



ORARO & COMPANY
ADVOCATES

An Affiliate Member of AB & DAVID AFRICA

FINTECH

A Legacy African Firm with a Fresh Take on Business



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About Us

Oraro & Company Advocates is a full-service, market-leading African law firm established in 1977 with a strong focus on dispute resolution and corporate & commercial law. With a dedicated team of partners, senior associates, associates, lawyers and support staff, the firm has been consistently ranked by leading legal directories such as Chambers Global, IFLR1000 and Legal 500 as a top-tier firm in Kenya.

We provide specialist legal services both locally and regionally in Arbitration, Asset Tracing & Recoveries, Banking & Finance, Capital Markets, Conveyancing & Real Estate, Corporate & Commercial, Dispute Resolution, Employment & Labour, FinTech, Infrastructure, Projects & PPP, Private Client, Restructuring & Insolvency and Tax.

Over the years, we have represented both local and foreign clients, governments, regulators, and not-for-profit organisations from target industry sectors including retail, construction, education, energy, financial services, manufacturing & industries. We provide both local and cross-jurisdictional legal services, either directly or through the extensive relationships that we have established with leading firms across the globe.

Oraro & Company Advocates is a full Affiliate of [AB & David Africa](#), a Pan-African business law network committed to ensuring that businesses and projects succeed in Africa by helping clients minimize the risks associated with doing business on the continent. This enables us to offer cross-jurisdictional legal advice in a seamless manner while maintaining the highest professional standards.

Oraro & Company Advocates prides itself on its deeply rooted client relationships by providing quality legal services through its partner-led approach, drawing from local knowledge and global perspectives.

“The lawyers are always up to date with emerging issues, and the legal advice given is always accurate and very comprehensive.”

Chambers Global, 2023.



Our FinTech Practice

Kenya is at the forefront among the pioneers of financial inclusion with innovations through its early adoption of a mobile money system. The country's fintech sector is among the fastest-growing in Africa, as evidenced by a lot of activity in the local fintech scene involving sectors such as financial services, ICT and Agriculture.

Our FinTech law practice offers a combination of deep global technical experience with local regulatory & financial service knowledge. Frequently, the team is involved in advising clients on their financing, corporate matters, and regulatory & compliance. The practice area also provides financial and technical legal advice on the establishment of fintech service businesses, licensing of the products, compliance with regulatory requirements and dispute resolution in day-to-day matters involving highly complex issues in the industry. Our client base in the practice area ranges from venture capital funds to start-ups, banks, and other financial institutions.

Our practice area encompasses the full spectrum of non-contentious and contentious matters, including:

- Advising on the establishment of Fintech service businesses, including the suitable structure;
- Advising on the regulatory framework of the products;
- Advising on ongoing compliance with the regulatory requirements;
- Representing the parties in dispute resolution; and
- Advising on peer-to-peer (P2P) debt and equity financing.

"Professional team."

Chambers Global, 2023.

Our Recent Market Recognition



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Our Experience

- Providing legal services in a joint venture arrangement between a Mauritius-based private investment company and a Kenyan-registered application and software development company in relation to the development of a software platform that allows groups to come together and contribute money towards a specific purpose, e.g, investment clubs and fundraising. Our role also included drafting the standard terms and conditions together with the privacy policy for the platform.
- Represented the Central Bank of Kenya in a case in which the petitioner sought to stop the transfer of money services provided by the mobile telephone companies, including Safaricom's "M-Pesa" and "Airtel Money."
- Advising and drafting contractual agreements for a leading telecommunications company in relation to the upgrade of its current mobile money platform to a new one developed and provided for it with a view to achieve interoperability with the previous existing platform and various other payment software existing within Kenya.
- Advising a financial technology firm whose application enables users to link their debit card, credit card, bank account, and/or mobile money account to an account that enables users to transfer money to the other users and third parties and make payments for various services. The application has recently been upgraded to enable employers to issue virtual cards to employees so as to manage expenses on a single dashboard. Our role has been advising on various aspects of the client's business, including providing regulatory opinions, advising on potential group structures, drafting convertible loan agreements, drafting standard terms and conditions and privacy policies for the mobile application, preparing template employment contracts, preparing initial agreements with merchants, drafting the shareholders' agreement, drafting the expense management agreement to be entered into with employers in relation to the corporate virtual expense cards and assisting the client in its application for regulatory licenses from the Central Bank of Kenya.



Our Experience

- Providing legal services to a technology company that provides end-to-end digital insurance, including undertaking the registration of various trademarks, drafting and reviewing a shareholder loan, undertaking a vendor legal due diligence exercise, reviewing a term sheet with investors, drafting a convertible note for bridge financing for the company, drafting and reviewing a shareholders agreement and undertaking an internal group restructuring.
- Providing legal services to a technology company that has developed a patient-engagement, telemedicine mobile application (the "Application") that helps doctors grow their medical practice revenues and personalise patient care, including providing the company with a legal opinion on the regulatory requirements of setting up the Application.
- Providing legal services to a firm in the UAE instructed by a global web services company to conduct an in-depth regulatory due diligence exercise on the provision of cloud computing services in various jurisdictions across the following sectors: Financial Services, the Public Sector, Telecom, Healthcare, Oil & Gas (Energy and Utilities) and Education.
- Advising and drafting various contractual agreements for a Kenyan financial software and technology company that proposes to provide payment technology services to banking and financial institutions and merchant aggregators. The contracts related to the use of its payment services software.
- Advising and drafting various contractual agreements for joint venture parties who propose to set up a joint venture vehicle that will provide payment technology services which facilitate the processing of credit and debit cards, mobile money and bank account payments through a software.
- Advising and drafting a revenue sharing agreement for a Mauritian-based technology company that offers credit airtime to mobile telephone companies.



Our Experience

- Advising on a joint venture and software development agreement for a cooperative society's core business processing system. We are involved in creating a bespoke structure for the joint development of software, negotiating with the counterparty on the client's behalf and drafting and reviewing the attendant transactional documents.
- Advising and drafting a software development agreement for a tour company's online platform and application to be used for offering mobile phone-based tour planning solutions to customers. We were involved in drafting the software development agreement and negotiating with the developer on the client's behalf.
- Providing legal services to a technology company with an online platform which enables it to sell goods through an online auction, including advising on the regulatory framework of the proposed business and drafting or reviewing commercial agreements between the company and third parties.
- Advising one of the leading taxi-hailing apps in Kenya in relation to certain aspects of a proposed food courier business. Our role entailed preparing a legal opinion addressing whether the intended structure will create employment relationships or whether the service providers will be deemed independent contractors.
- Advising on software and hardware contracts for the Nairobi Securities Exchange (NSE) and the Central Depository and Settlement Corporation. Our role included reviewing all the contracts, participating in the negotiations and preparing the final contracts for execution by the client and the vendor, and advising the respective boards of the NSE & Capital Markets Authority on the legal issues in the relevant contracts.
- Advised on software contracts for Kenya Commercial Bank, including advising on all the contracts, participating in the negotiations, preparing documentation for execution by the parties and presenting to the board the legal issues on the contracts.

Team Contacts



John Mbaluto, FCI Arb

Deputy Managing Partner

Tel: +254 709 250 000/730

Email: john@oraro.co.ke



Jacob Ochieng

Partner

Tel: +254 709 250 000/728

Email: jacob@oraro.co.ke



Cindy Oraro

Partner

Tel: +254 709 250 018/723

Email: cindy@oraro.co.ke



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ADVOCATES

An Affiliate Member of AB & DAVID AFRICA

OUR CONTACT



+254 709 250 000



legal@oraro.co.ke



www.oraro.co.ke



**ACK Garden Annex, 6th
Floor, 1st Ngong**



**P.O. Box 51236-00200,
Nairobi, Kenya**

