



Tumo Koboyatau

Associate

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- **2022:** Master of Laws (LL.M) in International Economic Law - National University of Lesotho

BACKGROUND

Tumo is a highly experienced Attorney admitted to the High Court and other courts of Botswana, with a strong background in corporate-commercial law, international trade law, investment law, and competition law. He has extensive experience in providing legal advice relating to mergers and acquisitions, company restructuring, recapitalization, capital markets, corporate governance, regulatory compliance, and international trade agreements.

EDUCATION

- **National University of Lesotho (2022):** Master of Laws (LL.M) in International Economic Law.
- **International Trade Centre (2022):** Certificate in Intra-African Trade.
- **National University of Lesotho (2019-2022):** Bachelor of Laws (LL.B).
- **University of Botswana (2015-2019):** Bachelor of Arts in Criminal Justice (BA CJS).

KEY ENGAGEMENTS

- Africa's top Legal Minimalist, The People's Accolade Law Magazine.
- Panellist, Trade and Finance Seminar: "Youth, Women and SME access to Finance under the AfCFTA"
- Independent Chairperson (Disciplinary Committee), Botswana Stock Exchange (BSE).
- Mentor, Legal Luminary Mentorship Program.

- Independent Chairperson (Disciplinary Committee), Botswana Muslim Association Halal Authority (BMAHA).
- Panellist, University of Botswana Economics Society (UBES) Trade Seminar: "Impact of Trade Agreements on Economic Growth."
- Guest Speaker, Botswana Television (BTV): "Implications of Ratifying the AfCFTA Agreement."
- Featured Expert, BTV's Ditlhabologo Show: "One Stop Border Concept and Trade Efficiency."
- Guest Host, In-depth Show on Yarona FM: Led discussions on legal frameworks impacting trade and investment.

LEGAL EXPERIENCE

- **2024 - Present:** Associate, Desai Law Group
- **2023 - 2024:** Candidate Attorney, Desai Law Group
- **2022 - 2023:** Intern, Desai Law Group
- **2021 - 2022:** Intern, MS Legal Minds (Lesotho)
- **2020 - 2021:** Judge President, National University of Lesotho Students' Judiciary Committee
- **2017 - 2017:** Court Clerk, Block 8 Customary Court

CAREER HIGHLIGHTS

Banking & Investment

- Advised Standard Bank South Africa on the regulation of international money transfer systems and compliance with financial regulatory frameworks.
- Advised Mastercard on Botswana's legal framework governing clearance and settlement systems.
- Advised the Industrial and Commercial Bank of China (**ICBC**) in relation to its credit facility extended to Botswana Power Corporation.
- Advised Enfin AM (Asset Managers) Proprietary Limited on tax and exchange control implications of its investment into a Botswana SPV. Assessed cross-border tax exposure and fund flows; prepared a summary of the Botswana corporate tax regime.

- Provided legal advisory to international investors on compliance and regulatory requirements for investing in Botswana's Special Economic Zones.
- Provided legal advisory services to Exxaro and Deloitte on the legislative process in Botswana, particularly concerning tax legislation.
- Part of the advisory team for the OPEC Fund for International Development on Botswana tax laws and compliance requirements.

Regulatory Compliance

- Advised Anglo American on compliance with Botswana Financial Intelligence Regulations, with a focus on identity verification obligations.
- Advised Okavango Diamond Company on competition law and regulatory implications surrounding exclusive dealing arrangements.
- Provided regulatory compliance advisory services to BlackRock, particularly in the registration of foreign collective investment undertakings and fund distributions in Botswana.

Mergers & Acquisitions

- Lead legal adviser to Barloworld Limited on its acquisition by a newly incorporated Special Purpose Vehicle (SPV), including structuring, negotiation, and transactional support.
- Provided advisory services to BIMA Holdings Ltd in connection with its proposed acquisition of Minet (Mauritius) Holdings Ltd and its Botswana subsidiaries.
- Advised General Atlantic Group (**GA Group**) on legal aspects of its proposed acquisition of 100% of the Actis Group.
- Part of the legal team advising KPMG Services (Pty) Ltd on the integration of Southern African KPMG member firms, including Botswana.
- Provided legal support to Wilderness Holdings Limited on its corporate migration from Botswana to Mauritius as part of a regional corporate reorganisation.

Corporate & Commercial

- Provided legal advisory and drafting services to Bayport Management (Pty) Ltd on group restructuring and refinancing.
- Provided drafting and advisory services to Ferrero Group on a Trading Agreement, including retail price maintenance implications.
- Providing advisory services to Al-Nur Schools on its corporate restructuring.
- Providing advisory services to Standard Chartered Botswana on appointment and reorganisation of its board of trustees.

- Advising Okavango Diamond Company on shipment of diamonds to third parties.
- Providing legal opinions to Jindal Africa on Free on Board Contracts.
- Drafting and reviewing services to JCDecaux, pertaining to a non-disclosure and common terms agreement.
- Drafting and advisory services to Phakalane Hotels pertaining to an agreement between them and UB PropCorp, in relation to a lease agreement between the parties.
- Advising Skylink Travel Botswana (Pty) Ltd on potential tender breaches by the SADC Secretariat and providing a step plan to address them.

Energy & Infrastructure

- Advised Jindal Africa on legal and contractual matters related to Free On Board (FOB) coal supply contracts.
- Part of the team advising Jindal Power Limited on the bid to develop, operate, and maintain a greenfield 300MW power plant in Botswana.
- Advised bidders on legal aspects of the Botswana Power Corporation's 2 x 50MW (100MW) Solar Photovoltaic Power Project tender.
- Advised the Botswana Prison Service, under the Ministry of Defence, Justice and Security, on a public-private partnership (**PPP**) model for the development of a prison rehabilitation centre in Lobatse.

Employment

- Advised Absa Botswana on employment law and sensitive human resources matters.
- Part of the legal team advising Khoemakhao on the restructuring of its organisational structures.
- Advised LegalWise Botswana on employment laws relating to termination of contracts of employment.
- Advised NMI Botswana (Pty) Ltd regarding terminal benefits of its senior employees.

Commercial Litigation

- Part of the litigation team representing Bank of Baroda in a dispute relating to a loan facility of 13 million pula and a sale in execution.
- Part of the litigation team representing National Development Bank in a dispute relating to a sale in execution.
- Lead attorney representing Seaty Park Investments (Pty) Ltd in *rei vindicatio* proceedings arising from a shareholders' dispute.

- Part of the litigation team representing Tourism Development Consortium (Pty) Ltd on its repossession project.

Company Secretarial Services

- Providing board secretarial services to Rainbow Schools, including governance and compliance-related support.