



# Wangui Kaniaru

**Partner | ALN Kenya | Anjarwalla & Khanna**

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## Background

Wangui is a partner at ALN Kenya|Anjarwalla & Khanna (ALN Kenya) and a member of the Corporate team. Her practice primarily focuses on corporate law, where she advises acquiring firms and targets in commercial transactions, including structuring joint ventures in multiple jurisdictions, asset purchase acquisitions, disposals of businesses, share purchase acquisitions which require due diligence investigations and group restructurings in regulated and unregulated industries. She has also advised on telecommunications and data protection matters.

Prior to working at ALN Kenya and ALN, an alliance of independent top tier African law firms, She worked as an Associate at Clifford Chance in the New York Office.

Wangui also co-authored the 2015 Kenya chapter on mergers and acquisitions for publicly listed companies published by the International Financial Law Review (IFLR), touching on national and regional capital markets trends and issues.

She is an Advocate of the High Court of Kenya and a Member of the New York State Bar.

## Membership in Professional Societies

- Law Society of Kenya
- New York State Bar

## Professional Qualifications

2011 – 2012: Postgraduate Diploma in Law, Kenya School of Law

2009: Bar Admission, State of New York

2007 – 2008: Master of Laws (LL.M) (International & Comparative Law), National University of Singapore

2007 – 2008: Master of Laws (LL.M) (Law and the Global Economy), New York University, School of Law

2004 – 2007: Juris Doctor (J.D), New York University, School of Law

1995 – 1999: Bachelor of Arts (Hons.) (Public Relations & Management Communications), Emerson College

## Career Summary

Jan 2018 – Date: Partner, Anjarwalla & Khanna

Aug 2013 – Dec 2017: Senior Associate, Anjarwalla & Khanna

Oct 2010 – May 2013: Consultant, ALN

Oct 2008 – Apr 2010: Associate, Clifford Chance US LLP, New York

Dec 1999 – Jun 2003: Senior Analyst, Thomson Reuters Corporate Group, New York

## Awards & Accolades

- Dean's Scholar – National University of Singapore 2008

*'Wangui Kaniaru is sound in all areas of the law that are relevant in M&A, able and willing to source specialist knowledge when necessary, very good responsiveness/availability and diligent but at the same time practical and efficient.'* – **Legal 500 2021**

## Top Matters

### Corporate

- Acting for Shanta Gold, a gold mining company listed on the London Stock Exchange and an East Africa-focused gold producer, developer and explorer, in connection with acquisition of the entire issued share capital of Acacia Kenya Exploration (Kenya), a company with mining operations in the western region of Kenya and the Kenyan subsidiary of Barrick Gold Corporation, one of the world's leading gold mining businesses with mining operations and projects in 15 countries.
- Acting for Huaxin Cement Company, one of the world's leading companies in the building materials industry, in connection with its acquisition of 100% of the issued shares in Maweni Limestone, a Tanzanian company involved in the business of making clinker and manufacturing and distributing cement.
- Acting for CDC Group, a development finance institution owned by the UK government, on its USD 140 million equity investment for 40.65% of the issued share capital in ARM Cement, East Africa's second biggest cement producer with operations in Kenya, Tanzania and South Africa and listed on the Nairobi Securities Exchange, including assisting with all legal matters in connection with the deal.
- Acting for Schneider Electric Industries, a leading publicly listed French multinational, on its proposed acquisition of a majority stake in a Kenyan company and two affiliates as well as subsidiaries in Uganda and Tanzania, and proposed joint venture between the acquirer and the vendors. The scope of work included conducting due diligence, drafting and negotiating all transaction documentation, fulfilling COMESA competition filing requirements and advising on regulatory and employee matters in the three jurisdictions.
- Acting for Essar Telecom Kenya Limited (ETKL) on a unique transaction in the Kenyan telecommunications market regarding the divestiture of ETKL's licences, subscribers, assets and business to Safaricom Limited and Airtel Networks Kenya Limited. The scope of work included advising on a complex transaction structure, which involved a hive down of site leases and a separate transfer of tower assets, employees and frequency licences to Safaricom as well as a transfer of operating licences and subscribers to Airtel. The firm also dealt with several legal, tax and regulatory matters, negotiating and drafting complex transaction documents and liaising with sector and national competition regulators.

- Acting for a multinational medical equipment manufacturer on a complex tender for the first-of-its-kind large scale Medical Equipment and Services (MES) tender for original equipment manufacturers (OEMs) to supply, install and maintain high value intensive care units (ICU), radiology, dialysis and surgical theatre equipment over a seven year term for 94 county hospitals across Kenya. The scope of work included advising on all matters relating to public procurement and tenders, health sector compliance, consumer protection, financing, regulatory review and unique issues arising out of the concurrent administration of the health sector by the national and county governments under Kenya's newly devolved government structure.
- Advising on legal structures, tax and land access issues arising in setting up an agricultural supply chain initiative involving local, multinational, government and supranational banks and financial institutions, input suppliers, donors, NGOs and government actors focusing on providing access to finance, agricultural inputs and extension services to small-scale farmers in Tanzania, Uganda, Kenya and Malawi. The initiative involved structuring special purpose vehicles and coordinating the legal advice received from multiple members of ALN's network.
- Advising a variety of companies in regulated and non-regulated sectors on setting up business in Kenya.
- Advising telecommunications equipment provider on type approval requirements and exemptions under the Kenya Information Communication Act and applicable regulations.

### **Data Protection**

- Advising a US-based technology company in connection with the health and data protection considerations for a prospective COVID-19 vaccination rollout at the workplace.
- Advising one of the largest power producers in Africa in connection with the compliance of a data transfer agreement to Kenya data protection laws, which has primary application in the European Economic Area (EEA) and the United Kingdom.
- Advising an ILF in relation to their client who suffered a ransomware attack in connection with the notification requirements of a data controller under the Data Protection Act, 2019 (DPA).
- Advising a religious organisation in connection with the applicability of the Data Protection Act, 2019 (DPA) to religious organisations as well as occupier liability considerations during COVID-19 when it comes to hosting masses and services at places of worship.
- Advising multinational online services company on applicable licensing, consumer protection and data protection regulatory requirements for entry into Kenyan telecommunications market.