

# Andrew van Niekerk

Consultant



Andrew van Niekerk is a Consultant in our Banking, Finance & Projects practice. Andrew provides specialist EPC / PPP / IPP-related legal services in the infrastructure, energy, mining and resources, transport, and real estate domains. Andrew is recognised for his ability to structure and execute large-scale, technically sophisticated projects across the full project lifecycle, combining deep legal expertise with strong commercial and risk-management insight.

Andrew has advised clients on projects across an extensive range of jurisdictions, including Botswana, the Central African Republic, the Democratic Republic of Congo, Egypt, Equatorial Guinea, Ghana, Jordan, Kenya, Lebanon, Lesotho, Madagascar, Mauritius, Malawi, Mozambique, Namibia, Nigeria, Oman, Rwanda, Saudi Arabia, Singapore, South Africa, Tanzania, the United Arab Emirates, Zambia and Zimbabwe. His experience includes more than 60 power projects and numerous public-private partnerships, spanning renewable energy, gas, hydro, transmission infrastructure, and embedded generation projects for sponsors, EPC contractors, lenders, and offtakers.

## About Andrew

Andrew has held senior leadership roles as head of construction, infrastructure and/or projects at three of South Africa's "big five" law firms, as well as at the largest non-affiliated law firm in the Middle East. He spent five years in Dubai, where he acted as lead construction counsel on globally significant mega-projects, including the Jumeira Gardens City Project (USD 100 billion), the Waterfront and Palm Jebel Ali developments (approximately USD 60 billion), and the World Islands, Palm Jumeirah and Jumeirah Golf Estate projects, with aggregate project values exceeding USD 150 billion. His international standing and market leadership are consistently reflected in top-tier directory rankings and multiple award-winning transactions in the energy, infrastructure and project finance sectors.

Andrew is widely recognised by leading international legal directories for his expertise in construction, projects and energy law. He is consistently ranked by Chambers Global, The Legal 500 EMEA and IFLR1000 as a leading practitioner for construction, projects and infrastructure, banking and project finance. His work has also been acknowledged through multiple award-winning transactions, including landmark infrastructure and energy projects that have received recognition from Global Trade Review, the African Awards and the IFLR Africa Awards, reinforcing his standing as a market leader in complex, cross-border project development and financing.

## Credentials

### Education



## Contact Andrew

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[Andrew on LinkedIn](#)

## Expertise

[Banking, Finance & Projects](#)

[Construction & Engineering](#)

[Industrials, Manufacturing & Trade](#)

[Projects & Energy](#)

[Technology & Communications](#)

## Location

Cape Town

Stellenbosch

## Language

English

- BA (Private Law) and LLB degrees, University of Cape Town.
- Registered with the Legal Practice Council

## Experience

Andrew has advised clients on more than 60 power projects and several PPP projects. Andrew is currently advising:

- FATA EPC as EPC counsel in respect of a PV IPP project being developed by Pele Green in South Africa.
- Exxaro and Cennergi as IPP counsel on an embedded 38MW photovoltaic IPP power project.
- Lualaba Power SA on a 120MW hydro scheme in the Democratic Republic of Congo.
- AMEA Power as sponsor counsel on the 120MW Doornhoek photovoltaic power project selected as preferred bidder under BW6 of REIPPP.
- Arcelor Mittal as IPP counsel on respectively a (i) 117 MW PV and (ii) 83MW MW PV, IPP power project, being developed by Arcelor Mittal to sell energy to its smelter operations in Vanderbijlpark.
- Newcastle Energy (Pty) Ltd as IPP counsel in respect of several gas IPP power projects.
- A project consortium as IPP counsel in respect of a 1,000MW gas IPP power project.
- Vutomi Energy (Pty) Ltd as IPP counsel in respect of multiple renewable power projects.
- Diaz Wind (Pty) Ltd on a 40MW wind IPP power project in Namibia.
- Andrew has previously advised:
  - Equites on its commercial power purchase agreements to be entered into with customers for the sale of energy output generated from (i) an existing photovoltaic facility that is to be wheeled to an anchor offtaker (ii) rooftop solar power facilities to be installed at its rented out premises to its tenants.
  - Exxaro and Cennergi as IPP counsel on a 68MW photovoltaic IPP power project, which achieved financial close in August 2023 and that will sell the energy output to Exxaro Coal.
  - Engie on an acquisition of a target company with a portfolio of renewable energy projects in Kenya and South Africa.
  - Inspired Evolution on an acquisition of a target company with a portfolio of renewable energy projects in Zambia and South Africa.
  - FATA EPC as EPC counsel in respect of a renewable private sector IPP project being developed by Mulilo for Sasol in South Africa.
  - Frogfoot Networks on its commercial power purchase agreements to be entered into with customers for the sale of energy generated from rooftop solar and residential / industrial self-owned power facilities.
  - The FATA EPC and TSK consortium as EPC counsel in respect of the Coega hybrid gas and renewable power project being developed by Mulilo that was selected by the DMRE as preferred bidder under the South African Risk Mitigation IPP Programme.
  - Old Mutual in respect its equity participation on various renewable power projects under bid windows 5&6 of REIPPP.
  - Black Mountain Mining in respect of certain electricity supply and self-build agreements to be entered into with Eskom Holdings SOC.
  - Red Rocket on a potential acquisition of a target company with a portfolio of renewable energy projects in Kenya, Namibia and Mozambique.
  - Lead EPC and Ruwac on in respect of the balance of plant contract for a PV power project bid under round 4 of REIPPP.
  - Hidroeléctrica de Cahora Bassa in respect of the Cahora Bassa Hydroelectric PPP Scheme refurbishment projects, which won the Environmental & Renewable Team of the Year award at the African Legal Awards (2021).
  - The Zambezi River Authority in respect of the 2,400MW Batoka Gorge Hydro-Electric Scheme.
- Busamed Proprietary Limited offtaker counsel in respect of an embedded generation private sector renewable power project.
- Frontiere Energy in respect of an Integrated Hybrid Generation Power Station IPP in Madagascar.
- First Quantum Minerals in respect of transactions involving Zesco and Eskom for cross border power wheeling arrangements across several jurisdictions in Southern Africa.
- MMG Kinsevere and Metorex in respect of power supply and sharing arrangements for their mining operations in the Democratic Republic of Congo with SNEL (DRC) and CEC (Zambia).

- Boss Mining Sprl in respect to the reinforcement of a 220kv substation and rehabilitation of a 120kv line in the Democratic Republic of Congo.
- Isolux Corsan (Pty) Ltd respect of a 220 kV Transmission System Project in Rwanda.
- Actom in respect of the Medupi, Kusile and Khanyisa coal fired power projects (South Arica).
- Inter alia, Abengoa Solar (Pty), Alfanar, BrightSource Energy Inc., GLOBALEQ, Hydro Tasmania, Lead EPC (Pty) Ltd, Longyuan South Africa (Pty) Ltd, Mulilo Renewable Energy (Pty) Ltd, OPIC, Scatec Solar, Standard Bank and York Timbers on more than 30 wind, hydro, bio-mass and solar (PV and CSP) projects participating under the REIPPP.
- Bio2Watt (Pty) Ltd in respect of a private IPP bio waste to power project, which was the 1st private sector bio-waste IPP project to have achieved financial close in South Africa.
- Doosan Heavy Industries & Construction in respect of (i) the UAE's largest gas fired power (2000MW) and desalination plant in Jebel Ali and (ii) the 760 MW Fujairah gas fired power and desalination plant.
- Vestas A/S as OEM counsel for wind turbine generators on several renewable power projects bid under the RMIPPPP.
- Vedanta Zinc International in respect of the 200MW private sector embedded generation Gamsberg Renewable Energy IPP project.
- Virtus Energy Solutions Limited and Rensource Distributed Energy Limited in respect of (i) a DBO and utility services framework agreement and (ii) management services agreement, for multiple private sector micro grid solar hybrid power projects in Nigeria.

## News

### [Eskom clarifies the issue of "curtailment" for IPPs](#)

In January 2024 Eskom published the much-anticipated addendum to the Generation Connection Capacity Assessment (GCCA) (Addendum). The Addendum was first mooted in the GCCA 2025 published in October 2023 (GCCA 2025). It is intended to provide clarity in respect of Eskom's proposal in the GCCA 2025 to use "curtailment" to address the challenges of limited available grid capacity faced by independent power producer (IPP) projects in the Eastern, Western and Northern Cape (the provinces).

## Podcasts

### [Private power generation](#)

During the Midterm Budget Speech, Finance Minister Enoch Godongwana touched on the need for private power generation to alleviate power cuts. Andrew van Niekerk, Director in our Corporate & Commercial practice, and Head of our Projects & Infrastructure Sector unpacked the legal requirements that independent power producers would need to be mindful of when establishing private power generation.

[All news by Andrew van Niekerk →](#)

## Recognition

- Chambers Global 2024 - 2026 ranked Andrew in Band 3 for construction.
- Chambers Global 2022–2023 ranked Andrew in Band 2 for construction.
- Chambers Global 2013–2021 ranked him as a leading lawyer for construction. The Legal 500 EMEA 2013–2023 recommended him as a leading individual for construction. In addition the Legal 500 EMEA 2023 recommended him for projects & infrastructure.
- The Legal 500 EMEA 2013–2026 recommended him as a leading individual for construction.
- The Legal 500 EMEA 2023 - 2026 recommended him for projects & infrastructure.
- IFLR1000 2021–2025 ranked Andrew as highly regarded in banking, energy and infrastructure, project development, transport, mining and project finance.
- Construction & Real Estate Expert Guide 2019 rated him as an expert in his field.
- Beitbridge deal, which has now won 3 awards as follows (i) one of the best deals of year by the Global Trade Review (2020), (ii) Transportation & Infrastructure Team of the Year at the African Legal Awards (2021) and (iii) Project Finance deal of the year at the IFLR Africa Awards (2021)
- HCB hydro deal, which won Environmental and Renewable Team of the Year at the African Legal Awards (2021).