Board Committee terms of reference and mandates;
- Training workshops on Director's duties and responsibilities in terms of Company Articles, the Companies and Other Entities Act and the Listing Rules.
- Training on director's legal and fiduciary duties both in terms of statute law and common law
- Advising on Compliance with statute and generally international corporate governance standards such as King's Codes, designing and developing a Compliance Management System (CMS)
- Advising and training SOE boards with special focus on compliance with Public Entities Corporate Governance Act
- Offering company secretarial services
- Crisis management and handling companies' public relations in times crisis.
- Perform Board and Committee Evaluations
- Providing general legal advisory on corporate governance matters.
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Infrastructure PPPs

We are forerunners in this area, particularly in energy and transport infrastructure PPPs where we have participated in the development of the laws and policies governing PPPs in Zimbabwe and Botswana. We render advice to private local and international contractors as well as government entities on the structuring, funding and implementation of PPPs. Our services in this area include the following:

- Feasibility studies;
- Risk matrix;
- Regulatory compliance matters;

- Funding and securitization;
- Due diligence reports;
- Tendering and procurement policies; and
- PPP documentation.

Real Estate

Our team of real estate lawyers in Zimbabwe and Botswana provide advice on the following matters:

- Property registration due diligence;
- Property development;
- Sale and purchase agreements;
- Conveyancing;
- Mortgage financing;
- Mortgage bond registrations; and
- Real estate ownership and lease disputes.

Intellectual Property & Technology

In keeping abreast with the ever-evolving legal trends so as to respond to our clients' needs in the technology era, our lawyers have the requisite expertise to advice on ICT law. Our IP units in Zimbabwe and Botswana have developed excellent relationships with the African Regional Intellectual Property Organisation (ARIPO), the local intellectual property authorities and international trademark agents. We offer the following services to clients:

- Trademarks and patent filings and prosecutions;
- Opinions on the availability and registrability of trademarks;
- Intellectual property audits;
- Advising on copyright matters;
- Representation in IP disputes;
- E-commerce transactions;
- Telecommunications inter-connect agreements;
- Regulatory compliance and Licensing;
- ISP liability;
- Data protection; and
- ICT contracts

Dispute Resolution

We are committed to providing our commercial clients with excellent, efficient and effective resolution of disputes that arise from clients' commercial activities. We offer representation in a wide array of matters which include contractual disputes; debt recoveries; shareholder and partnership disputes; and international investment disputes.

Mining & Energy

We have done work for some of the world's largest mining and mineral companies and extensive experience advising on mining and minerals transactions and projects.

Mining

Our team assists clients in the acquisition, transfer of interests in and protection of the following:

- Prospecting licences,
- Exclusive prospecting licences,
- Mining claims,
- Special mining grants,
- Mineral concessions and
- Special mining leases.

Energy – Petroleum, Power and Renewables

Our team advises on energy projects from feasibility studies, licensing, project funding, and post implementation support.

Negotiation and preparation of energy contracts such as off-take agreements, EPC contracts, O & M agreements etc.

We also assist lenders in assessing the risks associated with various energy projects such as the following;

- Wind/solar/hydro
- Biomass
- Waste

ORGANIZATIONAL STRUCTURE



LEGAL PRACTITIONERS

Our firm has registered lawyers and these are listed hereunder:

Partners

- Munyaka Wadaira Makuyana
- Vulindlela Bongani Sibanda
- Tatenda Mawere
- Gloria Mawarire
- Regis Chawatama
- Godknows Nyangwa
- Kelvin T. Madzedze

Associates

- Prince Fanti
- Michelle Sithole
- Justin Kuipa
- Mau B. Maunze
- Dorothea Moyo
- Helen Nare

STAFF COMPLIMENT

Fifty (40) Employees

CONTACT US

Zimbabwe

10th Floor, Chiedza House
Corner First St & Kwame Nkrumah Ave
Harare
Zimbabwe
Tel: +263 4 750 627
Fax: +263 4 750 759
email: businessdevelopment@maweresibanda.co.zw
website: www.maweresibanda.co.zw

Botswana

MLP House, Plot 102
Gaborone International Commerce Park
Gaborone
Botswana
Tel: +267 318 5726/7
Fax: +267 395 1353
Email: partners@mlp.co.bw