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Our Firm

We help our clients manage legal complexity and unlock opportunity in Africa.

We have an enviable track record of providing legal services to the highest professional standards in Africa. We work for clients across numerous African jurisdictions on corporate, finance, competition, taxation, employment, technology and dispute resolution matters.

With eight offices in six African countries and over 400 specialist lawyers, we draw on our unique knowledge of the business and socio-political environment to advise clients on a wide range of legal issues.

Everywhere we work, we offer clients a service that uniquely blends expertise in the law, knowledge of the local market, and an understanding of their businesses. Our aim is to assist clients to achieve their objectives as smoothly and efficiently as possible while minimising the legal and regulatory risks.

Our clients include domestic and foreign corporates, multinationals, funds and financial institutions, across almost all sectors of the economy, as well as state-owned enterprises and governments.

Our expertise is frequently recognised by independent research organisations. Most recently, our Kenyan practice won the 2022 Chambers Africa Award for Law Firm of the Year in Kenya. In 2022, Bowmans won six IFLR Africa Awards including overall M&A Team of The Year; Jurisdictional Firm of the Year: South Africa; Loans Firm of the Year: South Africa; M&A Firm of the Year: South Africa; and Project Finance Firm of the Year: South Africa. We also advised on the deal named M&A Deal of the Year. At the 2022 Africa Legal Awards, we won four practice awards including Banking and Finance Team of the Year; Capital Markets Team of the Year; Tax Team of the Year; and Infrastructure Team of the Year.

Recognising the size and enormous diversity of Africa, our approach to providing legal services across the continent is intended to offer on-the-ground advice in the countries that matter for our clients. Our presence in Africa is always evolving to meet the changes that are shaping the future of this vast continent.

Currently, we have our own offices in six African countries: Kenya (Nairobi), Mauritius (Moka), South Africa (Cape Town, Durban, Johannesburg), Tanzania (Dar es Salaam), Uganda (Kampala) and Zambia (Lusaka). We also work closely with our Bowmans Alliance firms in Ethiopia (Aman & Partners LLP) and Nigeria (Udo Udoma & Belo-Osagie). These are two of the leading corporate and commercial law firms in their jurisdictions.

We have a special relationship with a competent practitioner in Mozambique. We also have a non-exclusive co-operation agreement with French international law firm Gide Loyrette Nouel that provides our clients access to assistance in francophone west and north Africa. The arrangement provides complementary access for Gide’s clients and lawyers to markets in central, southern and eastern Africa.

On the global front, Bowmans has long-standing and excellent relationships with a range of international law firms with whom we often work on Africa-focused client mandates. We are also a member firm of Lex Mundi, a global association of more than 160 independent law firms in all the major centres across the globe. Lex Mundi gives us the ability to connect our clients with the best law firms in each of the countries 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.

“Distinguished practice with leading expertise across a wide range of IT and telecommunications matter.”
- Chambers & Partners, 2018
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.

We have extensive experience in advising clients on technology-related transactions to minimise clients’ risk in relation to developing and commercialising proprietary solutions and implementing, licensing, maintaining and supporting digital products and systems. The technologies involved range from traditional software and enterprise resource planning solutions, to highly bespoke systems and software, to innovative solutions involving disruptive technologies such as artificial intelligence and blockchain technology. We regularly advise on cybersecurity, data protection, e-commerce, and consumer protection matters.

Our Signature Matters

We have acted for:

• A multinational company regarding the deployment of satellite services across Africa.
• City of Johannesburg in relation to the implementation of the SAP S4 HANA enterprise resource planning (ERP) solution, as an upgrade to the City’s existing SAP solution, to manage and integrate the City’s systems. We drafted and negotiated the agreements between the City and the relevant service provider in relation to implementation of the solution, as well as various related agreements.
• Capricorn Group entities (including Capricorn Group Holdings, Bank Windhoek, Bank Gaborone, Cavmont Bank, and related entities) and ContinuitySA, in respect of a variety of information technology-related matters, including reviewing, amending and providing comments in relation to various software licensing, cloud services, software development and services agreements.
• 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.
• IRESS Limited, Australian listed financial services technology company, in relation to its acquisition of 100% of the shares in South African financial services technology company I-Net BFA, which were held by Media 24, as well as acquisition of the intellectual property of I-Net BFA. We drafted the intellectual property assignment for the transaction and assisted in relation to due diligence conducted on I-Net BFA and its group, the intellectual property provisions and warranties included in the transaction documents, and the closing of the share sale.
• 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.

• Micro Focus regarding the licensing of its software and the provision of support, maintenance and related services to a state-owned entity in a transaction which is worth hundreds of millions.

• 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 of 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 hiring 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 hire 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.
AFRICAN LEGAL AWARDS 2022
Bowmans won four practice awards including Banking and Finance Team of the Year; Capital Markets Team of the Year; Tax Team of the Year and Transportation and Infrastructure Team of the Year.

CHAMBERS AFRICA AWARDS 2022
Bowmans’ Kenyan practice was named Kenya Law Firm of the Year and chairman and senior partner, Ezra Davids, was named South Africa Lawyer of the Year.

DEALMAKERS AFRICA AWARDS 2021
Bowmans was DealMakers top dealmaker in East Africa for 2021 by number of M&A transactions worked on. The firm had more than 26% market share and advised on the deal named Deal of the Year.

DEALMAKERS SOUTH AFRICA AWARDS 2021
Bowmans placed first by deal flow and second by deal value in the Unlisted M&A Transactions category; and first by deal flow and third by deal value in the BEE Deals category.

IFLR AFRICA AWARDS 2022
Bowmans received a total of six awards including overall M&A Team of The Year; Jurisdictional Firm of the Year; South Africa; Loans Firm of the Year; South Africa; M&A Firm of the Year; South Africa; and Project Finance Firm of the Year; South Africa. The firm also advised on the deal named M&A Deal of the Year.

IFLR1000 2022/2023 RANKED US IN THE FOLLOWING AREAS

BAND 1
KENYA
Banking & Finance
Corporate/M&A
FinTech Legal
Intellectual Property
Projects & Energy
Real Estate

SOUTH AFRICA
Capital Markets: Debt
Capital Markets: Equity
M&A
Project Development: Energy/Power

UGANDA
Financial & Corporate
Project Development

TIER 1
KENYA
Banking & Finance M&A
Project Development: Mining

SOUTH AFRICA
Capital Markets: Debt
Capital Markets: Equity
M&A
Project Development: Energy/Power

UGANDA
Financial & Corporate
Project Development

TIER 2
KENYA
Project Development: Energy/Power
Project Development: Infrastructure

SOUTH AFRICA
Banking
Project Development: Infrastructure
Project Development: Mining
Project Finance

TANZANIA
General Business Law

OTHER NOTABLE
ZAMBIA
Financial & Corporate
Project Development

The Legal 500 EMEA 2022 RANKED US IN THE FOLLOWING AREAS

74 Recognised Lawyers

41 Recognised Lawyers

31 Recognised Lawyers

ZAMBIA
Leading Firm
Key Contacts

CRAIG KENNEDY
Head of Technology, Media and Telecommunications
Johannesburg, South Africa
T: +27 11 669 9349
E: craig.kennedy@bowmanslaw.com

DAVID MPANGA
Deputy Chairman
Kampala, Uganda
T: +256 31 226 3757
E: david.mpanga@bowmanslaw.com

HEIDI TAYLOR
Partner
Johannesburg, South Africa
T: +27 11 669 9529
E: heidi.taylor@bowmanslaw.com

JOHN SYEKEI
Head of Intellectual Property East Africa
Nairobi, Kenya
T: +254 20 289 9000
E: john.syekei@bowmanslaw.com

KATE BERETTA
Partner
Cape Town, South Africa
T: +27 21 480 7939
E: kate.beretta@bowmanslaw.com

RICHARD HARNEY
Senior Partner, Kenya
Nairobi, Kenya
T: +254 20 289 9000
E: richard.harney@bowmanslaw.com

To view profiles of our lawyers, please visit www.bowmanslaw.com