PANEL V: FINANCING TRADE IN AFRICAN REGION

Legal Terms for Financing Trade by Tom Eldridge, Partner, Dentons
DENTONS AFRICA

• Longevity: first major international law firm in Africa (Cairo office was established in 1964)

• Strong relationships: an Africa network of 20 highly-regarded local associate firms in 19 countries, the largest of any international law firm (in addition to Dentons Cairo)

• Experience: acted on deals spanning every country on the continent (340 matters in the last 12 months)

• Special expertise: in Energy (oil & gas and power), Infrastructure Project Finance, M&A, Banking & Finance, Mining, TMT, International Dispute Resolution
AFRICA - LEGAL CONSIDERATIONS

• Different legal systems in different jurisdictions
  • Common law v civil law
  • Judiciary and court systems
  • International Arbitration

• Political risk v legal risk
  • The differences and perceptions
AFRICA - ADDRESSING LEGAL RISK

- Host Government support - legislative and contractual
- Multilaterals, DFIs and ECAs
- African Development Bank, Afrexim, East African Development Bank, DBSA
- Lenders' Security Package
AFRICA - SOME KEY RECENT DEVELOPMENTS

• Compliance and anti-bribery laws
• Extractive Industries legislation
• IFC Standards and Equator Principles
• Bilateral Investment Treaties
• Conforming lending documents - LMA for Africa financings
AFRICA - CONCLUSIONS

• Specific legal risks in Africa?
• Opportunities for stakeholder engagement
• Role of the international lending and financing community
Thank you