



Boussayene Knani
& Associés | Law Firm

WHO WE ARE?

Boussayene Knani & Associés is recognized by several repertories and International legal journals as one of the leading law firms in Tunisia.

Lawyers of Boussayene Knani & Associés law firm are highly ranked by law journals as experts within legal sector, their expertise ranges from business law, financial Law, real estate law, labor law, to domestic and international arbitration.



Winner of the 2017 Global Law Experts Tunisian Real Estate Law Firm of the Year Award.

- “ This practice earns significant praise from market sources, who highlight its strength in the contentious sphere and its presence on international cases. Its broad offering includes both arbitration and commercial litigation services and general corporate and commercial advice... ”
- “ This firm is particularly well known for its litigation work, with commentators consistently praising its expertise in this area. The team also advises on M&A, securities and banking transactions, acting on such matters for a number of international clients in the energy and hospitality sectors... ” *Chambers Global Guide*

PRESENTATION

Established in 2002, **Boussayene Knani & Associés** is one of the leading law firms in Tunisia. Building on its accomplished team of lawyers and consultants graduated from Tunisian and foreign universities, it stands out locally by its structure and its commitment to highest international ethical and professional standards. Its international clients represent almost half of its business.

As a multidisciplinary law firm, **Boussayene Knani & Associés** is dedicated to perform to the unique interests and needs to its clients providing them a comprehensive legal service rooted in an innovative legal thinking. Today, BK & Associés proudly comprises a highly satisfied predominantly international customer network.

Before joining Boussayene Knani & Associés, each

partner has gained wide experience and high reputation in his sector of activity:

Judicial, higher education, domestic and international arbitration.

Structured into three complementary areas of expertise (arbitration, litigation, and legal advice), the law firm assists its clients, in all areas of business law: litigation and/or arbitration, business law, consultancy, due diligence, and privatization.

Boussayene Knani & Associés works closely with leading business law firms in Europe, Middle East, and Africa, allowing to assist, in recent years, internationally renowned clients during their project implementation in Tunisia and in their relations with Tunisian companies as partners, customers or suppliers.



LITIGATION

Boussayene Knani & Associés law firm has build a solid experience in a wide range of commercial, social, real estate, and criminal litigation matters. The firm is able to tackle any type of litigation based on a pragmatic approach and thus ensuring its effective and timely resolution.

Where circumstances permit, we avoid lengthy court proceedings in favor of a fast dispute resolution procedure such as arrangements and mediations

Boussayene Knani & Associés regularly deals with international cases thanks to its close collaboration with leading law firms in Europe, Middle-East, and Africa.

LEGAL COUNSELLING

Legal counselling is one of the major areas of practice at **Boussayene Knani & Associés** law firm. This department assists businesses since their incorporation whether in respect of legal follow-up, or ad hoc tasks.



The firm advises large multinational companies, SMEs, and individuals on all aspects of business law and it has particular expertise in corporate law, bank financing and financial arrangements.

The firm adopts an operating mode and an approach enabling its lawyers to be flexible, effective, and solution-based covering all the case aspects.

ARBITRATION

Boussayene Knani & Associés has assisted Tunisian and International groups in arbitration proceedings, whether institutional or ad-hoc, in Tunisia and abroad.

Additionally, Boussayene Knani & Associés favors, when the situation allows, amicable settlement of disputes.

The working languages of **Boussayene Knani & Associés** in arbitration proceedings are Arabic, Italian, English and French.

Domestic and International Arbitration

- ICC International Arbitration n°16395/ND : Hirvalon Finance LTD (British Virgin Islands) and Gladinan Invest LTD (British Virgin Islands) vs. Julien Sprecher (France) Alex Berrier (France) Sprecher Berrier & Partners FZCO (Dubai). Attorney Youssef KNANI served as the president of the Arbitral Tribunal.
- CIRDI Arbitration: Tunisian State vs. a major player in banking sector. The firm acted as the legal advisor of The Tunisian State.
- International Arbitration: This litigation involved a Tunisian company operating in public works vs. a Spanish company. The litigation concerned compensation for damage resulting from wrongful termination of negotiations relating to the olympic stadium construction. BK & Associés managed the case as a lawyer of the Tunisian party.
- International Arbitration: A Tunisian Hotel Group vs. the Spanish SOL Chain. Bk & Associés managed the arbitration as the lawyer of the Tunisian party.
- Adhoc Arbitration: Public works companies of the Sahel vs. Hotel Thalasso, Mehdia.
- Ad hoc Arbitration: Tunisian Group « Leadeur » in the fish farming sector vs. a foreign company having carried out the construction works of breeding basins. This litigation concerned the compensation for the damage resulting from defects in the construction works. Bk & Associés managed this arbitration as the Tunisian party lawyer.
- Ad-hoc Arbitration: This litigation opposed a French oil and gas company to a Dutch oil production, distribution, and marketing company. This dispute concerned the violation of a preemption clause included in the Shareholders' agreement. BK & Associés managed this case as the French party lawyer.
- International Arbitration: Tunisie Télécom vs. COMATEL & BSA. This dispute is between shareholders regarding the capital structure. The firm managed this arbitration as Tunisie Télécom lawyer. (2017)
- Ad-hoc Arbitration: Venus Hotel Management vs. Company of Studies and Tourist Promotion of Hammamet. Attorney Youssef KNANI served as co-arbitrator. (2017)
- Judicial Litigation: an annulment appeal of an arbitration award in the telecommunications sector. The decision was in favor of the client. (2018)

Banking Law / M & A / Business Law

- The law firm regularly assists almost all Tunisian Banks and some Foreign Banks such as the Sahelo-Saharan Investment and Trade Bank (BSIC) in counselling and litigation.
- The law firm assisted Banque Fédérative Crédit Mutuel « BFCM » in connection with the sale of the confiscated shares of Belhassen Trabelsi representing 13% of the **Bank of Tunisia « BT »** (the amount subject of the case is 220 million Tunisian Dinars). This case was managed in collaboration with the French law firm Bredin Prat.
- The firm assists a **major player in the banking market** in business criminal law cases (money laundering).
- **French Tunisian Bank (BFT)** vs. SOCODAL Tunisie. The law firm represented BFT in a contentious case on compensation for refusal of credit renewal.
- The law firm assisted the **Islamic International Bank (Jordan)** within an exequatur procedure in Tunisia.
- The law firm represents the **Bank of Tunisia (BT)** in a revocatory action and a dispute relating to criminal Business Law (Fraudulent bankruptcy).
- Representation of a bank, subsidiary of the National Fund of savings banks in disputes between the bank and some of its executives.
- Rental of hotels and management agreements: The law firm has entered into several lease management agreements relating to large hotels in various tourist regions of the country. It also assisted a number of Tunisian groups in the negotiation and conclusion of management agreements with world leaders such as **Accor Hotels** and **Louvre Hotels Group**.

Antitrust Law

- Defense of TUNISIA DUTY FREE SA Company in a dispute of concentration and unlawful agreement which calls into question the legality of granting the operating concession of free-shops to the company. This company was incorporated as a result of the international call for tender organized by the Civil Aviation and Airports Office (OACA) in 2014 and won by a consortium of three companies: HEINEMANN, ATU and HAMILA. The Council of Competition ruled in favor of the customers.
- Defense of a Tunisian Group « Leader » in the large and medium distribution sector in a case of abuse of dominant position and unlawful agreement. The competition council's decision was in favor of the client. (2016)
- Defense of a customer operating in the distribution sector in a case brought by the company «Parfums Givenchy». (Unfair competition and counterfeiting)

Franchise

- BK & Associés regularly assists its clients in franchise business.
- The firm is assisting a large Tunisian Group in a simultaneous implementation in Tunisia of two internationally renowned brands in the luxury hotel industry and SPAs and care sector.
- The law firm assists a leading American fast-food burger brand in its implementation in Tunisia.
- Bk & Associés assisted a large Tunisian Group in implementation of the French-Belgian fast-food brand « Quick ». The case was managed in collaboration with the attorney at law; Mr. Hubert Bensoussan (Paris).



TRAINING

Boussayene Knani & Associés lawyers regularly publish articles in several legal journals specialized in business law.

Also, members of the firm's team regularly conduct various training seminars on topical issues in business law and arbitration, particularly for lawyers, companies, and senior executives.

PRACTICE AREAS

Boussayene Knani & Associés has developed a business law expertise whether in legal counselling, or in pre-litigation and litigation assistance provided to clients :

► Banking and Stock Market Law

Banking and Stock Market Law is a crucial component of **Boussayene Knani & Associés** practice.

Our law firm assists, regularly, Tunisian, French, and African credit institutions in a wide range of fields.

Boussayene Knani & Associés assisted The Financial Market Council in numerous transactions and ensured successful Initial Public Offering (IPO) of large companies in cement and food sectors.

In addition to legal advice services, **Boussayene Knani & Associés** has developed a rich and solid experience in banking and stock market litigation.

► Foreign Investment Law

Boussayene Knani & Associés advises investors operating in various sectors during their implementation process in Tunisia. Our team assists as well large multinational companies, SMEs, and individuals in all aspects of their projects and in their negotiations with the respective administrative authorities.

► Labor and Social Security Law

Boussayene Knani & Associés has developed a distinguished expertise in litigation relating to companies' senior executives and intervenes in cases of negotiating financial effects of employment termination, and collective redundancies for financial reasons.





► Droit fiscal

Boussayene Knani & Associés law firm is constantly in contact with the most authoritative experts to intervene on many issues in corporate taxation.

► Mergers & Acquisition

Mergers and Acquisitions are one of the key activities in **Boussayene Knani & Associés** law firm.

Our firm assists in a variety of cross-borders transactions with international groups and SMEs operating in different areas of industry.

► Telecommunication Law

Boussayene Knani & Associés assists telecommunication operators in numerous competition and business law cases.

► Real Estate Law

Boussayene Knani & Associés lawyers gained extended experience within the property Court and in the administration of land ownership, and provide legal advisory and litigation services to its clients in their transactions related to real estate.

The firm assists international real estate companies in their real estate development projects and SMEs, and individuals in their current real estate transactions.

► Business Criminal Law

Boussayene Knani & Associés has developed extensive expertise in all aspects of this field such as fraud, breach of trust, and abuse of corporate assets, bankruptcy, breaches of commercial and corporate codes, money laundering, bribery, Insider dealing, price manipulation, and dissemination of false or misleading information.

The firm provides legal advice and litigation services at all stages of the criminal proceedings.

Besides, thanks to its international collaboration with leading European, Middle-Eastern, and African firms, our lawyers have gained the reputation of mavericks taking on international cases.

► Insolvency Law

Boussayene Knani & Associés regularly assists companies facing economic difficulties and provides to them support in the implementation of preventive measures within the insolvency proceedings to which they are subject.

► Antitrust Law

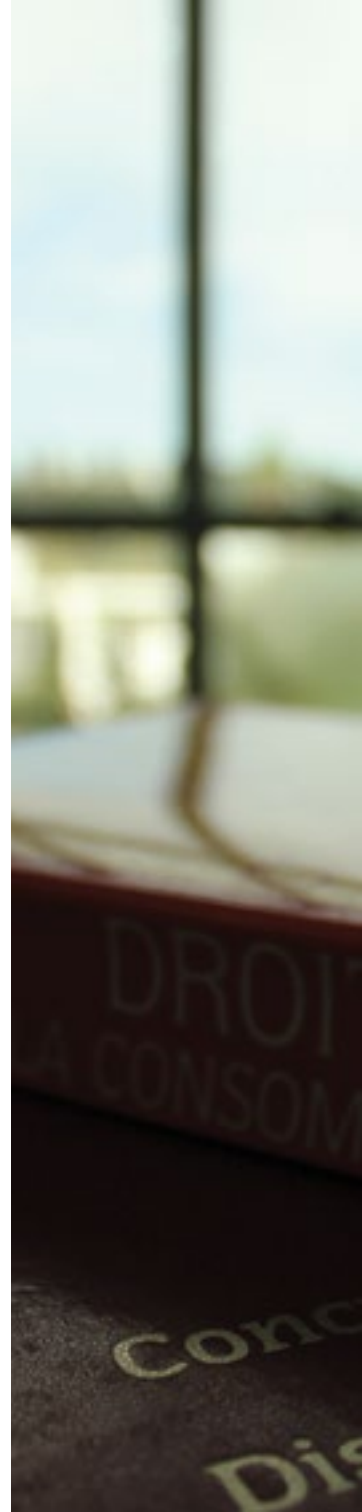
Boussayene Knani & Associés has become an icon in anti – competition litigations (Vertical or horizontal agreement and abuse of dominant position).

Our law firm provides legal advice to companies and to its clients while ensuring compliance with applicable antitrust rules and standards.

► Franchise and Distribution Law

Boussayene Knani & Associés develops and draws up contract documentation relevant to distributor- supplier relationship while ensuring compliance with an applicable competition rules and standards.

Besides, our lawyers assist our clients in negotiating and executing Franchise contracts.



► Hydrocarbons Law

Boussayene Knani & Associés law firm provides support to oil companies in their investment projects, defends their interests before respective public authorities, and assists them in case of judicial proceedings.

► Maritime Law

Boussayene Knani & Associés mainly intervenes in cases of litigation on behalf of shipping companies and merchant ship-owners.

► Corporate Law

Corporate law is considered as one of the core practice areas of **Boussayene Knani & Associés** law firm. It provides legal advisory and litigation services at all the stages of the corporate life, covering the following legal aspects:

- › Choice of the legal structure
- › Company creation
- › Company transformation
- › General Assembly management
- › Shareholders conflict management
- › Restructuring projects
- › Transfer or acquisition
- › Merger
- › Liquidation

Atty. MEHREZ BOUSSAYENE
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Mehrez BOUSSAYENE, former magistrate, has been practicing for 34 years in litigation, counselling, and arbitration covering several disciplines of business law, judicial and real estate law.

He has developed over the years an extensive experience in the different areas of legal practice.


He held the following positions:

As Judge since 1983:

- Advisor at the Court of Appeal of Tunis: Civil and Commercial Chambers and speedy-trial Tribunal.
- Judge at the real estate Court of Tunis.
- Judge at the Commercial Chamber at the First Instance Court of Tunis.
- A bankruptcy Judge (insolvency proceedings).
- Investigating Judge in Tunis (essentially in business criminal law).
- Former elected member of the High Council of the Judiciary and the Disciplinary Council of Magistrates.

As lawyer at the Tunisian Bar since 1989:

- Lawyer at the Supreme Court
- Former member of the Executive Committee of the International Association of Young Lawyers (IAYL).
- Member of the International Union of Lawyers (IUL)
- Arbitrator for the National Sports Arbitration Committee of Tunisia.
- Former President of several sporting bodies.
- Lecturer on "Arbitration and Sports Law" for the postgraduate degree at the Faculty of Law and Political Sciences of Tunis.
- President of the Tunisian National Olympic Committee since 2013.
- President of Legal Commission of the Association of National Olympic Committees of Africa (ANOCA).

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- Member of the International Olympic Committee “IOC” of Culture and Heritage.
 - Member of the International Relations Commission of The Association of the National Olympic Committees (ANOC).

▶ **Areas of expertise :**

- Business criminal law
- Corporate law
- Foreign investment law
- Real estate law
- Commercial law
- Civil law
- Labour law
- Insolvency law
- Arbitration

▶ **Educational background :**

Bachelor's degree in private law:

Faculty of Law, Political Sciences, and Economics of Tunis

▶ **Languages :** Arabic, French, English.

▶ **Magistrate :** 1983

▶ **Bar :** Tunis, 1989

▶ **Among his publications :**

- « Antitrust Law and Consumer Law», Article published in RJI 1996.
- « Emergency Procedures », collective Work, publication of the International Association of Young Lawyers (AIJA) 2000.
- Book : “Ma vision pour la Tunisie » (My vision for Tunisia).
- Author of several law articles and supervisor of several law dissertations.

Atty. YOUSSEF KNANI
y.knani@bkassocies.com



Youssef KNANI is an expert in commercial law, banking and stock market law.

He intervenes in Merger and Acquisition (M&A) transactions and regularly handles disputes of business litigation and arbitral litigation.

PhD in law and Associate Professor in Private Law, Youssef KNANI teaches corporate law, commercial law, bank and stock market law, trade financing law, and common law at the Faculty of Law, Political and Social Sciences of Tunis.

He is the author of several books and publications on legal issues and is a member of The Financial Tunisian Group.

He received the National Order of Merit.

► **Areas of Expertise :**

- Corporate and commercial law
- Business law
- Foreign investment law
- Domestic and international arbitration
- Bank and stock market law
- Competition law
- Franchising law

► **Educational background :**

- Studies on American Political and legal system at the American University. Washington D.C. (1995)
- Associate Professor in private law (1982)
- PhD in private law , Paris II Assas
- Postgraduate degree in criminal sciences law and postgraduate Degree in private law, Paris II - Assas.

► **Languages :** Arabic, English, French.

► **Bar :** Tunis, 1982



► Among his publications :

- Book : Commercial law
- Book : Property law (Co-author)
- The banker and the corporate in difficulty
- Changing company law
- The agreement system concluded between the company and its senior managers
- The State and the corporate
- Clauses of assent and pre-emption in shares transfer
- Quorum and majority rules governing shareholders meetings
- New rights of partners
- Conflicts of interest between limited company and its senior managers (Commentary on article 200 , Code of Commercial Companies)
- Professional law firms
- Abuse of dominant position in the competition law
- Competition law reform
- Criminal cheques law
- The buyer's error and non-disclosure of the land constructability.
- Synthesis report of the research work on the new code of commercial companies conducted at the Faculty of Law of Sousse.
- Corporate groups



Atty. Najoua BETTAIEB began her career in 1997 at Boussayene Knani & Associés law firm. She is an expert in the management of judicial litigation, related to commercial, civil, business criminal matters, with particular expertise in property law.



Atty. Chiraz BEN BRAHIM has joined the firm since 2009. She is expert in labor law and civil law.

Before joining Boussayene Knani law firm, Chiraz BEN BRAHIM was an associate in a business law firm in Tunis. She also has worked in the legal department of an insurance company before becoming a legal consultant in an American multinational corporation.



Atty. Amine KNANI has joined Boussayene Knani law firm in January 2010. He provides assistance to foreign companies during their implementation process in Tunisia and provides legal advisory and litigation services to corporates of all sizes in dealing with their requests in matters of business law, labor law, and competition law.

Before he joined Boussayene Knani law firm he worked with Gide Loyrette Nouel (Paris) and in the legal department of Saint-Gobain (Paris).

Publications :

The notion of economic company in the Competition Council case law. Legal Info : issue of January 2015.



Atty. Saloua DELLALOU has started her career since 1992 with Boussayene Knani law firm. She is in charge of civil cases, labor cases, and debt cases.

Saloua DELLALOU holds a Bachelor Degree in law obtained in Algeria in 1990. She has obtained her Professional Lawyer's Certificate in Tunis in 2007.



Ines YOUSSEF has joined Boussayene Knani law firm since 2016. She is an expert in corporate law and bank and stock market law.

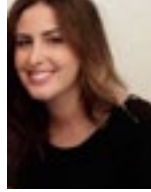
PhD in law, she teaches several subjects in private law at the Faculty of Law, Political and Social Sciences of Tunis.

Before joining Boussayene Knani law firm, Ines Youssef worked as a lawyer in a law firm of general practice in Tunis. She also worked for a business law firm in Paris.



Selim KNANI has joined Boussayene Knani law firm since 2015. He regularly assists corporates of all sizes with counselling in legal and arbitration matters, and deal with their requests in corporate law and labor law areas.

Before joining Boussayene Knani law firm, he worked at Price Waterhouse Cooper law firm



Meriam Boussayene has joined Boussayene Knani law firm in January 2015. She provides legal advice and litigation assistance in civil law and in business law areas. She has newly obtained Professional Lawyer's Certificate.



Mohamed Amine KASSAOUI joined the firm in 2018. He provides legal advice and litigation services in civil law, business law and public law.

PhD student in law, he teaches banking law and antitrust law at the International University of Tunis.

Before joining Boussayene Knani law firm, he worked in a business law firm in Tunis.



Abir BEN AMOR has joined Boussayene Knani law firm in 2018.

She has newly obtained Professional Lawyer's Certificate, after graduation as the top of her class. She was a trainee within the legal department of Qatar National Bank "QNB" .

