



## Andrew Munanura Kamuteera

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Andrew Munanura Kamuteera's insolvency practice covers insolvency procedures, business restructuring, debt recovery, debt restructuring and rescheduling, investigation and asset-tracing and recoveries litigation. Andrew advises a several financial institutions and corporate entities on various insolvency and recovery matters. In disputes, Andrew represents clients on a wide range of banking, construction and commercial law matters and has acted in significant mandates.

### Related services

[Litigation, Arbitration and Regulatory](#)

[Restructuring](#)

[Corporate](#)

### Related sectors

[Financial Services](#)

[Industrials](#)

[Infrastructure, Construction and Transport](#)

[Insurance](#)

### Languages spoken

English

## Experience

Experience has included advising:

- A suite of creditors, including Standard Chartered Bank Uganda, in representing the creditors' interests in connection with the liquidation of a leading retail supermarket chain.
- GroFin Africa Fund Uganda Limited as a secured creditor in the insolvency proceedings of a leading electrical appliance distributor.
- A leading continental integrated tourism group in defending contested insolvency proceedings instituted against it by a business counterparty.
- Various bank and non-bank lenders in enforcement proceedings under term loan and asset finance facilities.
- The national road agency in arbitration proceedings under the International Chamber of Commerce for a USD48 million breach of contract claim against a contractor.
- British American Tobacco Uganda in successfully defending a high-value claim for compensation arising out of a quasi-contractual dispute with a fire-fighting company.

## Credentials

## Professional Qualifications

- Advocate admitted to the High Court of Uganda.

## Education

- Nottingham Trent University: Post-Graduate Diploma (International Insolvency Law).
- Uganda Christian University, Mukono: Bachelor of Laws.
- Law Development Centre: Post-Graduate Diploma in Legal Practice (bar qualification).

## Memberships

- Member of the East African Law Society.
- Member of the Uganda Law Society.

## Insights

### Case alert: Quincecare duty of care recast in *Philipp v Barclays*

5 September 2023

On 12 July 2023, the UK Supreme Court handed down its judgment in *Philipp v Barclays* (2023) UKSC 25. The Supreme Court allowed Barclays' appeal on the main issue, namely, whether the Quincecare duty applies when the payment instruction is issued by the customer and not an agent of the customer and if not, whether it should be extended to apply.

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### Uganda case alert – banks have no duty to reverse online payments made by a customer.

5 May 2023

The High Court of Uganda has in *Translink Limited v Standard Chartered Bank (U) Limited*, High Court Civil Suit No 415 of 2019 re-examined the scope of a bank's duty of care to its customer in the context of an online or digital transaction. The Court stated that a bank's duty of care in a digital transaction is discharged when it successfully proves that a payment has been made in accordance with a customer's instruction.

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### The effect of fraud on mortgage transactions

13 February 2023

The High Court of Uganda has reexamined the effect of fraud on mortgage transactions and the grounds on which a mortgage will be voided in two recent decisions: *Christine Hope Kanyima v. Mercantile Credit Bank Limited & Chris Kanyima Miscellaneous Cause No. 0085 of 2021* delivered on 30 January 2023 by Justice Stephen Mubiru, and *Cwezi Properties Limited v. Uganda Development Bank Miscellaneous Application No. 1315 of 2022* delivered on 25 January 2023 by Justice Thomas Ocaya.