Rafael Neves Banguine

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Rafael Neves Banguine is a Lawyer, Manager of the Litigation & Dispute Resolution Practice Group. As such he provides legal assistance in the area of civil, labor and administrative litigation, including the resolution of conflicts in the arbitration forum. He provides legal assistance in the area of insolvency and judicial recovery of commercial entrepreneurs and has extensive experience in the areas of energy and procurement and contracting within the scope of Public-Private Partnerships, with experience in the energy sector.

Related services

Employment

Litigation, Arbitration and Regulatory

Corporate

Related sectors

Consumer Goods and Retail

Languages spoken

Portuguese, English

Experience

Professional Qualifications

Litigation

- Processing of Civil Proceedings (Cautionary Measures, Embargoes, Initial Petitions, Answers, Participations, Claims, Appeals and Executions);
- Processing Criminal Proceedings (Criminal Complaints, Accusations, Challenge to Prosecution and Pronouncement Orders, Request for Provisional Release and Appeals);
- Assistance in Credit Recovery Processes;
- Technical Assistance and Conduct of Insolvency and Judicial Recovery processes for Commercial Entrepreneurs;
- Assistance in Arbitration Proceedings (ad hoc and institutionalized arbitration through the CACM); and
- Handling arbitration proceedings, including client representation.

Labour

- Assisting clients in various labour matter including drafting contracts, providing legal advice in respect of disciplinary proceedings, strikes, retrenchments, among other matters;
- Labour audits and legal assistance to national and foreign investors in ensuring compliance with the labour laws;
- Preparing models of employment contracts and commercial contracts for Private Employment Agencies;
- Obtaining work permits and respective visas for foreign employees of various companies working in different fields;

- Legal Assistance in the Labor Area, including Mediation and Labor Litigation; and
- Instituting Disciplinary Proceedings.

Other

- Provision of Legal Advice in the Energy Sector;
- Drafting and Negotiation of Works contracts, Supply of Goods and Provision of Services;
- Assistance with processes for the acquisition of licenses (concession of production, transport, distribution and commercialization of electric energy);
- Drafting Power Purchase Agreements (PPA); and
- Legal Assistance with Public-Private Partnership Contracts.

Contracting and development of projects in Public-Private Partnership

Credentials

Prior Experience

- 2019-present, SAL & Caldeira Advogados, Lda. – Manager at the Litigation and Conflict Resolution Practice Group
- 2015-19, SAL & Caldeira Advogados, Lda. – Senior Consultant at the Labor Pratice Group
- 2003-2015, FUNAE - Fundo de Energia (Energy Fund) – Legal Advisor and Secretary of the Board of Directors
- 2001-03, Liga Moçambicana de Direitos Humanos – LDH (Human´s Right League) – Legal Assistant
- 2002-03, Escola de Formação Média da Polícia, Matalane (Polisse School) - Lecturer - Criminal Law
- 1998-2001, Empresa Aeroportos de Moçambique – Air Traffic Controller

Education

- Eduardo Mondlane University, Degree in Law

Memberships

- Member of the Mozambique Bar Association

Insights

Legal implications for procedural acts during the state of emergency

17 April 2020

By Presidential Decree no. 11/2020, of 30 March, the President of the Republic of Mozambique decreed the State of Emergency, on grounds of public calamity, throughout the country, with a duration of 30 days, effective as from 0.00 a.m. on 01 April 2020 and ending at 24.00 a.m. on 30 April 2020.

Newletter 2019

18 February 2019

In this edition you can read "Alcohol and Drugs at the Workplace", "Suspension of Employment Contracts" and "New procedures for Submission of the Employees' List Sheet".

Newsletter 2018

18 June 2018

In this number you can read "Special rights of Female Employees", "Termination of Employment Contracts Due to Cessation of Activities or Extinction of Legal Person" and "The legality of Discounts upon the Termination of Employment Contract".