

**SPENCER NAICKER**

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**Overview**

Spencer is a partner in our Johannesburg office in the Banking and Finance Department and a member of the Project Finance practice.

He specialises in engineering, procurement and construction (EPC) with specific focus on EPC/EPCM, project agreements, operation and maintenance agreements, off-take agreements and all related legal services with particular focus on project financed transactions. Spencer has acted on behalf of lenders, sponsors and contractors. He also deals extensively with renewable energy transactions in respect of wind, solar, hydro and biomass facilities. Spencer has advised on transactions across various sectors such as infrastructure, energy, mining and real estate.

Spencer is an admitted conveyancer and notary public. He holds a LLB degree from the University of KwaZulu-Natal, as well as certificates in Advanced Corporate Law and Land and Water Law from the University of the Witwatersrand.

**Experience**

Spencer has recently advised

- The Zambezi River Authority in respect of the 2400MW Batoka Gorge Hydro-Electric Scheme in Zambia and Zimbabwe. Project capital value is circa USD 4 billion.
- African Development Bank as lender counsel in respect of the contractor mining agreement for a brownfield manganese mining project in the Northern Cape. Contract value is circa ZAR 4.8 billion.
- Kilwa Energy Company Limited on an independent power project in Tanzania for a 320MW closed cycle gas fired power station.
- Peu Capital Partners (Pty) Ltd (Peu) and Total Utility Management Services (Pty) Ltd (TUMS) with regards to a pre-paid smart meter network for the City of Tshwane. Project value is circa ZAR 8 billion.
- Anglo American in respect of a 450MW greenfield Khanyisa coal fired power plant project.
- Cennergi in respect of its bid submission for a 300MW coal baseload power plant in respect of the Botswana Morupule B Phase II Independent Power Procurement Programme.
- Barclays Africa Group Limited in respect of independent power projects using a variety of technologies for a range power plants located on customer sites in multiple African jurisdictions, including South Africa, Mozambique, Namibia, Kenya and Tanzania.
- Inter alia, Abengoa Solar (Pty), Alfanar, York Timbers, Standard Bank, OPIC, Mulilo Renewable Energy (Pty) Ltd, Hydro Tasmania, Longyuan South Africa (Pty) Ltd, GLOBALEQ, Scatec Solar and BrightSource Energy Inc on numerous wind, hydro, bio waste to power and solar (PV and CSP) projects in respect of the South African IPP Procurement Programme for New Generation Capacity.
- A leading multinational corporation in respect of the procurement, financing, design and construction of various production plants.
- PPP transaction relating to the modernization of the Zimbabwe Border Post and lead lawyer in respect of the construction and engineering work stream.
- Advised Rand Merchant Bank in respect of their preference share funding into various energy projects,

with a focus on all construction related agreements.

- Hitachi in respect of all construction related aspects of their desalination plant in Durban
- MMG Kinsevere in respect of:
  - a range of agreements to be entered into with regards to power supply and sharing arrangements with SNEL and CEC respectively in the Democratic Republic of Congo and Zambia. Transaction value is circa ZAR 1 billion;
  - the development of substations and a transmission line between Zambia and the DRC; and
  - its participation in an independent power trading project between Zambia and the DRC with Metorex and CEC.
- Thebe Investment Corporation in respect of its 20% on a 300MW power project bid on the DoE Coal Baseload IPP Programme.
- IFLR1000's *2019 Financial and Corporate Guide* rated Spencer as a Highly Regarded for Banking and Project Finance.

## **Publications & Insights**

- [Public Private Partnerships' potential for Africa](#)