



Jackwell Feris

Director

Jackwell Feris is a Director in our Dispute Resolution practice providing dispute resolution, risk advisory and regulatory services in South Africa and various other African jurisdictions. He has particular experience in the following sectors: Arbitrations (both domestic and international); Regulatory and Public Law matters; Mining, Energy and Natural Resources matters and International Investment Law matters.

Practice areas

Dispute Resolution

Sectors

Regulatory
International Arbitration
Energy
Mining & Minerals
Government and State-Owned Entities sector

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Experience

- Advised major utility for several years on various matters affecting several of its power stations, including representing the utility in various multi-billion-rand arbitrations, amongst others, a hardship claim and a claim for the funding of a mine shaft for coal mine).
- Advised and represented major utility for several years on various aspects for the implementation of the nuclear energy programme of South Africa, including representing utility in various disputes relating to the implementation of the nuclear energy programme in South Africa and such regulatory approvals required for the project (i.e. environmental objections).
- Advised major telecommunications multinational on the potential impact of proposed policy/regulatory changes by the South African government which may have an adverse impact on its investment in South Africa, international protection measures available and such the dispute resolution (investment arbitration) process.
- Advising major mining multi-national on potential impact of the policy/regulatory changes contemplated by the amendments of the Mining Charter on its investment in South Africa, international protection measures available and such dispute resolution processes against the South African government.

- Advised major telecommunications multinational on the potential impact of the termination of bilateral investment treaties by the South African government, the amendments to the SADC Protocol on Investment and Finance, including preparing several submissions to the Protection of Investment Bill and the Draft Expropriation Bill from a foreign investment perspective.
- Advised various South African financial service providers for several years on enforceability of various government agreements and/or legality of such underlying public law requirements for the of government (i.e. government/state-owned entities) action/conduct for purpose of considering whether to fund particular transactions/projects.
- Represented a major platinum producer in a multi-million-rand arbitration relating to, amongst others, the design of the mine, mining method employed by the contractor and the consequential damages.
- Represented multi-national oil company in arbitrations and litigation in various matters that affect affecting the sale/distribution of its petroleum products in South Africa.
- Represented a multinational company in the Ferroalloys commodities industry listed on the London Stock Exchange with multi-million-rand arbitrations with South African companies in the Ferroalloys commodities market.
- Advised investors into the Southern African Development Community on the investment structuring and mitigation of political risk in relation to potential investments.
- Advised developer of underground coal gasification facility on various legal and commercial matters relating to the project.
- Advise various investors investment in countries forming part of the Southern African Development Community region whether certain policies and other government measures potentially affects their respect investments in those jurisdictions.
- Advised a major oil company on particular regulatory matters affecting its operations in Botswana, Namibia, Lesotho and Swaziland.
- Advised a major multi-national in respect of the international and domestic investment framework of Mozambique, Tanzania, the Democratic Republic of the Congo, Lesotho, Nigeria and Egypt.
- Member of the team that represented a Namibian company with various disputes with the Namibian Ministry of Mines & Energy relating to its mining licenses.
- Advised a major multinational on the implications and consequences relating to export duties imposed for unbeneficiated platinum ore not beneficiated in Republic of Zimbabwe in terms of domestic laws supported by its national beneficiation policies.

Market Recognition

- Jackwell Feris 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.

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

Languages

English, Afrikaans