

Sumbo Akintola

Partner | ALN Nigeria | Aluko & Oyebode

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Background

Sumbo heads the Telecommunication, Media, and Technology (TMT) team and the Governance, Compliance and Investigations (GCI) team from 2019 – October 2021. She is also a key member of the Firm's Project and Infrastructure Finance team. She also advises on various aspects of corporate and commercial law and has been involved in several landmark transactions in connection with investments and divestiture by local and foreign shareholders of their interest in Nigerian companies.

In the TMT space, she has provided extensive legal advisory support to top tech multi-national companies on their various cutting edge technology offerings and services, including applicable licenses and permits and data protection/privacy regulations. Her core support to clients in the telecommunications and media space remains, general regulatory advice, restructuring, licenses/permits regime and regulatory interface.

Sumbo has also advised and continues to advise multi-national companies on various issues pertaining to corporate governance, investigation and compliance.

She has been described as a "first class" lawyer, a "notable practitioner" and "a prominent figure in the Nigerian TMT market and draws praise for her expert advice" in the telecommunications sector by Who's Who Legal.

Professional Membership

- Nigerian Bar Association
- International Bar Association
- International Federation of Women Lawyers
- Association of Telecommunications Companies of Nigeria (ATCON)
- Franco-Nigerian Chamber of Commerce and Industry

Professional Qualifications

1990: Nigeria Law School

1989: University of Wales College of Cardiff, B.Sc. Econs (Law and Politics)

Career Summary

2008 – Date: Partner, Aluko & Oyebode

2002 – 2007: Senior Associate, Aluko & Oyebode

2001 – 2002: Company Secretary/Legal Adviser Polaris Bank Ltd (formerly Skye Bank Plc.)

1999 – 2001: Senior Associate, The Law Union

1996 – 1997: Associate, O. M. Finnih & Co.

1990 – 1995: Associate, Adebo-Kiencke & Co

Awards & Accolades

- Only Nigeria recognised by Global Data Review (GDR) as "Women in Data 2022.
- Who's Who Legal (WWL): Recommended National Leader, Nigeria – Project Finance and Data 2021
- ESQ Nigerian Legal Awards, Telecommunication Team of the Year, 2016
- ESQ Nigerian Legal Awards, Trade Finance Deal of the Year, 2013

"Sumbo Akintola is celebrated for her vast experience advising telecoms and media companies on a range of matters including regulation and data privacy." — Who's Who Legal (WWL)

"Sumbo is a highly-regarded TMT (Technology, Media, Telecommunications) lawyer with a first-rate regulatory practice encompassing corporate restructuring, refinancing and divestment transactions". — Who's Who Legal (WWL)

Top Matters

Technology, Media, Entertainment and Telecommunication

Legal Advice

- Advising a major Nigerian mobile network operator in connection with different aspects of its businesses, including but not limited to its various service offerings, products and regulations impacting on its businesses.
- Advising several offshore companies in connection with establishing local entities, including advising on their mobile network operations, value added services, internet services, data centers, submarine cable, infrastructure sharing, e-hailing services, and dark/light fibres; and advising on their corporate structure, license and permits, processing of the license and permits and general support up to the start of operations.
- Advising several multinational technology companies in connection with various service and product offerings, including reviewing regulations on mobile phone text messaging, installation of telecommunication infrastructure, type approval for products and use of satellite phones, software application, data protection, provision of services in local language, hate speech regulations, social media regulations, broadcasting services, importation of prototypes devices for testing/development into Nigeria and provisions of an open network public Wi-Fi service in Nigeria.
- Responding to World Bank questionnaire in connection with data privacy and use of data in Nigeria. Other areas in which legal advisory support were provided include cybersecurity and cybercrime; intermediary liability; individual rights; cross border data flows; and access to information.

- Advising search engine platforms, digital music service platforms, online sharing video platforms and e-commerce platforms, in connection with various aspects of their services in Nigeria, including cloud services, audio conferencing, Web-TV, encryption, data protection, cybercrime, hardware; the use of satellite telephones in nigeria, music and media streaming services; and software.
- Advising several multinationals in connection with carrying out updates to their internally and externally policies to conform with the Nigerian data protection regulations, including drafting and reviewing the privacy policies; advising on what constitutes consent, cookie policy, age-gating, retention, transfer and sharing of data; and providing general legal advice on the Nigerian data protection regulations.
- Advising an indigenous film production company in connection with the amendments to the Nigeria Broadcasting Code, including advising on the recent amendments to the Nigeria Broadcasting Code, the best strategy for engaging with the National Broadcasting Commission (NBC), providing legal clarifications on the amendment to the broadcasting code and engaging the NBC and relevant stakeholders on the amendments.
- Advising a number of multinationals providers of Stream Video On Demand in connection with the impact of the Nigeria Broadcasting Code to their service offerings in Nigeria and requirements for license/permits.

Regulatory Interface

- Advising several multinational technology companies from time to time in connection with regulations affecting their respective businesses, regulatory framework for over-the-top services in Nigeria, data transfer and terms and conditions of its services amongst others.
- Advising a multinational technology client in connection with a new health search feature being developed to enable users to access online medical content via an informational card that highlights symptoms and treatments for certain diseases or conditions, including advising the company on the laws applicable to medical devices in Nigeria and potential regulatory and liability issues which may arise in connection with the online health search feature.
- Participating in stakeholder forums and providing comments to the National Information and Technology Development Agency in connection with the drafting of the current Nigeria Data Protection Regulations and the draft Implementation Framework.
- Providing comments and input to the Data Protection Bill 2020, which is currently at the National Assembly.

Governance, Compliance and Investigations Transactions

Oil and Gas

- Advising an oil and gas company in connection with allegations made by a whistleblower in relation to unethical practices by some staff members with respect to the company's production data, including reviewing existing corporate governance framework; advising on employment related matters, reporting lines, allegations of threats, fiscal incentives offered by senior managers and the steps to be taken in respect of erring employees; identifying compliance gaps in respect of sector regulations; and providing recommendations in terms of corporate governance practices and mitigants for identified regulatory infractions.

Financial Services

- Advising a venture capital firm in connection with an extensive due diligence process on a Nigerian entity in relation to its proposed investment in the Nigerian entity, including advising on the irregularities revealed in the shareholding structure of the Nigerian entity, employment contracts, data privacy compliance and its financials and providing legal support in resolving these issues to ensure that the Nigerian entity was compliant with applicable laws prior to acquisition by the client.

- Advising a client in connection with an extensive due diligence of a local microfinance bank, a subsidiary of a multinational, in relation to the acquisition of real estate, including providing legal advice on the weak internal corporate governance/compliance structure revealed by the due diligence process; advising on the Nigerian anti-bribery laws/UK Bribery Act, corporate liability, and likely legal consequences of the irregularities revealed in the acquisition process by certain senior management staff of the company's subsidiaries, under Nigerian law; and advising on the consequences for erring employees in the context of their employment contract and applicable staff handbook.
- Advising a Nigerian investment bank in connection with drafting certain aspects of their internal corporate governance policies, a virtual conferencing policy and standard disclaimers for the use of teleconferencing tools by the employees of the bank.

Telecommunications

- Advising a major telecommunications company following?allegations by the apex financial regulatory agency in connection with the illegal repatriation of foreign exchange by the company to some of its offshore investors, including reviewing the company's historical capital and shareholding structure movements, advising on the legal and regulatory framework for the importation of capital, making application for and issuance of certificates of capital importation, and advising on the payment and repatriation of dividends by the company.

Medical

- Advising a genomics start-up in connection with the review of its internal processes with the aim of enhancing existing corporate governance practices, medical and general ethics and statutory obligations to ensure compliance required for its operations, including reviewing various contractual arrangements, confidentiality obligations, consultancy service agreements, contract research agreements and contractual documents for grants to researchers ensuring the statutory obligations of the start-up and its parent company under applicable laws.