

# Kevin Kipchirchir

Associate



Kevin Kipchirchir is an Associate in our Corporate & Commercial practice.

## About Kevin

Kevin began his legal career as a Research Assistant at Heinrich Böll Stiftung. He later joined Cliffe Dekker Hofmeyr as a Trainee Advocate in January 2023. Kevin was retained as an Associate in November 2023 in the Corporate & Commercial practice.

Kevin is a committee member at the African International Economic Law Network and is a 2024 Dream VC Fellow.

## Credentials

### Education

- Postgraduate Diploma in Legal Practice/Advocates Training Program at the Kenya School of Law.
- Bachelor of Laws (LL. B) - Kabarak University, School of Law
- Certificate, Managing High Conflict Disputes, European Institute for Conflict Resolution, 2021
- Certificate in Civil Society Law, Centre for Human Rights, University of Pretoria, 2021

### Memberships

- Law Society of Kenya
- African International Economic Law Network

## Experience

- Acting for a client in the telecommunications sector in carrying out a due diligence on a proposed transaction. The due diligence involved reviewing the Company's group organization and structure, corporate and constitutional documents, material contracts, licences and consents, finance documents, insurance policies and employment contracts.

## Contact Kevin

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[Kevin on LinkedIn](#)

## Expertise

[Corporate & Commercial Law](#)

## Location

Nairobi

## Language

English

Swahili

- Advising on carrying out a due diligence for Creadev Africa Limited. The due diligence involved reviewing the Company's group organization and structure, corporate and constitutional documents, material contracts, licences and consents, finance documents, insurance policies and employment contracts.
- Assisting in drafting a capacity opinion on Noble Capital Partners as part of the terms of a share pledge agreement.
- Acting for Cradle Journey Limited in carrying out a high-level due diligence on Desert Rose Kenya Limited a boutique hotel located in a remote part of Kenya and drafting transaction documents including a share purchase agreement and shareholders agreement with respect to the purchase of 40% of the shareholding from the founder of the target.
- Advised Small Foundation on the legal and regulatory issues to consider in Kenya when offering loans developed by their Irish legal advisors, including whether there is any requirement to engage with regulatory bodies, taxation due on the loans or their repayments, and any regulatory licenses required for digital lending activities.
- Further advised Small Foundation on the requirements for offering early-stage venture debt facilities pursuant to the Capital Markets Act (CMA Act) as well as on the requirements for registration as a Digital Credit Provider (DCP) and the prudential guidelines on movement of funds into the country and extraction of funds from the country.
- Assisting in the review of the deed of guarantee and the legal opinion and the corporate authorisations of the lender and the guarantor for an enforceability legal opinion for Absa Seychelles.
- Part of a team that was reviewing the software licensing agreement governed by the laws of England and Wales for Better Home Group Limited.
- Assisting in providing a legal audit on the commercial and regulatory compliance requirements for Alvin Technologies.
- Assisting in the review of a confidential client's standard employment contracts to ensure compliance with Kenyan employment laws.
- Assisting in the drafting of a memorandum of advice advising on options available to the client regarding their employment and operating requirements in Kenya.
- Reviewing and negotiating a memorandum of understanding and a non-disclosure agreement, conducting a compliance regulatory audit to determine the client's compliance obligations under Kenyan law with a specific focus on data compliance and business requirements.
- Assisting in the review of the Memorandum of Understanding between a confidential client and the National Bank of Kenya.
- Assisting Mamy Eyewear, an eyewear retailer, in drafting employment contracts and carrying out a disciplinary process with respect to an employee.
- Advising Deel Inc. in relation to a suit filed by a former senior employee on grounds of unfair termination.
- Advising Kudura Power East Africa in relation to claims for unfair termination made by two former employees.

## News

### Public participation as a key element of public-private partnerships (PPPs) in Kenya

Njeri Wagacha, Partner, and Kevin Kipchirchir, Associate in the Corporate & Commercial practice in Kenya, were recently featured in the 2024 annual issue of DealMakers Africa, sharing insights on public participation as a key element of public-private partnerships (PPPs) in Kenya.

### [Deep dive into the Supreme Court's decision in Symon Wairobi Gatuma v Kenya Breweries Limited](#)

It is now well understood that any unilateral amendment to an employment contract amounts to an unfair labour practice under section 45 of the Employment Act 11 of 2007 (the Employment Act). This has recently been reiterated by the Supreme Court of Kenya in *Symon Wairobi Gatuma v Kenya Breweries Limited and Three Others*, Petition E023 of 2023 (the Supreme Court decision). The Supreme Court decision is, however, more than just a decision on unilateral amendments to employment contracts. It addresses and provides guidance as to how to treat employees during business restructuring exercises and redundancies.

### [Salient features of the Kenya-Singapore bilateral investment treaty](#)

The Kenya-Singapore Bilateral Investment Treaty (BIT) came into force on 20 August 2023, five years after it was signed in 2018.

## Videos

### [Webinar Recording | Workplace harassment in Africa Obligations of an employer](#)

In this webinar, our presenters explored the duties and obligations of employers.

## Podcasts

### [COMESA Competition Commission fines CAF and beIN for engaging in anti-competitive business practices](#)

In the recent weeks, Africa and the world at large have been enthralled to a classical show of sportsmanship like no other through the recently concluded Africa Cup of Nations (AFCON).

### [A new normal for redundancy notices? The A-Z of redundancies in light of new jurisprudential guidance from the ELRC](#)

Redundancy is common among employers who seek to restructure their businesses. It is one way of terminating a contract of employment other than through dismissal or retirement.

### [The concept of lockouts and how employers may respond to a strike](#)

A lot of discourse within employment circles in Kenya has been about strikes. However, very little has been said about the right of employers to lockout employees.

[All news by Kevin Kipchirchir →](#)