

**ADAM HARRIS**

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Overview

Adam Harris is a partner in our Dispute Resolution Department, and is based in our Cape Town office.

Adam specialises in corporate restructuring, business rescue and insolvency-related matters. He represents lenders, creditors and other institutions (such as professional indemnity insurers), as also business rescue and insolvency practitioners, in the restructuring of companies, the administration of insolvent estates and the winding-up of companies. He also represents foreign appointees in relation to their recognition and asset recovery both in South Africa and in other African jurisdictions. Adam has advised a number of international creditors and practitioners of various mining operations regarding the disposal and /or recovery of assets in South Africa.

Adam has attended to some of the leading cases on different aspects of business rescue and insolvency such as the constitutionality of interrogations, impeachable (“claw-back”) transactions, procedural aspects of liquidation applications and Practitioners’ remuneration.

He is the immediate past-president of INSOL International, having served as President for two years. INSOL International is the worldwide federation of member associations representing over 10 000 members, active across the globe in the fields of restructuring and insolvency (bankruptcy).

He also served for several years as a national councillor of the South African Restructuring and Insolvency Practitioners Association (SARIPA) and chaired the Law Society of South Africa’s Insolvency Committee.

He is one of the co-authors of “Mars, the Law of Insolvency”, 9th and 10th editions, a leading insolvency text in South Africa.

He holds BA, LLB and LLM degrees from the University of Cape Town.

Experience

- Represented the Liquidators in the matter of *Bester v Bernstein* (before the Constitutional Court), which dealt with the constitutionality of Enquiry proceedings in a liquidation context;
- Acted in the matters of *Gore v Saficon Industrial Equipment* and *Gore v Ramsauer Transport* - two leading cases on voidable dispositions (“clawbacks”) in terms of the Insolvency Act.
- Represented the Insolvency Practitioners as sellers in the Pamodzi Gold matters in the sale of the mines and mining assets.
- Represented one of the major Banks in litigation arising from interest rate swaps.
- Represented various foreign Insolvency Practitioners/Liquidators in obtaining recognition in South Africa and in the tracing and realisation of assets.
- Represented the Business Rescue Practitioner in the restructuring and disposal of assets in a substantial property group, as also the related contentious work.
- Acted in the Tollgate Group of companies, one of the largest corporate collapses in South Africa with extensive interests as far-ranging as Motor transport, Tour operators, Grand Prix Racing, involving forensic investigations and a broad-ranging insolvency enquiry, and asset-trace proceedings in various

jurisdictions inter alia France, UK, Switzerland, Turks and Caicos, USA, Namibia.

- Chambers and Partners 2018 ranked Adam in Band 2 for Restructuring/Insolvency;
- Chambers and Partners 2017 ranked Adam in Band 1 for Restructuring/Insolvency.

Cape Town-based Adam Harris of Bowmans is “definitely an expert around the legal aspects of distressed debt.” He was the co-lead partner acting for the business rescue practitioners of Continental Coal and two of its subsidiaries in respect of its business rescue proceedings. This involved Continental’s disposal of one of the subsidiaries, in addition to other assets. – **Chambers and Partners 2017**

Publications & Insights

- Delegates from across Africa attend round table on insolvency legislation and financial stability
- The interface between fraud and insolvency – how insolvency laws can assist in finding and recovering the proceeds of fraud