



EMSI & ASSOCIATES

FIRM PROFILE



About Us

EMSI & Associates is a boutique women-owned law firm based in Nairobi, Kenya whose founder has close to 20 years' experience in providing legal and business advice and representation in the practice areas of Project Finance, Corporate & Commercial Transactions and Policy & Legislative Drafting.

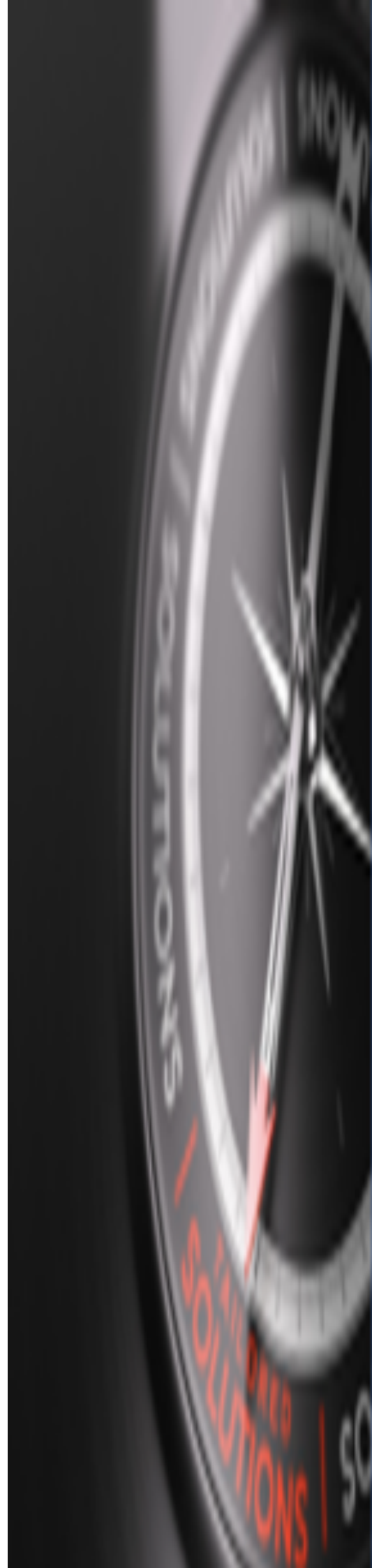
The Firm's lawyers have broad experience in advising on and drafting various project documents across different sectors including Energy, Infrastructure, Real Estate and ICT.

Over the years, EMSI has advised local and international private sector clients as well as national and sub-national governments and related entities on various transactions within Sub-Saharan Africa.

Our Ethos

At EMSI & Associates, we strive to do more for our clients, and be more than just legal practitioners. By seeking to understand the priorities and business challenges facing our clients, we pride ourselves in providing tailor-made solutions to your individual requirements, and position ourselves as the legal partner of choice for your business.

The Firm is committed to using its best efforts to ensure compliance with the Law Society's Code of Ethics and Conduct of Advocates as amended from time to time and has developed a Client Care Handbook to be certain that both our team members – lawyers and non-lawyers – understand and adhere to our policies, values and principles in the service of our Clients.



LOCAL FOOTPRINT, GLOBAL REACH

The diversity of clients is a result of the Firm's capacity to tailor work to specific client needs. The Firm also serves as out-sourced counsel providing "in-house" legal advisory support to companies and smaller consulting firms.



Africa presents a complex and evolving commercial, economic and legal environment. Our clients need counsel who are not only experienced in international transactions, but also with a genuine knowledge of the local economic, legal and regulatory regimes, languages, customs and cultures.

Our well established networks with other legal firms across the African Continent and the Globe, enables us to offer clients significant assistance through the technical competency and experience of our carefully selected collaborative partners.

Investing in Africa

The African Continent offers opportunities for inbound investment, business expansion and other commercial activities at a time more mature world markets are under strain.

The Firm's lawyers have worked with governments, state-owned corporations and international corporations in all stages of transactions, ranging from transaction origination, due diligence, document negotiation to closing. We advise on market entry strategies, mergers and acquisitions, disposals, joint ventures & partnerships, undertaking due diligence investigations as well as intellectual property registration, protection and licensing.



Operating in Africa



Establishing operations on the African continent as part of an international corporation's expansion strategy entails complex staffing decisions that need to ensure compliance with local legal and regulatory requirements. These range from meeting local content thresholds to ensuring that expatriate staff applying for work permits are supported by local understudies and undertake mandatory training of these during the validity of their permit.

Our services include structuring of executive remuneration packages, preparation of Employment Contracts, Secondment Agreements as well as with their applications for the correct category of pass or permit for their key personnel and dependents, where applicable.

Protecting Yourself in Africa

The management and protection of our international and local Clients' intellectual property has become a fast-growing practice for the Firm. We provide support to international corporations expand their operations within the African continent on their brand management strategies to protect their IP assets in the target countries of operation.

Similarly, as our local clients venture out to the rest of the World, we have been able to advise on and support the registration of IP rights in multiple jurisdictions in collaboration with local counsel in Africa, North America, Europe and China.



The Firm's dispute resolution practice focusses on commercial disputes arising in the life cycle of their various transactions. Where litigation can be avoided, we support clients in understanding the various alternative dispute resolution mechanisms available to them.

The Firm provides continuous support when disputes appear to be a likely eventuality and guide them in navigating through pre-contentious negotiations with a view to arriving at Settlement and Release Agreements before getting into arbitration, litigation or ADR proceedings.

A vertical photograph on the left side of the page shows a glowing incandescent lightbulb. The bulb is lit, casting a warm, yellow light. It is positioned in front of a laptop keyboard, which is visible in the background. The light from the bulb creates a strong reflection on the surface it is resting on, likely the laptop's palm rest. The overall image has a warm, golden-yellow color palette.

Lighting Up Africa

As the Continent's energy demands continue to grow, the Firm's lawyers have been involved in advising and supporting both the Private Sector and Public Sector in navigating the legal and regulatory landscape that governs the transitions in the dynamic energy sector.

Over the years, we have supported specialised EPCM companies in the transmission sector, Contractors, manufacturers of distribution and transmission line components as well as independent power distribution companies.

Our lawyers have been involved in advising on regulatory compliance, due diligence exercises, fund raising, refinancing, and restructuring transactions within the energy sector across the electricity generation, transmission and distribution life cycle.

Specialist services include advising on and negotiating Power Purchase Agreements, EPC Contracts, Power Supply Agreements, Concession Agreements and O&M Agreements for various energy projects.

Renewable Energy in Africa



Africa's abundant renewable energy resources including solar, wind and hydro present an opportunity for the continent to achieve universal electricity access from these resources.

The Firm supports local and international investors in the renewable energy sector from project due diligence stage, site acquisition, regulatory approvals including FiT Applications through to negotiation of Power Purchase Agreements.

The Firm's lawyers have successfully supported bidders in RE projects as well as provided negotiation support to government entities in negotiations with private bidders for RE projects within Sub-Saharan Africa.




Financing in Africa

The financing requirements to close Africa's infrastructure deficit are estimated at over US\$ 130 billion annually for the next several decades. Project Finance and Public Private Partnerships (PPPs) are proving to be useful tools in resolving the infrastructure gap.

The Firm's lawyers include certified PPP practitioners and accredited trainers who have supported training exercises of public and private officials within the East African region.

Our specialist services include the conduct of due diligence investigations, preparation of project risk matrices, project SPV formation, site acquisition, drafting Privately Initiated Investment Proposals, advising on project and financing documentation.

Public Sector Finance in Africa



As both government and private sector players continue to face increased scrutiny in the utilisation of public resources, we work with both the private sector and public sector to navigate through this complex area of public finance law and procurement at both the national and sub-national level.

We advise state-owned enterprises on compliance with the legal and regulatory regime governing public finance management as well as public procurement and disposal of assets.

We work with private sector clients to ensure compliance with international and national bidding processes in the preparation of their submissions.

Our lawyers have been involved in procurement support to both private and public sector clients and supported in evaluation, negotiation and post procurement contracting and contract implementation reviews.

Building in Africa

The Firm's growing Real Estate Practice represents a diverse range of clients from large scale developers to individual residential, commercial and agricultural property owners. We apply our skills to the full cycle of a real estate deal, providing a holistic approach for our clients.

The Firm's services include site acquisition and subdivisions, project permitting and approvals, due diligence investigations, management and leasing, financing advisory, joint venture structuring, and disposition of all asset classes of real estate including mixed use developments, apartment complexes and gated communities.



Legislating in Africa



Africa is in motion.

The Firm's lawyers work closely with policy making institutions, government departments, legislators, regulatory authorities and other stakeholders to draft and advocate legislation in the public finance, energy and infrastructure sectors to keep pace with international best practice.

Our support to private sector clients includes advising on proposed or imminent legislation or amendments to ensure compliance with the policy and legislative changes that may impact on their business across our practice areas.



Mary Chege

Ms. Chege is the principal and founder at EMSI & Associates with 20 years in corporate and project finance advisory experience in the energy and infrastructure sectors. Over the years, she has acted on behalf of state-owned corporations, governments, multi-nationals, financial institutions and private funds.

She has advised governments and government related entities and private sector clients on market entry strategies, mergers and acquisitions, disposals, joint ventures & partnerships, undertaking due diligence investigations as well as advising on intellectual property registrations, protection and licensing.

Ms. Chege leads the team based on her broad experience in advising on and drafting various agreements including Investment Agreements, Share Sale Agreements, PPP Agreements, PPAs, EPC and other Construction Contracts, Project Management and Professional Services Contracts based on MDB Contract Models and FIDIC Contract Models.

Ms. Chege has participated in the drafting of primary and subsidiary legislation in South Africa and Kenya in the energy and infrastructure sectors. She is qualified as a Certified PPP Practitioner – CP3P® and accredited CP3P® trainer and serves as a guest lecturer at Strathmore University in Nairobi, Kenya.

Ms. Chege holds a Bachelor of Laws (LLB) from the University of Nairobi, Kenya and a Master of Laws (LLM) from the University of the Witwatersrand, South Africa. She is an Advocate of the High Court of Kenya and has, since the Firm's inception, been ranked as a Leading Lawyer in the Energy & Projects Sector – Kenya by Chambers Global.

Outside of her legal practice, Ms. Chege serves as a Steering Committee Member of the AU African Network of Women in Infrastructure (ANWIN) and independent board member of the Nairobi Metropolitan Area Transport Authority where she chairs the Audit, Governance and Compliance Committee.



Alvin Gitonga works in the Real Estate and Commercial practices. He has advised on real estate projects in all stages of the transaction - from origination, negotiation and documentation to closing.

He has extensive experience in a broad range of property transfer transactions including project structuring, conveyancing, perfection of securities and preparation of various documentation for mortgages and charges for financial institutions. He has participated in several due diligence exercises for property transactions as well as the structuring of real estate joint ventures.

Alvin holds a Bachelor of Laws (LLB) Degree from the Nelson Mandela Metropolitan University in South Africa and is a member of the Law Society of Kenya.

Maryanne Wachira works in the Project Finance and Corporate and Commercial Practices. Her experience spans from advising on various multi-lateral donor funded projects to advising state-owned corporations in Kenya on transactions in the energy and infrastructure sectors.

She has advised on PPP Transactions and Energy transactions providing support in the drafting and negotiation of project agreements, term sheets and participating in the due diligence exercises. She supports several international clients in their market entry strategies into Kenya ranging from general and pre-acquisition due diligence exercises, incorporations and intellectual property registration and protection.



Maryanne holds a Bachelor of Laws (LLB) Degree from the University of Nairobi and is a member of the Law Society of Kenya.



Brenda Cheptoo works in the Corporate and Commercial Practices and Energy Practices. Her experience ranges from advising multinationals as inbound investors into Kenya, assisting in immigration compliance and general commercial transactional support.

She has advised on and provided drafting support for various construction and energy projects including joint venture agreements, construction agreements and power supply agreements as well as participated in due diligence exercises for private local and international clients.

Brenda holds a Bachelor of Laws (LLB) Degree from Strathmore Law School and is a member of the Law Society of Kenya.

Rankings and Recognition



We are grateful for the trust our Clients place in us and are proud to have been recognised for the service we provide.

The Firm's lawyers have earned a Chambers Global ranking in its first year of operation in the Projects and Energy Category in Kenya and have continued to do so every year since inception.

We remain committed to constantly improving as a professional team and leading the way as your Legal Partner of Choice.

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