

Legal firms take advantage of opportunities in Africa

By [David Jackson](#)

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Deals and transactions involving law firms entering the African market show no signs of losing momentum as opportunity continues to beckon on the continent for many of SA's top legal practitioners and their firms.

Des Williams, chairman of Werksmans Attorneys, says its major focus on Africa continues unabated. Werksmans were the founders in 1993 of the Lex Africa network of legal firms, which has close to 30 different member lawyers.

"It's a major thrust for us because Africa is being seen by law firms as an area of opportunity, in relation to broader transaction work generally, but also mining-related activity.

"All over Africa we are involved in dispute resolution as well as in broader transactional work, acting for a number of significant clients. We have always recognised that there are a number of things that locals can do best. So having these kind of partnerships with local law firms is good for us and our clients.

"Increasingly, there is real knowledge sharing taking place, so that we are all learning more about what happens in different African jurisdictions. There has also been a joint development of business guides to all of those jurisdictions, which will prove useful to anybody interested in doing business in these African countries. We continue to find more ways to have meaningful exchanges and to share information between the firms in the Lex Africa network."

Williams says arbitration work is also taking on increasing significance in Africa. "In many African jurisdictions, where parties have a commercial contract, more often than not they provide for dispute resolution through arbitration."

Williams was last year appointed the sole South African member of the Court of Arbitration of the International Chamber of Commerce.

Gareth Driver, head of the commercial department at Werksmans Attorneys, says: "It's a natural development that investors from mature markets are looking for growth and they will only find that growth in the less developed markets - and Africa is one of the prime targets for that reason.

"Our presence in Africa and our history of dealing with the rest of Africa places us in an excellent position to take advantage of this. We are traditionally a corporate firm with a strong focus on merger and acquisition activity and a large number of our lawyers are specialised and highly skilled mergers and acquisitions lawyers.

"It's an increasingly competitive field. I believe that while much of our client work is still driven by longstanding client

relationships, increasingly on the international side - and to some degree within SA - we are finding that clients no longer brief only the attorneys with whom they have a relationship, but they look for specialist skills and competence in particular areas.

"We try to ensure that we have good relationships with clients in the resources sector, because it is a sector in which we have the most merger and acquisition activity."

Williams says the main thrust of the firm's activities - as reflected in the 2012 Chambers & Partners rankings - remains largely on core areas that encompass corporate and commercial work.

This includes the firm's mergers and acquisitions practice - a major part of Werksmans' focus - banking and finance; dispute resolution; broader commercial litigation; and arbitration practice.

Mining, which is becoming an increasingly important activity for the firm, straddles broader commercial work as well as dispute resolution work in relation to mining, Williams says. Within SA itself, for example, there is a significant amount of litigation around the granting of prospecting and mining rights.

Source: Business Day

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