

## **MPANGA ISAAC NYUNGWE**

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Date of Birth: 4<sup>th</sup> December 1980

Gender: Male

Nationality: Ugandan

E-mail: mpangaisac@gmail.com

Telephone Number: +256 (0)782776487

### **CAREER OBJECTIVES**

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- To work in a demanding professional environment with maximum exposure to Company Secretarial Practice and Legal Practice especially in the areas of Civil Commercial Litigation, Corporate Law, Advisory and Administration.
- To continuously expand own skills and knowledge through further education and to utilize full potential with a view of remaining relevant to tackle the ever growing changes, challenges and demands in today's Legal System.
- To exhibit and uphold high standards of professional ethics, integrity and efficiency on my career path.

### **EDUCATION**

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**Law Development Centre, Kampala, Uganda (2011-2012)**

*Diploma in Legal Practice*

**Nkumba University, Entebbe, Uganda (2007-2011)**

*Bachelor of Laws (LLB)*

**Law Development Centre, Kampala, Uganda (2004-2005)**

*Diploma in Law*

**Namirembe Hillside High School (2002-2003)**

*Uganda Advanced Certificate of Education (UACE)*

**Katikamu Secondary School (1996-1999)**

*Uganda Certificate of Education (UCE)*

### **EMPLOYMENT HISTORY**

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**dfcu Bank Ltd**

Legal officer (2017 to date)

#### **Key Responsibilities**

- Offering by email and telephone on spot legal advice to all the Bank operations and distribution networks and service channels and business segments namely Personal and Business Banking and Corporate Banking, Treasury and Financial Markets, Supporting back office operations such as central operations, Human Capital and Risk Management;
- Provision of well-researched and practical legal opinions and solutions to the business segments and functions of the Bank to ensure compliance with all the legal and regulatory applicable legal regimes;
- Offering guidance to the Credit Documentation and Special Assets Management units in the Credit Department in matters relating to credit, security perfection, pursuing and processing all bad debt recovery strategies; such as issuance of statutory notices, repossession of assets and commencement of the security realization process and recovery through the most appropriate, effective and efficient debt recovery mode;
- Making and responding to legal demands and communications to and from the Bank such as Court Orders, intentions to sue, letters and in so doing foster alternative means of resolving queries raised to mitigate costs and fees involved in the process of litigation and contingent liabilities.
- Reception of Court papers instituting cases against dfcu Bank and process the same by securing supporting documentation and instructing Counsel to defend the Bank.
- Liaising with external Counsel on the lead times of the Court processes and regularly meet to agree on strategy.
- Attending Court where dfcu Bank is sued or is suing as a representative of the Bank.
- Active participation in meetings, mediations and support external Counsel in preparation for trial by availing supporting documentations and the material witnesses by seeking consensus with senior management on the strategy to be employed in the pursuit of a particular matter.
- Perusal of all contract proposals, offer letters, letters of intent to confirm that the services indicated in the proposal letters, offer letters or letters of intent are the services required by the Bank.
- Confirm and approve terms and conditions under which services are proposed to be offered as meeting the Bank's procurement processes and needs.
- Sharing lessons learnt from the Court processes.
- Ensuring that the persons or the parties with whom the Bank contracts with have capacity to contract
- Following -up and ensuring that all the service providers comply with their bargains and deliver their services/goods in accordance with all the contract terms in order to achieve value for money.

Additional responsibilities:

1. TRUSTEE – DFCU LIMITED STAFF PROVIDENT FUND.
  - Perform all functions of a trustee under the Retirement Benefits Schemes Act 2011.
2. PROJECT LEGAL LEAD BRANCH 21.
  - Support the Bank's project aimed at rationalizing the Branch network in terms of structure and design.
  - In less than 6 months transfer and merge more than 25 branches of the Bank.
  - Ensure standardization of the branches across the network to transform them into digital hubs for the next generation bank (Bank 4.0).
3. PROJECT LEGAL CREDIT DECENTRALISATION PROJECT.
  - Support the project team in designing the Bank's micro credit product.
  - Train branch network in credit management and recoveries
  - Contribute to the designing of a portfolio management matrix.

**M/s Kalenge, Bwanika, Ssawa & Co. Advocates.**

Associate, (2012-2017)

#### **Key Responsibilities**

#### **Company Secretarial Work**

- Involvement in promotion, formation, analyzing the Memorandum and Article of Association of client companies
- Convening and conducting of Board and Annual General Meetings of client companies
- Maintenance of all statutory Records and Registers as required under the provisions of Companies Act, No. 1 of 2012 and other Applicable laws.
- Preparing Notices, Director Report, Resolutions & minutes of AGM, EGM and Committee Meetings.
- Liaising with Registrar of Companies Office, Uganda Registration Services Bureau
- Transfer and transmission of Shares.
- Perusing investment licenses and other regulatory licenses for investors in critical regulated sectors such as Banking, Energy Revenue services, among others

#### **Legal**

- Representing clients in the Courts of Judicature
- Filing of documents at the various registries such as the Court Registries and Land Registries.
- Legal research.
- Negotiation
- Mediation/ Dispute Resolution
- Trademarks and Intellectual Property practice.
- Drafting and vetting of various agreements like Lease Agreements, Brand Ambassador Agreements, Distributorship Agreements, Service Agreements, Leave and License Agreements, Non-disclosure Agreement, Supply Agreements, Advertisements Agreements, Manpower Contractor, General Purchase

Agreements, Human Resource Consultancy Agreements, IT Agreements, Service Agreements, Transport Agreements, Travel & Tour Agreements, Brand Shop Agreement, Public Relation Agreements among others.

- Drafting of other legal documents like POA, affidavits, Indemnity Bond, Letter of Authority, Renewal & Termination Letters among others.
- Liaising with In-House Counsel for cases and arbitration proceedings, Consumer Cases, Labour cases, property related matters and appearance with them in respective courts.
- Publication of public notices, etc. on behalf of the company.
- Compliance reporting under various laws like Labour laws, Taxation Laws from the respective departments of the various companies.

#### **KEY CASES AND BRIEFS WHERE I HAVE PARTICIPATED AS COUNSEL:**

- **MISC. APPLICATION NO. 501 OF 2013 ARISING FROM HIGH COURT CIVIL SUIT NO. 43 OF 2010 V.G KESHWALA VERSUS SHONUBI, MUSOKE & CO. ADVOCATES.**

The case involved a dispute as to whether a law firm that has represented the applicant would be conflicted to represent another party against the defendant. The court agreed with my submission on the point that not all information in the possession of a former advocate is privileged and that the onus is on the applicant to show that the information in the possession of a former advocate will be prejudicial to the applicant's case before the court.

- **NAMBALE ENTERPRISES VS. BUSITEMA UNIVERSITY CAD/ARB/NO.25 OF 2013.**

The case was heard and determined under the Arbitration and Conciliation Act and it involved wrongful termination of a construction contract and damages. We successfully won the case.

- **MSC APPLICATION NO. 181 OF 2015 KAMPALA CAPITAL CITY AUTHORITY VERSUS OMEGA CONSTRUCTION LIMITED**

This was a construction dispute case and the issue in contention was whether a contractor can recover monies under the contract without a certificate of payment. We represented Omega Construction and succeeded in getting the Court to hold in the favor of the Respondent. The court held that where the employer frustrates the certification process, the contractor was entitled to recover payment with or without a certificate.

- **THE ATTORNEY GENERAL OF UGANDA VS. MEDITECH SYSTEMS (K) LIMITED.**

The case involved supply of medical equipment 16 slice CT scan to Mbarara Regional Referral Hospital. We represented the supplier in the arbitration. We lost the arbitration but applied to court to set aside the arbitral award on grounds of misconduct by the arbitrator.

- I was part of the team that successfully advised and oversaw the receivership of WBS Limited where I was actively involved with URA in negotiating the tax recovery memorandum which opened the avenue for appointment of a receiver thus enabling URA to take control of WBS Limited and recover its tax arrears.

**A part time Lecturer at Uganda Institute of Information and Communication Technology.** (January 2016 to 2018).

### **Responsibilities**

- Lecturing Business Law
- Planning for lectures.
- Preparing course outlines for students' use in the lectures
- Handling tutorial classes and discussions
- Examining students in form of Course works, Tests, Tutor Marked Assignments & Final exams.
- Marking students' tests, exams or assignments
- Preparing Marking Guides for tests and assignments
- Preparing Students' performance reports
- Attending staff meetings
- Supervising Research Proposals and Final Dissertations

### **Publications**

**The Legal and Regulatory Framework Governing the Process of Cross-border Listing of Stock Amongst the Five East Africa Community Partner States.** [LLB Dissertation]. The publication explores the legal framework of cross-border trade in stock, the bottlenecks involved in the process and the steps that the treaty states have taken to address those bottlenecks. It also makes recommendations to improve cross-border trade in listed stocks.

### **PERSONALITY**

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- Confident and Energetic with ability to learn
- Optimistic & Proactive Attitude
- Excellent team player with good communication skills.
- Flexible with excellent co-ordination and presentation skills.
- Assertive
- Initiative
- Honest and open
- Pay attention to detail

### **OTHER SKILL**

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- Computer Literacy: Proficient in the use of Microsoft Office packages i.e. Word, PowerPoint and outlook among others

## **MEMBERSHIP TO PROFESSIONAL BODIES**

- 17<sup>th</sup> June 2014, admitted to the bar in Uganda
- Member of the Uganda Law Society
- Member of the East Africa Law Society

## **REFEREES**

David FK Mpanga, Esq.  
Senior Partner,  
Bowmans (AF Mpanga Advocates),  
4<sup>th</sup> Floor dfcu Tower,  
Plot 26 Kyadondo Road, Nakasero Road,  
P.O. Box 1520,  
Kampala, UGANDA.  
[david.mpanga@bowmanslaw.com](mailto:david.mpanga@bowmanslaw.com)

William Sekabembe, Esq.  
Banker  
P. O. Box 70,  
Kampala, Uganda  
Mobile: 0772760521  
[WSekabembe@dfcugroup.com](mailto:WSekabembe@dfcugroup.com)

Christopher Bwanika ESQ.  
Kalenge, Bwanika, Ssawa & Co. Advocates  
KBS Chambers,  
Plot 15A, Clement Hill Road,  
3<sup>rd</sup> Floor, Ruth Towers  
P.O. Box 8352, Kampala.  
Tel. No.256-0414-250335/6 OR  
0772-700313  
E- mail:mujuzibwanika@yahoo.com or [law@kbkadvocates.com](mailto:law@kbkadvocates.com)

**DECLARATION**

I the undersigned, to the best of my knowledge and belief declare that the data given above is accurate and correct.

Dated this 10<sup>th</sup> Day of December 2021.

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**MPANGA ISAAC NYUNGWE**