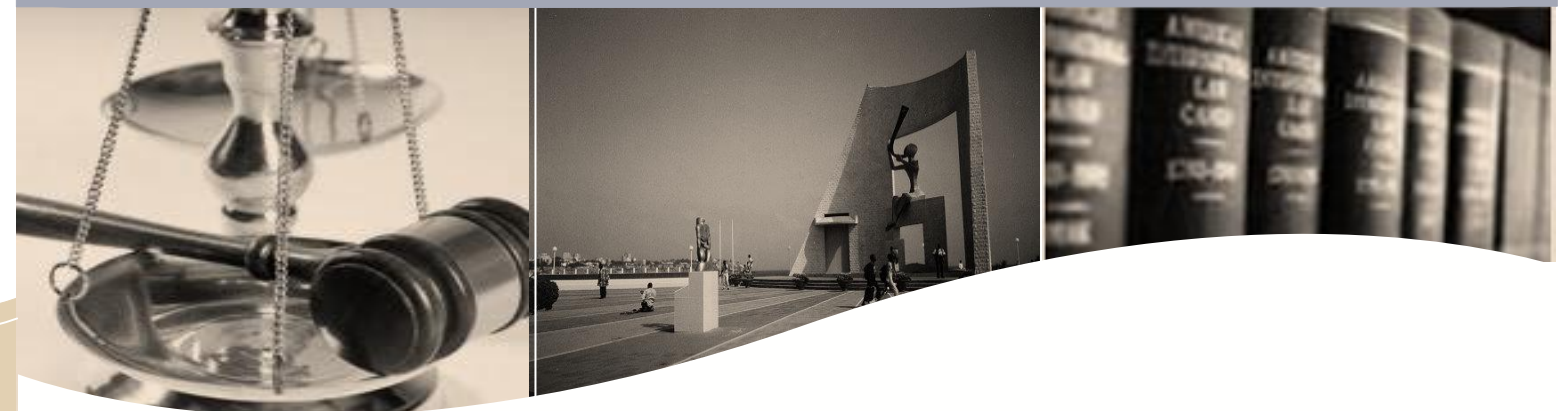




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CHEIKH FALL Law Firm
SENEGAL – MALI – BURKINA FASO
OHADA ZONE

An effective strategy for an effective board



CHEIKH FALL Law Firm
SENEGAL – MALI – BURKINA FASO
OHADA ZONE

WWW.AVOCAT-CHEIKHFALL.NET

REVIEW | EXPERTISE | CONSULTING | REACTIVITY

A CAREFUL STUDY FOR EACH CASE
A FIRST-CLASS EXPERTISE
HIGH REACTIVITY IN EMERGENCY SITUATIONS

Our advice to act lawfully – An effective strategy for an effective board

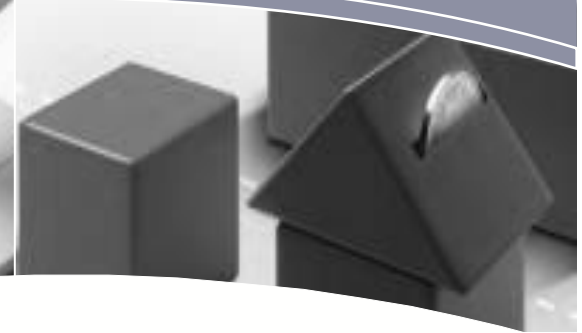
The Cheikh Fall law firm provides its customers a range of consulting services for legal assistance, defense and preventive treatment of disputes by guaranteeing absolute discretion, complete confidentiality and constant availability.

Driven by the desire of our customers continued satisfaction, the firm adopts working methods designed to ensure a careful study of each case, a high level of expertise and a strong responsiveness to emergency situations.

The firm efficiency depends on the skills and achievements of a experienced lawyers and attorneys team having legal and multidisciplinary training whose concern is to ensure a true knowledge of the business and the customer, the only way to support him with concrete, stable and responsive solutions.

• Through its relationship with different reputed foreign firms, its structured correspondents network and English and French languages professional practice, our firm is able to intervene in transactions and operations throughout West Africa.

• The Cheikh FALL Law firm has built a reputation for rigor and quality in responding effectively to the various customers needs, including not only Senegalese and foreigners private groups, but also of public enterprises and international organizations.



CORPORATE LAW / MERGERS AND ACQUISITIONS | Creation and registration of a company, Legal status of companies recognized by OHADA, Operations on social capital, Restructuring, Merge, Split, Partial contribution of assets

THE COMMERCIAL ARBITRATION | Contracts Preparation, The award, The enforcement of the award, The right of appeal against the award, the action for annulment, the application for review and third party proceedings

SECURITY INTERESTS | Deposits, Security Autonomous and Counter-Guarantees, Pledge of tangible personal, Pledge of intangible, Privileges, Conventional Mortgages, Forced Mortgages

DEBT RECOVERY | The formal, The order for payment

BUSINESS PENAL LAW | Fraud, Breach of trust, Theft and Concealment

LABOUR LAW | Employment contracts conclusions, Dismissal for economic or ordinary reasons, Paid holidays, Severance pay, Fixed term contract severance pay, The right to organize, The establishment and monitoring of the various institutions of representative staff, Social protection for Social Security Fund, Social protection by Institutions Provident Disease (IPM), Social protection in The Provident Institution Retreat Senegal (IPRES)

DISTRESSED BUSINESSES | - Corporate distress preventions, Judicial Relief, Liquidation of assets, Simple Bankruptcy, Fraudulent Bankruptcy, Personal Bankruptcy, Rehabilitations

MINING LAW | The mining research, Mining, Customs, Economic and Fiscal provisions, Guarantees and obligations attached to the exercise of mining operations

INTELLECTUAL PROPERTY | The patent, Drawings-Models, Mark, The trade name, Designation of Origin, Indication of source, Related rights: the savoir faire, Copyright and copyright works, The Litigation of Intellectual Property : Infringement, Unfair Competition, Opposition, Action for annulment

FAMILY LAW | The Vital, The Wedding, Divorce or separation, The Descent, Wills and Estates

BANKING LAW AND PRACTICE | The bank liability, The bank reserve, The instruments of payment rules : check, promissory note, bill of exchange, charge card, The use of non-acceptance and lack of payment / the Protest

PROPERTY LAW | Co-owners, Lessors and lessees, Trustees and condominium, Buyers and sellers of goods, Promoters, contractors and architects

The Cheikh Fall Law Firm, a safe place to secure, guarantee and protect your business.

CABINET

CHEIKH FALL

Avocats à la Cour

SENEGAL, MALI, BURKINA FASO [WEST AFRICA]

Who We Are

➤ **CABINET MAITRE CHEIKH FALL** WAS FOUNDED BY MAITRE CHEIKH FALL HIMSELF ON JULY 16TH, 1982.

- Maître Cheikh (Attorney at Law/Senior Managing Partner)

Master's Degree in Business law in 1982

Certificate in Markets Transfer delivered by the World Bank

Higher Diploma of Specialised Studies in Intellectual Property delivered by CEIPI Strasbourg – France

Counsel in Intellectual Property

Chartered Representative at the African Intellectual Property Organisation (AIPO/OAPI).

➤ **CABINET MAITRE CHEIKH FALL**

one of the largest and most experienced law firms in West Africa

over three decades of practice in the field of Law.

general practice law firm covering almost all domains of law

offers a wide range of legal services to national and international organisms and individuals throughout West Africa.

➤ **Cabinet Maitre Cheikh Fall** is widening its physical presence

Main office located in an accessible business area in the town centre in **DAKAR, SENEGAL** centralizes all couriers and correspondences already established operational regional offices in **Mali, Burkina Faso, Guinea and Chad**.

PRACTICE ZONES

CABINET MAITRE CHEIKH FALL evolves in all of the jurisdictions in which SENEGAL is a state member

OHADA

- ✓ (African Organisation for the Harmonisation of Business Law) which gathers **16 states**: Benin, Burkina Faso, Cameroun, Central Africa, Comoros, Congo, Côte d'Ivoire, Gabon, Guinea, Guinea Bissau, Guinea Equatorial, Mali, Niger, RD Congo, Senegal, Chad, Togo.
- ✓ This community law allows the establishment of a company in Senegal or any other member state and the expansion of this company through the creation of subsidiaries or branches in the different states of OHADA governed by the same legal regime.

ECOWAS

- ✓ (CEDEAO)(Economic Organisation of West Africa States) which gathers 17 states: Benin, Burkina Faso, Cabo Verde, Cote d'Ivoire, Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, Togo

ECOWAS is characterized by a market of 200 million consumers. Founded in 1975, the ECOWAS mission is to promote economic integration in all areas of economic activity. This common market provides for freedom of movement of persons, capital, goods and services within the Member States.

WAEMU

- ✓ [(UEMOA) West African Economic and Monetary Union] which gathers **8 states**: Benin, Burkina Faso, Cote d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal, and Togo, six of which are eligible for trade benefits under the African Growth and Opportunity Act (AGOA).

As a member of the (WAEMU), Senegal is a Regional-Integration Oriented Country and shares a common currency with eight countries that make up this zone.

The CFA franc is pegged to the euro at a rate of € 1 = 655.957 FCFA. A Central Bank (BCEAO) is responsible for the monetary policy in the area. This area has a market of 70 million consumers based on the free movement of persons and property and this market is based on a common trade policy with a common external tariff (CET). It also has a regional financial market with a stock exchange.

The WAEMU (UEMOA) has established a common accounting system, periodic reviews of member countries' macroeconomic policies based on convergence criteria, a regional stock exchange, and the legal and regulatory framework for a regional banking system.

AIPO

- ✓ **(OAPI)** African Intellectual Property Organisation which gathers as well **16 states**: Benin, Burkina-Faso, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Gabon, Guinea (Conakry), Guinea-Bissau, Ivory Coast, Mali, Mauritania, Niger, Senegal, Togo, Equatorial Guinea.

This community law allows for the registration, among others, of a Trademark, Patent, Commercial Name, to protect your property rights in all member states without exception.

PRACTICE AREAS

As a general practice Law Firm, our expertise almost covers all domains of law and particularly in the following practice areas

- ✓ Banking Law
- ✓ Business Law
- ✓ Corporate Law
- ✓ Movables and Securitization
- ✓ Stock exchange law
- ✓ Law Admiralty and Maritime Law
- ✓ International Law
- ✓ Aviation and Aerospace
- ✓ Bankruptcy
- ✓ Civil Rights
- ✓ Commercial Law
- ✓ Administrative law
- ✓ Antitrust and Trade Regulation
- ✓ Tax and Taxation
- ✓ Communications Law
- ✓ Construction Law
- ✓ Contracts
- ✓ Debtor and Creditor
- ✓ Employee Benefits
- ✓ Energy
- ✓ Family Law
- ✓ Finance
- ✓ Government Contracts
- ✓ Immigration
- ✓ Insurance
- ✓ Intellectual Property
- ✓ International Trade
- ✓ Internet Law
- ✓ Investments
- ✓ Labour and Employment
- ✓ Litigation
- ✓ Mergers and Acquisitions
- ✓ Real Estate
- ✓ Trust and States.
- ✓ Criminal Law

TOP CLIENTS

Throughout its existence, Cabinet Maitre Cheikh Fall has created strong Professional bonds with International companies through the appropriate legal services it provides with them

- Phillip Morris International
- Microsoft Corporation
- Hewlett Packard (HP)
- CISCO System
- SKADDEN
- STIKE
- VITOL
- HELIOS INVESTOR
- TERANGA GOLD CORPORATION
- Accenture International
- FAGACE (African Investment Funds)
- BIO (Belgian Investment Funds)
- International Islamic Bank
- Heifer Programme International (American NGO)
- Sightsavers NGO
- PATH NGO
- MSH (NGO)
- Standard Chartered Bank
- BAOBABS Investment
- BICIS
- SNR
- COFIDES
- Baobab Investment (Spanish Investment Funds)
- JTI

STAFF

This efficient wide coverage is facilitated by a highly experienced and competent staff made up of talented lawyers and legal experts with different specialisations as well as a qualified and bilingual management staff connected online 24 hours a day to ensure a permanent contact with clients.

- **Lawyers:** To usefully defend the interest of clients case before the competent jurisdictions
- **Jurists:** for legal opinions and due diligence on various domains
- **Specialized Legal experts:** to satisfy global requests in all fields of law
- **Bilingual administrators:** efficient and punctual management of all files with regular updates and follow-up to clients
-
- **Translation Unit:** to break the language barrier and speed up the processing of all files from non – francophone clients
- **Accountancy:** to assist in book-keeping and all tax related issues

SENEGAL

WHY INVEST IN SENEGAL?

Political and Social Stability

- ✓ Peaceful political life granted by the strength of its institutions
- ✓ Solid unified population resulting from a long historical process
- ✓ Power is always transmitted by universal suffrage resulting in a stable political regime
- ✓ Two peaceful and democratic transitions the latest one taking place in 2012
- ✓ Country has never known a military rule
- ✓ Senegal is qualified as “le Pays de la Teranga” (Land of Hospitality).
- ✓ People are, by nature, very sociable and hospitable
- ✓ With a 95% Muslim population, Senegal is an example of religious tolerance
- ✓ Senegal offers an exceptional quality of life praised by both settlers and visitors
- ✓ Its capital city Dakar combines tradition and modernity
- ✓ Favourable climate with a year round sunny and pleasant climate with an Ocean side lifestyle
- ✓ Thus, an ideal environment to achieve, work and do good business, that is to say, to mix the fun with the purpose

Advantageous location

- Located on the Atlantic coast of Africa
- Senegal is a privileged gateway to the wider West African sub region
- Offers direct access to New York from which, it is only separated by the Atlantic Ocean
- Provides easy access to Europe

INVESTOR INCENTIVES

- Multilateral trade agreements,
- Senegal enjoys an incomparable proximity to several major markets
- preferential access to European markets (Agreements between the EU /and ACP) as well as to the U.S. market.
- U.S. Market with a law in place called the African Growth and Opportunity Act (AGOA)
- streamlined and simplified Taxation on investment to boost Senegal's appeal to FDI.
- Reformed tax code to facilitate tax compliance, simplify procedure to encourage private investment
- Ambitious reforms of the tax code, legislation and customs providing clear incentives to invest
- Free market zones exempting investors from tax for a five-year period

SECTORS OF INVESTMENT

Senegal offers many investment opportunities in high potential sectors

AGRICULTURE

- producer of a wide variety of fruits and vegetables
- the agribusiness offers plenty of room for growth
- conservation and versatility of production equipments
- small portion of its production enters the industrial value chain
- outsourcing

Fishing and Aquaculture

- high export earnings
- strong contribution to local consumption
- labour intensive nature
- profitable fishing and aquaculture sector

Mining

- ✓ Senegal's geology has to a large extent dictated mineral production in the country
- ✓ Phosphate and heavy mineral sand within a large coastal basin
- ✓ Gold, diamonds, iron ore and base metals
- ✓ PROFITABLE Minerals industry
- ✓ A 10 Mt titanium resource identified in heavy mineral sands deposits
- ✓ An exploration permit is granted for a period of 4 years, renewable twice for 3 years.
- ✓ the permit holder is exempt from the sales tax and duties on imported equipment and supplies necessary for exploration activities, as well as on fuel used for operation of fixed installations.
- ✓ The mining permit is granted for a renewable 5 year period, while a mining concession is valid for a renewable 25 year period
- ✓ The permit holder benefits from a special tax regime aimed at promoting the development of the mining sector
- ✓ The mining company, which operates autonomously in its activities, is allowed to expatriate its profits

TECHNOLOGY AND TELECOMMUNICATION

- Attractive destination for ICT in general and outsourcing in particular
- Available rooms for a fourth telecommunication networks
- Open markets for importation of related items and equipment

OTHER INVESTMENT SECTOR

- REAL ESTATE
- HOTELERY
- TRANSPORTATION
- CONSTRUCTION
- TEXTILE

“IF YOU NEED TO GO LEGAL, IT IS THE MOST APPROPRIATE LEGAL SERVICES WE OFFER”

Cabinet Maitre Cheikh Fall:

Attorneys at Law

Senegal-Mali-Burkina Faso

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- ✓ General Practice Law Firm specialized among others in Business Law
- ✓ Only IP Specialized Law Firm in Senegal
- ✓ Three- Decades of Experience
- ✓ Top Bilingual Law Firm in West Africa
- ✓ High Portfolio of International Clientele
- ✓ Reactive and Responsive on a Timely Manner

With us, your project is lead to a safe and successful landing 😊