



Breakthrough
Attorneys

PART I - THE FIRM

ABOUT US

Breakthrough Attorneys is an ultramodern legal practice based in Tanzania having a spectrum of cross-borders practices that caters for local and multinational corporations, financial institutions, government entities as well as private business individuals concerning their legal needs around the globe.

Breakthrough Attorneys offers;

- A competitive, commendable and timely capability in legal practice as regards the commercial and corporate practices.
- An in-depth advisory and representation capability in matters of regulatory framework, subsidies and taxes, corporate secretarial and finance issues as well as Anti-trust and Competition, Anti Money Laundering, and Anti-Bribery matters.
- A way-in to a well of understanding and knowledge to key industry sectors including but not limited to manufacturing, breweries, wildlife and tourism, infrastructure and transport, telecommunications, real estate and so forth.

We at Breakthrough Attorneys put the quality of the service that we offer our clients above all else. We know that, that is what is important to our clients and that knowledge and execution is what sets us apart from our competition.



VISION

Breakthrough Attorneys' vision is to be the leading Law Firm of excellence in East and Central Africa, delivering world-class legal expertise while focusing on innovation, high professional standards and results for our clients.

MISSION

Breakthrough Attorneys' mission is to take interest in our clients, understand their business objectives, meet and exceed their expectations. We, therefore, commit ourselves to:

- provide our services diligently and with the highest level of professional integrity.
- ensure that our clients are satisfied with our services by: treating them in a proper, fair, impartial and courteous manner; aiming, where possible to meet any exceptional needs for our clients; enhance speed, quality of our services, accuracy, efficiency and flexibility in provision of our services to our clients.
- be a solution-oriented Law Firm

Breakthrough Attorneys is constituted of excellent and well-groomed team members who guarantee strong analytical, representation and advocacy skills. Our team members are cultured to value the needs of the client and understand the essence of quality, reliability, and speed of delivery of the services offered by the Firm. Breakthrough Attorneys is hence an endearing team, ever growing and ever triumphing.

PART II - THE TEAM

KHERI R. MBIRO
Partner –
Business Development

VINTAN W. MBIRO
Lead Partner

Kheri is an illustrious flourishing Litigation expert who has over six years of experience in legal practice. He has taken part in high profile cases involving commercial and investment matters, wildlife and tourism, government subsidies, labour and regulatory authorities, anti-bribery graft cases, commercial banking as well as large class-action real estate cases. He has successfully advised, prosecuted for, defended, and represented over a dozen major Commercial Banks and Corporate bodies in the Region.

Kheri has worked as an Associate in a reputable litigation law practice of Marando, Mnyele and Co. Advocates for six years. Later on he joined the firm of M.K. Generis Advocates, before Co-founding Breakthrough Attorneys.

Vintan is a solid corporate lawyer. He is an Advocate of the High Court of Tanzania. He is currently the Lead Partner of Breakthrough Attorneys. Vintan boasts strong business acumen flavored by his long experience working with world-class companies in and outside Tanzania. Having worked with companies which are highly regulated, Vintan has a deep knowledge, understanding, expertise and experience in dealing with complicated regulatory and compliance issues.

For about eight years Vintan worked with Coopers & Lybrand and Price Water-HouseCoopers as a Legal consultant. Later on, Vintan joined Tanzania Cigarette Company Limited, as Director, Legal Affairs and Company Secretary, where he has been up until recently when he co-founded Breakthrough Attorneys.

AREAS OF PRACTICE

Civil Litigation and Arbitration | Labour and Employment Laws | Energy, Oil, Gas and Mining Laws | Real Estate and Construction | Wildlife and Tourism Laws | Corporate - Commercial Laws

AREAS OF PRACTICE

Corporate Secretarial Services and Support | Intellectual Property | Product Liability | Regulatory/Compliance | Immigration | Corporate - Commercial Laws

ESTHER Z. MISSO

Associate – Labour,
Immigration and
Compliance Laws
Division

Esther is an energetic young attorney who has a strong background in Labour and Employment Laws, Immigration Practice as well as Tax Laws. She had a spell as a Commissioner for Arbitration and Mediation, as an Arbitrator and Mediator, at the State run Commission for Mediation and Arbitration which is the first tier court for Labour and Employment adjudication. Subsequently, she has effectively advised and represented major corporate and financial institutes in labour matters.

AREAS OF PRACTICE

Labour Laws | Immigration Laws | Taxation Laws | Litigation

ASHA H. MGEMBE

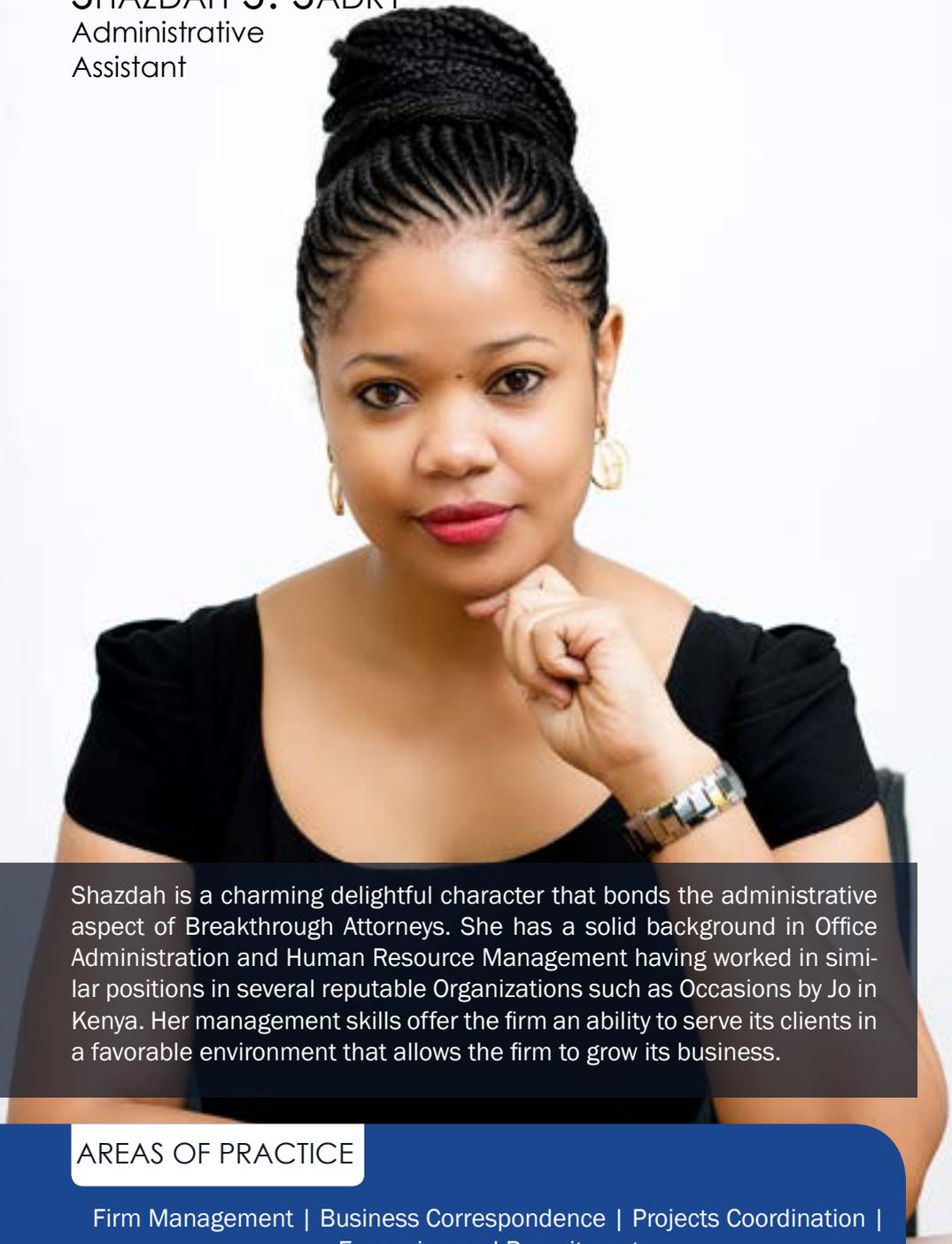
Associate – IP, Investment
and International Trade
and Finance Laws
Division

A very dedicated, skilled Advocate, Asha is well versed with Investment Laws and Intellectual properties law among others. She has proven to be a solid researcher and advisor in her field of practice. Before joining Breakthrough Attorneys she handled and maintained portfolios of some of the largest group of companies in Tanzania which range from manufacturing to large scale exports and imports, as well as an advisor to major telecom companies and brewing companies alike.

AREAS OF PRACTICE

Investment Law | Intellectual Property | Private Equity | Transport |
International Trade and Finance

SHAZDAH S. SADRY
Administrative
Assistant

A portrait of Shazdah S. Sadry, an Administrative Assistant. She is a Black woman with her hair styled in a high bun of braids. She is wearing a black top, gold hoop earrings, and a watch. She is resting her chin on her hand.

Shazdah is a charming delightful character that bonds the administrative aspect of Breakthrough Attorneys. She has a solid background in Office Administration and Human Resource Management having worked in similar positions in several reputable Organizations such as Occasions by Jo in Kenya. Her management skills offer the firm an ability to serve its clients in a favorable environment that allows the firm to grow its business.

AREAS OF PRACTICE

Firm Management | Business Correspondence | Projects Coordination |
Expansion and Recruitment

“We provide our services diligently
and with the highest level of
professional integrity”

Breakthrough Attorneys is a one stop center for basically all the legal needs one could encounter. Quoting from our Mission statement, we are a solution-oriented Firm and we are geared to provide solutions for those legal needs. Complimentary to that, Breakthrough Attorneys is an investment Firm that offers expansive possibilities for its clients. Our Practice therefore is not only limited to our clients' problems but also to their prosperity.

PART III - AREAS OF PRACTICE

The background of the slide features a silhouette of a construction site at sunset. A large crane is the central focus, with its long jib extending across the upper half of the image. In the foreground, several construction workers are visible, some standing and some crouching, working on a structure. The sky is a warm, golden-orange color, and the overall scene is backlit by the setting sun.

AREAS OF PRACTICE

REAL ESTATE & CONSTRUCTION

We at Breakthrough Attorneys understand that Real Estate is the main conduit of all investment needs our clients have. Our 'market niche' is providing corporate clients, as well as individuals with coordinated, cost effective, real estate counsel across Tanzania and other foreign jurisdictions. We help our clients coordinate and manage real estate in an international market perspective as well as locally. Internationally, we manage to advise our clients through our associates and strategic partners across the globe. This ensures value for money and quality services to our clients.

With the emergence of multilateral investment agreements and availability of investment opportunities both in Real Estate sector and others, the construction industry has also boomed overnight. Breakthrough Attorney thus offers a steady legal bridge in between the laws, policies, stakeholders, agencies and the general public. We boast vast experience in handling construction projects and other related matters.

Our clients enjoy an assortment of our legal services across issues such as; Advice and representation in dispositions and conveyance of real estate, property tax, investments in lands, real estate and construction litigation and arbitration, survey plans, permits and licenses etc.

AREAS OF PRACTICE

CIVIL LITIGATION AND ARBITRATION

We possess a strong team of Attorneys with both excellent litigation skills as well as expertise in the field. Our team guarantees proper advisory and representation in litigation and arbitration, both in civil and commercial aspects. We ensure laser-sharp approach to issues while providing sufficient counsel-client attention and our every requisite resource to each issue.

We have extensive experience advising on large-scale corporate, including class action cases, and we are renown for our ability to represent clients on their most critical litigation issues. The firm can rapidly assemble a focused, integrated and efficient team to address all important aspects of a client's problem and to handle numerous cases in multiple forums, including international disputes.

CORPORATE COMMERCIAL

Breakthrough Attorneys offers exceptional corporate commercial lawyers who deliver practical, proactive and commercially-focused advice in Tanzania, East Africa as well as corporate commercial matters affecting the rest of the world.

Supporting many different types of clients, including public and private companies, investment banks, corporate financiers, venture capitalists some of which include Fortune 500 companies, and private equity houses, as well as private individuals. The corporate commercial lawyers at Breakthrough Attorneys are valued consistently for their expertise in handling collective investment schemes, commercial contracts and negotiation, corporate finance, corporate M&A, corporate restructuring, joint ventures and strategic alliances.

CAPITAL MARKETS AND SECURITIES

Breakthrough Attorneys offers expansive resources and outreach to facilitate our Clients' plans and execute innovative capital markets transactions at the DSE (Dar es Salaam Stock Exchange) in Tanzania as well as around competitive markets all over the world. Our capital markets lawyers work collaboratively with other international jurisdictions' lawyers who enable us to quickly bring the right flair and finesse to every issue and provide sound advice on high-stakes corporate capital induction transactions globally as well as engineer and oversee prominent domestic and cross-border listings for existing securities as well as in IPOs.

What we do is advice on stock markets trends; conduct due diligence on companies and their securities; oversee and advice on IPOs; and representing clients in litigious matters involving securities.

ENERGY, OIL, GAS AND MINING

Tanzania is home to a flurry of discoveries of energy sources such as oil, gas and coal. Also available is large deposits of precious minerals such as Gold, Diamond, Tanzanite and other valuable minerals such as Uranium, Iron and so forth. Couple that with the persistent energy demand in Tanzania, surrounding African Countries and the world in general, there has arisen a need for large scale investment in the mining sector in general be it onshore or offshore. Currently with Oil and Gas discoveries in the shores and off-shores of the Indian Ocean the traditional public funding has proven insufficient and current economic conditions stand to aggravate the challenges of funding this global investment necessity and hence a number of investors have sought and seek to set up shop in the Country; or have their presence in the sector.

These large energy and mining investments are often cross-border and require expertise, techniques, innovation and creativity in their realization, with a need to draw on experience and best practices, as well as an ability to transpose those skills and practices to meet the demands and interests of the aforesaid investments in the norms of the Country.

Breakthrough Attorneys can facilitate our clients to structure projects, acquire finance and implement projects and manage their investments since we have the aforesaid expertise. We recognize all the stakeholders' needs in large scale projects. With our local know-how and relationships, transactional capability and broad-ranging skills in finance, corporate, tax, real estate, securities, environmental and competition law, we can deliver integrated legal services that are unrivaled to assist our investing client accessing a smooth investment plan and realizing its goals. Our ultimate aim is to efficiently provide commercially effective solutions at every stage of such investments.

Our specialty include: biofuel, biomass, carbon capture, coal, geothermal, hydroelectric, natural gas, oil & gas, solar, wind and waste to energy.

SHIPPING AND INTERNATIONAL TRADE LAW

Our Shipping Law practice embodies both domestic law governing maritime activities, and private international law governing the relationships between private entities and individuals that operate vessels on the oceans, also entails the rights, duties and relations between those individuals using such vessels for transportations of their goods as well as government agencies involved. Tanzania boasts an ever-growing international trade relationship with many developed countries, especially China, with the two having just signed major investment agreements worth multi-billion dollars in 2013.

Breakthrough Attorneys, in this aspect of international trade deals with matters including marine commerce, shipping, law of the sea generally, the transportation of passengers and goods by sea, and Custom permits and rules as to tariffs and related matters. We also cover many commercial activities, although land based or occurring wholly on land, that are maritime in character.

Our work includes advice to clients on interpreting the scope and applicability of Tanzania's export controls, economic sanctions and determining the export and import classification of products and technologies, obtaining licenses and other authorizations, obtaining commodity jurisdiction determinations, and defending clients in tax, regulatory, be it environmental, healthy, energy, administrative and criminal enforcement actions. We frequently assist clients in the development and implementation of internal compliance programs, the conduct of internal investigations and the design of remedial measures (including in-house training programs).

SUCCESSION LAWS AND MANAGEMENT OF ESTATES



We have a department composed of skilled team and experts who have handled succession matters at all levels including family negotiations to court litigations. Our Attorneys have the requisite experience in dealing with large estates either upon probate or without probate (administration of estate intestate). Our Firm's skill-set entails us providing basic and special services such as Advising clients on matters of succession and estates planning; designing and management of trusts, charities and wakfs; drafting and keeping of wills, codicils and related documents; act as trustees, executors and administrators of estates and trusts; as well as represent clients in litigious matters related to estates.

WILDLIFE AND TOURISM LAWS

Being one of the richest countries in terms of the wildlife, Tanzania is home to a number of major investments related to Tourism and wildlife. With a number of Forests and Game Reserves to support tourism hunting as well as domestic Game hunting, investments in safaris, as in photographic and video safaris, trophy hunting safaris and plain tourism are booming. Equally the country has made strictest national law framework and policies in regulating such tourism and wildlife extraction.

Breakthrough Attorneys has lawyers who have taken part in major investment agreements in Tourism wildlife, negotiations, as well as litigation in major multi-million dollars wildlife cases. In that regard, our practice includes advising generally on wildlife issues and tourism; procuring and processing hunting permits for professional hunters as well as their business licenses (According to the new Business Licensing Act, Chapter 208 Regulations); Negotiating and Representing clients throughout whole process of bidding for hunting blocks and upon winning the bid through negotiating the investment agreement; processing tax and other regulatory requirements including environmental impact assessments on wildlife projects.

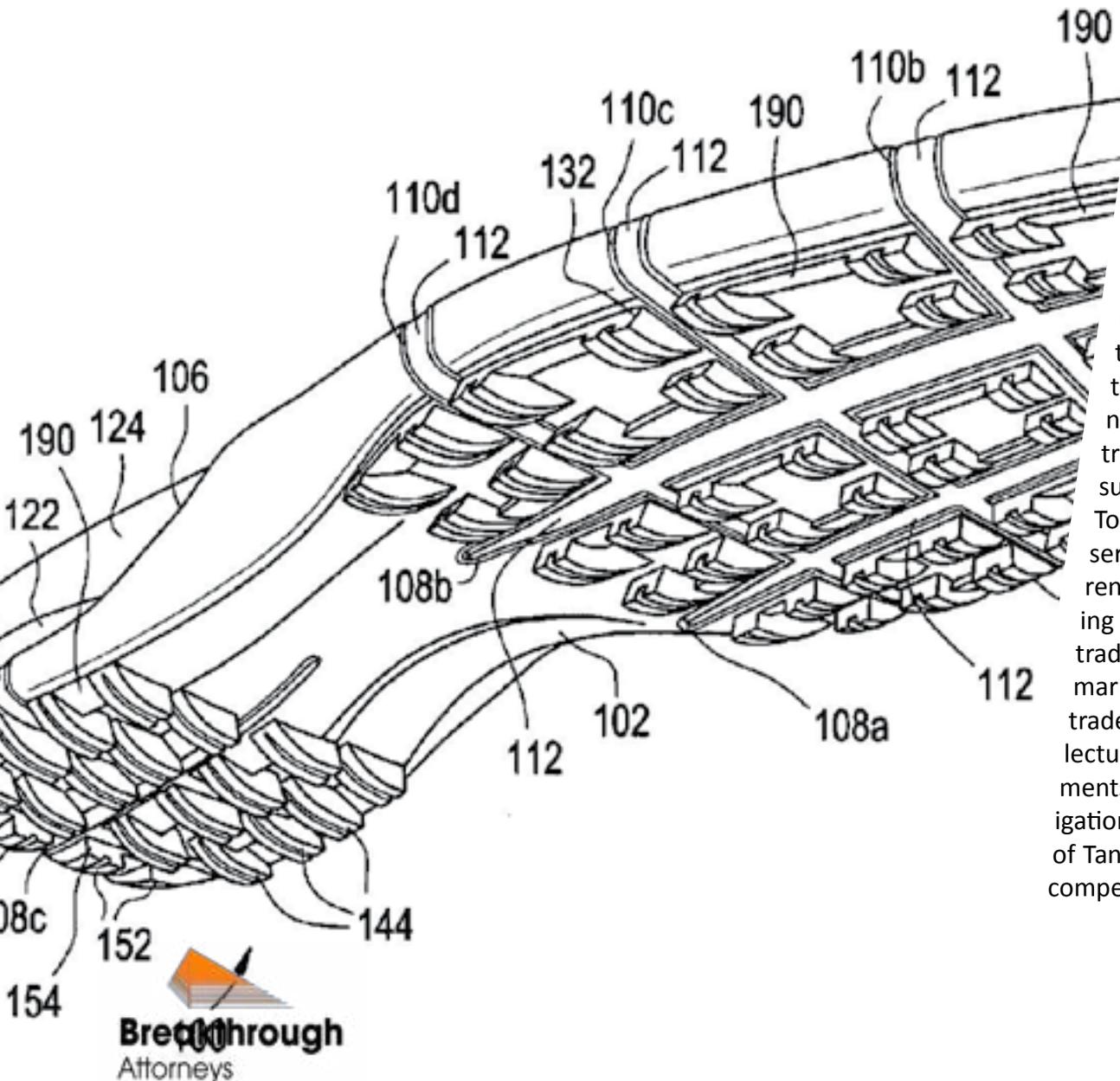
TAX LAW

Governments worldwide are aggressively pursuing additional revenue, and crises-related restructurings pose new and difficult challenges for tax planning and dispute resolution. So does the Tanzanian Government and the East African Community. At Breakthrough Attorneys, we understand the business and legal intricacies of taxation especially when it involves foreign investments and have thus forged an ability to design, implement and defend tax planning structures.

We are vastly skilled in advising in direct and indirect taxation, transfer pricing, and dispute resolution. Our dedicated lawyers, consulting experts and advisers are in touch with changing tax laws, practices and dispute resolution techniques and can help design, implement, and defend tax strategies for international operations and transactions.

Our Lawyers have served as trusted tax counsel to many companies and we have experienced tax litigators who can represent clients in all phases of tax dispute resolution. We also advise on Tax exemptions; Tax Returns and Assessments; VAT; Income Tax and other forms of levies and duties.

INTELLECTUAL PROPERTY LAW



Breakthrough Attorneys provides comprehensive legal services related to registration, protection, exploitation and litigation of Intellectual Property Rights. These include: trade and service marks, patents, industrial designs and copyright. Specifically on trademarks, Breakthrough Attorneys recognizes that brands and trademarks are at the heart of every business. There is, therefore, need for such businesses to put in place effective and pro-active trademark clearance and registration strategies to ensure that such brands are properly protected.

To achieve this, Breakthrough Attorneys provides the following services: offering trademark advice, registration, maintenance and renewal of trademarks in Tanzania and East African Countries, auditing trademark portfolio, preparation, filing and prosecution of new trademark applications and responses, trademark docketing, trademark conflict resolution, trademark clearance searches and opinion, trademark audits and counseling, carrying out due diligence of Intellectual Property, handling trademark licensing and assignment agreements, carrying out trademark investigations, handling trademark litigations at the office of the Registrar of trademarks, the High Court of Tanzania and Court of Appeal of Tanzania, trademark watch, unfair competition counseling and trademark acquisition and assignment.



The Training wing of Breakthrough Attorneys comprises of well experienced Attorneys who have taught Law and worked with medium and large size local and International Companies. The Attorneys provide practical Legal trainings to its clients. Such trainings are aimed at adding value to clients' businesses. To this end, therefore, training programs can be designed and specifically tailored to ensure that our clients' executives and key employees understand their legal obligations as they relate to their businesses. Currently, the trainings focus on Employment Laws and practices, Corporate Governance particularly in assisting Board of Directors of various Companies to be effective and commercial matters generally.

Presentation Methodologies include: well tested case studies, role plays and team participation.

EMPLOYMENT AND LABOUR LAWS

Breakthrough Attorneys is aware that employment, labor and benefits issues are complex and challenging for every business — more so when operations cross borders and cultures as part of a multinational presence. Steering safely through complicated laws and regulations in home markets and abroad is critical to maintaining a competitive advantage.

Our lawyers with solid background in Labour matters and practice provide seamless and integrated advice from recruitment to retirement, to help clients anticipate and avoid problems, as well as deal effectively and sensitively with collective bargaining and workers' trade union issues.

We are especially well-suited to facilitate the movement of people and work around the globe — from executive transfers to outsourcings as well as the implementation of global reorganizations with a specific bias on migration to Tanzania at all levels of employments. Our practice also features a package training programs to clients, especially on key executives and selected employees to understand their legal obligations. (See more about this in our [Training link](#))

IMMIGRATION LAWS

Breakthrough Attorneys has all the requisite knowhow and resources that support our clients' immigration needs. Most of our clients share the common need as regards the status of their employees, experts and their respective families.

Akin to the employment law practice, in ensuring its clients' immigration status, Breakthrough Attorneys actually is a one stop centre for all investment needs of its clients.

Breakthrough Attorneys therefore provides immigration services to clients such as; work and resident permits for clients, employees and respective families, investment incentives for foreigners and other residential status needs of the clients.

REGULATORY, ANTI TRUST, COMPETITION AND MERGERS AND ACQUISITIONS



Antitrust compliance is becoming more complex and costly. Coordinated investigations between local authorities are increasingly frequent and enforcement, more aggressive. As penalties become more punitive, Breakthrough Attorneys can help navigate shifting antitrust and competition policies in the country with precision and ease. We have the systems and standards — and a team, which is rapidly growing in terms of advocates and consultants — to carry out the most complex, compliance strategies.

We exhibit fluent knowledge of procedural rules and legal systems and our advocates have a good firsthand track record of dealing and achieving results in; Competition investigations and inquiries, mergers and acquisitions, regulatory proceedings before the Fair Competition Commission, the Fair Competition Tribunal, EWURA, SUMATRA, TCRA and high profile private antitrust lawsuits before the High Court (Commercial Division and the Main Division) and the Court of Appeal of Tanzania.

This department also houses regulatory lawyers who have offered services to a wide range of local and international clients in the area of Tobacco (both downstream and upstream), Telecommunication, Energy, Water, Transport, and Maritime among others. We understand that compliance to the regulatory regime is important to the sustainability of a business. We usually work closely with the regulatory authorities in identifying the specific sector risks and advise our clients on how to manage such risks. In this regard, we boast a strong relationship with regulatory authorities in Tanzania.

BANKING AND FINANCE LAW

There is an exceptional volatility in the global financial system which is subjecting market participants to extraordinary risk and uncertainty. The reassessment of risk by both lenders and borrowers has resulted in a less borrower-friendly environment and more restrictive terms in finance documents. Sporadic changes in the financial, institutional and regulatory framework have transformed the way banking business is conducted and are affecting legal arrangements. We are keen to assist and swiftly advising our clients to adapt to the new banking ways so as to help them to achieve their business objectives.

Breakthrough Attorneys has the experience and insight to help its clients navigate current financial markets in Banking and Finance Securities. We advise on all aspects of cross-border and domestic financing across a wide range of industries from manufacturing to everything in between. Our team is experienced in local and international banking and finance laws, regulations and customs. Our Advocates combined have worked for and advised over 15 local and international commercial banks, investment banks and merchant banks as well as financial institutions in all matters including drafting and execution of lending and securities documents; local banking compliance rules and regulations; bank-customer regulations; registration of securities at respective registries; and recovery and litigation proceedings at every level of the judiciary system.



PRIVATE EQUITY

Breakthrough Attorneys has strong and dedicated private equity lawyers with vast experience in the areas of communication, energy, financial services, manufacturing, healthcare services and providers, mining & metals and gaming & hospitality among others. We possess an in-depth local knowledge and an understanding of cross-border legal regimes through our associates and strategic partners across the globe. It is this global footprint which ensures that we have the resource to structure and assist our clients on multi-million private equity deals around the world.

TRANSPORT

AVIATION

Breakthrough Attorneys dedicated aviation lawyers are at the forefront of the industry providing a comprehensive legal service across finance, tax, corporate, dispute resolution and regulation to established and new entrants to the market including financiers, export credit agencies, arrangers, investors, manufacturers, airlines owners and leasing companies.

Delivering local and cross-border advice and providing innovative solutions alongside associates across the globe, the firm's aviation team is at the heart of the industry combining insight and experience with technical expertise.

RAIL AND AUTOMOTIVE

The multi-disciplinary team of rail and automotive lawyers at Breakthrough brings a fresh perspective to road and rail projects and transactions ranging from finance, leasing, development and regulation addressing the challenges of these markets as they continue to evolve around the world.

Our specialty includes: Airports, Ports & Terminals, Automotive, Aviation, Corporate Jets, Helicopters, Rail, Roads & Bridges, Transport Asset Finance, Transport Disputes in both Arbitration and public forums.



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