

Brian Muchiri

Senior Associate



Brian Muchiri is a Senior Associate in our Finance & Banking practice. Brian has worked and gained experience in the fields of finance and banking, mergers and acquisitions, capital markets, telecommunications and has extensive experience in due diligence and corporate compliance evaluation.

About Brian

Brian began his legal career as a Candidate Attorney in 2014 and was appointed as an Associate in 2017 at one of the law firms in Kenya and later joined another firm as an Associate in 2019. Brian joined Cliffe Dekker Hofmeyr in April 2021 and was promoted to Senior Associate in April 2022.

Credentials

Education

- Masters of Laws (LL.M), International Financial Law and Regulation, Strathmore University (ongoing)
- Bachelor of Laws (LL.B) (Honours), University of Nairobi

Memberships

- Law Society of Kenya

Experience

• Finance

Acting for the largest African banking group by assets offering a range of banking and related financial services across sub-Saharan Africa, in connection with a financing of a multi-million-dollar facility for the acquisition of a HFO power company in Kenya.

• Finance

Acting for a French-based multilateral lender with respect to its multi-million-dollar facility to a food processing company in Kenya.

• Finance

Acting for two (2) of the largest multilateral lenders in the US and Europe with respect to their multi-million-dollar structured finance transaction with respect to pay-as-you-go solar provider in Kenya

Contact Brian

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[Brian on LinkedIn](#)

Expertise

[Finance & Banking Law](#)

Location

Nairobi

Language

English

Swahili

- Finance

Acting for a large Kenyan commercial bank with respect to its US\$ 85,000,000.00 facility to a leading sugar manufacturer in Kenya.

- Finance

Acting for a Pan-African lender with respect to its US\$ 6,600,000.00 revolving credit facility to a chain of hospitals in Kenya.

- Finance

Advising a Mauritian fund on the provision of a multi-million-dollar inventory facility to a Kenyan agribusiness start-up.

- Finance

Advising the Kenyan branch of a US-based commercial bank with respect to the provision of a multi-million Committed Revolving USD Credit Facility to a large telecommunications company in Kenya.

- Finance

Acting for a top tier Kenyan commercial bank with respect to its US\$ 9,000,000.00 facility to a leading sugar manufacturer in Kenya.

- Finance

Acting for the largest commercial bank in Africa by number of customers, in connection with their financing of multi-million million revolving working capital line of credit to payment services provider.

- Finance

Part of the team acting for a Pan-African lender, in connection with its USD 4,000,000 senior secured, revolving credit line and term loan facility to a food processing company in Tanzania.

- Finance

Acting for a Mauritian-based non-bank financial institution with respect to its USD 2.25 million lending transaction to a leading pay-as-you-go energy provider in Kenya.

- Finance

Acting for various lenders generally in relation to the perfection of securities as relates to financing of working capital, asset financing, property acquisitions, collateral management and the subordination of shareholders and/or directors loans.

- Corporate and Commercial

Advising a consortium of private equity funds on all aspects of its acquisition of an equity interest in a Kenyan Bank and an injection of additional capital to increase the bank's capital base.

- Corporate and Commercial

Advising a Dubai-based private equity fund with respect to its US 50,000,000.00 acquisition of a chain of hospitals in Kenya.

- Corporate and Commercial

Acting for a US based private equity fund with respect to the acquisition of a controlling interest in a Tier 2 bank in Kenya.

- Corporate and Commercial

Advising a Kenyan property development company on all construction matters with respect to its USD 60,000,000.00 development in Westlands, Nairobi.

- Corporate and Commercial

Acting for one of the largest pharmaceutical companies in India in its acquisition of a 51% stake in a Kenyan pharmaceutical manufacturing company.

- Corporate and Commercial

Acting for a Mauritius-based private equity firm with respect to its acquisition of four (4) private hospitals in Kenya.

- **Corporate and Commercial**

Acting for a South African private equity firm with respect to its acquisition of the one of the largest asset managers in Kenya

- **Corporate and Commercial**

Acting for a Norway-based software company with respect to its acquisition of 100% stake in a Kenyan telecommunications company.

- **Corporate and Commercial**

Acting for a Dutch private equity firm with respect to its acquisition of a minority stake in a dairy processing company in Kenya.

- **Corporate and Commercial**

Part of the team that acted for administrator with respect to the distressed sale of shares and one of the largest cement manufacturers in East Africa.

- **Corporate and Commercial**

Assisting in the corporate restructuring of Kenya's largest bank by assets and market share.

- **Corporate and Commercial**

Advising the Ministry of Petroleum & Mining and the Directorate of Occupational Health and Safety on the development of health and safety regulations for the upstream, midstream and downstream petroleum sector.

News

[Constructive trusts and shareholding in Kenya: Supreme Court provides clarity](#)

The recent landmark decision by the Kenyan Supreme Court in *Arvind Shah and 7 Others v Mombasa Bricks and Tiles Limited and 5 Others* has significant implications for share ownership in Kenya. In particular, the Supreme Court sought to determine "whether a constructive trust can be imported into a shareholding of a company as to disentitle a registered holder of shares in a company obtained for valuable consideration".

[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.

[The Competition Authority of Kenya imposes the highest penalty in history for anti-competitive behaviour](#)

On 23 August 2023, the Competition Authority of Kenya (CAK) made a landmark announcement, revealing its imposition of a record penalty on nine (9) steel manufacturers totalling KES 338,848,427.89, the highest fine the CAK has meted out to date for engaging in price fixing and output restriction. In addition to the financial penalties, the CAK has mandated these companies to cease any participation in anti-competitive activities going forward. It has also required them to establish robust competition compliance programs to ensure adherence to fair market practices.

[Draft National Tax Policy: Overview and critique](#)

The collection of taxes and levies is a crucial way for countries to generate public money that enables them to support investments in human capital, infrastructure, and the provision of services for citizens and enterprises.

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.

[All news by Brian Muchiri →](#)

Recognition

- Legal 500 EMEA
 - The Legal 500 EMEA 2023-2024 mentioned Brian for Banking, Finance & Capital Markets