



**Prof. Musili Wambua & Co.
Advocates**

Commissioners for Oaths, Notaries Public
and Arbitrators

SUSTAINABILITY REPORT 2016/2017

A REPORT BY PROF. MUSILI WAMBUA & CO. ADVOCATES TO THE UNITED NATIONS ON THE SUSTAINABLE DEVELOPMENT GOALS AND THE UN GLOBAL COMBACT PRINCIPALS - HOW THEY HAVE BEEN FULFILLED AND THE IMPLEMENTATION MEASURES PUT IN PLACE BY THE COMPANY.

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SUSTAINABLE DEVELOPMENT GOALS



ABOUT THIS REPORT

About the report

We are pleased to welcome you to our sustainability report (January-April 2017) which discloses our business activities and responsibilities. This report focuses on the UNGC principles on business and human rights. The reporting format shall be guided by the Global Reporting Initiative.

Scope of the Report

This report covers the progress Prof. Musili Wambua & Co. Advocates has made in addressing the applicable UNGC principles and SDGs.

This report shall address the provision of premier legal services to our corporate and individual clients and the provision of pro bono services to the community in furtherance of SDG number 16.

Our Sustainability Mission

To facilitate access to justice and provide quality legal services that meets the established professional legal ethics.

Report Contents

The Report encapsulates what we specialize in and steps taken to achieve the SDGs.



INTRODUCTION

Message from the Managing Partner

Prof. Musili Wambua & Company Advocates is a premier legal services provider and consultant based in Nairobi, Kenya. I am the founding partner of the firm having built a reputation in rendering professional legal services through a pool of well trained, widely exposed and experienced legal practitioners in different law firms over a cumulative period spanning over three decades.

The firm is organized and structured in a manner suitable to offer legal services to our clients efficiently, effectively and competitively while at the same time promoting professionalism, upholding the principles of good corporate governance and sustainable development.

This report is intended to highlight the numerous activities the firm has undertaken to address the SDGs.

Structure and Management Role Highlights

In order to offer top quality and professional services to our clients, the firm is organized into four departments: Litigation, Commercial and Conveyance, Legal Research; and Accounts/ Administration. Each department is headed by an associate with the accounting department being headed by a qualified accountant. Associates are encouraged to specialize in services offered by either of the departments so as to increase efficiency in service delivery to the firm's clients. The specialization also enhances development of specialized skills for the professional staff cadre.



WHAT WE DO

Our Core Values and Ethos

- a) Excellence
- b) Integrity
- c) Dedication
- d) Innovation

Our Vision and Mission statements

Our mission is to profitably gain and retain clients by providing quality legal services that meet the established ethics of the legal profession.

Our vision is to conduct our affairs at the highest level of excellence so as to create a lasting client partnership, provide growth and opportunity for employees and return superior value to our clients.

Our business specialty

1. Dispute Resolution

We handle litigation relating to the enforcement of civil rights and obligations - including representing clients in the Supreme Court, Court of Appeal, High Court and other subordinate courts and tribunals. The specific matters handled include:

- a. Civil claims
- b. Debt collection
- c. Commercial disputes
- d. Labour disputes
- e. Claims based on professional negligence
- f. Accident and insurance claims
- g. Intellectual property and industrial disputes
- h. International commercial arbitration



2. Labour Law

The firm offers services to clients on all aspects related to Labour Law and compliance with all the employment and Labour laws.

3. Conveyance

We advise and act for our clients in matters related to property law which include:

- a. Acquisition and disposal of interests in property
- b. Physical planning and property development
- c. Environmental law and regulations
- d. Financing of property transactions and security documentation for lenders
- e. Acquisition and disposal of interests in chattels.

4. Commercial Transactions

The firm offers services to clients on business related transactions including:

- a. Incorporation, mergers, acquisitions and dissolution of limited liability companies
- b. Business agreements
- c. Employment contracts
- d. Establishment of trusts

5. Environmental Law

The firm offers services to clients on issues related to Environmental Law and compliance with the regulatory provisions of the Environmental Management and Co-ordination Act (EMCA). The firm has in the past been included in the panel of external advocates for the National Environmental and Management Authority (NEMA).

6. Intellectual Property

We offer legal advice to and act for our clients in registration and protection of the various types of intellectual and industrial property. These include patents, copyrights, trademarks, business names, licensing and franchising agreements.



7. Drafting

The firm has in the past been retained by various government departments and state corporations to draft bills and subsidiary legislation.

8. Debt Collection

We offer debt collection services to clients who include leading commercial banks, insurance companies, Nairobi City County government and other blue chip companies.

9. Shipping and Maritime Transactions

The firm has demonstrated expertise on Kenyan and international maritime and marine Insurance laws. The managing Partner is a renowned scholar and consultant in this area of law.

10. Criminal Law

The firm represents clients in select briefs on criminal law.

11. Oil and Gas

The firm handles legal and regulatory issues in the Energy, Oil and Gas sectors including:

- a. Structuring, review, analysis, negotiation and preparation of documentation for exploration, development and operation of oil and gas properties including concessions, drilling, development, production-sharing, joint ventures, and operating agreements.
- b. Purchase and sale of crude oil, natural gas and petroleum products.
- c. Construction and operation of processing and refinery plants, terminals and pipelines.
- d. Acquisitions and disposition of oil and gas properties, pipelines, gas and oil processing plants, refineries, storage facilities, oil and gas companies, etc.
- e. Purchase, transfer, Lease and other transactions involving Oil, Gas and Energy.
- f. Sales, marketing, storage, processing and transportation agreements.
- g. Financial support such as asset finance, mortgages, production-payments of oil and gas reserves, plants and other assets.
- h. Structuring and creation of business entities such as Partnerships, Limited Companies, Joint ventures, joint ownerships.



- i. Performance of due diligence for acquisitions and dispositions of properties with Oil and Gas content; Oil and Gas companies, exploratory rights, processing and refinery plants, storage facilities etc.
- j. Commercial arbitration and litigation, legal advice and negotiating settlements for energy related disputes, and preparation of settlement agreements.
- k. Legal advice on all issues involved in the areas of renewable energy in Kenya.

12. Public Private Partnerships (PPP)

The firm handles legal and regulatory issues involving Public Private Partnerships (PPPs) including:

- a. Risk mitigation (Letters of Support, Guarantees (Demand/Traffic Guarantee) and subsidies
- b. Performance monitoring mechanisms
- c. Direct agreements and step-in rights to lenders
- d. Compensation for termination/ extra-ordinary events/ direct impact of change of Laws
- e. Advise on institutional framework for development and approval of PPP projects



SUBSTANTIVE MATERIAL ON THE 10 UNCG PRINCIPLES AND SDGS

GOOD HEALTH

The firm has subscribed to the National Hospital Insurance Fund (NHIF) for its employees to conform to its legal obligation and ensure that its employees' health is well catered for. The firm ensures that all employees work in a healthy and conducive environment that permits optimal productivity and delivery of services.

GENDER EQUALITY

The firm endeavors to give effect to gender equality and comply with the gender rule as provided for in the Constitution of Kenya, 2010. In the current structure the firm has maintained a ratio higher than the required ratio of 2:1 and strives to maintain a ratio of 1:1 during recruitment processes. .

CLEAN ENERGY

The firm is an ardent believer in environmentally friendly and clean energy. For this reason, the management of the firm has installed energy saving fluorescent bulbs in its premises and has adopted the go green policy of minimizing the use of paper in the office. We handle and advise our clients in transactions involving clean and safe energy.

DECENT WORK

The firm has conformed to the United Nations Economic and Social Council (ECOSOC) definition of **decent work** (employment that respects the fundamental rights of the human person as well as the rights of workers in terms of conditions of work, safety and remuneration, respect for the physical and mental integrity of the worker in the exercise of his/her employment).

Every employee of the firm is accorded a secure and friendly working environment necessary for professional and personal growth. Income earned is fair and proportionate to work done and



employees enjoy social security through cover issued by the National Social Security Fund (NSSF). The employees are granted the freedom to express their concerns through well laid out and transparent procedures and fully participate in management decision making.

ACCESS TO JUSTICE

The firm in collaboration with other institutions has assisted indigent persons gain access to justice through its *pro bono* program developed as part of its Corporate Social Responsibility (CSR) strategy . Some of the associates have been members of the *pro bono* scheme of legal aid programmes in various Non-governmental Organizations like Kenya Human Rights Commission (KHRC).

WAY FORWARD

In line with our sustainability mission, we hope and plan to promote the same to our partners, clients and other external stakeholders. Specifically, our sustainability strategy for 2017 is:

- a. Promoting access to justice by our clients.
- b. Sensitizing our partners and other stakeholders on the relevant SDGs.
- c. Enhancing community collaboration to give effect to the SDGs.

REPORT AVAILABILITY

In line with our values and ethos, this report will be communicated to all our key stakeholders through the set out modes of communication including posting in our website, email and other convenient modes of communication.

