



## **James Brand**

Senior Associate | environment, natural resources and environment, agribusiness  
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"at ENSAfrica, we take commercial complexity and translate it to concise solutions"

### **practical experience**

James Brand is a Senior Associate in ENSAfrica's natural resources and environment practice. He specialises in ESG, Water Law, Renewable Energy and Climate.

James is a member of the ESG working group at ENSAfrica and has conducted webinars on ESG to the consumer goods and agricultural sectors. He also co-presented an ESG focused continuous professional development seminar series for the financial services industry with other members of the ESG working group. James has advised banks and asset managers in the development and adoption of ESG policies, has developed green lease precedents for clients and has advised financial institutions on their internal processes to ensure ESG considerations are embedded in the investment process. James is passionate about sustainable business operations and supports clients in developing their environmental social management systems as well as collaborating with clients to increase their capacity, confidence and ability to understand and address sustainability challenges.

He has expertise in advising the agribusiness sector on water law related matters. This includes advising clients on the process of verifying existing lawful water use entitlements, water use licence requirements, water use disputes, waste water authorisation, water transfers and drought mitigation as well as representing clients in their dealings with the Department of Water and Sanitation and the Blue Scorpions. As the importance of entitlements to water is increasingly becoming an area of focus for multiple sectors because of climate change, James is skilled in advising clients in the transaction setting that translates into appropriate water law related conditions precedent, warranties and indemnities. James has also advised in respect of the establishment of a programme of activities in the agribusiness sector to allow for the benefits of the carbon tax offset regulations to be realised for the adoption of regenerative agricultural practices.

James has also advised both developers and funders of renewable energy projects under all six of South African government's renewable energy procurement processes and has more than a decade's worth of experience in advising clients on the requirements for bid submission and thereafter financial close.

He has acted for international and local clients as well as government entities, national parks and nature reserves in a number of industries and sectors including mining, nuclear energy, construction, agriculture and aquaculture. James' experience also includes advising on a variety of environmental law issues in accordance with the National Environmental Management Waste Act 59 of 2008 and other related legislation. In this regard he has been involved in representing interested and affected landowners in opposition to potentially environmentally damaging urban and rural developments, including landfill sites, harbour developments, illegal dam structures and coastal marine outfall pipes. He has also represented several industrial clients in their dealings with the Department of Environmental Affairs and the Green Scorpions.

James is recognised as a leading/recommended lawyer by:

- Best Lawyers® 2022, 2021, 2020, 2019 – Environmental (South Africa)

## **qualifications**

- BA (University of Cape Town)
- LLB (University of Cape Town)
- LLM (University of Stockholm)
- Admitted as an attorney of the High Court of South Africa

