



TOWARDS  
AGENDA 2063:  
**THE AFRICA  
WE WANT**

**INDUSTRIALS,  
MANUFACTURING  
& TRADE SECTOR**

## INTRODUCTION

At Cliffe Dekker Hofmeyr (CDH) we are determined to contribute to the achievement of Agenda 2063 by partnering with all stakeholders in Africa, from governments and the private sector, to create the Africa We Want. Agenda 2063 is Africa's blueprint and master plan for transforming Africa into the global powerhouse of the future. It is the continent's strategic framework that aims to deliver on its goal for inclusive and sustainable development and is a concrete manifestation of the Pan-African drive for, amongst other things, progress and collective prosperity pursued under Pan-Africanism and the African Renaissance. A critical part of achieving the goals of Agenda 2063 is ensuring collective and integrated economic growth and development of the continent.

The establishment of the African Continental Free Trade Area (AfCFTA), with trade effectively starting on 1 January 2021, was a fundamental piece of the flagship projects under Agenda 2063 to gradually realise accelerated intra-Africa trade through the liberalisation of tariffs, trade rules and investment rules, thereby also boosting Africa's trading position globally.

Industrialisation of Africa through investment in regional manufacturing value chains, supported by investment in critical trade-related infrastructure, is the cornerstone for the successful implementation of the AfCFTA.

### CDH'S INDUSTRIALS, MANUFACTURING & TRADE SECTOR

CDH's Industrials, Manufacturing & Trade Sector is strategically positioned to provide clients with support to navigate international, regional and domestic policy and legal nuances to tap into the African market.

This sector complements our primary sectors (Mining & Minerals, Oil & Gas, and Energy & Power) by providing our clients with expert advice required to navigate the policy,

regulatory and legal framework in several African jurisdictions with our head office in Johannesburg, South Africa and our East Africa regional hub in Nairobi, Kenya. In addition, we collaborate with leading African firms across the breadth of the continent to efficiently and cost effectively execute country-specific deliverables.

Our experience and expertise spans from established industries such as:

- petro-chemical manufacturing;
- mineral beneficiation or value-addition; and
- automobile manufacturing,

to emerging industries such as:



Electric-Mobility



Hydrogen



Robotics & Automation

We understand the nuances and market conditions for established and emerging industries.

In addition to the traditional manufacturing sectors we service, CDH is a firm focused on ensuring businesses are equipped to navigate the evolving nature of established industries and the new industries emerging from these established industries.



At CDH we partner with you through the entire life cycle of your business or investment, including:

- Transaction & Corporate Structuring
- Risk Advisory
- Competition Law
- Finance & Banking
- Regulatory, Legal and Compliance Assessments of Operating Conditions
- Environmental & Climate Change
- Health & Safety
- Product Liability
- Construction & Engineering
- Employment Law
- Insurance
- Real Estate
- Local Content & Public Procurement
- Tax & Exchange Control
- Litigation & Judicial Reviews
- Dispute Resolution
- Arbitration and Mediation (whether commercial or investment)



African governments are taking the transition to a green economy seriously, with South Africa releasing the Auto Green Paper on the Advancement of New Energy Vehicles in South Africa.

These types of policies intend to establish a clear foundation that will enable African countries to co-ordinate a long-term strategy that will position Africa at the forefront of advanced vehicle and vehicle component manufacturing, complemented by a consumption leg, and increase Africa's competitiveness in the global race to transition from the internal combustion engine era into electro-mobility solutions and technologies.





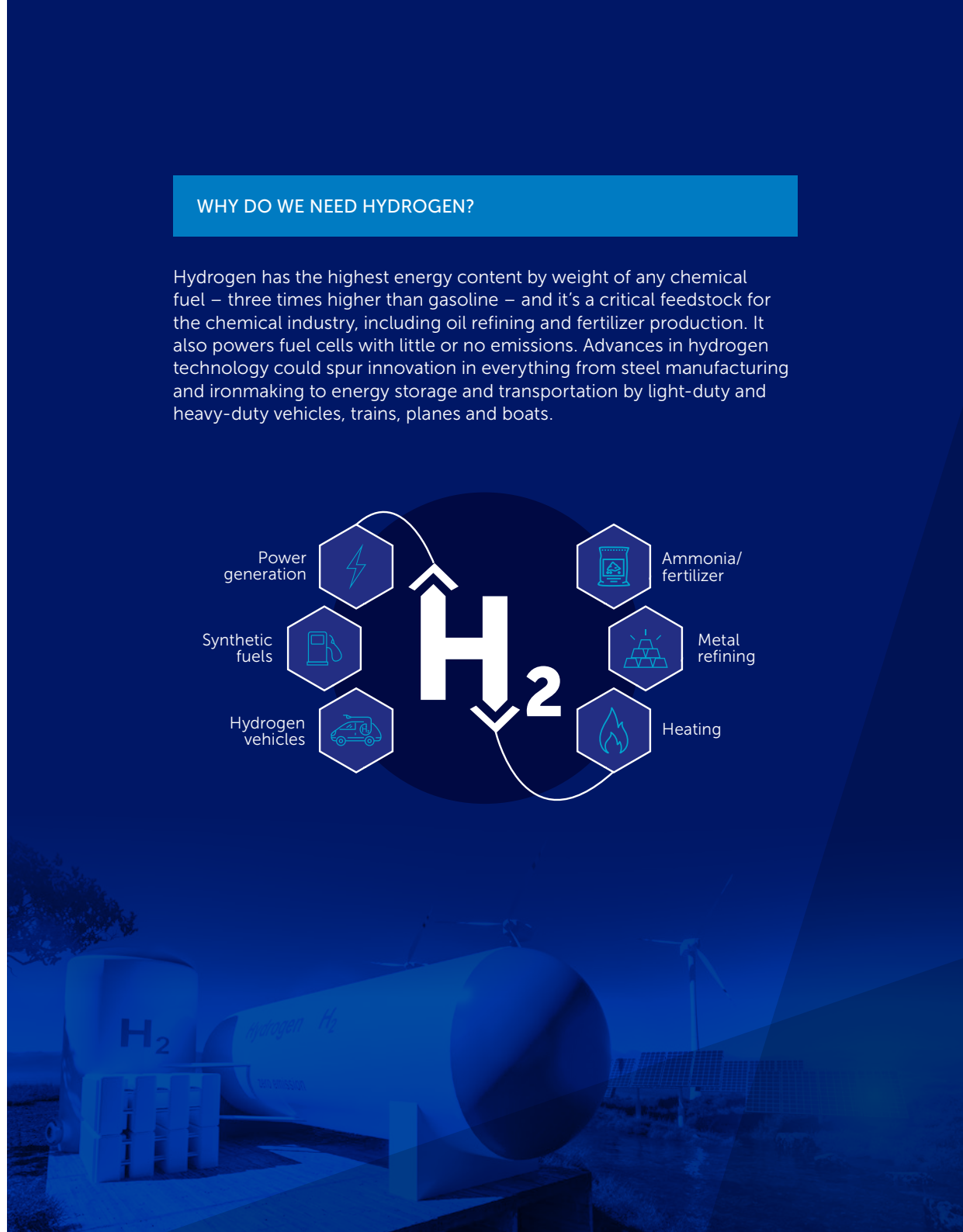
HYDROGEN



The hydrogen economy is a potential “game changer” not just for South Africa and Africa, but for the world at large. South Africa is well positioned to capitalise on the rapidly-developing global hydrogen economy, to reindustrialise the country and to become an exporter of hydrogen to the world.

### WHY DO WE NEED HYDROGEN?

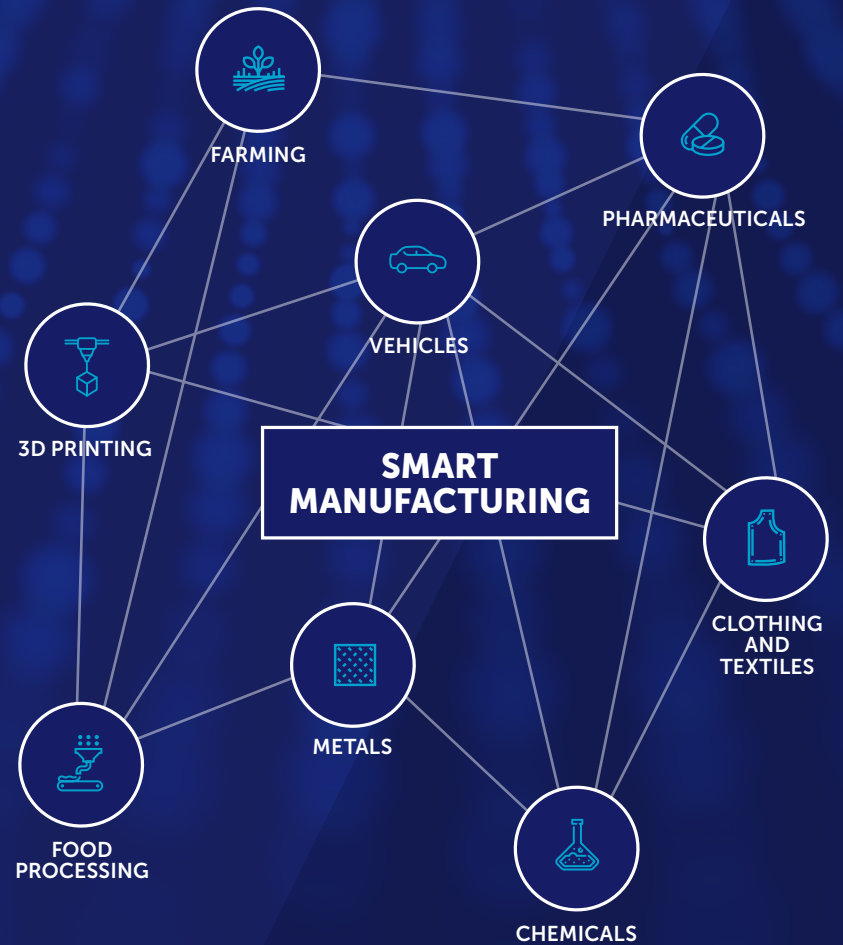
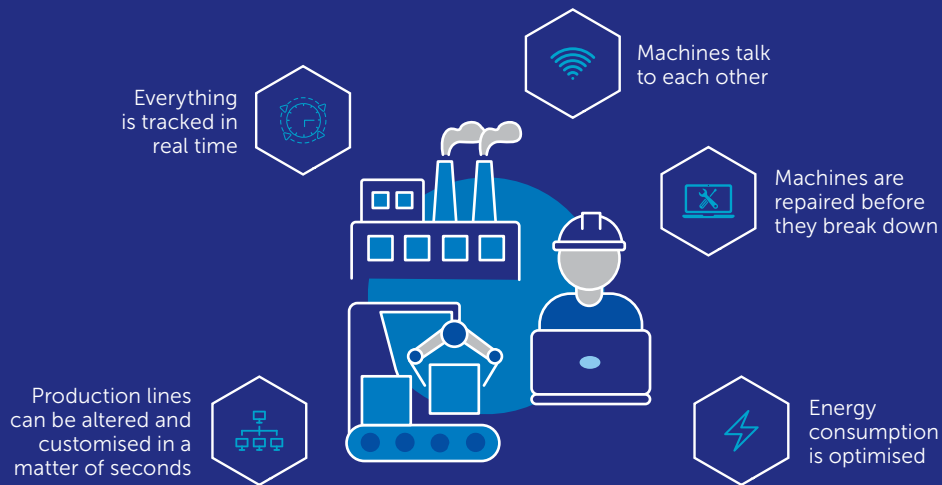
Hydrogen has the highest energy content by weight of any chemical fuel – three times higher than gasoline – and it’s a critical feedstock for the chemical industry, including oil refining and fertilizer production. It also powers fuel cells with little or no emissions. Advances in hydrogen technology could spur innovation in everything from steel manufacturing and ironmaking to energy storage and transportation by light-duty and heavy-duty vehicles, trains, planes and boats.





The production processes in various sectors of the economy are becoming more autonomised, spanning a whole value chain from components to systems, solutions and services. The use of robotics and the digitization of the production ecosystem have brought about a rise in smart factories, mines and foundries.

### WHAT HAPPENS IN A SMART FACTORY?



Getting goods or services to the African market requires you to navigate the policy, regulatory and legal framework of a particular host state or sometimes several host states, including relevant bilateral and multilateral agreements between states.

From the outset of an investment decision, CDH provides expert advice and guidance on all aspects of the transaction at the outset of an investment decision in a host state, CDH advises and provides guidance to your business on all aspects of your transaction (risk mitigation measures, investment/transaction structuring, optimization of investment/trade incentives/benefits), including post transactional issues/disputes relating your investment or trade in goods or services.

Our expertise spans the entire value chain of your investment or trade relationship within a host state.

**#FromFactoryToPort**  
**#FromPortToConsumer**



## OUR TEAM

For more information about our Industrials, Manufacturing & Trade sector and services in South Africa and Kenya, please contact:



### Jackwell Feris

Sector Head:  
Industrials, Manufacturing & Trade  
Director: Dispute Resolution  
T +27 (0)11 562 1825  
E jackwell.feris@cdhlegal.com



### Tim Fletcher

Chairperson  
Director: Dispute Resolution  
T +27 (0)11 562 1061  
E tim.fletcher@cdhlegal.com



### Sammy Ndolo

Managing Partner | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E sammy.ndolo@cdhlegal.com



### Aadil Patel

Practice Head & Director: Employment Law  
Joint Sector Head:  
Government & State-Owned Entities  
T +27 (0)11 562 1107  
E aadil.patel@cdhlegal.com



### Susan Meyer

Joint Sector Head: Healthcare  
Director: Competition Law  
T +27 (0)21 481 6469  
E susan.meyer@cdhlegal.com



### Megan Rodgers

Sector Head: Oil & Gas  
Director: Corporate & Commercial  
T +27 (0)21 481 6429  
E megan.rodgers@cdhlegal.com



### Petr Erasmus

Director:  
Tax & Exchange Control  
T +27 (0)11 562 1450  
E petr.erasmus@cdhlegal.com



### Muhammad Gattoo

Practice Head & Director:  
Real Estate Law  
T +27 (0)11 562 1174  
E muhammad.gattoo@cdhlegal.com



### Anja Hofmeyr

Director:  
Dispute Resolution  
T +27 (0)11 562 1129  
E anja.hofmeyr@cdhlegal.com



### Pitso Kortjaas

Director:  
Finance & Banking  
T +27 (0)11 562 1589  
E pitso.kortjaas@cdhlegal.com



### Fiona Leppan

Director:  
Employment Law  
T +27 (0)11 562 1152  
E fiona.leppan@cdhlegal.com



### Corné Lewis

Director:  
Dispute Resolution  
T +27 (0)11 562 1042  
E corne.lewis@cdhlegal.com



### Anita Moolman

Director:  
Corporate & Commercial  
T +27 (0)11 562 1376  
E anita.moolman@cdhlegal.com



### Mashudu Mphafudi

Practice Head & Director:  
Finance & Banking  
T +27 (0)11 562 1093  
E mashudu.mphafudi@cdhlegal.com



### Desmond Odhiambo

Partner | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E desmond.odhiambo@cdhlegal.com



### Allan Reid

Director:  
Corporate & Commercial  
T +27 (0)11 562 1222  
E allan.reid@cdhlegal.com



## OUR TEAM

For more information about our Industrials, Manufacturing & Trade sector and services in South Africa and Kenya, please contact:



### **Shem Otanga**

Partner | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E [shem.otanga@cdhlegal.com](mailto:shem.otanga@cdhlegal.com)



### **Phetole Modika**

Director:  
Finance & Banking  
T +27 (0)11 562 1625  
E [phetole.modika@cdhlegal.com](mailto:phetole.modika@cdhlegal.com)



### **Roxanna Valayathum**

Joint Sector Head: Pharmaceuticals  
Director: Corporate & Commercial  
T +27 (0)11 562 1122  
E [roxanna.valayathum@cdhlegal.com](mailto:roxanna.valayathum@cdhlegal.com)



### **Andrew van Niekerk**

Head: Projects & Infrastructure  
Director: Corporate & Commercial  
T +27 (0)21 481 6491  
E [andrew.vanniekerk@cdhlegal.com](mailto:andrew.vanniekerk@cdhlegal.com)



### **Njeri Wagacha**

Partner | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E [njeri.wagacha@cdhlegal.com](mailto:njeri.wagacha@cdhlegal.com)



### **Clarice Wambua**

Consultant | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E [clarice.wambua@cdhlegal.com](mailto:clarice.wambua@cdhlegal.com)



### **Lauriene Maingi**

Associate | Kenya  
T +254 731 086 649  
+254 204 409 918  
+254 710 560 114  
E [lauriene.maingi@cdhlegal.com](mailto:lauriene.maingi@cdhlegal.com)

**BBBEE STATUS:** LEVEL ONE CONTRIBUTOR

Our BBBEE verification is one of several components of our transformation strategy and we continue to seek ways of improving it in a meaningful manner.

**PLEASE NOTE**

This information is published for general information purposes and is not intended to constitute legal advice. Specialist legal advice should always be sought in relation to any particular situation. Cliffe Dekker Hofmeyr will accept no responsibility for any actions taken or not taken on the basis of this publication.

**JOHANNESBURG**

1 Protea Place, Sandton, Johannesburg, 2196. Private Bag X40, Benmore, 2010, South Africa.

Dx 154 Randburg and Dx 42 Johannesburg.

T +27 (0)11 562 1000 F +27 (0)11 562 1111 E [jhb@cdhlegal.com](mailto:jhb@cdhlegal.com)

**CAPE TOWN**

11 Buitengracht Street, Cape Town, 8001. PO Box 695, Cape Town, 8000, South Africa. Dx 5 Cape Town.

T +27 (0)21 481 6300 F +27 (0)21 481 6388 E [ctn@cdhlegal.com](mailto:ctn@cdhlegal.com)

**NAIROBI**

Merchant Square, 3<sup>rd</sup> floor, Block D, Riverside Drive, Nairobi, Kenya. P.O. Box 22602-00505, Nairobi, Kenya.

T +254 731 086 649 | +254 204 409 918 | +254 710 560 114

E [cdhkenya@cdhlegal.com](mailto:cdhkenya@cdhlegal.com)

**STELLENBOSCH**

14 Louw Street, Stellenbosch Central, Stellenbosch, 7600.

T +27 (0)21 481 6400 E [cdh Stellenbosch@cdhlegal.com](mailto:cdh Stellenbosch@cdhlegal.com)

©2024 10066/JAN