

Jackwell Feris

Sector Head, Director



Jackwell Feris is a Director in our Dispute Resolution Practice and the Sector Head: Industrials, Manufacturing & Trade.

About Jackwell

Jackwell has over 15 years' experience in the Oil & Gas, Mining & Minerals, Energy & Power, Infrastructure & Transport, Government & State-Owned Sectors having represented governments, state-owned entities and private commercial parties and investors in complex disputes providing dispute prevention, dispute avoidance and dispute resolution services and providing advisory work on projects and/or transactional matters. He has developed depth of skills and experience in oil and gas laws, energy laws, mining laws, constitutional and general public law matters, public procurement and public finance law, international arbitration law, public international law, international investment law, international trade law, climate change laws.

Credentials

Education

- LLB, North West University, Potchefstroom: 2005
- Admitted as attorney and notary public: 2008
- LLM in Corporate Law, University of the Witwatersrand: 2012
- Certificate in Economics for Law, University of the Witwatersrand: 2015
- Certificate in International Commercial Arbitration, Washington College of Law: 2017
- Attended and completed the International Investment Treaties and Investor State Arbitration Seminar, International Law Institute: 2017

Memberships

- Director and Executive Member of the Underground Coal Gasification Association of South Africa
- Member of the Fossil Fuel Foundation and South African Oil & Gas Alliance
- Member of the African Arbitration Association

Experience

Contact Jackwell

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[Jackwell on LinkedIn](#)

Expertise

[Dispute Resolution](#)

[Agriculture, Aquaculture & Fishing](#)

[Industrials, Manufacturing & Trade](#)

[Regulatory](#)

[International Arbitration](#)

[Projects & Energy](#)

[Mining & Minerals](#)

[Government and State-Owned Entities](#)

[Technology & Communications](#)

[Oil & Gas](#)

Location

Johannesburg

Language

English

Afrikaans

- **Policy, regulatory and licensing energy laws matters**

Advise clients on various policy, regulatory and licensing matters relating to energy laws such as the various Integrated Resource Plan(s) and Integrated Energy Plan in South Africa, the generation and related licensing regimes and requirements, sovereign guarantees and related public finance matters for IPP projects, public procurement matters relating to IPP projects, other regulatory and contractual matters flowing from implementation agreements, power purchase agreement and other power project agreements, environmental appeals and review applications relating to proposed nuclear projects and proposed gas-to-power projects.

- **Policy, regulatory and licensing mining laws matters**

Advise clients on various policy, regulatory and licensing matters relating to the mining laws in South Africa on, amongst others, public participation matters in mining development, local content and supplier development matters, B-BBEE and related mining charter matters, domestic and international issues around strategic minerals, objections and appeals in respect of prospecting and mining rights.

- **Policy, regulatory and oil and gas s licensing matters**

Advise clients on various policy, regulatory and Oil & Gas licensing matters on, amongst others, petroleum manufacturing/refining, petroleum wholesale and retailing, bulk storage and handling for petroleum and gas, local content and supplier development requirements, import and export requirements for petroleum products.

- **Regulatory matters**

Advised national electricity state-owned company on its nuclear new build programme in relation to, amongst others, procurement and public finance matters, the project development and regulatory matters in relation to the proposed nuclear installation.

- **Legislative amendments**

Advised various clients (both public and private) on proposed legislative amendments and/or new developments to legislation/regulations regulating the mining, energy and Oil & Gas industries, the infrastructure and transport sector, including the general investment law framework.

- **Policy, law and regulatory matters**

Advised various clients on policy, law and regulatory matters relating to projects in the mining and energy sectors in relation to a) clean coal project: integrated underground coal gasification development for the production of blue hydrogen in South Africa, b) re-development of a processing facility for residue stockpile of gold and uranium, c) expansion of coal mining operations for Eskom tied-colleries.

- **Policy, law and regulatory matters**

Advise on policy, law and regulatory matters relating to rail transport infrastructure in Gauteng, funding and related models, climate change, carbon pricing/tax policies and green transportation to meet decarbonization requirements.

- **Litigation and arbitrations proceedings**

Represented parties in various complex arbitrations under various arbitration Rules (AFSA, ICC, LCIA, UNCITRAL) and litigation proceedings flowing from, amongst others, supply agreements, off-take agreements, sale and purchase agreements, acquisition agreements, franchise agreements, contract mining agreements, production sharing agreements, bulk storage and supply agreements, shareholders agreements.

- **Regulatory, litigation and arbitrations proceedings**

Represented governments, state-owned entities in complex regulatory appeal proceedings, litigation and arbitrations proceedings relating to, amongst others, international technical nuclear co-operation agreements, nuclear policy and law, mining investment/funding agreements, public finance matters, environmental and climate change matters, national government funding programmes.

- **Cross-border disputes**

Represented commercial parties in various cross-border disputes in the Southern African region in South Africa, Lesotho, Namibia, Botswana, DRC, Zimbabwe and Tanzania.

- **Judicial review proceedings**

Judicial review proceedings (either as representative of applicant or co-respondent with state) relating to various regulatory measures by the host governments in various economic sectors flowing from by policy, legal and/or regulatory measures or procurement matters.

News

[Unlocking South Africa's infrastructure development and investment opportunities: Amendments to the PPP regulations](#)

The reformation of the South African public procurement legislative framework is expected to have a direct impact on construction and infrastructure projects, particularly those that are public-private partnerships (PPPs). PPPs are commonly used by the public sector to benefit from the financial resources, expertise and skills of the private sector to improve its services and develop infrastructure. A PPP is a contract between a public sector institution and a private party, where the private party performs a function usually provided by the public sector. Most of the project risk (technical, financial and operational) is transferred to the private party.

[A snapshot of South Africa's draft Integrated Resource Plan 2023](#)

Following its release on 4 January 2024, and aiming to garner further public input, the Minister of Mineral Resources and Energy recently announced the extension of the commenting period for the draft Integrated Resource Plan 2023 (Draft IRP) to 23 March 2024.

[Increasing climate change litigation risks: A focus on the private sector](#)

In the recently published Global Climate Litigation Report: 2023 (Report), the United Nations Environment Programme provides valuable insight into the emerging trends surrounding climate change litigation. The importance of the increasing prevalence of these cases is well-highlighted in the Report, which references a "body of legal precedent" that is "forming an increasingly well-defined field of law". The facts, arguments and findings surrounding the cases will therefore collectively serve as a reference point for local litigants seeking judicial intervention in matters involving climate policy, law or science.

[Understanding the importance of the European Delegated Acts for the developing green hydrogen industry in Africa](#)

As part of the European Commission's (the Commission) REPowerEU plan to scale-up the production and use of renewable hydrogen, ammonia and other derivatives in the European Union (EU) the Commission adopted two European Delegated Acts (Acts) in February 2023. The Acts includes a set of rules and guidelines for the certification of green hydrogen produced within the EU, as well as imported hydrogen from other countries, such as Namibia and South Africa.

[What do we need to do to make e-mobility a reality in Africa?](#)

Investment in the automotive industry in Africa is on the rise as the world races to achieve Net Zero by 2050.

Videos

[Webinar Recording | Unlocking and Protecting Investment Flow in Africa: The AfCFTA Investment Protocol](#)

Investment into existing and new industries in Africa is critical to unlock the economic growth and development benefits the AfCFTA holds for Africa.

[Re-thinking industrialization in Kenya and the East Africa Community. What does the future hold?](#)

CDH in partnership with the French Chamber of Commerce Kenya hosted an informal breakfast event to discuss matters that affect the future of business in an everchanging market.

[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, domestic regulatory and legal nuances to tap into the African market.

WEBINAR | Virtual Dispute Resolution

Virtual Dispute Resolution: The use of technology in the resolution of international or domestic disputes during COVID-19.

Dispute Resolution between Foreign Investor and Host Government

Investment treaties generally contain a dispute resolution provision for the resolution of disputes between an investor and a host government in relation to certain alleged violations of an applicable treaty. These investment treaties also provide for the steps/mechanism to trigger a potential investor-state arbitration against a host government.

Podcasts

Positive disruptors in African mining: Technology, AI and critical minerals for Africa's industrialisation

Hydrogen energy

In March 2022, the Department of Science and Innovation published a hydrogen society roadmap. Jackwell Ferris, Director and Sector Head in our Industrials, Manufacturing & Trade sector unpacked the technicalities of a hydrogen economy in Africa.

Njeri Wagacha talks to Jackwell Feris

On this month's podcast Njeri Wagacha talks to Jackwell Feris, Director in the Dispute Resolution practice and Head of the Industrials, Manufacturing & Trade Sector on re-thinking industrialization in Africa, the bottlenecks preventing the development of intra-Africa trade, the protocol on the free movement of people and the potential for Africa's self-determination as a result of the Africa Continental Free Trade Agreement.

[All news by Jackwell Feris →](#)

Recognition

- **Market recognition**
 - Chambers Global 2023–2024 ranked him as an "Up & Coming" dispute resolution lawyer.
 - The Legal 500 EMEA 2022–2023 recommended him for dispute resolution.
 - Jackwell was listed in the Legal 500 Private Practice Arbitration Powerlist: Africa 2023.
 - The Association of Young Arbitrators recognised Jackwell as an expert arbitration practitioner.
 - Jackwell is a recipient of The Africa's 50 Most promising Young Arbitration Practitioner 2020 Award. He is recognised by The Association of Young Arbitrators (AYA) as an expert Arbitration Practitioner who is passionate about the growth and development of International Investment and Commercial Arbitration in Africa.