



Duncan Singano

Senior Associate | ALN Malawi | Savjani & Co

Physical Address:

Ground Floor, Hannover House, Hannover Avenue – Blantyre, Malawi

Telephone:

+265 1 824 555 / +265 1 824281

Email Address:

dsingano@savjaniandco.mw

Background

Duncan Singano has handled a wide range of complex commercial transactions ranging from mergers and acquisitions to loan and facility agreements and mining. Amongst other things, he conducted due diligence for the financing of Kayelekera Uranium Mine, the first commercial mining project in Malawi and advised a client in connection with the acquisition of a majority shareholding in a local company in the insurance sector. He also advised lenders on Malawi law in connection with financing of Nacala Rail Corridor Project, a multi-country railway project connecting Moatize Coal mine in Mozambique, cutting through Malawi to Nacala Port on shores of the Indian Ocean.

The majority of his transactional work has cross-border elements.

Professional Membership

- Malawi Law Society

Professional Qualifications

1997: Bachelor of Laws, LL.B. (Hons.), University of Malawi, Chancellor College

Career Summary

1999 – Date: Associate, Senior Associate, Savjani & Co

1998 – 1999: Associate, Sidhu & Company

1997 – 1998: Legal Officer, Malawi Defence Force

Awards and Recognition

Duncan is ranked as an up and coming lawyer in Chambers Global, 2015 which recognizes that he is a “very meticulous” practitioner who is well regarded for his contribution to the firm’s transactional and financing mandates.

Top Matters

- Advising Kayelekera Uranium Mine, the first commercial mining project in Malawi, and conducting extensive due diligence for in connection with all legal aspects in relation to construction and operation, including regulatory issues, grant of mining licence, environmental issues, taxation, importation of raw materials, exportation of minerals, transportation, disposal of waste, corporate social responsibilities.
- Advising various clients in connection with energy regulation, including laws applying to independent power producers (IPPs), public procurement of energy projects and tendering requirements and unsolicited bids.
- Advising various clients on Public-Private Partnerships.
- Advising a client in connection with an inland port project, including land acquisition issues, compensation to previous landowners, environmental issues, fuel storage issues and water extraction and a project development agreement with the Malawi Government.
- Advising a client in connection with construction of a dam for agricultural purposes and structuring of ownership of the dam to include communal ownership.
- Advising various clients in connection with seasonal financing for purchase of agricultural products and securities for such financing.
- Advising a client in connection with financing a borrower for on-lending to sub-borrowers and structuring of securities for such borrowing.
- Advising Agdevco Malawi in connection with various matters in respect of lending of money to various entities on the agricultural sector, including advising on regulatory issues, reviewing facility agreements, drawing security documents.
- Issuing legal opinions to KPMG, Ernst & Young, Pricewaterhouse Coppers and Deloitte & Touche in connection with requirements of the Public Company Accounting Oversight Board of United States of America (USA) in respect of consents under section 102 of the USA Sarbanes Oxley Act 2002.
- Advising Habitat and Housing in Africa and the IFC in connection with the provision of finance for construction of a shopping mall in Lilongwe, Malawi.
- Representing BP Malawi in connection with a lease for a prime spot for construction of a service station.
- Advising British Council in connection with a proposed restructuring which would involve change of legal status, including incidental matters such as redundancy processes and severance packages for employees declared redundant.
- Advising Bowmans in connection with a proposed restructuring by a client of its operations in Malawi, including advising on various Malawi employment law aspects including whether the law in Malawi provides for automatic transfer of employment where a business is outsourced, procedures for dismissal based on operational requirements and applicable terminal benefits.
- Advising Globe Metals & Mining in connection with various tax issues and available exemptions in relation to a fiscal regime proposed to be negotiated with the Government of the Republic of Malawi in relation to their proposed mining project in Malawi.
- Advising various clients in connection with the acquisition of mineral rights in Malawi.
- Acting for NBM Capital Markets and Malawi Telecommunications in connection with raising of money by Malawi Telecommunications through a bond issue to enable it to repay a loan obtained to purchase a fibre optic cable and its accessories, including advising on regulatory issues for issue of a bond.
- Advising lenders on Malawi law in connection with financing of Nacala Rail Corridor project, a multi-country railway project connecting Moatize Coal mine in Mozambique, cutting through Malawi to Nacala Port on the shores of the Indian Ocean.
- Advising various clients in connection with legal and regulatory aspects of listing securities on the Malawi Stock Exchange, including attending to legal and regulatory aspects of the listing. Such clients include

- ICON Properties and Britam Company Malawi (formerly Real Insurance Company of Malawi).
- Advising a client in connection with a hotel construction project including acquisition of land, construction and lease arrangements with the operator of the hotel.
- Advising a multi-national corporate group on Malawi law aspects in connection with restructuring of the group which involved separation of the company into two groups, change of shareholding in some of the companies, delisting and listing of some companies on stock exchanges including the Malawi Stock Exchange.
- Advising Standard Chartered Bank (Hong Kong) Limited, through their lawyers Eversheds and Stephen Mok & Co, on assignment of debts in Malawi.
- Conducting a local due diligence on a telecommunications project on instructions from Herbert Smith LLP of Dubai.
- Advising PTA Bank in connection with a facility agreement with Petroleum Importers for procurement of petroleum products for Malawi.
- Advising Anjarwalla and Khanna in Kenya in connection with a proposed acquisition by one of their clients of a 51% shareholding in a telecommunications company in Malawi.
- Advising various clients in connection with employment law and pension issues in Malawi.
- Advising Alliance One Tobacco Company (Malawi) in connection with various labour relations issues, including statutory requirements on how they should relate with trade unions.
- Issuing a legal opinion for the International Finance Corporation (IFC) in connection with a standard issuing bank agreement on instructions from White & Case.
- Representing PTA Bank (now Trade and Development Bank) and NORSAD Agency (a joint venture of the NORDIC countries and SADC) in connection with a financial facility to Lilongwe City Mall for construction of a shopping mall in Lilongwe, Malawi.