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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 Transportation 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 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.

We ensure that, whenever our clients need legal advice in other parts of Africa, we can assist them by tapping into our comprehensive database of contacts of the best firms and practitioners across the continent.

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 Government Contracting and Public Procurement Service Line

Fairness, equitability, transparency, competitiveness and cost-effectiveness are the guiding principles required by the Constitution in relation to all public procurement in South Africa.

We have had many successes in guiding both public and private sector clients through the complex regulatory regime of public procurement processes.

On the public sector side, we assist with the design and implementation of fair tender processes that meet the stipulated constitutional principles.

On the private sector side we advise clients on the procurement of goods and services by organs of state and assist with challenging tender processes which do not meet constitutional standards.

We advise corporate clients and governmental bodies on the application and interpretation of laws and on administrative action. We also regularly represent clients in proceedings before statutory bodies that regulate diverse areas of economic and social activity. Our collective expertise in constitutional and administrative law makes us leading practitioners in judicial review proceedings.

Our Signature Matters

Some of our notable public procurement experience in South Africa includes advising:

- The Department of Energy, which is running a national solar water heater programme for the supply, installation and maintenance of 1.75 million solar water heater systems as well as the repair of existing solar water heater systems in residential homes throughout the country, on all aspects of the design and implementation of the process, the drafting of the procurement process documents, the implementation of the process, as well as assisting with any challenges to the decision-making process.

- The Department of Energy and the National Treasury, who are running a ground-breaking independent power producer procurement process for renewable energy, baseload coal and baseload gas including imported LNG in South Africa. Our advice covered all aspects of the design and implementation of the process, the drafting of the procurement process documents, the implementation of the process, as well as the evaluation of bids and the negotiation with preferred bidders.

- Eskom Holdings SOC Ltd, the state electricity provider, on all aspects of the development, construction and procurement processes for the Medupi (6000MW) and Kusile (6000MW) coal fired power stations, as well as in relation to the successful defence of the high court review proceedings relating to decision-making for the coal fired power stations.

- Gidani, the second operator of the National Lottery, in relation to a High Court review of the Minister of Trade and Industry’s decision to award the licence to operate the national lottery (as the third national lottery operator) to Ithuba Holdings (Pty) Ltd.

- Munitoria PPP Consortium, the private party consortium that (in 2015) successfully reached financial close for the City of Tshwane metropolitan office accommodation, on the procurement approval processes and Municipal Finance Management Act, 2003 principles applicable to the financing, design, construction and facilities management concession for a new head office for the City of Tshwane, including participating in the negotiation of final concession and project agreements and negotiating and settling the financing agreements.

- A private party tenderer on successfully obtaining an urgent interdict, on an expedited basis, preventing the implementation of a pipeline supply contract awarded by Rand Water, pending judicial review of the decision to award the pipeline supply contract (ongoing).

- The state party, National Treasury, lenders, sponsors and/or concessionaires on the regulatory and procurement aspects of public private partnerships, including the Gautrain Project, Prisons Projects and State Accommodation Projects.

- Telecommunications and broadband companies on various disputes with municipal entities with regard to the use of infrastructure and procurement principles, including settling a long running dispute between the City of Johannesburg and a major supplier to the City of Johannesburg.

- A leading car and truck rental company on municipal contracts and the public procurement principles and Public Finance Management Act, 1999 implications of various transactions.
• The City of Johannesburg on the unbundling of municipal owned assets.

• Various clients (local and international) on various government tender processes and auctions of assets.

• Various financial institutions (local and international) advancing funds to state institutions, on the power and authority of the institution to enter the lending arrangement, including Denel, Eskom, SAA, SANRAL and Transnet, among others.

• Various municipal entities of the City of Johannesburg, including the Johannesburg Market, Johannesburg Water, Pikitup and the City of Johannesburg itself, on various procurement disputes with contractors as well as National Treasury’s reviews of certain of their procurement processes.

• Various state-owned entities and municipalities, including Eskom, on challenges to public procurement processes, including bringing and defending judicial review proceedings in the Supreme Court of Appeal and the Constitutional Court.

• Various state-owned entities on the application of the Preferential Procurement Policy Framework Act, 2000 to their operations and assisting in the design of preferential procurement policies.

• The Western Cape Provincial Government on a municipal and provincial broadband roll out, including on procurement principles, grant funding principles in the municipal sector, and the relationships among national, provincial and local government.

Some of our notable experience in sales or disposals of state assets, including privatisations, includes advising or acting for:

• American Airlines in relation to the proposed privatisation of South African Airways.

• Botswana Telecommunications Corporation in respect of its proposed privatisation in 2006, including the preparation of draft legislation in this regard.

• The City of Johannesburg on the privatisation of the Kelvin Coal Fired Power Station (600MW) and on the privatisation of its gas reticulation business.

• Eskom in relation to the proposed privatisation of Eskom Enterprises.

• Hutchison Port Holdings of Hong Kong on the privatisation of the container terminal at the Port of Toamasina, including a full contractual and documentary due diligence, legal risk analysis and review of real estate and other security, as well as advice relating to negotiation strategy with the government and its agencies.

• Hutchison Port Holdings in the first attempt to privatisé Portnat (now the Port Authority of South Africa).

• The Port of Singapore in the second attempt to privatisé Portnat (now the Port Authority of South Africa).

• The SBC/ Telekom Malaysia Consortium on the acquisition and subsequent disposal of 30% of Telkom in South Africa and in relation to the Telkom IPO.

• Schiphol Airport in respect of its bid in the partial privatisation of the Airports Company of South Africa (ACSA).

• South African Airways in relation to the privatisation of Air Chefs.

• Transnet on the:
  • privatisation of its Pan-African rail concession subsidiary, Comewater;
  • privatisation of Freight Dynamics;
  • privatisation of Transwerk;
  • privatisation and restructuring of state assets and the disposal of certain non-core assets, including the proposed disposal of the Carlton Centre in 2008 and the proposed disposal of the Outeniqua Choo-Tjoe in 2009/2010;
  • proposed privatisation of Spoor (which spanned passenger rail services and general freight business at the time); and
  • proposed concessioning of the Blue Train.

• Turbomeca France in respect of its acquisition of Denel Airmotive and joint venture with Denel.

• Turbomeca/ Snecma in relation to the privatisation of Denel Aviation.

"...has had many successes in guiding both public and private sector clients through the complex regulatory regime of public procurement processes." – Chambers & Partners, 2018
Accolades

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.
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