



**BIO DATA:** **STEPHEN KIPKENDA KIPLAGAT**

**Position:** Senior and Founding Partner,  
Advocate of the High Court of  
Kenya

**Branch:** Nairobi office

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### **Overview**

Stephen began his internship in legal practice in the year 1990 and at the same time taught commercial law to students undertaking courses as Certified Public Accountants – CPA and Association of Chartered Certified Accountants (ACCA) at Strathmore School of Accountancy, the predecessor of Strathmore University – Kenya.

As a founding partner of Kipkenda and Company Advocates. As the Senior Partner, he brings in a wealth of experience in a wide field of legal practice spanning 27 years.

In the early years of practice, he handled various litigation matters both in property and commercial spheres up to the Court of Appeal and since the enactment of the Constitution of Kenya, 2010 up to the Supreme Court. During this period, he successfully prosecuted and defended matters in various Courts with outstanding awards and judgement in favour of his Clients. Some of the land related litigation touched on complex issues of Title and affected many claimants and one of them was concluded in the Supreme Court recently.

In areas of Commercial and Corporate Law, Stephen has made this area his principal area of practice. He has concluded complex company restructuring resulting in transfer of assets to new corporate entities while ensuring that various lenders' interests are protected. He has also advised on cross-border lending and designed security documents to secure the interests of the parties. He has over time engaged in innovative securities perfection affecting co-operatives and SACCO's involving numerous members and also in the compensation of thousands of small scale farmers after the collapse of their former co-operative society and take over by the Government of Kenya.

His Excellency the President of the Republic of Kenya appointed Stephen as a Commissioner to the Commission of Inquiry into the Land Law System in Kenya. He took part in the intensive exercise until a report on consolidation, updating and improvement of all procedural legislation relating to the registration of titles and other instruments concerning dealings and interests and rights of the same; process of land delivery, survey and registration and preparation of official records relevant to such survey and registration.

Stephen has also served as a board member of Kenya Tourist Development Corporation for a period of three (3) years with effect from 18<sup>th</sup> April, 2007; during the period he was engaged in the development of legal, governance and policy framework to enhance expansion of tourism economy in Kenya; he was also appointed to chair the board of Golf Hotel, Kakamega.

In the year 2006 Stephen was a lead legal consultant on system of governance, funding mechanisms and legal framework for Kenya's National Polytechnics to award technical degrees, reviewing existing legislation on the subject and ultimately presenting a report to the Ministry of Education, Science and Technology setting out the new governance structure and legal framework that was accompanied by three draft Bills. This report gave rise to the upgrading of Kenya Polytechnic and Mombasa Polytechnic to award degrees.

He currently serves as the Chairperson of the Competition Tribunal. As the first Chairperson, he has established the offices of the Tribunal and oversaw the preparation of the Rules of Practice that led to the gazettment of the Competition Tribunal (Procedure) Rules, 2017 setting up the Organisation's structure and staffing of the Tribunal, securing training of the members of the Tribunal in competition law and policy in Kenya and in Crete, Greece (Cresse Competition and Regulation Summer School, where members gained valuable experience in Competition Policy and Regulation); ensuring that the appeals to the Tribunal under the Competition Act are properly handled and disposed of. Stephen presides over appeals touching on Restrictive Trade Practices, Abuse of Dominant Position, Mergers and Acquisitions, Control of Unwarranted Concentration of Economic Power, Consumer Welfare and other matters specified under the Competition Act.

### **Principal Practice Areas:**

Conveyancing and Property Law  
Commercial Law  
Legislative Drafting  
Corporate Law and Governance  
Litigation and Dispute Resolution

### **Education**

- Bachelor of Laws (LL.B), University of Nairobi
- Diploma in Law, Kenya School of Law

### **Memberships**

Law Society of Kenya (LSK)  
East African Law Society (EALS)  
Institute of Certified Secretaries of Kenya (ICS)  
Kenya Land Owners Association  
University of Nairobi (UON) Alumni Association  
Strathmore University Alumni