Abayo & Co.

Advocates

COMPANY PROFILE

www.abayo.law

" Not everybody can be famous but everybody can be great because greatness is determined by services "

Martin Luther King Jr.

Abayo & Co.
Advocates
P.O.Box 4170, Kigali – Rwanda
Mobile Phone : +250 788 300 075
Office Phone: +250 788 300 535
Email : info@abayo.law
Website : www.abayo.law
Abayo & Co. Advocates

CONTENTS

Managing Partner's Statement 4
Our Mission, Our Values, Our Vision 5
Abayo & Co. Advocates' memberships 5
Areas of Pratice 5
Abayo & Co. Advocates Team 6-7

Corporate & Commercial 8

I. A. CORPORATE 8

1. Directorship Services 8
2. Trusts & Investment Funds 8
3. Company Secretary Services..... 8
4. Corporate restructuring 8
5. Company and business registration..... 9
6. Drafting articles of association 9
7. Merger and acquisition 9
8. Shareholders Dispute Resolution..... 9
9. Joint Venture deals 9
10. Insolvency administration 9

I. B. BANKING 10

1. Financial and banking law 10
2. Loans negotiation and recovery 10
3. Mortgage protection 10

I. C. COMMERCIAL TRANSACTIONS 10

1. Deals negotiation 10
2. Legal Drafting 10
3. Legal Due Diligence 10

Legal Advisory & Consultancy 11

II. A. LEGAL ADVISORY 11

1. Legal opinions 11
2. Legal advisory 11

II.B. CONSULTANCY 11

1. Legal drafting 11
2. Legal due diligence and legal audit..... 11
3. Immigration services 11
4. Legal Training (specific laws) 11
5. Background Checks/Employee Vetting 11

Dispute Resolution..... 13

III. A. LITIGATION 13

1. Commercial Law 13
2. Public Auctions 13
3. Criminal Defence 13
4. Civil Litigation 13
5. Family Law 13
6. Constitutional Law and Human Rights 14
7. Land and Property Law 14
8. Taxation matters 14
9. Intellectual Property litigation 14
10. Insurance Law 14
11. Banking - Corporate Finance law 14
12. Public procurement law 14
13. Labour law 14
14. Private / public international law 14
15. Administrative law 15
16. Migration law 15
17. Construction, Energy and Infrastructures Disputes 15

III. B. ALTERNATIVE DISPUTE RESOLUTION 15

1. Arbitration 15
2. Conciliation and Mediation 15
3. Adjudication 15

Real Estate, Infrastructure & Natural Resources 16

IV. A. REAL ESTATE 16

1. Property conveyancing 16
2. Real Estate deals negotiation and contract drafting 16
3. Mortgage & securities registration 16
4. Real estate auctions 16
5. Investment certificate and letter of conformity for land acquisition..... 16

IV. B. INFRASTRUCTURE 16

1. Infrastructure deals negotiation and contract drafting 16
2. Legal support in public procurement 16
3. Infrastructure dispute settlement 17

IV. C. ENERGY 17

1. Deals negotiation, legal drafting and contract follow-up..... 17
2. Legal support in energy public procurement..... 17
3. Energy dispute settlement..... 17

IV. D. MINING 17

1. Permit application and regulatory compliance assistance 17
2. Drafting and negotiation of mining contracts 17
3. Litigation and claims 17

IP & Technology 18

V. A. INTELLECTUAL PROPERTY (IP) 18

1. Copyright 18
2. Trademark 18
3. Patent 18
4. Geographical Indication..... 18
5. Trade Secret 18

V. B. TECHNOLOGY 18

1. Cyber law 18
2. E- commerce 18
3. Software and technological creations protection 18

NOTARY SERVICES 19

1. Authentication of deeds 19
2. Authentication of signatures..... 19
3. Certification of document authenticity 19
4. Certification of the conformity 19
5. Issuance of copies of deeds drawn 19
6. Certification of wills 19
7. Certification and authentication of complex deeds 19
8. Issuance of other notarial deeds and other notarial services ... 19
9. Property land transfer 19

Managing Partner's **Statement**



On behalf of the entire team at **Abayo & Co. Advocates**, I am honored to present to you our law firm profile which contains detailed information about our services and all other information useful to our clients, prospective clients and various stakeholders.

Based in Rwanda, **Abayo & Co. Advocates** is a leading and reputable law firm with a long and successful track record of providing high-quality legal services to a host of corporate, financial institutions, Non-Governmental Organizations (NGOs), public institutions and to the individuals.

Since its establishment in 2009, the law firm has transformed itself as the most innovative and trusted legal service provider both in Rwanda and across the region. Due to its professionalism and efficiency in providing high quality legal services, the law firm has over the years been ranked by various renowned organizations globally as a leading law firm in Rwanda in the corporate, commercial and financial, and in other fields of law.

The firm boasts of a team of experienced attorneys that expend their expertise in providing legal advisory to a wide range of local, multi-national and international clients in our main areas of practice covering: Corporate & Commercial; Legal Advisory & Consultancy; Dispute Resolution; Real Estate, Infrastructure, Energy & Natural Resources; IP & Technology, as well as Notary (Land) Services. In furtherance of its practice, the law firm has established a program that offers pro-bono legal education to the Rwandan community through daily publication of the most crucial articles of the most used laws on our social media channels (LinkedIn, Twitter, Instagram, and Facebook).

The law firm's membership to international legal networks as well as its collaboration with various continental and international law firms has enabled us to successfully serve our clients with regional and international businesses by meeting their growing legal needs.

The law firm is also a member of various leading local business communities such as the Kigali International Financial Centre (KIFC), the European Business Chamber of Rwanda (EBCR) and the American Chamber of Commerce in Rwanda (AmCham). Through these memberships, the firm has placed its self in the best position to serve the legal needs of foreign investors.

We highly thank you for your time and in case you may be interested in our services, please don't hesitate to get in touch with us so that we can formulate a partnership plan that is compatible with your company legal needs or personal ones.

Further details about the law firm, our services, team and any other information useful to our stakeholders are accessible on our website www.abayo.law where you can download our company profile, articles and other useful publications.

Jean Claude Mutabazi Abayo
Managing Partner

Contacts:
+250 788 30075 claude@abayo.law
Jean Claude Mutabazi Abayo

Our Mission

Provide improved, reliable and timely services to customers with the objective of surpassing their expectations.

Our Values

Integrity, efficiency, professionalism, team work and a strong commitment.

Our Vision

Our vision is To be the most valued and admired Law Firm by excelling to our clients

Abayo & Co. Advocates is a member of

KIFC CLUB
Member

PSF
Golden Circle Member

EBCR
Star Member

AmCham
Champion sponsor

AREAS OF PRATICE

Abayo & Co. Advocates offers a wide range of legal services covering different law domains grouped within our 6 departments:

- Corporate & Commercial
- Real Estate, Infrastructure & Natural Resources
- Legal advisory & Consultancy
- IP & Technology
- Dispute Resolution & Notary Services
- Trustees and company services providers

Abayo & Co. Advocates **TEAM**

Lawyers



Jean Claude Mutabazi Abayo
Managing Partner
+250 788 300 075



Jean Bosco Ndahimana
Senior Partner
+250 788 300 381



Ismaïl Ddumba
Partner
+250 788 300 112



Gisèle Uwimana
Senior Associate
+250 788 307 127



Issa Clement Nsengiyumva
Senior Associate
+250 788 304 072



Lameck Mugisha
Associate
+250 788 304 955



Dieudonné Bashirahishize
Partner
+32 465 27 20 14



Etienne Dusabeyezu
Partner
+250 788 304 798



Nana Asamoah Tannor
Senior Associate
+250 788 303 150



Felix Mutangana
Associate
+250 788 303 445



Clovis Twagiramungu
Associate
+250 788 300 104



Lorris Muhigirwa
Associate
+250 788 300 535



Stephanie Izabayo
Associate
+250 788 302 275

Bailiffs **Team**



Etienne Byiringiro
Professional Bailiff
+250 788 302 016



Valerie Uwintije
Professional Bailiff
+250 788 302 062



Mediatrice Niyimbere
Professional Bailiff
+250 788 302 314



Jacqueline Murekatete
Professional Bailiff
+250 788 302 511

Administrative **Staff**



Angélique Uwase
Office Manager
+250 788 300 535



Joselyne Muhawenimana
Accountant
+250 788 307 950



Jean Gilbert Bazagwiza
IT Officer
+250 788 301 605



Grâce Niyikiza Rwambikana
Customer Relationship Manager
+250 788 302 505



Anicet Kananga
Logistics Officer
+250 788 302 565



Janvière Mukamugema
Messenger
+250 788 303 460



Nationally known corporate practitioners on your side

CORPORATE & COMMERCIAL

I. A. CORPORATE

1. Directorship services

The law firm provides directorship services to private companies both local and foreign that wish to have a resident director in compliance with the legal requirements of the Office of the Registrar General.

It is a legal requirement under the Rwandan company law, for business persons incorporating a new limited liability company to appoint a resident director who may either be a Rwandan citizen or a foreign national with a valid residency permit. Appointment of a resident director helps to increase the probability of timely corporate bank account approval, employee visa approvals and obtaining specific government licenses.

The law firm provides professional, passive nominee director services should our Clients have difficulties in finding a resident director. Our appointed director will merely be the resident director of the company in order to fulfill the local statutory requirements and will not play an active role in our Client's business. Our Client will solely be responsible for daily business activities and for corporate bank account activity.

For the terms of engagement regarding the appointment, the law firm and our Client will sign a legal contract outlining terms and conditions and limitations of the resident director appointment.

2. Trusts & investment funds

The law firm provides trustee services to various individuals interested in creating trust funds for the benefit of their intended beneficiaries.

We manage trusts and follow-up on their operation by working in close proximity with clients' other

Our team addresses the legal, regulatory, tax and commercial challenges facing a diverse group of investment fund clients, ranging from alternative-asset managers and financial institutions to independent boutiques and first-time fund sponsors. In addition, we represent an array of leading institutional investors throughout the region, including sovereign wealth funds, corporations and other participants in private funds. under this field of practice, we offer comprehensive services, including: Private fund formation, Liquidity solutions, Investment management and regulatory counsel and support and strategic GP advisory.

3. Company secretary services

A number of big companies have entrusted one of our law firm member the mandate of serving as their company secretary. Through this, we deliver a number of services including maintaining the company's statutory books, filing annual returns, arranging meetings of shareholders and directors, informing the registrar general of any changes into the company that may lead to changes in legal status, ensuring the security of the company's legal documents and advising directors or other company administrators of the company on their duties and powers.

4. Corporate restructuring

We assist local and multinational companies to increase consolidation and competition for the need to make material adjustments to the cost base in order for the business to survive and be able to continue. We also advise them on large scale and small scale restructuring exercise (retrenchment), senior executive termination and assist the company to identify the affected group, establish a timetable and make selection criteria.

Our department specialized in corporate law services supports local or international business companies in reorganizing the legal, ownership, operational, or other structures of a company for the purpose of making it more profitable, or better organized for its present needs or needs of its owners. We support shareholders in authenticating their resolutions of restructuring their shares in the company, management of companies (Board of Directors) and the functional aspects depending on changes in the business.

Following new structures of the company, some legal issues need to be solved before or shortly after modification of the company's status and management. We help the companies in restructuring their personnel depending on the nature of employment contracts signed by each employee and help the companies to settle all legal issues relating to contracts or engagements with its stakeholders (suppliers, clients, revenue and social authorities and any other parties doing business with the restructured company). While restructuring the personnel of the companies, we advise and support in modification of employment contracts for the continuing staff and support in terminating contracts of outgoing employees.

5. Company and business registration

We have a special department dealing with incorporation of any type of company as provided under Rwandan law, their registration in different state organs as well as the registration of any other kind of business in Rwanda, both for local and overseas investors. The specialization in this field is the effectiveness and efficient of our services among which some are carried out in few hours using electronic expertise of our staff .

6. Drafting articles of association

Basing on the governance and management of the business chosen by the shareholders, we help them in drafting of legal documents or articles of association governing all activities of the company. We have models for di erent types of companies.

7. Merger and acquisition

Two or more businesses may decide to merge, or one acquires the other for improving their business performance. During the course of merger and acquisition of two companies, basing on the status of the merging companies, we advise on the relationship of shareholders, employees, managers /directors of companies, management of contracts with stakeholders and all other legal issues pertaining to merger of companies or acquisition of one company by another.

8. Shareholders dispute resolution

With our expertise in corporate law, we advise the parties in settlement of disputes between shareholders of the company basing on company's legal documents and laws governing the issue disputed. We also provide support in settlement of disputes between shareholders and directors or managers of the companies.

9. Joint venture deals

It happens more often in business that more than one company join hands to execute a project or compete for a tender and that requires the legal expertise to regulate the relationship between contracting companies. With our expertise in joint venture deals, we support clients in designing joint venture agreements, execution of common contracts and dissolution of the joint venture after completion of the common deal.

10. Insolvency administration

We are experienced in all recovery procedures and we represent different parties in procedures of insolvency. Some of our Lawyer are certified insolvency administrators and that enables them to raise experience in all procedural requirements for cases relating to insolvency administration. We have administered many insolvency procedures for different companies and helped to solve disputes between all parties involved in the process.



I .B. BANKING

1.Financial and banking law

We are better know for advising big financial institutions (Insurances and banks) on compliance with financial sector regulations and laws. Being one of the most regulated sector and our attorneys work hand in hand with clients to help them comply with those regulations. We support in acquiring and renewal of licenses and management of contracts with stakeholders of banks and insurance companies.

2. Loans negotiation and recovery

During negotiation of loan contracts, legal aspects or contract terms are to be given attention and our clients (banks or their clients) require our support while negotiating contracts for big loans. We are also experienced in representing different financial institutions in recovery of loans where clients default to comply with contracts.

3. Mortgage protection

Security interests in immovable or movable properties payment when the debtor fails to pay the debt as agreed. Loss in the mortgaged property amounts to losing a creditor and a reliable one, reason why we support creditors of obligations /banks to undertake all possible means to protect mortgages against any cause of damage.

I .C. COMMERCIAL TRANSACTIONS

Besides our services to clients in the framework of dispute settlement and prevention, we have a specialized business department providing legal services relating to different commercial transactions depending on the nature of the business. Our Law Firm is recommended for the following:

1. Deals negotiation

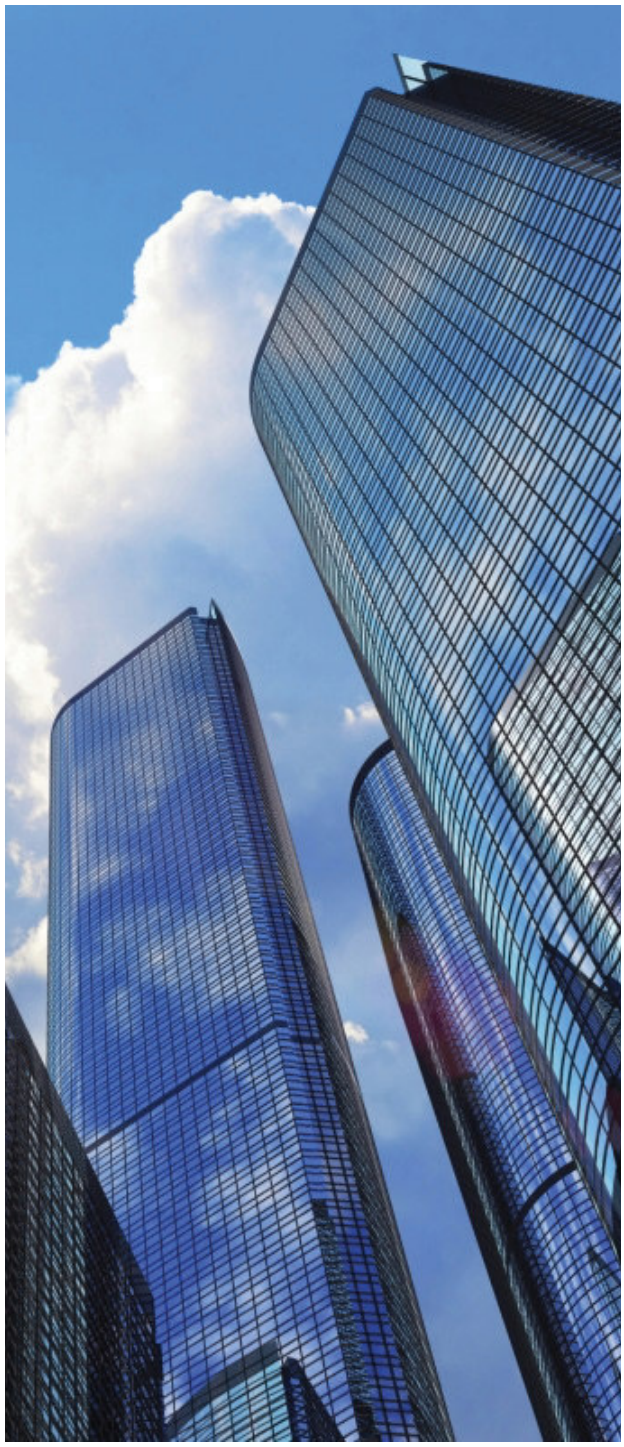
We are equipped with negotiation skills and experience. We prepare ourselves and the clients for the negotiation meetings considering the nature of business, the party with whom a contract is to be made and the framework under which it operates. We consider respecting all legal requirements prior, during and after contract signature. With our experience in contractual matters, we negotiate deals that are easily executed by our clients.

2. Legal drafting

After negotiation and conclusion of deals, we draft on behalf of our clients and their contracting partners any document authenticating their agreement like the Memorandum of Understanding (MoU), Letter of Intent, Contracts, Correspondences, and Legal Notices. Besides, we provide support in preparation of company correspondences basing on requirements of the companies act.

3. Legal due diligence

In the daily management of any business, any responsible managers will require a comprehensive assessment of the possible legal risks related to the corporate status, assets, contracts, securities, intellectual property etc. of the target company concerned. From there, upon request by the clients, we conduct legal research on the matter that needs to be ascertained before making any decision. Our reports are comprehensive to any concerned person.





LEGAL ADVISORY & **CONSULTANCY**

> Our team of experienced attorneys provides enhanced legal advisory to suit the client's need for informed decision making

II.A. LEGAL ADVISORY

1. Legal Opinions

For different matters in different domains of law submitted to us by clients, we provide written legal opinions in which we analyse facts pertaining the cases, extract legal issues requiring attention, provide legal sources that may help to motivate the case and finally provide our legal opinion to clients. Many clients have appreciated our contribution that helped them to take informed decisions with all necessary legal benchmarks.

2. Legal Advisory

For existing cases or newly projects to be initiated by the clients, we hold consultation meetings with clients aimed at assessing the proposed way of doing something, and provide legal advice on what should be done at any stage to avoid violation of laws that may lead to troubles. For a better client's legal orientation, we deploy an experienced lawyer in the domain of the client's interest.

II.B. CONSULTANCY

1. Legal Drafting

On behalf of our clients, we draft and provide them with templates of legal documents including but not limited to contracts with employees, suppliers, clients and other stakeholders, internal rules and regulations of the companies, articles of associations, proceduremanuals and administrative & HR manuals.

2. Legal due Diligence and Legal Audit

The Law Firm's team undertakes the legal due diligence in any legal domain on behalf of the client and helps to take an informed decision basing on reliable legal information resulting from the research conducted by our sta . On behalf of the clients, we also conduct legal audit to help them improve compliance with different laws governing their domains of intervention.

3. Immigration Services

If you are seeking temporary or permanent residency or work permit in Rwanda, need help for any type of visa for foreigners visiting rwanda, wish to register an international NonGovernmental Organization (INGO) with Rwandan laws, or are facing deportation and removal from Rwandan territory, our immigration attorneys can provide legal assistance or representation. Our integrated team of immigration lawyers also represent cross border businesses seeking to secure temporary visa or permanent residency and work permits for foreign employees deployed to Rwanda for specific missions. With our law firm's extensive and deep experience, we prepare necessary legal documents for temporary and permanent registration of local and international NGOs at Rwanda Governance Board (RGB) and support them during the process of registration until final documents are issued. We provide continuous legal support in compliance with sector laws to our clients in order to avoid suspension or deregistration.

4. Legal Training (specific laws)

Abayo & Co. Advocates provides legal training and related services that develop human resources and institutional capabilities in different legal felds on demand by our clients. We train managers to basic legal benchmarks necessary for management of the company 's business. We train and provide guides to Human Resource Officers in HR management from recruitment to dismissal and possibly management of HR litigations that allows them to reduce professional faults in their work which in the end risk the companies to pay unnecessary damages. By request of institutions, we organize and provide training sessions for their staff about employment laws, internal regulations of institutions, HR manuals and speciffcally features of different types of contracts with institutions.

The law firm provides training to different groups in all domains of law especially rights of those groups in particular (employees, women, children, people with disabilities, etc.). We develop training manuals, train those groups and provide practical guides for basic skills provided.

5. Background Checks/Employee Vetting

The law firm provides the service of conducting professional background checks/Employee Vetting on behalf of our corporate clients. Our in-house team of attorneys undertake some of the most difficult and varied checks that can be asked of by any organization intending to employ or re-deploy professional staff.

Through conducting the pre-employment vetting process, the law firm helps the client to determine whether a candidate is suitable for a particular role in his/her organization and that they possess the required qualifications and skills. The vetting process also helps the client to confirm whether the candidate is physically able to carry out the work and that they are legally allowed to work in Rwanda.

The particular services we offer under this area of practice include:

- Confirming employment history
- Authenticating educational credentials such as degrees, professional licenses and certifications
- Reference checking
- Checking social media profiles
- Reviewing credit reports; and
- Searching for any prior criminal records or jail time



The particular services we offer under this area of practice include:

- **Legal Opinions**
- **Legal Advisory**
- **Legal Drafting**
- **Legal due Diligence and Legal Audit**
- **Immigration Services**
- **Legal Training (specific laws)**
- **Background Checks/Employee Vetting**





"Conflict is inevitable but combat is optional"

Max Lucado



DISPUTE RESOLUTION

III. A. LITIGATION

Our litigation department is fully dedicated for seasoned management of clients' cases in all domains of law following individual lawyer's specialization.
Our Litigation Lawyers have a combination of experience and expertise in the following domains:

1. Commercial law

At our Law Firm, we have expertise in business and commercial law which are two areas of legal practice that have so many overlapping issues requiring knowledge and experience. We represent /assist clients before commercial courts at all levels in disputes relating to commercial transactions. We ensure fully integrated legal representation that guarantees sustainability of the business of different players serviced by our law firm.

2. Public auctions

It is rare to find a successful public auction procedure that leaves the parties satisfied by its outcome, as it has become a common practice to refer to court to overturn auction outcomes. We have expertise in interpreting auction substantive and procedural laws where any dispute arises out of auction sales. We have helped many business players to overturn auctions that saw their properties sold in violation of legal requirements.

3. Criminal defence

With our advocates specialized in criminal law and experienced in criminal procedures, we follow up all criminal cases from the first early step, before the judicial police (Rwanda Investigation Bureau/RIB), the prosecution and assist clients before first instance courts to the last competent jurisdiction. This involves also visiting regularly our detained clients in different detention centres/prisons to make them aware of how far their cases have reached and requesting for them dates of trial in the different jurisdictions. We also make sure that our clients legal rights are respected by all judicial organs.

4. Civil litigation

As opposed to criminal litigations where repression is the main purpose of the procedures, civil litigations are aimed at recovering monetary benefits offended during transactions between different people. We have expertise in dealing with contractual and quasi-contractual litigations. We represent/assist litigants before courts in proceedings relating to contractual obligations, tort liability and extra-contractual obligations like management of other person's affairs by which the Court's determination of an obligation of one party to another is requested where no actual contract exists between them.

5. Family law

We have well trained and experienced Family Lawyers helping litigants to solve family related disputes like marriage related



We handle Parallel administrative, Civil, commercial, criminal and employment cases.

litigations, matrimonial regimes, divorce, adoption, civil status documents, donations, successions, etc. We have a team specialized in family mediation helping different family members to have an understanding before cases go out for courts. We focus to reunite families and have their disputes solved in a win-win situation to keep the family relationships.

6. Constitutional law and human rights

We represent/assist before courts and other decision making organs victims of infringements on constitutional provisions and human rights. We have an agreement with the National Commission for Human Rights (NCHR) to handle human rights cases assigned to the Law Firm by the Commission.

7. Land and property law

The Law Firm represents land and property owners in cases brought before courts or other organs aimed at protecting their rights over land or other immovable properties. We assist parties for any disputes relating to various forms of ownership and tenancy in real property.

8. Taxation matters

We handle all taxation law related cases for small, large businesses and corporations. We follow up all tax law compliance matters for the company and assist/represent them before tax authorities (RRA) for different tax procedures and before courts where cases are brought to courts for determination by or against our clients.

9. Intellectual property litigation

We assist / represent our clients during settlement of disputes relating to violation of their IP rights before all organs of dispute settlement or claims against alleged violation of others' intellectual property and technological rights. We help to handle cases before administrative organs on different notices relating to IT rights, and all cases before courts of law and related damages. We warranty integral representation of clients'interests.

10. Insurance law

With our Attorneys specialized in insurance law, we handle all cases relating to responsibilities resulting from insurance contracts and injuries caused by insured parties. We also represent clients during negotiation and conclusion of insurance policies. This covers many segments including but not limited to Life Insurance,Traffic Accidents, Cargo and Services Insurance, Travel Insurance, etc.

11. Banking - corporate, finance law

We represent different banks and other financial institutions in cases against clients defaulting to comply with contractual terms.

Our experience in banking and financial law in general, helped us to permanently serve different banks including Equity Bank Rwanda, Letshego Rwanda, Unguka Bank, Commercial Bank of Africa and other financial institutions entrusting us occasional mandates.

12. Public procurement Law

We represent entrepreneurs, companies and individuals before judicial and extrajudicial instances for cases relating to contracts awarded through public procurement procedures. Our Lawyers are experienced in all procedures pertaining public procurement and execution of related contracts and that enables us to well defend our clients involved in disputes with procuring agencies.

13. Labour law

The Law Firm handles employment cases for different business entities or individual employees claiming their rights during or after employment. The Law Firm has specialized Lawyers who master well the social security system of Rwanda which enables us to successfully handle cases relating to pensions and occupational hazards claims.

14. Private / public international law

With globalization of businesses, transactions across different legal jurisdictions between persons, companies, corporations and other legal entities have increased and inevitably disputes about conflict of laws have risen in numbers. We represent cross border clients in those cases involving application of different territorial laws and/or international conventions. For these types of cases, our Lawyers specialized in International Law work hard to select competent jurisdictions and where the main interests of our clients are centered.

15. Administrative law

Our Attorneys are experienced in representing clients in administrative instances for cases relating to decisions taken by any public organ that violates their rights. We handle cases relating to expropriation of properties for public interest, sanctions against public servants and any other cases involving decisions of administration that contravene laws.

16. Migration law

With our expertise in migration law, we assist clients in all migration cases pertaining to application and renewal of travel documents, visas, work and residence permits and all other rights claimed before the migration authorities by citizens or non-citizens of Rwanda. We assist people in all procedures of application or withdrawal of citizenship.

17. Construction, energy and infrastructures disputes

We represent construction, mining and telecommunication companies in cases relating to contracts of construction, mining, infrastructure diffusion, telecommunication and aviation. We help parties to transact about potential and existing disputes in any of those sectors and in case of failure of compromise, our clients' interests are well defended before courts.

III. B. ALTERNATIVE DISPUTE RESOLUTION

The emerging business globalization is characterized by options of fast and confidential settlement of disputes and players in accelerated business are currently looking and opting to outside the courtroom setting to resolve their business disputes. We assist and represent business entities and other players in the following:

1. Arbitration

We have experience in arbitration and other out of court mechanisms of dispute settlement and that experience empowers the law firm to effectively represent our clients in institutional and ad hoc arbitration proceedings. Some of our Attorneys can be appointed as arbitrators as they are certified by qualified institutions. These mechanisms are safeguarded during contract negotiation for our clients who are not comfortable with court procedures, as a better arbitration procedure is designed during contract negotiation not when the dispute has arisen.

2. Conciliation and medition

We assist and represent our clients in dispute-resolution process in which an independent third party (mediator and conciliator) helps disputants to settle a conflict in a mutually acceptable fashion and avoid to further go to binding mechanisms of dispute settlement. With this process, we ensure that relationships between disputing parties are not affected as the process aims at settling the dispute while safeguarding mutual understanding and long term relationship/friendship of the parties.

3. Adjudication

We represent clients in procedures of adjudication which is the legal process by which an appointed expert reviews evidences and argumentation, including legal reasoning set forth by opposing parties or litigants to come to a decision which determines rights and obligations between the parties involved. This procedure is most popular in construction and infrastructure litigations where parties want someone who understands the matter at hand and determines what should be done by each of the disputing parties.





REAL ESTATE, INFRASTRUCTURE & NATURAL RESOURCES

IV. A. REAL ESTATE

1. Property conveyancing

While involved in the transfer of properties, through Conveyancing we help the clients in the process of transferring ownership of a legal title of land (property) from one person or entity to another. Our intervention as lawyers comes before contract to analyze all legal issues that might render the transfer invalid, during transfer and signature of the contract and after transfer where we help the acquirer in getting ownership titles.

2. Real Estate deals negotiation and contract drafting

Many real estate developers and dealers commit a number of mistakes while negotiating their contracts but the presence of our member in the negotiating team shall help avoiding legal mistakes in deals of our client and that assures successful transfer or acquisition of the property. We accompany our clients in negotiation of different legal transactions and drafting of resulting contracts.

3. Mortgage & securities registration

For any obligations requiring registration of the mortgage or security interest of the creditor, we support in registration and protection of the mortgage or security interest in immovable property to the best protection of our clients.

4. Real estate auctions

We participate in procedures of auctioning real estates to make sure that the legal requirements are met before our clients commit their money in buying properties in the auction. Adversary, we may defend owners of properties against any sale through auctions that is in contradiction with legal requirements.

5. Investment certificate and letter of conformity for land acquisition

The companies are required to have the investment certificate as well as the letter of conformity for land acquisition in order to acquire land in Rwanda. Our law firm provides the service of obtaining both documents on behalf of our Clients. Our team liaise with Rwanda Development Board to obtain both documents within the shortest period of time.



IV. B. INFRASTRUCTURE

1. Infrastructure deals negotiation and contract drafting

Developers and distributors of infrastructures are likely to commit a number of mistakes while negotiating their contracts but the presence of our member in the negotiating team shall help avoiding legal mistakes in deals of our client and assure legal protection throughout the whole process. We accompany our clients in negotiation of different legal transactions and drafting of resulting contracts.

2. Legal support in public procurement

Big tenders, especially those relating to infrastructure development or distribution require compliance with legal requirement by bidders. We provide legal support in preparation and follow up of infrastructure tenders up to the level of contract execution.

3. Infrastructure dispute settlement

We assist/represent our clients during settlement of disputes arising out of infrastructure development or distribution. We help clients to handle cases before administrative organs on different notices and represent them before courts in all cases aimed at claiming related damages.

IV. C. ENERGY

1. Deals negotiation, legal drafting and contract follow-up

Gas and power/electricity dealers sometimes commit mistakes while negotiating their contracts but the presence of our member in the negotiating team shall help avoiding legal mistakes in deals of our client and assure legal protection throughout the whole process. We accompany our clients in negotiation of different legal transactions and drafting of resulting contracts.

2. Legal support in energy public procurement

Big tenders, especially those in the energy sector require compliance with legal requirements by bidders.

We provide legal support in preparation and follow up of energy related tenders up to the level of contract execution.

3. Energy dispute settlement

We assist/represent our clients during settlement of disputes arising out of energy contracts. We help clients to handle cases before administrative organs on different notices and represent them before courts in all cases aimed at claiming related damages. We advise and represent developers and sellers of electricity systems, gas and solar energy companies.

IV. D. MINING

1. Permit application and regulatory compliance assistance

We help our clients to apply for and obtain relevant mining permits, assist them in making sound business decisions to ensure compliance with statutory and regulatory requirements.

2. Drafting and negotiation of mining contracts

We advise, assist and represent many clients in the analysis, drafting, negotiation and renegotiation of contracts such as mining research and exploitation agreements, mine leasing contracts, assignment contracts, merger and acquisition contracts, joint venture contracts for the operation of mining projects, option contracts in mining research, mining mortgage contracts, and contracts between investors and holders of mining rights for the financing of mining projects.

3. Litigation and claims

We assist our clients with litigation on the validity of mining rights and titles, especially in matters of refusal of assignment, renewal, withdrawal or cancellation of rights and titles, or forfeiture of their holders' rights. We also work in other litigations related to the mining activities, in particular, litigation related to environmental damage, litigation related to the expropriation of mining rights and titles.





IP & TECHNOLOGY

> Our IP Team is uniquely situated to handle cases involving all types of IP claims.

The law firm provides services of registration and protection of intellectual property rights of inventors, writers, artists, scientists and others whose creations of mind are protected by the law. Our Intellectual Property and Technology Law department has dedicated lawyers trained, with particular strength in key global markets and technological transactions. Intellectual property and technology law is at the core of any major business transaction or strategic dispute and has become one of the most critical legal areas as companies continue to expand and protect their technologies, brands, products, data and services around the globe.

V. A. INTELLECTUAL PROPERTY (IP)

1. Copyright

We help clients in protection of their Copyright in a form of legal protection granted to the authors of original creative works. Under this domain, we cover a number of subject matters, including literary works, musical works, dramatic works, pantomimes and choreographic works, architectural works, pictorial, graphic, and sculptural works, motion pictures and other audiovisual works, Sound recordings and Computer programs.

2. Trademark

With trademarks, we help clients in registration and protection of a word, phrase, symbol or design or a combination of any of these that serves to identify and distinguish a specific product or service from others in the marketplace.

3. Patent

With patents, we help the clients in approaching the Government requesting grant of a property right that permits an inventor to exclude others from making, using, selling, offering for sale, or importing their inventions. Many inventors have made much wealth not only because they invented something but also because they had been able to exclude all others from misusing their rights.

4. Geographical indication

We support clients in registering and protecting their Geographical indications (or GIs, as they are commonly called) treated as a subset of trademarks in some jurisdictions. This enables business actors to identify a good or service as originating in a place, region, or locality where a given quality, reputation, or other characteristic of the good is essentially attributable to its geographic origin.

5. Trade secret

Our Intellectual Property department help clients to register and protect their trade secrets considered in a general sense, as confidential information that has commercial value. Upon registration, any user has to be authorized by the owner of the secret.

V. B. TECHNOLOGY

1. Cyber law

The emergence of internet and technology of a business tool gave rise to cyber law to regulate related transactions. Our Intellectual Property and Technology department masters different aspects of cyber transactions and helps clients to avoid risks of cyber criminals and loss generated by cyber transactions.

2. E-commerce

We assist clients in their electronic commercial transactions by playing an intermediary role in dealing with their business counterpart that are in a distance restricting them from holding regular meetings or physically meet to conduct some transactions. We follow up execution of electronic orders and help in solving possible legal disputes.

3. Software and technological creations protection

Technological and software creations are utmost sources of welfare but if they are let for free use, owners will not have any consideration or counterpart of their efforts and knowledge. At our Law Firm, the IPT Department helps Software creators to register and protect their rights for making money.

4. Fintech

Our law Firm stands at the forefront of legal innovation, seamlessly integrating traditional legal expertise with cutting-edge financial technology solutions. We pride ourselves on offering comprehensive fintech services that cater to the evolving needs of our clients in the digital age. Our experienced team of legal professionals possesses a deep understanding of the intricate intersection between law and technology, ensuring that our clients receive unparalleled guidance in navigating the complex landscape of financial technology. We provide various finitech services including but not limited to regulatory compliance, transactional support, application for licenses to operate various services in Rwanda, etc. We are committed to delivering top-notch legal services that empower businesses to thrive in the dynamic and rapidly changing fintech industry. With a reputation built on excellence, trust, and innovation, we stand ready to be your strategic legal partner in the world of finance and technology.



NOTARY SERVICES

We provide fast and efficient notary services

Two (2) Attorneys of **Abayo & Co. Advocates** have been granted the authorization to provide Notary Services by the Ministry of Justice (MINIJUST). Previously, only designated and sworn in public notaries based in different centralized and decentralized government institutions were authorized to authenticate documents in Rwanda. But the growing need of fast and efficient notary services led the government of Rwanda to enacting the law allowing private legal practitioners to provide notary services, two Attorneys of **Abayo & Co. Advocates** were among the first pioneers licensed by the Ministry of Justice to provide private notary services. Those Notaries have competence of providing the following services:

1. Authentication of deeds

Our notaries have the competence to authenticate private deeds legally made between individuals, companies or other organizations whenever they need to file or use authentic deeds. Deeds that can be authenticated include but are not limited to contracts, resolutions of Boards of Directors or Companies, minutes of meetings and many more others.

2. Authentication of signatures

The law gives our notaries the power to authenticate different signatures depending on drawers and anticipated use. Professionalism and compliance with laws is assured at all levels.

3. Certification of document authenticity

Some documents are authentic but that authenticity is not known to all people except the drawer and the holder. By request of interested parties, after verification with all legal means, our notaries may certify authenticity of a document before being used.

4. Certification of the conformity

More often, useful documents like degrees, transcripts, certificates, extracts are issued in a single copy which the owner or beneficiary needs to hold all the time. To be assured of the conformity, some people request notarized copies and our notaries have the power to certify with stamps conformity of a copy to the original after verification and assurance of that conformity.

5. Issuance of copies of deeds drawn

Some deeds are drawn by or before the notary who keeps one original copy of the deed. If requested by beneficiaries or qualified people, the notaries issue copies of all deeds they drew up or drawn before them as provided by the law.

6. Certification of wills

Our notaries have the power to certify different types of wills and authenticate them following provisions of the law governing succession and will, in particular. The wills subject to certification include those involving movable, immovable and other types of properties that can be bequeathed by the owner. We also authenticate or certify wills relating to assignment of rights and liabilities.

7. Certification and authentication of complex deeds

Some deeds are complex in their nature following the number of parties involved, the value of money in question, the number of transactions to be concluded or other factors that may not assure their sincerity in the future. Our notaries have the ability and competence to verify and certify or authenticate complex deeds.

8. Issuance of other notarial deeds and other notarial services

The list of notarial services listed above is not exhaustive. Our notaries can authenticate more than the types of deeds listed above, or provide more notarial services than those listed above. A full list of the documents we are able to notarize along with the respective fees is available at our law firm office or can be sent by request via the private notary's email:

9. Property land transfer

Our delivered services include but are not limited to the transfer of land ownership between individuals or companies through sale contracts, donations and liberalities. The transfer is completed within three to seven working days depending on the case.

www.visitrwanda.com

