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African Footprint

Newsletter from the Crowe Global African firms



Audit / Tax / Advisory



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Crowe Cor LLP in Kenya

Crowe COR LLP joined the Crowe Global Network in 2010 and is a multi-faceted practice serving a broad spectrum of indigenous and international businesses and not-for-profit organizations across a diverse range of sectors. With over 25 years' experience, we have an unrivalled understanding of the East African business environment and an unparalleled global service thanks to the strength and reach of the international network.

Crowe COR LLP currently has a total of approximately twenty employees, four consultants and two Partners.

Our clientele cuts across a broad spectrum of sectors that fall within the following areas; Manufacturing Companies, Insurance Companies, Banks, not for-profit Organizations, Oil and Gas Industry, Hospitality Industry, etc.

Our services include but are not limited to -

Audit

This is the bedrock of Crowe COR LLP client work and our multi-disciplinary teams deliver high-quality audits, value-added advice and support to business partners in the creation or modification of policies, procedures, process, products, or services to ensure an internal control and compliance is maintained. We evaluate operational/financial risks and the effectiveness of business operations; assess business risk; analyze financial transaction flows; develop complex short and long-term audit plans through risk assessment activities; execute audit projects within prescribed time budgets at a high degree of quality; and write audit reports consisting of both findings and recommendations.

Tax Consultancy Services

We offer advisory services on various tax laws including income tax, value added tax, corporate tax, and personnel taxes, advisory on tax implication of various models of doing business including limited liability partnerships, branches of foreign company, local subsidiary of foreign company, tax computation and compliance and transactional tax advisory.

Legal Services

Our Legal Specialists are a team of Advocates of the High Court of Kenya and are well placed to provide our clients with legal solutions tailored to enhance local growth and expansion in the global economy. We provide legal services in the following areas: - Corporate Restructuring such as Mergers and Acquisitions; advisory on debt and insolvency; advisory on private equity and debt financing; protection of Intellectual Property such as Trademarks, Industrial Designs, Utility Models, Patents, Technovations and Copyrights and conduct legal audits and due diligence.

Secretarial Services

Our team that comprises of registered Certified Secretaries, ensures that your company or Not for Profit Organization is fully compliant with an ever increasing statutory and regulatory compliance regime.

We offer Companies and NGOs, compliance and health check, Societies and Trusts Pre and Post- registration services; attendance of company and NGO meetings and minute taking; preparing shareholders and directors resolutions; preparing and filing forms and documents required to be filed with the Company Registrar, NGO Co-ordination Board and the Societies Registry such as share transfer of documentation, changes to directors and filing of Annual Returns; Custody of statutory register of directors and shareholders; Execution of documents as the appointed Certified Secretary; Company secretarial due diligence; act as registered office and conduct corporate governance audits.

Accounting

Accounting is a function that forms the core of any business. We offer expertise in areas such as bookkeeping, accounting and payroll related services. We maintain ledgers and produce periodic reports according to clients' preference; prepare financial statements, bank reconciliations and taking care of the clients' general accounting needs.

Human Resource Management

We provide our clients with professional HR Consultancy services to help them attract, inspire, motivate, manage and reward the right people. Our HR consultancy services are designed to maximize investment in human capital whilst enabling our clients to focus on their core business.

Global Mobility Services

Our HR department is able to assist Global Mobility Clients with the following services -

- **Immigration** - by securing all necessary permits.
- **Relocation logistics** - by enabling the relocated employees position themselves with ease.
- **Culture acclimation** - by teaching global workers about local business practices and interpersonal relationships.
- **Payroll** - by managing payroll, including payroll requirements, tax withholding, and reporting requirements.
- **Pensions and benefits** - by providing the necessary home and host pensions and benefits and filing returns for the mobility workers.
- **Compliance with employment laws** - by providing contracts, assignment letters, and local legislation requirements.
- **Global talent management** - by providing a retention plan and career development program and encouraging top employees to join the global mobility team.
- **Income tax and social security obligations** - by assisting the global employees to be compliant.
- **Ongoing support** - by giving continuous support to the relocated employees.

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UAE and the Steps to a Green Future: Working Towards COP28

The UAE and in particular, Dubai has come a long way from the oil dependent economy that spurred trade in the 1960's. There is an increased focus on climate change and government entities and corporate companies in the Emirate are upping the game by considering environmental, social and governance (ESG) benchmarks while making business and investment decisions.

“E” for Excellent Environment

Post Covid there has been a huge drive towards sustainability as companies re-evaluate how they wish to run their operations. The expo 2020 has a sustainability pavilion called Terra, that focuses on how we can change our everyday choices to reduce our carbon footprint and environmental impact. The pavilion that is powered by 4,912 solar panels can charge close to a million mobile phones in a year.

“Dubai can”, an initiative that has set up over 30 water public stations across Dubai and has encouraged residents and visitors to ditch single-use plastic water bottles and, instead, shift to refillable ones. Over 1,000 companies take part in the drive to ditch plastic bottles and offer free water.

Dubai is also home to the sustainable city that is a housing complex that has achieved net zero status. The road is set, and Dubai is moving towards a net zero state.

“S” for Super Social

Creating and maintaining a sustainable environment and infrastructure is a pillar of the National Agenda in line with Vision 2021. The UAE Government wants to ensure sustainable development while preserving the environment, and to achieve a perfect balance between economic and social development.

CSR initiatives are a plenty in UAE. Dubai has achieved more than 90% vaccination against Covid, administered free of charge. There are numerous initiatives catering to the elderly, the differently abled and those in need.

The Emirate along with the UAE has made the corporate environment more employee friendly by offering flexible work contracts, mandatory insurance along with a revised schedule of leaves that bring it in line with Global standards. Extended weekends and a dedicated fitness month have boosted the morale of residents.

“G” for Good Governance

The Emirate of Dubai has taken great leaps in addressing the gaps in governance that envelope Dubai's corporate world. It has strived to achieve a green listing in various areas that pertain to creating a fair global playground especially when it comes to attracting Foreign Direct Investments. Anti Money Laundering policies, copyright infringement laws and appropriate taxation and audits have greatly reduced levels of corruption.

The 8 pillars of corporate governance have further summarised the principles for governing to ensure the well-being of their people, the sustained progress of the nation, and the welfare of its future generations. The framework has called upon those in a position of responsibility in the Emirate of Dubai to abide by its principles, and directed them to devise mechanisms to ensure its implementation

The UAE has released various mandates governing the ESG practices that must be adopted by certain categories of companies. These primarily comprise of listed companies associated with the Dubai Financial Market and the Abu Dhabi's Securities commission. The majority of the government entities also have been publishing their sustainability reports on an annual basis.

At Crowe, we understand that sustainable practices are the need of the hour of our Global Clients. Our aim is to help them make Smart Decisions that bring Lasting Value by conserving, protecting, and enhancing.

We look forward to the support of all member firms in helping their respective countries as we inch closer to the prestigious COP28 summit. Crowe will wholeheartedly support E-S-G in the U-A-E!

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Global Mobility Services: Why Outsource this Function?

COVID-19 has highlighted to organizations and companies the importance of having the right people in the right place at the right time. It's only natural that a growing company would seek to open offices further afield and maximize business opportunities and reach the widest possible market.

Global mobility is widely known as an HR function which refers to a multinational corporation's ability to move its people to offices in different countries. It involves every action that needs to be taken behind the scenes, in order for the relocation of talent to happen in a smooth manner (*"Moving people to jobs and jobs to people"*). Placing all the responsibilities such as managing compensation, tax compliance and immigration policies will be very costly, complex and time-consuming on the HR department of an Organization. For modern companies hoping to compete on an international level, global mobility should be a high priority therefore it would be prudent for businesses to outsource this function.

Expertise in Immigration Laws

Every country has its own set of immigration policies. Immigration requirements necessitate globally mobile employees to have proper visas and necessary permits. Increasing enforcement of the laws by the immigration authorities and severe penalties in cases of non-compliance means companies need to be more diligent than ever about managing their global workforce. For example, in Kenya, Crowe COR LLP's team which is well versed in immigration laws can help the employees get necessary visas, work and residences permits, determine applicable visa categories and advise on immigration topics and processes.



Employment Laws and Tax Compliance

All deployed employees must have contractual arrangements prior to deployment. One possibility when deploying staff overseas is to consider a tri-partite agreement between the employee, the parent company in the home country, and the subsidiary company or branch in the target country. Host and target countries' tax systems can be complex as some tax regulations can be difficult to understand, particularly when they are in the host language.

Meanwhile, tax obligations in an employee's home country often continue to arise. In the absence of tax treaties, the employee and employer may be liable for income tax and other taxes in more than one country. Finding a team that has expertise in tax law of a specific country is very important as they can advise on employment taxes (PAYE) implication for Expatriates, interpretation of Double Treaty Agreements if applicable and current tax laws of the Host and target country.

Legal Structure

Having employees deployed overseas, it is important to consider the employer's legal obligations. The employer may decide to either incorporate a subsidiary or a branch of the parent company. However, before the employer decides to register a company, it is important to consider alternatives. Depending on the type of work the overseas employees engage in, the period, the business's industry, and local regulations, it may not be necessary to incorporate one. Therefore, the employer should seek professional advice from a team with tax and legal background.

Relocation Logistics

The logistics of relocating an employee and their family can be challenging. However the right team they can assist with; relocation travel, school search for dependents, household goods transport, cross-cultural and language training, global banking and airport transfers and in other cases housing facilities. It's important for an employee's well-being that employers take as much stress and anxiety off the employees. It is therefore crucial to outsource the function to a team that is already in the target country.

Specific Employee Benefits

Each state has its own varying human resources benefits. Retirement benefits, pensions, health insurance and plans also vary greatly by company. A human resource professional in the target country can advise on the statutory benefits in that country. For example, in Kenya it is mandatory for all employers to make payments on behalf of employees and cover the National Health Insurance Fund (NHIF) and National Social Security Fund (NSSF).

Bringing all the Companies outsourced tasks together under one roof can have major benefits and cost reductions. Rather than paying a number of different companies to perform separate tasks, a third-party service provider becomes necessary.

This article was written by -

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Crowe COR LLP is ready to assist the global mobility clients to settle down in our country and perform to the best of their abilities.

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Moving People to Jobs and Jobs to People

Private Sector Participation in Africa's Affordable Housing Solutions

How African governments can leverage on the private sector capabilities in the delivery of Affordable Housing.

Crowe Infrastructure Africa (Crowe Infra) is Crowe's member firm dedicated to infrastructure development in Africa, working with public and private sector clients to structure financially viable and sustainable projects in the energy, transport, water, ICT and social infrastructure sectors, such as affordable housing. As a specialized boutique consulting firm being part of a top 10 financial services network, Crowe Infra has a unique and highly competitive delivery model based on an uncompromising commitment to quality, agility and responsiveness.

With the ongoing global housing crisis, it is imperative for governments to engage the private sector in the bid to address the housing demand in developing cities across Africa. This would attract financial backing from the private sector and leverage expertise and technological solutions to effectively tackle the housing shortage.

Let us take a deep dive into the challenges that are currently being faced in meeting the burgeoning housing demand, and how the role of the private sector is critical in delivering affordable housing.



Challenges affecting affordable housing delivery in Africa

Globally, cities are major drivers of economic growth, and the quality and location of housing has long-term consequences for inclusive growth. The demand for housing in rapidly urbanizing developing countries is growing exponentially. The Sub-Saharan region's major cities are expanding rapidly. By 2050, Africa's urban population is projected to reach 1.2 billion, with an urbanization rate of 58% (UN-HABITAT, 2014). It is estimated that, globally, nearly 100,000 new housing units per day are needed to meet the urban housing demand.

Across Africa, governments are tackling the challenge of affordable housing, and where they should apply their efforts. Recent studies have found that in Africa, formal housing investment lags behind urbanization by nine years (Dasgupta et al., 2014).

Here, we review some of the supply-side and demand-side challenges impeding the much-needed progress of affordable housing delivery and access in Africa.

Supply-side challenges to housing delivery

Formal housing affordability is constrained by challenges to realizing key supply inputs, including:

- i. **Inefficient land administration standards:** The impact of inefficient regulatory standards and processes on affordable housing supply is a widely recognized constraint in developing countries. This highly discourages the efficient development of urban land and places additional burden on infrastructure provision.
- ii. **Inadequate infrastructure:** Network infrastructure, i.e., roads, power, piped water, sewage/drainage to service residential land is lacking and very expensive to build retroactively in settlements that do not have such connections. Most African countries also lack the institutions and capacities to capture land value in ways that can be used to finance these types of public infrastructure investments. Infrastructure coverage is mostly directed toward wealthier strata of society, who are also better able to self-provide for services that local governments and utilities do not often cover, such as sanitation.



- iii. **High cost of land and construction:** Land and infrastructure accounts for 30 to 40% of total costs of private developments. The cost and availability of quality construction materials are a major impediment to reducing the cost of all types of housing. There are few local production sources for high quality construction materials, and government and private sector developers tend to prefer imported materials, which ultimately increase the cost of housing for consumers, as developers must include the cost of materials in the final price of the final product.
- iv. **Inadequate financing:** The majority of housing investment in most African countries currently comes from government investment or domestic savings rather than finance obtained through international capital markets, as is the case in developed economies. Local capital markets in Africa are underdeveloped, and most countries face policy and legislative barriers to local investment in housing.

Demand-side challenges to housing access

- i. **Limited finance options for low-income groups:** The majority of the African population do not have formal savings accounts and are not able to obtain mortgages for housing development. The lack of savings reduces the amount of finance available for lending institutions to develop consumer mortgages or other lending products.
- ii. **Housing Finance:** A majority of urban population build makeshift shelters by themselves or with the assistance of local laborers. Without access to mortgage finance to purchase complete homes, housing is built incrementally with investments from individual savings and donations from family and well-wishers. Housing microfinance could be a way to bridge the gap between small, short tenor microloans and large, long tenor mortgages. The expansion of microfinance lending gives more low-income groups access to relatively affordable finance and banking services.
- iii. **Underdeveloped mortgage sector:** Most African countries offer mortgage rates above 15% and at tenors below 15 years, which is quite inadequate and does little to enhance affordability. Estimates indicate that in 2011, 85% of Africa's urban population lacked access to formal housing loans and only 3% of the population was eligible for a conventional mortgage (Kihato, 2013). Instead, alternative forms of borrowing and saving are popular, including remittances, informal loans from friends or family, and the use of community savings clubs. There are significantly higher percentages of informal lending, and relatively lower percentages of lending from formal institutions (bank, credit union, MFI) (Kihato, 2013).

The role of the private sector

Owing to these challenges, stakeholders have been pre-occupied with sourcing alternative strategies of cost-effective funding for housing development and improvement beyond the public sector led programmes. We believe the private sector can play a major role in the roll-out of affordable housing units through their contribution in terms of providing technical expertise and skills as well as their involvement in the development of sustainable and vibrant financial frameworks for housing. Looking forward, the involvement of the private sector in Africa's affordable housing agenda can be viewed in the following two main areas:

i. Adoption of Public Private Partnerships (PPPs)

Studies show that PPPs is one of the plausible ways through which low-cost urban housing can be developed. The application of PPPs has been proposed as among the possible alternatives to the development of low-cost urban housing (World Bank, 2017). PPPs enable the leveraging of public funds and assets alongside private sector expertise.

While it is important for the government to execute affordable-housing programmes, it is easier and more effective to encourage the private sector to build social housing and to leverage innovative technology, skills, finance, and efficiency, while Government brings its assets such as land and provides a conducive regulatory framework. In the housing sector, the government has a wide range of policy, legal, regulatory, financial and administrative instruments to encourage the private sector to participate in affordable housing delivery.

Through PPPs, funding by financial institutions is secure and efficient since the borrower is a Special Purpose Vehicle (SPV), with better management of associated risks. Thus, the private sector can play a major role in the roll-out and quick delivery of affordable housing units.



ii. Enhancing private sector financing through capital markets

The majority of housing investment in most African countries currently comes from government investment, DFIs, some pension funds and banks rather than finance obtained through international and local capital markets, as is the case in developed economies. Purely commercial investors seeking real returns are in the minority. Establishment of capital markets vehicles such as Real Estate Investment Trusts (REITs), with a focus on developing residential portfolios, is taking shape in some African countries.

On the demand-side, we have seen efforts by most African governments in establishing mortgage financing frameworks to support the mortgage markets and housing funds, such as the National Housing Development Fund (NHDF) in Kenya and the National Housing Fund (NHF) in Nigeria, aimed at enhancing housing ownership.

A lot more needs to be done to attract private sector financing through capital markets to ensure the initiative is commercially viable and sustainable. Upgrading the capital markets infrastructure will have a significant impact on the amounts of private capital that will flow into the real estate sector to help address the financing needed for affordable housing. The private sector can play a major role in providing affordable housing finance to their clients below market rates, with flexible repayment plans, and longer repayment periods.

The development of sustainable and vibrant financial frameworks for affordable housing should focus on both developing suitable technical specifications and standards and building market confidence to encourage the participation of both public and private sectors.

At Crowe Infra, our focus is on the depth and rigour necessary to support good investment decisions in affordable housing. We provide transaction advisory services geared towards enhancing financially sustainable interventions in affordable housing.

Sophie Njoroge
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The Libyan Accounting Profession

The accounting profession was first established in Libya since the early 1950s, it has been significantly influenced by the Libyan education system, the teaching of accounting academics, the preferences of international companies, the expertise of international accounting firms and to some extent, the rapid changes in the Libyan social, economic, political and legal environment. Accounting became a popular course of study from 1957, when the Faculty of Economics and Commerce was established at Benghazi University in Libya. Professional bodies and universities in the UK and the US were the main sources of influence, providing accountancy education and training for Libyan students.

Accounting information has a vital role to play in the achievement of economic goals in developing and emerging economies, but a well-qualified accounting profession is required. In the context of institutional instability and unique cultural factors, the accounting profession in Libya faces educational and legal challenges if it is to achieve its potential in assisting the country to reach its economic goals. Each country needs to establish appropriate accounting systems that can ensure success in a global environment. Without an accounting profession capable of instituting such a system, a country's capability for global interaction and controlled planning is undermined and there will be no effective plan, either internally or globally.

Centrally planned economies require a body of well trained professional accountants if they are to emerge onto the global economic arena. In both developing and emerging economies, the establishment of a qualified accounting profession is a crucial factor.

Libyan has adopted statutory control, with the accounting profession governed by Libyan Commercial and Financial Laws. The weakness of the Libyan Accountants Union has led to the State being the sole accounting regulating authority. In fact, public bodies such as the Public Control Office have taken advantage of the absence of an effective accounting association to instruct and demand companies to follow certain accounting procedures.

The accounting education system itself is a factor of the wider education system of the country it serves. The education system is affected by and also affects the social, economic, political, and cultural environments of the country in which it operates. Consequently, an education system should be designed to meet overall national needs. The accounting education system must be amended so as to serve development needs by the creation of skills and the development of technical and organizational capacities, which national economic development plans need. In order for economic development plans to be successful, there should be adequate numbers of administrative and organizational skilled personnel.

This incompatibility between economic development requirements and accounting education policy and academic research is due to the deficiencies in the role of accountants and educators.

A study conducted defined the main problems of scientific practice and accounting education in developed countries, and clarified that the most important of these problems were largely due to accounting education. The following were identified as the most significant of these problems:

- Shortage of skilled accountants at all levels and in all accounting fields.
- Accounting information has not been sufficiently used for internal administration purposes.
- Lack and deficiency of national accounting systems.
- Lack of legislation associated with accounting and standard auditing measures.
- The use of the accounting firms primarily to help companies to evade paying income tax and to fabricate financial lists.
- The attempt made by some accountants to apply imported concepts and principles from developed countries regardless of their suitability for local circumstances and urgent needs.
- Incompatibility of educational standards in the teaching of accounting subjects in colleges and institutes.

As a result, if countries such as Libya are looking forward to building strong and supportive institutions for the state's economy, they must first pay attention to building a strong accounting education system, and a professional body that researches and issues accounting rules to guide these companies and institutions.

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About Crowe Global

Ranked eighth largest accounting network in the world, Crowe Global has over 200 independent accounting and advisory firms in 130 countries.

For more than 100 years, Crowe has made smart decisions for multinational clients working across borders.

Our leaders work with governments, regulatory bodies and industry groups to shape the future of the profession worldwide. Their exceptional knowledge of business, local laws and customs provide lasting value to clients undertaking international projects.

Crowe provides global reach on a personal scale. Crowe firms focus on the future, the client experience and working with clients to build something valuable, substantial, and enduring. Close working relationships are at the heart of our effective service delivery.

At Crowe, our professionals all share one commitment, to deliver excellence.