



Agnes Sajina

Associate

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Background

Agnes Sajina is an Associate at ALN Kenya | Anjarwalla & Khanna and a member of the Projects and Infrastructure department. She focuses on legal advice in energy, infrastructure, public private partnerships, project development and finance. Agnes also has experience in general corporate and commercial law, banking, and real estate law.

Her experience includes providing transaction advisory services to project sponsors who develop both small scale and large-scale infrastructure and energy projects, providing regulatory review services to clients, corporate structuring advisory in respect of the projects, legal due diligence on infrastructure and real estate projects and drafting and negotiating a host of agreements in respect of such infrastructure, energy, and real estate projects.

Professional Membershiip

- Law Society of Kenya

Professional Qualifications

2016: CPA Finalist, Strathmore University

2015: Postgraduate Diploma in Law, Kenya School of Law

2014: LL.B, Bachelor of Laws, the University of Nairobi

Career Summary

2023 – Date: Associate, Anjarwalla & Khanna, Advocates, Nairobi

2021-2022: Senior Associate, Kiptinness & Odhiambo Associates LLP

2019-2021: Associate, Kiptinness & Odhiambo Associates

2018-2019: Associate, Padamshi & Company Advocates

2016 – 2017: Trainee Lawyer, Padamshi & Company Advocates

2014: Intern Anjarwalla & Khanna, Advocates, Nairobi

Top Matters

Projects & Infrastructure

- Acting for a private party in the submission of a privately initiated proposal under the Public Private Partnerships Act No. 14 of 2021 for the development a national smart grid network employing the use of technological innovation.
- Acting as a transaction advisor in the development of the LAPPSET Port and SEZ Private Public Partnerships (PPP) Projects, including providing legal due diligence services,
- Reviewing the draft request for qualification, request for proposal and the draft Project Agreement for the LAPPSET Project to ensure compliance with the provisions of the PPP Act 2013.
- Legal advisory on the forms of procurement under the 2013 PPP Act, and preparing a Fatal Analysis Report for the Lamu Port and SEZ.
- Acting for the public party in the development of a hydropower plant in Uganda through a PPP between Uganda Electricity Generation Company Limited and a strategic partner.
- Advising a large electricity consumer in Kenya in connection with the electricity tariff setting and regulation system in Kenya and policy lobbying for a special electricity tariff for the client, including preparing a white paper on the case for the special tariff.
- Advising a leading company in Kenya in connection with energy efficiency strategies, legal options available under the Energy Act 2019 and the efficacy of an energy efficiency option preferred by the company in law with a focus on renewable energy sources and fuel cells.
- Reviewing project documents such as PPAs, Lease Agreements and Steam Supply Agreements for the proposed 140 MW PPP Geothermal Power Project in Kenya.
- Advising on the proposed Nairobi Metropolitan Area Bus Rapid Transit System (BRT), including preparing a public participation plan for a draft legislation relating to the BRT, notifying the client of the importance of public participation, and engaging and assisting the client in the implementation of the public participation plan.
- Advising on the proposed Bus Rapid Transit (BRT) System, including identifying of the anchoring law for the BRT, drafting subsidiary legislation in respect of the proposed BRT and advising on the proper legal framework for the operation of the BRT.
- Acting for the project sponsor in the development of a Sustainable Eco-Industrial Park in Kilifi Kenya, including reviewing of Legal Feasibility study for a privately owned SEZ to identify legal risks and legal issues and recommending next steps to make the project legally feasible, preparing legal due diligence report for the project and advising on corporate structuring, the licenses and approval required for the project and the requirements to obtain the approvals.
- Acting for the project sponsor in the development of a private Industrial Park in Naivasha Kenya, including preparing a legal due diligence report on the project, advising on corporate structuring (including advice on setting up, work permits and the procurement of an investment certificate), preparing of tenant engagement documents and reviewing of term sheets, and advisory on the licensing and approval requirements for the project.
- Acting for a DFI in the Study and Analysis for the its Flagship Report on “Fiscal Costs and Risks from Infrastructure in an Era of High Debt Vulnerabilities”.
- Advising on the review of the Sanitary and Phytosanitary legislation within EAC and preparing a report on the impediments to trade of agricultural products within the partner states and between the partner states

- and other countries contained in the law

Real Estate & Construction

- Advising a commercial property developer in connection with the sale of units in the development including drafting the letters of offer, the agreement to lease, the lease and the car park sub-license and undertaking the registration formalities.
- Drafting security documentation of loan agreements, debentures, personal and director guarantees, charges and discharges) in connection with loan facilities advanced to corporates, businesses and individuals and the perfection of the security, all while complying with the terms of the service level agreements.
- Representing sellers and buyers and lessors and lessees in the sale, purchase or letting of land, apartments, houses, and commercial premises by undertaking due diligence in connection with the properties, drafting and/or reviewing the transaction documents and undertaking the registration formalities.
- Making amendments to the construction contracts based on either FIDIC Red Book and/or JBC Contract while acting for an Employer or a Contractor.
- Drafting a settlement agreement for a construction dispute in connection with the retention money and liquidated damages that arose out of delays on the contractor's part in the completion of the project.