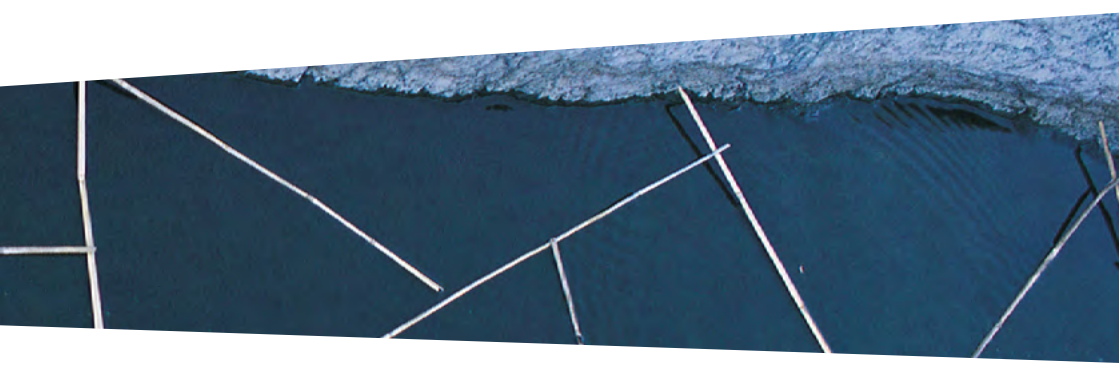
ENSafrica Technology, Media and Telecommunications (TMT)

they are very knowledgeable and give thorough opinions, opinions you know you can trust

Chambers FinTech



In a world where every business is technological, digital and data-driven, ENSafrica is able to provide you with a complete, quality solution to your TMT legal requirements.

Our dedicated TMT team has a diverse combination of specialist international skills, experiences and backgrounds, with the result that each of our lawyers is able to view your situation from a different vantage point. This means that we can provide you with a multi-faceted, comprehensive offering.

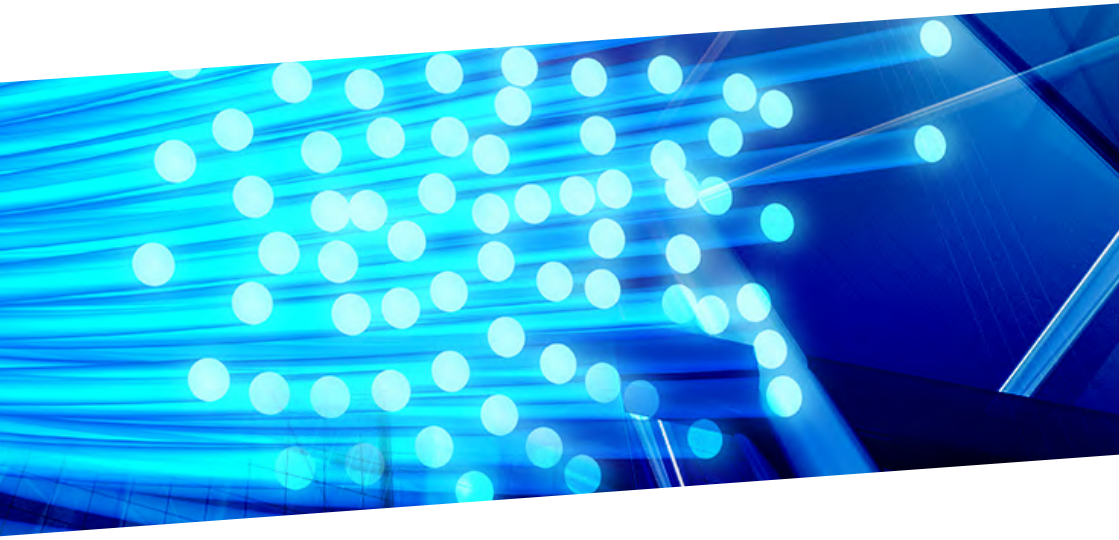
Our key differentiator is our understanding and knowledge of business challenges and intricacies in the TMT industry.

This enables us to provide practical advice to both TMT service providers and customers, as we shape our services to meet your precise needs.

>200 YEARS
experience

600+
PRACTITIONERS

12
OFFICES
IN 7 COUNTRIES



We have worked with a wide range of domestic and multi-national companies, governments and investors in Africa, Asia, Europe and North America, and we are often called on to advise at the top end of the market regarding matters that are complex, high-profile, technical and innovative.

We also have the unique advantage, as part of Africa's largest law firm, of being able to harness the expertise of more than 600 practitioners throughout the continent. ENSafrica has a significant breadth and depth of experience and specialist expertise that spans all commercial areas of law, tax, forensics and IP.

As such, we regularly partner with specialists across the firm, meaning that we are able to assist with all aspects of all matters across all sectors in all African jurisdictions, ensuring that your legal requirements are handled quickly and seamlessly.

Our TMT team provides advice on:

- large, complex technology sourcing, including information technology and telecommunications outsourcing projects and IT procurement mandates
- data and information privacy and protection, and cross-border data transfers
- (big) data, data commercialisation and data philanthropy
- complex software acquisition, implementation, integration, development and ownership transactions
- technology contracting, transactions and governance
- new and emerging technologies, including Blockchain, Fintech, drones, 3D printing, Internet of Things (IoT), cryptocurrency, artificial intelligence (AI) and robotics
- cloud-computing strategies and transactions
- digitisation
- e-commerce, including website health checks and legislative compliance
- telecommunications M&A, corporate, commercial and regulatory advice, including Independent Communications Authority of South Africa (ICASA) related matters

We also offer you the full scope of TMT services, including:

technology

- IT contracts, including service level agreements and the development of terms and conditions
- technology sale, support, licensing, procurement, project management and governance
- business process and ICT outsourcing
- data protection, use, transfer and commercialisation
- consumer-orientated online and mobile technology and services
- service provider-orientated transactions, including teaming and subcontractor arrangements, marketing and distribution transactions, and resource procurement
- e-business, m-business, m-banking and e-government related transactions and services
- drafting the full range of technology agreements (for both service providers and customers)
- cloud computing, including development of cloud computing strategy and advising on cloud-based services and technologies
- M&A, reorganisations and joint ventures in the IT sector

media

- media-related contracts, including digital content-related contracts
- broadcasting and publishing regulation
- digital and traditional content regulation, transactions and commercialisation
- digital and traditional advertising and promotions regulation and transactions
- content development, acquisition, assignment, delivery and licensing
- event management and operation infrastructure
- film production-related matters
- sponsorship agreements
- M&A, reorganisations and joint ventures in the media sector

telecommunications

- telecommunications-related contracts, including data, and mobile and fixed line telephony-related contracts
- telecommunications regulations and policy on matters such as operational compliance, licensing, VoIP services, anti-competitive practices, consumer protection, and privacy
- regulatory and licensing advisory work on behalf of operators and service providers, including licence applications, amendments and transfers
- commercial transactions, consumer agreements and arrangements on behalf of service providers, equipment manufacturers, apparatus providers, financial institutions and other entities
- advising organisations engaged in provisioning telecommunications infrastructure
- advising service providers and other organisations engaged in the mobile, internet and satellite sectors
- guidance on telecommunications management, converged communications services, networking integration, and strategic initiatives and growth strategies
- M&A, reorganisations and joint ventures in the telecommunications sector

they have marked capability in advising on diverse issues within the FinTech sector, including cryptocurrencies, mobile payments and anti-money laundering

Chambers FinTech

they completely understand our business and industry as a whole, which makes dealing with them seamless and efficient

Chambers Global

experienced handling high-value outsourcing transactions and service agreements, with strong expertise in data privacy and migration and online payment systems, as well as in the sector's regulatory regime

Chambers Global

LARGEST AFRICAN TRANSACTION

Largest African transaction with Microsoft, which included migration onto the Microsoft Azure platform by a major South African bank.

RENEGOTIATION OF CONTRACTS

Renegotiation of the South African Government's contracts with Adobe, CA Southern Africa, CISCO, Dell/EMC, ESRI, IBM, Microfocus, Microsoft, Oracle, SAP and Software AG.

E-BUSINESS SOLUTIONS

E-business solutions for Vodacom South Africa, factoring in the parent company's standards, international data privacy laws and third party contracts.

LICENCE AND AGREEMENT

IBM enterprise licence and services agreement negotiated and concluded for a major South African bank.

MULTI-VENDOR IT OUTSOURCING

Large-scale multi-vendor IT outsourcing by Eskom, one of the largest ever public sector IT outsourcing transactions in South Africa.

IT OUTSOURCING

Large-scale IT outsourcing by Sasol, as well as its SAP consolidation programme.

CLOUD COMPUTING

Cloud computing strategies and risk profiling for Discovery, Nedbank and Sasol.

CREATION OF DIGITAL BANK

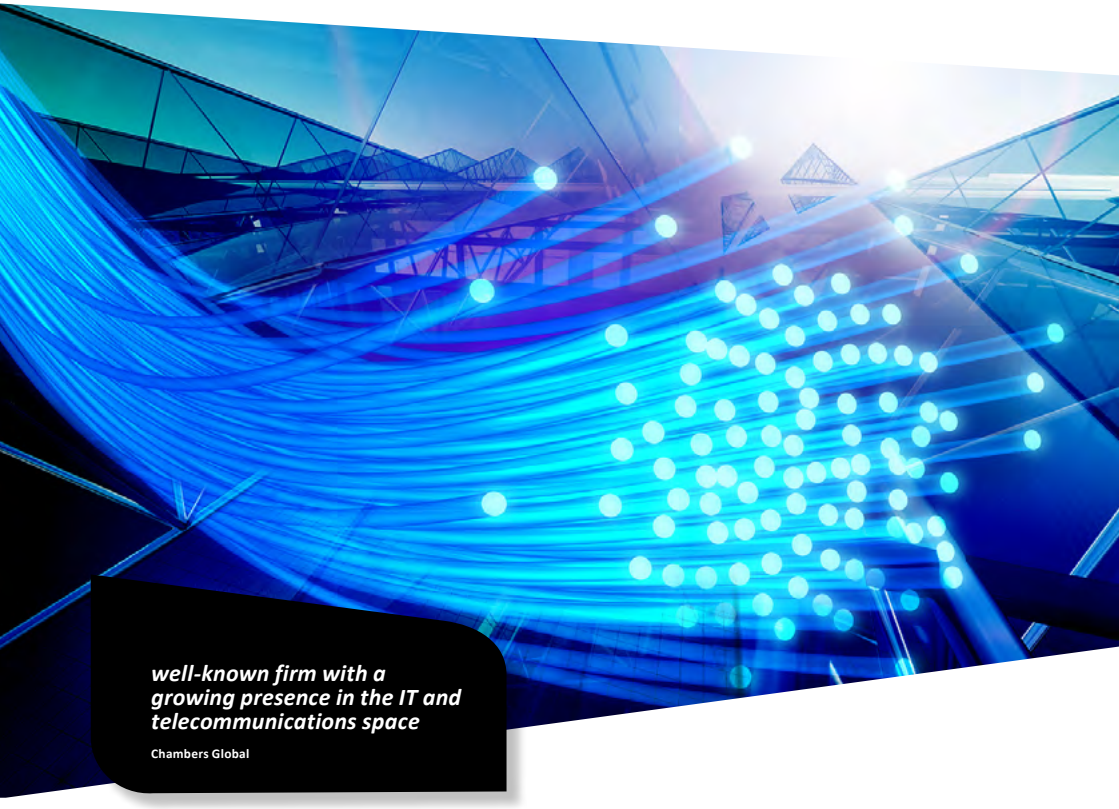
Creation of a digital bank by Discovery Health and Discovery Bank, involving global licensing and commercialisation of Vitality software, as well as contracting standards for ICT procurement.

SOURCING AGREEMENTS

Intergroup sourcing agreements (arising from Nedbank's managed separation from the Old Mutual group of companies) negotiated and concluded.

ACQUISITION OF IT COMPANY

Acquisition of BCX by Telkom.



well-known firm with a growing presence in the IT and telecommunications space

Chambers Global

Ridwaan Boda
Executive
rboda@**ENS**africa.com

ENS africa