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Our Firm

Bowmans is a leading Pan-African law firm. Our track record of providing specialist legal services, both domestic and cross-border, in the fields of corporate law, banking and finance law and dispute resolution, spans over a century.

With six offices in four African countries and over 400 specialised lawyers, we are differentiated by our geographical reach, independence and the quality of legal services we provide.

We draw on our unique knowledge of the African business environment and in-depth understanding of the socio-political climate to advise clients on a wide range of legal issues. Our aim is to assist our clients in achieving their objectives as smoothly and efficiently as possible while minimising the legal and regulatory risks.

Our clients include corporates, multinationals and state-owned enterprises across a range of industry sectors as well as financial institutions and governments.

Our expertise is frequently recognised by independent research organisations. We have been named Africa Legal Adviser by DealMakers for the last two consecutive years (2014 and 2015). Most recently our South African office was named South African Law Firm of the Year for 2016 by the Who’s Who Legal. We also won the Competition and Regulatory Team of the Year and the IP Team of the Year Awards at the prestigious African Legal Awards hosted by Legal Week and the Corporate Lawyers Association in 2015.
We provide integrated legal services throughout Africa from six offices (Antananarivo, Cape Town, Durban, Johannesburg, Kampala and Nairobi) in four countries (Kenya, Madagascar, South Africa and Uganda).

We work closely with leading Nigerian firm, Udo Uduma & Belo-Osagie, which has offices in Abuja, Lagos and Port Harcourt, and have strong relationships with other leading law firms across the rest of Africa.

We provide coverage of francophone OHADA jurisdictions across the continent (including Benin, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Congo Republic, Democratic Republic of Congo, Gabon, Guinea, Ivory Coast, Mali, Mauritania, Niger, Rwanda, Senegal and Togo) from our office in Madagascar.

We are representatives of Lex Mundi, a global association, with more than 160 independent law firms in all the major centres across the globe. This association gives us access to the best firms in each jurisdiction represented.
Our specialists in technology, media and telecommunications law advise clients in this sector operating or looking to enter into the African market.

With extensive experience of the regulatory landscape in many African jurisdictions, we assist our clients get to market quickly while avoiding many of the pitfalls of operating in a new jurisdiction.

We advise on licensing requirements and policy and market developments in this highly regulated sector.

We also assist in a wide array of corporate mergers and acquisitions and commercial agreements which take into account technology, media and telecommunications regulatory requirements. These range from all forms of infrastructure sharing arrangements, to fibre optic network deployments (on an EPC, EPCM, BOT or simple design build basis), to system integration, software development, software or platform licensing, IT services (in all forms including outsourcing) to providing comprehensive advice on data protection, compliance and data breach and incident response.

“They have one of the largest teams, and the greatest resources, and have been focusing on IT and telecommunications for a long time.”
- Chambers & Partners 2016

“They have one of the largest teams, and the greatest resources, and have been focusing on IT and telecommunications for a long time.”
- Chambers & Partners 2015

“An esteemed practice for specialist telecommunications and technology sector advice. Represents regulators, technology companies and communications service providers in major projects and transactions.”
- Chambers & Partners 2015
Our Specialist Services

Telecommunications

Our close relationships with government agencies and industry regulators are a significant factor in our ability to provide exceptional advice to our telecommunications clients regarding the environments in which they operate.

We have extensive experience advising on regulatory requirements, particularly in relation to licensing as well as compliance. We have also assisted our clients to respond to policy and market developments in the sector in Kenya, South Africa, Tanzania and elsewhere in Africa.

In recent times, there has been a marked increase in deal activity in this sector across Africa. In South Africa, this has included the conclusion of a number of black economic empowerment transactions.

We have acted for various clients in these transactions and have wide-ranging expertise regarding the types of issues which may arise including ownership and control restrictions and the implications for deal structure, financing and regulatory approvals.

The liberalisation of the communications sector in South Africa has also resulted in a number of new small and medium-sized entrants as well as the incorporation of local licensed entities by multinational telecommunications companies.

A major trend in the market at present is a move towards greater sharing of network infrastructure. We have been involved in a range of transactions to give effect to sharing arrangements.

Media

We advise various media clients in the context of their commercial operations in South Africa and with regard to their regulatory obligations. We also regularly advise the regulator, ICASA.

Technology

Our lawyers have a good understanding of the legal, business and technical considerations of technology matters as a result of serving technology companies in South Africa, elsewhere in Africa and in the United Kingdom over a number of years.

Our expertise covers software development and systems integration, as well as hosting and indirect distribution models such as reselling and white labelling. We offer tailored advice and always provide a holistic perspective on how to mitigate risks inherent in particular circumstances.

Our technology, media and telecommunications expertise has been ranked in the top band by Chambers & Partners since 2008.
Our Signature Matters

We have acted for:

- A multinational company regarding the deployment of satellite services across Africa.
- City of Johannesburg with drafting of municipal by-laws on the installation of electronic communications facilities.
- Eaton Towers Ltd on the financing of its acquisition of the tower assets/infrastructure of Bharti Airtel by IFC and Standard Bank. The transaction was valued at over USD 100 million and involved six African countries (Ghana, Kenya, Rwanda, Tanzania, Uganda and Zambia) as well as India.
- Ericsson in relation to numerous network construction and management projects in various African countries, including the DRC, Rwanda and Swaziland.
- Facebook Inc. in setting up its first African office in Johannesburg. It is envisaged that the South African office will serve businesses across the continent.
- Google on general aspects of data protection and privacy in Kenyan law and on the state of legislation and regulation governing products that utilise Near Field Communication (NFC), Radio Frequency Identification (RFID) and payment system technologies in Kenya.
- ICASA in a review application by Cell C to set aside call termination rates. This litigation arose out of the litigation brought by MTN and Vodacom following which ICASA made new regulations setting cost controls. The team assisted ICASA to draft reasons for the new regulations and with its preparations for the review application. The matter is important because call termination rates are a key pro-competitive intervention, particularly in the mobile space. Cell C’s withdrawal of its review application supports ICASA’s position that the regulations were both lawful and procedurally fair.
- KnowRoaming Ltd, a Canadian company, in drafting and negotiating an original equipment manufacture agreement with TCL Communications (through its TCT Mobile International Ltd entity and through the Alcatel and TCL brands) with a view to procuring the embedding of KnowRoaming’s software on TCL Communication’s devices. KnowRoaming’s software enables subscribers to roam on foreign mobile networks and pay substantially cheaper rates than traditional roaming services.
- Link Africa in a precedent-setting case in the High Court, Supreme Court of Appeal and Constitutional Court in an application by the City of Tshwane regarding the need to obtain permission from local government for the installation of electronic communications facilities on municipal property. Link Africa was successful in the appeal to the Constitutional Court in 2015.
- Liquid Telecoms in structuring and preparing a framework agreement for the sale and maintenance of duct and fibre and the built to suit of fibre links.
- Mobile Telephone Networks Pty Ltd (MTN) in relation to its purchase from Multichoice South Africa Pty Ltd of 100% of the issued share capital in Smart Village Pty Ltd, a fibre-to-the-home infrastructure and services company.
- MTN in the roll-out of its radio network across South Africa and the integration of such new or upgraded sites into its existing core network.
- Naspers Group on data protection and privacy issues relating to an online shopping website.
- National Treasury regarding all legal aspects of the Integrated Financial Management System Programme, a multi-billion rand project to integrate all government systems.
Our involvement includes negotiating the framework agreement for the licensing of the relevant solution and the attendance maintenance and support services.

- Oger Telecom in respect of its disposal of some of its shares in Cell C.
- Orange on the disposal of all of its shares and shareholders’ loans, comprising 70% of Telkom Kenya, to Jamhuri Holdings Ltd, owned by Helios Investment Partners. The Government of Kenya holds the remaining 30%.
- Orange SA (formerly France Telecom) on the disposal to Africell, of its majority shareholding (held by Atlas Services Belgium) in its Ugandan subsidiary, Orange Uganda Ltd.
- SABMiller on the hiving out of the ABI Bottling division of SAB Pty Ltd into a separate subsidiary, and more specifically, on the impact of this on all IT contracts.
- Our work extended to drafting the transitional service agreements to ensure business continuity post hive out.
- Satellite operators on radio frequency spectrum licensing requirements and liaising with ICASA and other regulators across Africa.
- Standard Chartered Bank on data protection in the context of transitional arrangements for data processing pursuant to the sale of an operational division, including the drafting of appropriate contractual indemnities.
- Swift Networks Ltd in connection with the acquisition of Direct-On-PC Ltd’s 4G wireless business. We advised on regulatory and compliance issues and assisted Swift Networks to obtain the necessary regulatory approvals from the Nigerian Communications Commission.
- Tata Communications in respect of its ZAR 7.5 billion disposal of Neotel to Vodacom. Our work included advising on the application to ICASA for change of control of Neotel’s spectrum licences, proposed roaming agreements and filing with the competition authorities. It is one of the largest deals to be undertaken in the South African telecommunications sector to date. It was also the first transaction undertaken under the new regulatory rules.
- TE Connectivity Ltd and Commscope Inc. (Chinese walls) in connection with the South African portion of the disposal by TE Connectivity Ltd of its broadband network solutions business unit to Commscope Inc. This transaction involved a restructuring of the TE entities in South Africa and the sale of the South African broadband network solutions business unit to Commscope Inc.
- The NLD Project undertaken by MTN, Neotel and Vodacom, the largest fibre roll-out in South African history.
- Two independent tower companies on the roll-out of passive infrastructure, licensing requirements and other necessary aviation, building and environmental approvals.
The Value of Knowing

We know Africa.

We acknowledge our vast potential.
We understand that diversity is our strength.
We embrace a collective future.
We strive for the highest standards.

Because, we have walked the path of experience,
We can leverage what we have learnt:
To discover what lies obscure,
To unlock unknown potential,
To lay the path towards true prosperity.

We believe that in Africa, true value lies in knowing.
Accolades

AFRICAN LEGAL AWARDS 2015
We received the awards for Competition and Regulatory Team of the Year and IP Team of the Year.

DEALMAKERS AWARDS 2016
We have been identified as the leading legal adviser in Africa by both deal value and number of transactions. We were also ranked third in South Africa for mergers and acquisitions by deal value.

INTERNATIONAL LAW OFFICE CLIENT CHOICE AWARDS

WHO’S WHO LEGAL AWARDS 2016
We were named South African Law Firm of the Year.
CHAMBERS & PARTNERS 2016 RANKED US IN THE FOLLOWING AREAS

BAND 1

KENYA
- Banking & Finance
- Corporate/Commercial

SOUTH AFRICA
- Capital Markets: Debt
- Capital Markets: Equity
- Competition
- Construction
- Corporate Investigations
- Corporate/ M&A
- Employment
- Environment
- IT/Telecommunications
- Projects & Energy

UGANDA
- General Business Law

BAND 2

MADAGASCAR
- General Business Law

SOUTH AFRICA
- Banking & Finance
- Dispute Resolution
- Media & Broadcasting
- Tax

TIER 1

KENYA
- Mining

MADAGASCAR
- Energy & Infrastructure

SOUTH AFRICA
- Capital Markets
- Competition
- Energy
- Mergers & Acquisitions

UGANDA
- Financial & Corporate

TIER 2

KENYA
- Energy
- Financial & Corporate
- Infrastructure

SOUTH AFRICA
- Banking
- Infrastructure
- Mining
- Oil & Gas
- Project Finance

THE LEGAL 500 EMEA 2016 RANKED US IN THE FOLLOWING AREAS

BAND 1

KENYA
- Banking & Finance
- Corporate/Commercial

SOUTH AFRICA
- Commercial, Corporate & M&A
- Competition
- Construction
- Labour & Employment
- Projects & Infrastructure
- Shipping & Transport

BAND 2

KENYA
- Dispute Resolution
- Projects & Energy

SOUTH AFRICA
- Banking & Finance
- Dispute Resolution
- Investment Funds
- Real Estate
- Tax

57 Recognised Lawyers

30 Recognised Lawyers

49 Recognised Lawyers
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