

**CRAIG KENNEDY**

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Overview

Craig Kennedy is head of our Technology, Media & Telecommunications Sector.

Craig advises clients operating or looking to enter into the African market. He advises on a broad spectrum of commercial agreements including telco infrastructure sharing arrangements, fibre optic network deployments (on an EPC, EPCM, BOT or simple design build basis), system integration, software development, software or platform licensing, IT services (in all its forms), outsourcing and distribution (through direct or indirect channels). Craig sits on the firms technology and blockchain focus groups.

Having worked on the supplier side of transactions, Craig now has a particular interest in advising customers looking to procure services, software and IT solutions from IT suppliers or customers looking to outsource services to third-party service providers.

Craig has B.Com and LLB degrees from the University of KwaZulu-Natal.

Experience

On the commercial side, Craig advised MTN, Neotel and Vodacom in the procurement (and he chaired the steering committee overseeing the implementation) of each party's fibre optic networks across South Africa, as well as:

- Advised a number of banks and other financial institutions on Dark Fibre Africa's (DFA's) customer agreements in relation to the refinancing of DFA.
- Acted for Tata Communications in the proposed sale of Neotel to Vodacom (aborted in February 2015).
- Acted for Eaton Towers in relation to the long term provision of outsourced services in respect of all Vodafone Ghana's Telecoms towers.
- Acted for Eaton Towers in relation to long term provision of passive network management services to Orange Uganda (operation and maintenance of existing sites and provision of build-to-suit for new sites).
- Advised various entities on infrastructure swap arrangements including in respect of optic fibre and duct.
- Advised Ericsson in relation to a BOT agreement for a new managed connectivity network.
- MTN in concluding an agreement with Huawei for the turnkey provision of a fibre optic network in Gauteng.
- National Treasury in relation to the Integrated Financial Management System Programme, a multi-billion rand project to integrate all systems in the Public Service.
- City of Johannesburg in relation to the re-implementation of SAP by EOH.
- MTN in relation to the appointment of a systems integrator for the implementation of an integrated billing solution.
- Standard Bank on some very significant IT contracts (including a contract for the licence and significant customisation and development, support and maintenance of an order management solution for their African operations).
- KnowRoaming in relation to significant OEM arrangements with Alcatel and MVNE arrangements with a third party provider of managed mobile service solutions.

- Eskom in placing the Main Civil Works contract for the Medupi Power Station with a consortium comprising of Murray and Roberts, LTA Grinaker and Concor (contract value just less than R3 billion – the largest civil works contract awarded in South Africa at the time).
- Acted for SABMiller in relation to the development or significant expansion of four new breweries in Africa.
- Acting for Neotel in relation to the design and build of two new data centers and in relation to the refurbishment of and associated buildings works for their new head quarters in South Africa.
- Acting for Eastplats in relation to the construction of a 90,000 tonnes of ore per month concentrator plant located at Kennedy’s Vale (including civil and other surface infrastructure work and appropriate tailings facility infrastructure).
- Acting for Eastplats in relation to the appointment of Fluor as the EPCM and preparing template documentation for their use in relation to the Mareesburg Platinum Project.
- UCWP on agreements worth ZAR One billion relating to the supply of locomotives to Spoornet for use on the Richards Bay coal line.
- SAB in relation to the forward-purchase, intake and storage of barley and purchase and sale of hops.
- IBM on the ZAR One billion outsourcing by Safmarine Container Lines of its IT infrastructure to IBM.
- General Motors, in respect of the lease of all IT hardware in South Africa.

On the corporate side, Craig advises and assists local and foreign listed and unlisted companies on all corporate matters, for example:

- RMB in relation to its joint venture with Morgan Stanley to create RMB Morgan Stanley Stockbroking.
- EDS in relation to the disposal of 25% of their South African interests to a BEE consortium and an employee trust.
- In addition, Craig has advised numerous companies in other diverse matters ranging from advice to MTN on its submissions to the Parliamentary Portfolio Committee on Communications regarding the Convergence Bill to regulatory advice to major banks concerning cross-border data privacy issues.
- *Chambers and Partners 2018* ranked Craig in Band 2 for IT & Telecommunications.
- Recognised by *Best Lawyers 2017* for Corporate Law.
- Chambers and Partners 2017 & 2016 ranked Craig in Band 2 for IT/Telecommunications.

Clients say of Craig Kennedy: “He is incredibly knowledgeable and someone I rely on as a sounding board.” An IT law specialist, he is recognised for his extensive expertise in fibre roll-out projects and digital content agreements. His recent work highlights include advising KnowRoaming on drafting and negotiating an original equipment manufacture agreement with TCL Communications. – Chambers and Partners 2017

“Interviewees hold Craig Kennedy in “very high regard” for his expertise in financings, digital content agreements and fibre link transactions. Clients enjoy working with him, remarking: “He knows his field and is a very hard-working guy.”” – Chambers and Partners 2016

Publications & Insights

- [Lexology: A structured guide to Fintech in South Africa](#)