



**THE KENYA SCHOOL OF LAW CONTINUING PROFESSIONAL DEVELOPMENT IN  
COLLABORATION WITH K & O ASSOCIATES**

**COURSE TITLE: LEGAL ASPECTS OF BUSINESS RESTRUCTURING**

*Venue: Naivasha*

*Dates: 25 -29 October 2021*

*Duration: 5 Days*

**SAFETY AND HEALTH OF PARTICIPANTS**

Having in mind the risk posed by the Covid-19 pandemic, the Kenya School of Law takes all reasonable measures to comply with the Government of Kenya and Ministry of Health protocols on prevention of Covid-19 infection, including scheduling the training at venues that have received clearance from the Ministry of Health, maintaining social distancing, wearing of masks, frequent use of sanitizers and washing of hands, temperature checks, amongst others. We assure our participants of their safety and health during the training. We ask participants to adhere to the safety protocols during the entire period of the training.

**About the Course**

In the recent past, the volatile market conditions by key sectors of the economy have increased the risk of business loans and loan delinquency even among large corporates in Aviation, Retail, Manufacturing, Construction, Agriculture and other sectors.

In the prevailing economic climate in Kenya, and particularly in the context of the implications of COVID-19 (coronavirus), many businesses have had to consider restructuring and dealing with indebtedness including debt-rescheduling and re-financings. This may be to streamline businesses and enhance efficiencies. There are common issues to consider in any restructuring, and particular legal issues when questions of insolvency arise.

Nevertheless, the legal framework in Kenya including the Companies Act 2015, the Insolvency Act of 2015, the Competition Act 2012, the Capital Markets Authority Act Cap

485A and other sector specialized laws all provide various options that businesses can utilize in restructuring.

Understanding these options, their efficacy and implications is important for businesses and their advisors during these unprecedented and challenging times.

### **Course Objectives**

- Provide an overview of the Kenyan restructuring system and ecosystem.
- Examine the concept and process of Debt restructuring: options and opportunities.
- Enlighten the participants on Corporate Mergers & Acquisitions and Private Equity Investment in distressed firms.
- Explore the mechanisms in place for protection of creditors, suppliers and employees during the restructuring process.
- Discuss the need for further reform Insolvency law and Corporate Rescue practices in Kenya.

### **Outline of the Course Content**

This training will cover among others the following topics:

- An appraisal of the Kenyan restructuring system and ecosystem.
- Debt restructuring: options and opportunities.
- Corporate Mergers & Acquisitions and Private Equity Investment in distressed firms.
- Protection of creditors, suppliers and employees during the restructuring process.
- Discussion on the need for further reform Insolvency law and Corporate Rescue practices in Kenya.

### **Intended outcomes**

It is expected that at the end of the course the participants will be able to advise their organisations what business structuring means, what the processes involved in it are and what are the implications on their organisations.

### **Facilitators**

The Course will run over five days with facilitator -ed discussions and group work. The facilitators will include experienced legal and restructuring practitioners, representatives from the Office of the Official Receiver, representatives from regulatory agencies and other Professional advisors.

## Intended Participants

The Course is recommended for senior management of firms; for legal, strategy and planning, Finance and Risk Management professionals, restructuring advisors and representatives from banking, business, professional, legal fields and regulatory bodies and any other person interested in the subject of business restructuring.

## Certification

A certificate will be issued to the participants who attend the entire course.

## Course Fees

**The Course fee is Ksh. 90,000/=** (Inclusive of 16% V.A.T). It covers tuition, course materials, stationery, lunch and refreshments). Participants will be expected to make their own arrangements for accommodation.

## Application Process

Application forms may be obtained from the CPD department at Gate A, Mutula hall Building, Ground Floor, Kenya School of Law, or downloaded at: [https://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD\\_REGISTRATION\\_FORM\\_.pdf](https://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD_REGISTRATION_FORM_.pdf)

The duly completed application form plus evidence of payment should be submitted **at least by 13<sup>th</sup> September 2021**. Cash payments should be deposited in the **Kenya School of Law (Account No. 202 2029 110 ABSA Bank of Kenya, ABSA Plaza Branch, Nairobi, Kenya)** and banking slips presented to the Finance Office of the Kenya School of Law.

For further enquiries and information, contact Isaac, Samuel, or Christine Mwanza or Jacqueline on: Landline +254(020) 2699581/6; Email: [cpd@ksl.ac.ke](mailto:cpd@ksl.ac.ke), [ikuloba@ksl.ac.ke](mailto:ikuloba@ksl.ac.ke), [sakhwale@ksl.ac.ke](mailto:sakhwale@ksl.ac.ke), [cmwanza@ksl.ac.ke](mailto:cmwanza@ksl.ac.ke), [jacqueline@ksl.ac.ke](mailto:jacqueline@ksl.ac.ke) Website: [www.ksl.ac.ke](http://www.ksl.ac.ke)



Isaac Kuloba

**FOR DIRECTOR/CHIEF EXECUTIVE OFFICER**



**ISO 9001:2015 Certified Organization**