

Michelle Kibui

Associate



Michelle Kibui is an Associate in our Corporate & Commercial practice.

About Michelle

Credentials

Education

- The Kenya School of Law (2024-2025) – Completed the Advocates Training Program
- The University of Nairobi (2020-2023) - Acquired a Bachelor of Laws degree (Attained Second-Class Honors -Upper Division)

Experience

Corporate & Commercial

- Drafted, amended, and discharged security instruments, including debentures, deeds of amendment, pledges, and board resolutions.
- Prepared statutory filings and corporate forms relating to the creation and discharge of securities.
- Advised on company incorporations, including structuring SPVs, amending articles of association, and filing incorporation documents.
- Drafted and reviewed governance and transaction documents, such as shareholders' agreements, deeds of adherence, family charters, and NDAs.
- Conducted legal and regulatory research to support competition Mergers and Acquisitions (M&A), including preparation of trends reports and analysis of COMESA and EAC emerging frameworks.
- Provided regulatory and compliance advice across multiple sectors, including preparing opinions on office establishment, OSHA requirements, county approvals, and consumer protection disclaimers.

Real Estate

- Supported teams in M&A transactions involving property components by preparing detailed due diligence reports.
- Identified and raised red flags on ownership, encumbrances, zoning, and regulatory issues during due diligence and transaction structuring.
- Provided real estate advisory across transactions, including title reviews,

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[Michelle on LinkedIn](#)

Expertise

[Corporate & Commercial Law](#)

Location

Nairobi

Language

English



compliance assessments, and drafting of sale agreements, leases, and tenancy agreements.

- Prepared and lodged applications relating to property transactions, including stamp duty, registration, and land control consents.

News

[The history of NSSF contribution increases in Kenya since 2013](#)

The National Social Security Fund (NSSF) in Kenya has undergone a significant transformation following the assent to the National Social Security Fund Act, Chapter 258 of the Laws of Kenya (NSSF Act) on 24 December 2013, which came into force on 10 January 2014.

[CBK credit guarantees and what they mean](#)

Sammy Ndolo, Managing Partner, Deborah Sese, Senior Associate, and Michelle Kibui, Associate in the Corporate & Commercial practice in Kenya, were recently featured in the Business Daily, where they discussed CBK credit guarantees and what they mean .

[EACCA notifications: Key nuances and practical risks for cross-border mergers](#)

The introduction of the East African Community Competition Authority (EACCA), operational since 1 November 2025, is a major advancement in harmonising merger control for cross-border transactions within the East African Community (EAC). Its mandate is to promote fair competition and support regional integration, but its introduction also raises practical concerns, particularly the potential for overlapping merger notifications. The EAC's regulatory environment remains layered: domestic authorities continue to operate alongside the Common Market for Eastern and Southern Africa (COMESA) Competition Commission (CCC), creating the risk of duplicative filings and extended review timelines. The EACCA aims to mitigate this by establishing a more streamlined and predictable cross-border review framework for transactions affecting the EAC Common Market.

[Implications of the Draft Companies \(Annotation and Rectification\) Regulations, 2025 for companies](#)

The Draft Companies (Annotation and Rectification) Regulations, 2025 (Draft Regulations) introduce a structured framework for correcting, updating or annotating errors or omissions in company registers and official filings. They aim to operationalise the powers granted to the Registrar (pursuant to section 862 of the Companies Act (Cap 486)) to provide a clear and consistent mechanism for rectification of corporaterecords.

[Extend your lease before it is too late: An Analysis of the Supreme Court's Decision in Harcharan Singh Sehmi and Another v Tarabana Company Limited and Five Others \(Petition E033 of 2023\)](#)

In our experience, the most prudent approach is to apply for a lease extension at least five years before expiry. This rule of thumb exists for good reasons. In Kenya, there is a legal distinction between a lease extension and a lease renewal. An extension, if applied for before the lease expires, preserves the leaseholder's legal interest and ensures continuity of title. Renewal, on the other hand, occurs after expiry, by which time the land has already escheated to the Government, the lessee's rights have lapsed, and any new grant is subject to reallocation risks and fresh terms. When you factor in persistent delays at the land registry and the complications that can arise when life happens (such as the death of a co-tenant activating a procedural burden in the form of succession proceedings before any land dealings can occur), it becomes clear that waiting too long transforms a manageable administrative process into a precarious legal one.

[All news by Michelle Kibui →](#)