Apollo Makubuya

Partner | ALN Uganda | MMAKS Advocates

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Background

Apollo is a senior partner in the Corporate Advisory Team at MMAKS Advocates in Kampala, Uganda. He has advised on several notable transactions in the mining and energy sectors (including but not limited to the 30 year concession granted to the Uganda Investment Authority over an industrial park, the disposal of Kilembe Mines in Uganda).

He routinely advises on regulatory aspects in the mining and energy sectors such as the recent establishment of an offshore operation by Mandela Auto Spares, transfer pricing issues involving one of the largest telecom operators in Uganda, etc.

Apollo advises companies, banks, regional and international investors on corporate, commercial law and tax issues. He also has extensive experience in the field of international human rights law. Before going into private practice, Apollo worked as a senior lecturer at the Faculty of Law Makerere University, a legal advisor at a private bank and was the Assistant Head of the Legal Department of the Bank of Uganda.

While working with the Uganda Law Reform Commission, Apollo was in charge of reforming the laws applicable to business associations in the country. Apollo has also consulted extensively on human rights, development and corporate law issues with the Uganda Human Rights Commission, DANIDA and UNDP.

Apollo is a graduate of Cambridge University, UK and holds a first class honours Bachelor's law degree from Makerere University.

Professional Membership

- Advocate, High Court of Uganda
- Member, Uganda Law Society

Professional Qualifications

- LL.M, Cambridge University, England
- LL.B (Hons), Makerere University

Career Summary

2005 – Date: Partner, MMAKS Advocates

1997 – 2005: Central Law Offices, Uganda

1993 – 1996: Company Secretary and Manager, Legal Department, Sembu Uganda (now Allied Bank)

1991 – 1993: Legal Assistant, Katende, Sempebwa & Co. Advocates

Awards & Recognition

- Apollo is endorsed by Who's Who Legal 2011 as a leading mining lawyer

Top Matters

- Advising a Private Equity fund based in the UK, on its proposed acquisition (through an SPV incorporated by it) of shares in Bujagali Holding Power Company Limited (BHPCL), which is a shareholder in Bujagali Energy Limited (BEL). The transaction involved conducting a comprehensive legal due diligence on the operations and existing contractual status of both BHPCL and BEL with the Government of Uganda, completing detailed regulatory questionnaires on foreign investment and hydro power regulation in Uganda, and reviewing and commenting on the transaction agreements from a Ugandan law perspective.
- Acting as lead local counsel to a Middle Eastern Private Equity investor in a potential acquisition of a stake in a prominent hydro power project in Uganda. The advice involves corporate governance and compliance issues, regulatory permits, environmental compliance, employment laws, property laws, insurance, etc.
- Advising the Uganda Investment Authority on the set up and development of an industrial park under a 30 year concession.
- Lead advisor to several mining companies in Uganda on the legal and regulatory framework governing all aspects of investment, licensing and extraction of minerals in Uganda.
- Lead advisor to private equity and other strategic investors on acquisitions and sales of majority and minority stakes in companies in the industry.
- Lead local counsel to a Swiss mining company under an acquisition of a majority stake in a mining company in Uganda valued at approx. USD 100,000,000.
- Lead local counsel to LAP GreenN on the proposed acquisition of a leading mobile telecommunications operator in Uganda.
- Advised on joint venture (farm-in) agreement between Ugandan mining company and UK publicly registered company.
- Lead advisor to National Housing and Construction Company Limited, on real Estate, Financing and Conveyancing matters.
- Advising on a Credit Facility Agreement between PROPARCO and a local financial institution in the sum of USD 10 million.
- Lead advisor to several private equity and other strategic investors on acquisitions and sales of majority and minority stakes in companies in the mining and energy industry.