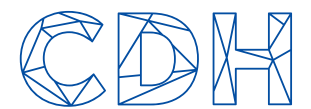




ENERGY



We have received market recognition for the standard of documentation that we produce.

OUR ENERGY TEAM

The Cliffe Dekker Hofmeyr (CDH) Energy team is recognised as a market leader in the South African and sub-Saharan Africa energy sectors. The dedicated team of professionals is, based on its depth of energy skills sets, experiences and transaction know-how, ideally suited to advise developers, sponsors, off-takers, government entities, contractors and financiers across the full project chain.

Our Energy team has considerable experience in the sub-Saharan Africa energy markets where we have advised on complex energy and infrastructure projects and wide ranging assignments.

We advise governments, government departments and agencies, and private sector sponsors, lenders, contractors, project companies, utilities and consortia.

Our clients include companies involved along the entire energy value chain, in power generation, transmission and distribution, throughout the energy supply chain, in industrial and commercial supply, and in carbon markets.

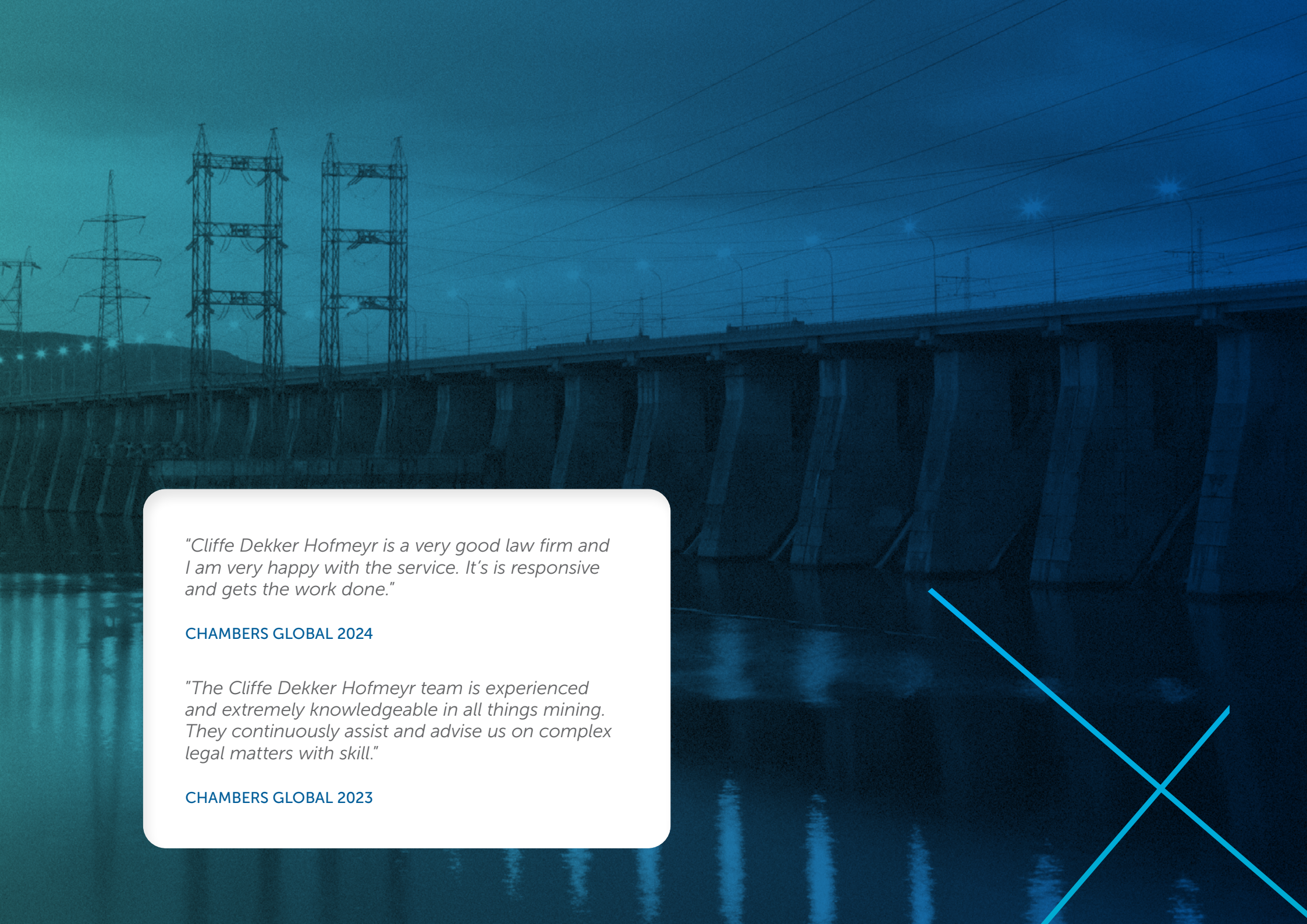
This broad portfolio of clients and mandates ensures that we combine our legal and sector expertise with an in-depth understanding of your business to deliver practical business solutions that are unique to your needs.

Our dedicated Energy team can call on the complimentary skills of the firm's lawyers in other practice areas such as environmental law, banking, finance & projects, corporate and commercial, tax, mining, real estate, regulatory and dispute resolution to provide a complete, multidisciplinary service.

We offer a seamless and cost-competitive legal service across the energy sector.

We have access to international best practice across the energy supply chain and to practitioners who have practical experience in many jurisdictions worldwide.

Our lawyers throughout Africa understand the nuances and intricacies of the local energy markets and regulations, we are able to tailor documents to local commercial conditions.



"Cliffe Dekker Hofmeyr is a very good law firm and I am very happy with the service. It's is responsive and gets the work done."

CHAMBERS GLOBAL 2024

"The Cliffe Dekker Hofmeyr team is experienced and extremely knowledgeable in all things mining. They continuously assist and advise us on complex legal matters with skill."

CHAMBERS GLOBAL 2023



**OUR
ENERGY
SECTOR
EXPERTISE**

"All the lawyers we deal with at Cliffe Dekker Hofmeyr are commercially aware and pragmatic."

CHAMBERS GLOBAL 2023

In the transmission and distribution of electricity, gas and petroleum and issues relating to networks, we advise in relation to codes, licenses, permits, transportation, connections and other regulatory issues.

We have the specialist industry knowledge and legal, regulatory and commercial understanding of energy projects to contribute effectively at all stages of the project development cycle.

In both domestic and regional energy transactions, we have analysed a broad range of legal issues, including those relating to regulatory frameworks, procurement, sovereign immunity, contracting authority, environmental issues, tax, project financing and providing security for such financing, black economic empowerment and social investment policies, property-related issues and cross-border trade and regulatory issues.

We have drafted and negotiated power purchase agreements, construction contracts, operating and maintenance contracts, utility supply agreements, land use agreements and financing agreements.

We have also processed and obtained environmental and other construction and operating regulatory permits and consents.

Our lawyers combine a detailed legal knowledge of the energy sector with commercial awareness of the energy industry. We constantly update our knowledge to ensure our expertise remains unrivalled within our industry and that we are best placed to support our clients' needs.

ENERGY

In the energy sector, we act for organisations across all fuel types and those involved along the entire energy value chain.

Our firm advised 31 out of the 66 successful projects in the first three rounds of the South African Department of Energy's Renewable Energy Independent Power Producer Procurement Programme. The advice given was across a range of renewable technologies including onshore wind, solar photovoltaic, small hydro, biomass, concentrated solar power and landfill gas.

We have received market recognition for the standard of documentation that we produced, including guidance notes to assist clients, and our ability to find solutions to the numerous challenges that arose around property-related issues and from the suite of project agreements relevant to the programme.

OUR SERVICES

Restructuring and deregulation

Planning, development,
environmental and regulatory

Procurement, competition law,
employment law, property/real
estate law, social investment
policies, black economic
empowerment, governing law
and dispute resolution, and
health and safety

Negotiating project-specific
documents, including concession
agreements under public-private
partnerships, power purchase
agreements for all types of
generation schemes, operating
and maintenance agreements,
engineer, procure and construct
contracts, interface agreements,
technology, licensing
agreements, connection
agreements, distribution/
transmission use of systems
agreements and fuel supply
agreements across the fuel
supply spectrum

Acquisitions and disposals of
assets and entities

Structuring complex joint
ventures and project entities

Tax, exchange control and
customs and excise

Advising on the financing and
refinancing of projects consisting
of the negotiation of all financing
agreements including security
structures and instruments, and
carbon trading matters

"The team is very commercially aware. It is in touch with current trends both locally and internationally and always strives to bring these perspectives in their work."

CHAMBERS GLOBAL 2024

MARKET RECOGNITION

Our energy team is externally praised for its depth of resources, capabilities and experience.

Chambers Global 2022–2024 ranked our Projects & Energy sector in Band 4 for projects & energy.

Chambers Global 2017–2021 ranked our Projects & Energy sector in Band 3 for projects & energy.

The Legal 500 EMEA 2009–2024 recommended us in Tier 2 for projects & infrastructure.

IFLR1000 2017–2023 ranked our practice in Tier 2 for project finance. *IFLR1000 2019–2021* ranked our project development: oil and gas team in Tier 3.

IFLR1000 2023 ranked our practice in Tier 1 for project development: infrastructure. *IFLR1000 2023–2024* ranked our practice in Tier 2 for project development: infrastructure.

The way we support and interact with our clients attracts significant external recognition.

Megan Rodgers is the Head of our Oil & Gas sector, and a director in our Corporate & Commercial practice.

Chambers Global 2024 ranked Megan in the Namibia General Business Law category as 'Foreign Expertise Based in South Africa Spotlight'. *The Legal 500 EMEA 2017–2024* recommended her for projects & infrastructure. Megan was named one of *IFLR1000 2021–2023* Women Leaders – the elite cohort of the leading female experts in local markets globally. *IFLR1000 2020–2023* ranked Megan as highly regarded for project development: oil and gas.

The Legal 500 EMEA 2018, 2020–2024 recommended **Timothy Baker** for construction.

The Legal 500 EMEA 2021–2024 recommended **Tessa Brewis** for projects & infrastructure. *IFLR1000 2022–2023* ranked Tessa as highly regarded in project development.

Chambers Global 2024 ranked **Jerome Brink** as an 'Up & Coming' tax lawyer. *The Legal 500 EMEA 2023–2024* recommended Jerome as a 'Next Generation' lawyer for tax. *The Legal 500 EMEA 2022* recommended him for tax.

IFLR1000 2017–2023 ranked **Johan de Lange** as highly regarded lawyer for restructuring and insolvency, banking, project finance, capital markets: debt, and for capital markets: equity

Jackwell Feris is Head of our Industrials, Trade & Manufacturing sector, and a director in our Dispute Resolution practice.

Chambers Global 2023–2024 ranked him as an 'Up & Coming' dispute resolution lawyer. *The Legal 500 EMEA 2022–2024* recommended him for dispute resolution. The *Association of Young Arbitrators* recognised Jackwell as an expert arbitration practitioner.

MARKET RECOGNITION...continued

Chambers Global 2019–2024 ranked **Peter Hesseling** in Band 2 for corporate/M&A. *Chambers Global 2023–2024* ranked him in Band 3 for Capital Markets: Equity. *Chambers Global 2017–2018* ranked him in Band 3 for corporate/M&A. *The Legal 500 EMEA 2022* recommended Peter for banking & finance. *The Legal 500 EMEA 2012–2023* recommended Peter for commercial, corporate/M&A. *IFLR1000 2021–2023* recommended Peter as a market leader for restructuring & insolvency, and M&A. *IFLR1000 2018–2020* recommended Peter as a highly regarded lawyer for restructuring & insolvency, and M&A.

The Legal 500 EMEA 2024 recommended **Anita Moolman** for projects & infrastructure. *IFLR1000 2021–2023* ranked her as highly regarded in M&A.

Mashudu Mphafudi is the Practice Head of our Banking, Finance & Projects team. *The Legal 500 EMEA 2021–2024* recommended Mashudu for banking & finance. *IFLR1000 2019–2023* recommended him as a highly regarded lawyer for banking, capital markets: debt, and project finance. *IFLR1000 2018* recommended Mashudu as a 'Rising Star' for banking, capital markets: debt and project finance.

David Thompson is a director and the Deputy Practice Head of our Corporate & Commercial practice. *Chambers Global 2024* ranked David in Band 5 for corporate/M&A. *Chambers Global 2015–2023* ranked him in Band 4 for corporate/M&A. *The Legal 500 EMEA 2020* and *2022–2023* recommended him for corporate, commercial/M&A. *IFLR1000 2021–2023* ranked David as highly regarded in M&A.

Chambers Global 2021–2024 ranked **Deon Wilken** in Band 3 for banking & finance. *The Legal 500 EMEA 2013–2023* recommended him for banking & finance. *IFLR1000 2018–2023* recommended Deon as a highly regarded lawyer for capital markets: debt, energy and infrastructure, and for project finance.



OUR TEAM

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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.

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