



African Trade Insurance Agency

Agence pour l'Assurance du Commerce en Afrique

Transactional Lawyer

Job Description

Detailed job description and duties

Reporting to the General Counsel, the Transactional Lawyer ensures in general that ATI's underwriting operations are conducted within and in compliance with the ATI Treaty and constitutive documents, resolutions, underwriting operations manual, regulations, policies and other legal requirements; ensures that insurance and reinsurance contracts/insurance and reinsurance policies, policy documents, and other agreements are properly drafted, negotiated, documented and perfected for the optimum safe guard and in the best interests of ATI, and provides advice and guidance on all legal matters relating to ATI underwriting operations.

The Transaction Lawyer will perform in particular the following functions and duties as part of the risk control team:

- To provide a wide range of legal services to the Organization;
- On the basis of underwriting reports and supporting documents from the risk underwriting team, review and confirm the eligibility of investment projects and/or commercial transactions proposed for ATI insurance or guarantees;
- Conduct legal due diligence on proposed transactions, review documentation on transactions ATI intends to insure and advise on their adequacy including, without limitation, insurance applications, loan/finance agreements, common terms agreements, security documents, intercreditor agreements, supply contracts, guarantees (sovereign or corporate), power purchase agreements, legal opinions, letters of support - as applicable;
- Review and advise on transaction structure and related documentation (equity investment, project finance, trade finance, corporate finance etc.);
- Review ATI's policy wording/insurance contracts (general conditions of insurance, special conditions of insurance, warranties and representations, exclusions, amendments, various endorsements) and reinsurance contracts and propose improvements in line with compliance to relevant insurance laws, regulatory requirements and claims experience;
- Negotiating/structuring insurance cover: Assist when and where necessary ATI's underwriting team in negotiating with clients the scope of cover including but not limited to specific terms and conditions of insurance, amendments to insurance contracts or endorsements or any other underlying legal agreements ;
- Advise and train underwriters, claims officers on policy interpretation and legal implications of all insurance contracts, underlying commercial contracts and ATI liability.
- Re-draft documents or review externally provided documentation for ATI's political and commercial risk insurance, including, without limitation, insurance, co-insurance or reinsurance policies;
- Draft, review or negotiate legal opinions and KYC and NDA documents requested by ATI clients.
- Assist ATI's claims and recoveries team in developing strategies for claims avoidance and/or evaluating actual claims for compensation by insured or reinsured
- Assist ATI in obtaining recoveries where ATI has paid an insurance claim.

- Support the supervision of external counsel, where retained by ATI on transactions, as appropriate.
- Support ATI in arbitration in respect of claims brought by or against insureds or reinsurance parties under ATI's insurance or reinsurance policies.
- Participate in underwriting meetings and provide guidance on legal aspects as and when necessary.
- Undertake research work in the areas related to ATI's business legal framework and new development.
- Identify legal and policy issues, research relevant precedents and doctrine, and propose appropriate solutions to ATI business. Contribute to compilations of precedents and best practice in negotiating and concluding complex commercial agreements and related insurance agreements.
- Report to the General Counsel any breach in ATI insurance policies, underwriting operations manual or applicable rules and proposed remedies.
- Advise the General counsel in the review and approval process of underwriting reports and related contracts of insurance
- Assist ATI's General Counsel in drafting legal documents and new policy texts for new or existing products, the insurance and reinsurance contracts and the underwriting operational manual.
- Perform such other duties as may be assigned from time to time.

Qualifications/Selection Criteria

- Undergraduate and postgraduate degree in law from recognized universities. An admission to the Bar (or a diploma or a qualification to practice law in the home country) would be an added advantage.
- Experience in legal practice in jurisdiction applying English common law and practical knowledge of insurance law.
- Candidate must be a practicing lawyer or corporate lawyer with in-depth experience in international financial transactions.
- Excellent oral, interpersonal and writing skills in English (ability to present both oral and written ideas clearly, concisely and persuasively). Bilingual skills (English and French) will be an added advantage.
- Possess a versatile multi-disciplinary skill set, an ability to work in a multi-cultural environment and effective communication, team building, business oriented mind-set, interpersonal, writing and analytical skills.
- Ability to work under pressure and meet urgent deadlines.
- Experience in commercial litigation and international arbitration in a reputable law firm will be an added advantage.
- Legal Drafting & Research: Proven ability to draft transactional documentation (e.g., insurance contracts, loan agreements), briefs and variety of legal instruments and related documents, with limited supervision.
- Professional independence: carries out work independently with due care under the direct supervision of the General Counsel.
- IT competence in the use of standard software such as MS Word, PowerPoint, Excel and Internet.

ATI's Offer

As a multilateral institution with its Headquarters in Nairobi, Kenya, ATI offers a highly competitive remuneration package and an international business career in the development of African trade and investment.