



ARMSTRONGS

Attorneys, Notaries & Conveyancers

***“ONE OF THE MOST ESTABLISHED AND HIGHLY RESPECTED FIRMS IN BOTSWANA,
ARMSTRONGS RECEIVES ABUNDANT PRAISE FROM ALL SOURCES”***

CHAMBERS

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PROFILE OF ARMSTRONGS ATTORNEYS

Managing Partner: John Carr-Hartley

Number of partners: 3

Total number of lawyers: 11

Languages: *English, Setswana*

Years in business: 37 years

FIRM OVERVIEW

Armstrongs is the leading corporate and commercial law firm in Botswana. It is the only law firm in Botswana Ranked in Band 1 by Chambers. Armstrongs provides its clients with innovative legal and business solutions of a global standard and we are recognised for our pioneering and developmental role in various commercial sectors within Botswana.

Established in 1983, the firm specialises in all aspects of corporate and commercial law including capital raisings, listings, competition law, M&A, debt and capital instruments, mining and resources, energy, privatisations and public private-partnerships. The Commercial Department of Armstrongs has a complement of five lawyers and is headed up by Partner Sipho Ziga.

The firm's Litigation & Arbitration Department is exceptionally strong and undertakes commercial litigation in the High Court, Court of Appeal and Industrial Court. In addition, the firm's Litigation & Arbitration Department are known as the leaders in the field of arbitration, particularly civil engineering and construction disputes arising from the FIDIC Suite of contracts. This department also has a complement of five lawyers, two of them being Partners John Carr-Hartley and Moemedi Tafa.

DEPARTMENTS & SECTORS

Whilst the Practice comprises broadly the Commercial Department, the Litigation & Arbitration Department, the Employment & Human Resources Department and the Property & Conveyancing Department, no department exists in isolation and each Attorney is able to call on the expertise of other Attorneys within the Practice.

Owing to the experience and expertise of the partners and associates within Armstrongs, we are able to provide legal services across a wide range of sectors. Our main areas of practice include:

❖ **Banking and Finance**

The firm provides commercial and highly practical advice across all sectors and in respect of the full spectrum of financial services products. Armstrongs is blessed with a considerable amount of both international and local experience in this field.

❖ **Commercial Contracts**

The firm advises on diverse range of commercial transactions and activities including joint ventures, shareholders' and business partnerships, purchase and sale transactions, franchises, management and outsourcing arrangements, logistics and many more.

❖ **Corporate**

The firm is known as the market leader in the field of competition law and is instructed on the vast majority of big-ticket transactions requiring Competition Authority approval. In addition, Armstrongs provides advice and services on a wide range of corporate issues ranging from Stock Exchange compliance, corporate governance, acquisitions, takeovers, competition law, listings, and due diligence reviews.

❖ **Litigation and Arbitration**

The firm's litigation, arbitration and dispute resolution practice undertakes litigation in the High Court, Court of Appeal and Industrial Court. The firm enjoys a formidable reputation for its expertise in the field of both litigation and arbitration. Because Botswana is a fairly small jurisdiction, the litigation conducted by the firm covers a fairly broad spectrum, including all forms of commercial litigation, international and local commercial arbitrations, advocacy, construction and civil engineering disputes and labour matters. The firm has is well known in the arbitration and ADR field for its innovative and pragmatic approach to dispute resolution.

❖ **Employment and Human Resources**

The firm has established itself a leader in providing effective practical solutions to employment and labour matters and is regularly called upon to advise on employment restructurings and retrenchment planning. The practice acts for major listed and unlisted domestic and international entities and is headed up by Moemedi Tafa, who is well-renowned for as the market leader in this field.

❖ **Minerals, Resources and Energy**

Armstrongs is the firm of choice for the mining and resource sector. The firm provides services to the majority of multinational and domestic companies operating in the resources sector, and with a thorough knowledge of the Mines and Minerals Act and Regulations. Siphso Ziga is the leading lawyer in the resources and energy sector and acts on an on-going basis for numerous local and multi-national companies with interests in Botswana.

THE PARTNERS

John Carr-Hartley

B.A. LL.B (University of Natal) 1989

John Carr-Hartley is the Managing Partner of Armstrongs and in addition he heads up the Litigation and Arbitration Department.

With more than 30 years' experience in the field of Litigation, John conducts the bulk of his work in the High Court and Court of Appeal. His position as one of Botswana's most experienced and sought-after Litigation & Arbitration Attorneys is further entrenched by his numerous accolades achieved in this area of practice. His knowledge proves invaluable to clients who require representation in court.

John has undertaken and conducted numerous trials and arbitrations as Lead Counsel in a diverse range of commercial, civil engineering and building disputes and is a Fellow of the Botswana Institute of Arbitrators. John is particularly interested in the fields of civil engineering and construction disputes, company and business law disputes, banking law and medical law.

Notables: one of the foremost Attorneys in disputes pertaining to the FIDIC Suite of Contracts. Chairman of the Dispute Adjudication Board for the construction of the Kazungula Bridge Project, Package II. Instructed by, and acted for, seven judges of the Botswana Court of Appeal and the Chief Justice of Botswana in three separate matters. Ranked in Chambers for Dispute Resolution for the past 16 years, the only litigation Attorney in Botswana ranked in Band 1.

Sipho Ziga

LL.B. (University of Botswana) 1997

Sipho Ziga is the partner in the Commercial Department of Armstrongs. Sipho was admitted as an Attorney of the High Court of Botswana in 1997 and as conveyancer and Notary Public in 1998. Sipho is recognized as one of the foremost commercial attorneys in Botswana.

Sipho's specialization is in the field of include corporate commercial transactions. He specializes in capital raisings, offerings, listings, project finance, mergers and acquisitions and general commercial law. Sipho's infallible expertise in mining law means he acts as advisor to the vast majority of multinationals and mining houses with interests in Botswana and lenders financing mining projects. Sipho is regularly advises both parastatals and the private sector in Botswana on Botswana's law and regulatory environment.

Notables: in recent years, Sipho has been the leading Attorney in the area of project finance in Botswana, having acted for a syndicate of international banks in the financing of various of major mining projects, including Khoemacau mine project and the Lucara mine expansion project. Sipho acts for the Gambling Authority in respect to issues relating to the first lottery license to be issued in Botswana and regularly acts for the Non-Bank Financial Institution Regulatory Authority on various matters relating to the regulating of various financial institutions. Sipho has recently been involved in major insolvency mandates in Botswana arising from corporate failures, as the lead attorney for the liquidator of Capital Management Botswana Limited and Bluthorn Fund Managers (Proprietary) Limited.

Moemedi Tafa

LL.B (University of Pretoria) 2011, BCom Law (University of Pretoria) 2010

Moemedi Tafa is the second Partner in Armstrongs' Litigation Department and, additionally, heads up the Employment and Human Resources practice in the firm. Moemedi was admitted as an Attorney of the High Court of Botswana in 2011 and very soon became known as the expert in the field of employment law.

With more than 10 years' experience, Moemedi has been at the forefront of most of the ground-breaking decisions in the Industrial Court and Court of Appeal in the field of employment law. He is regularly involved in high-end advice and litigation matters, particularly for multinational

organisations, parastatals and entities in the mining, construction and banking environments. Known for his practical and solution-orientated approach on matters, Moemedi is, also extensively involved in acting for pension funds and medical aid entities, in relation to regulatory compliance and claim-related disputes.

Notables: Moemedi has, in recent years, acted for the Southern African Development Community (SADC) in all matters that had been instituted against SADC at the recently established SADC Administrative Tribunal as well as through the High Courts of Botswana. In addition, he presently acts for SADC in proceedings instituted by SADC at the Permanent Court of Arbitration (PCA) in a claim in excess of USD580 000.00. In the employment law sphere, Moemedi is well known to have acted for Barclays Bank of Botswana Limited (now Absa Bank Botswana Limited) in a groundbreaking decision relating to the termination of employment contracts in circumstances where the employer is not required to provide reasons for such termination.

OUR FOCUS

The focus at the firm is on delivery. Our Partners and professional staff pride themselves on being available when required, and making time available, to ensure that our clients' needs are attended to timeously. We regard each client as a most important and valued client. We accordingly ensure that sufficient resources are dedicated to each matter on behalf of a client, so that each client is provided with a unique and inspired solution tailored to their individual matter.