

Janette Nyaga

Associate



Janette Nyaga is an Associate in our Technology, Media & Telecommunications practice.

About Janette

News

[Funding agriculture: The warehouse receipt system](#)

The agriculture sector is the backbone of the Kenyan economy, contributing just over one-third of Kenya's gross domestic product and employing more than 40% of the population. The sector supports the rest of the economy by supplying the manufacturing sector with raw materials and generating tax revenue and foreign exchange.

[When can a river sue you? Implementing a rights of nature approach in environmental management](#)

It will soon be a year since Justice Bor delivered a judgment with a bearing on the rights of nature. This was in the case of *Isaiah Luyara Odando and Another v National Management Environmental Authority and Two Others ; County Government of Nairobi and Five Others (Interested Parties) eKLR (Isaiah Luyara Odando)*, where the petitioners sought a declaration that the Nairobi, Machakos, Kiambu, Kilifi, Makueni and Tana River County Governments had violated their right to a clean environment by failing to stop pollution along the Nairobi and Athi Rivers.

[The time crunch in challenging an arbitrator's jurisdiction](#)

The High Court has often indulged litigants who failed to comply with the time limits for challenging the jurisdiction of an arbitrator. This has been on the mistaken belief that such indulgence satisfied the ends of justice for a litigant that was not necessarily indolent, but simply late. However, in the recent case of *University of Nairobi v Nyoro Construction Company Ltd and Another KEHC 380 (KLR)*, Hon Justice Majanja held that the Arbitration Act deliberately limited the timeframe in which a litigant could challenge the jurisdiction of an arbitrator to reduce the interference by courts in arbitral proceedings.

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Expertise

[Technology, Media & Telecommunications](#)

Location

Nairobi

Language

English

Swahili

[No longer at ease: The conflicting duties of the receiver manager in the corporate rescue process](#)

Receiverships have historically been viewed as a kiss of death to financially distressed companies. In essence, the receiver manager only has a duty to safeguard the interests of the appointing debenture holder, and not the whole body of creditors or the public. However, the ruling in *Kimeto & Associates Advocates v KCB Bank Kenya Limited & 2 others* may be considered a breath of fresh air possibly giving a chance for the recovery of companies placed under receivership.

[Tapping into commercial aquaculture opportunities in Kenya](#)

Since its beginnings in Kenya in the 1920s, aquaculture has grown from being predominantly useful for family subsistence farming in rural areas, to being progressively integrated into Kenya's socio-economic system as a viable commercial activity involving the sale or trade of farmed fish.

Podcasts

[Fixed term contracts - What they don't tell you](#)

A fixed term contract is a contract of service for a specified period of time. Despite having a clear end date, the Courts in Kenya have held that there are certain instances that an employee can have a legitimate expectation of the renewal of the contract.

[A second employer? Understanding the secondment relationship](#)

Secondment refers to any contract that results in the temporary transfer of an employee to another employer or position. In this podcast, Christine Mugenyu and Janette Nyaga analyse the secondment relationship, and particularly the roles of the different employers and the termination of the secondment relationship. This discussion is guided by the recent Court of Appeal Case of *Kenya Methodist University v Kaungania & another* (Civil Appeal 61 of 2017) and the decision by the Employment and Labour Relations Court in Nyeri in *Mary Nyangasi Ratemo & 9 others v Kenya Police Staff Sacco Limited & another* eKLR.

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