



environment law

en

level 3 BBBEE: AA rating

law

tax

forensics

IP

africa





Environmental law regulates the interaction of humanity with the rest of the biophysical (natural) environment to reduce the impact of human activity on both the environment and, ultimately, humanity itself. Attitudes toward environmental protection and management have changed over the past decade with climate change and the protection of the environment becoming increasingly important globally.

In South Africa, the right to an environment that is not harmful to one's health or well-being is not only seen as important, but is also guaranteed by the Constitution. There is a progressive environmental regulatory system with an intricate web of legislation that gives effect and substance to this right, and the result of this is both significant and far-reaching on businesses and commercial related activities.

With this complex and developing sector comes a greater need for legal counsel and advice to ensure the effective management of corporate environmental and resource strategies and impact. At ENS, our experience and expertise relating to these stricter and ever-changing regulations, combined with our understanding of our clients' requirements, enables us to assist clients in making informed and often critical decisions.

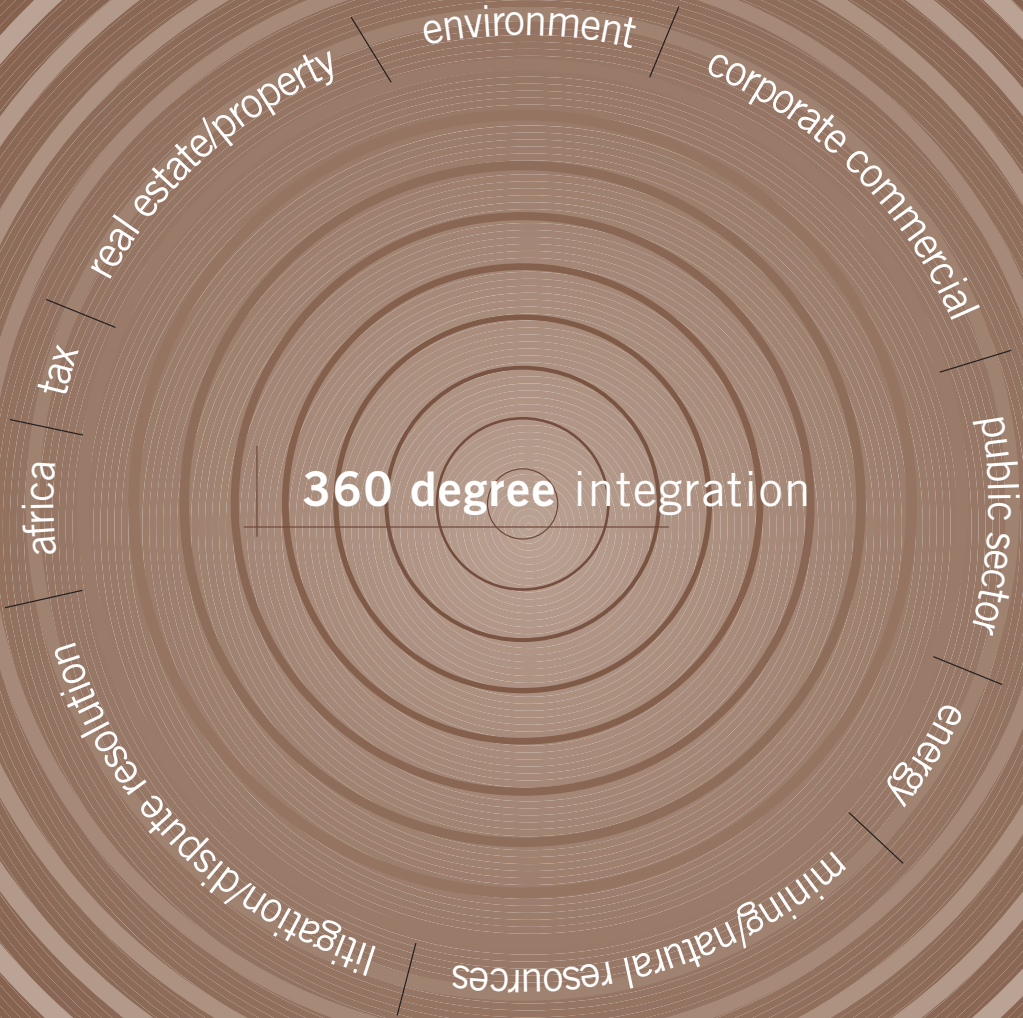
As Africa's largest law firm, our ability to cross reference with other business areas within the firm means we can offer legal, tax, forensics and intellectual property assistance in all areas pertaining to the environment and our clients, both local and international, therefore receive the most cost effective and the best possible all-round solutions to their needs.

- At ENS we recognise that environmental issues are multifaceted and ever-changing. Our specialist team of practitioners is able to provide the inspired solutions required for these often complex issues.
- Our wide-ranging knowledge and extensive experience allows us to offer environmental legal advice across a broad spectrum of natural resources and environmental issues.
- Collectively, our team has more than 25 years of experience in the specialist field of South African Environmental law, placing us in a league of our own.
- In addition, we pride ourselves on our meticulous nature and high standard of excellence, enabling us to meet our client's specific needs timeously, while maintaining the quality of work that each and every ENS client has come to expect.

- The services offered by our team are wide-ranging and varied and we operate in all traditional environmental law fields including, but not limited to, the following:
 - Compliance and regulatory issues.
 - Legal compliance registers.
 - Compliance with and compiling environmental impact assessments.
 - Appealing and reviewing environmental impact assessments.
 - Conducting due diligence investigations.
 - Formulating strategic plans for businesses in order to improve environmental compliance.
 - Advising and complying with specific international environmental standards.
 - Advising clients in respect of environmental obligations and liabilities.
 - Providing advice in specific resource sectors such as the mining sector.
 - Advising clients on obtaining environmental authorisations for specific projects such as energy projects.
 - Resolving resource disputes particularly in the water sector.
 - Contractual arrangements.
 - Environmental law skills development.
 - Environmental dispute resolution.
 - Occupational health and safety.
 - Advising on contractual, commercial and taxation issues in relation to Emissions Reduction Purchase Agreements (ERPAs) and the trading of Certified Emissions Reductions (CERs);
 - Advising on South African climate change law issues, including: reviewing ERPAs for use in South Africa; advising on local regulatory and enforcement issues; and undertaking due diligence investigations on South African projects.
 - Mineral and mining regulatory advice, including title due diligences, title transfers and conversions, environmental management and rehabilitation.
 - Nuclear regulatory advice.



360 degree integration



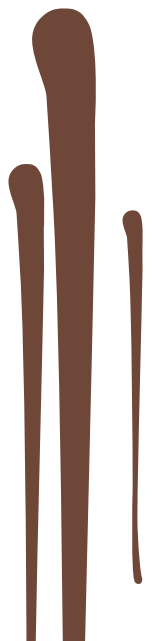


key clients

- Angloplat
- BP
- Columbus Steel
- ArcelorMittal
- Goldfields
- The Pebble Bed Modular Reactor Company
- Cape Gate
- ABSA
- FirstRand
- Investec
- Eskom
- ACSA
- Afrox
- Bombela
- Coega Development Corporation
- Astral Operations
- Sun International
- Assmang
- Food and Trees for Africa
- Shell
- Coca-Cola



- Kumba Iron Ore
- Sishen Iron Ore Company
- HC Khusela Coal
- The New Reclamation Group
- Robor
- PetroSA
- Areva
- Assmang Chrome
- Nedbank Capital
- City of Johannesburg
- Group Five Construction
- Group Five Mining
- Jay & Jayendra
- Jindal Africa
- Plattner Golf (Pty) Ltd (Fancourt)





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BA LLB Post Graduate Diploma in Marine and Environmental Law. Post Graduate course in Land Use Planning Law. Admitted as an attorney of the High Court of South Africa

Stephen has 32 years of experience in various areas of litigation, dispute resolution and environmental law. In respect of environmental law, Stephen has advised clients in regard to environmental impact assessments, appeals and reviews thereof, environmental due diligences, on obtaining environmental permits, on climate change issues and in respect of drafting Emission Reduction Purchase Agreements both in the compliance and voluntary markets.

He also has experience in dealing with matters involving personal injury, professional malpractice, insurance, building and construction, intellectual property, property (including all facets of land use planning) and sectional titles, general contractual matters and tax litigation. Stephen is a qualified arbitrator through the Arbitration Forum in Cape Town. He is also a member of the Environmental Lawyers Association and since March 2008 he has been acting as the head of ENS's Environmental Law Unit.



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BA LLB (cum laude) LLM (with distinction)
Admitted as an attorney of the High Court of
South Africa

Robyn is an attorney and has 20 years of legal experience in advising South Africa's government and foreign governments, business, NGO's and international organisations on the development and implementation of effective policy and legislative frameworks in the fields of environmental, water and sustainable development law and governance. Her practical legal experience in the fields of environmental, water, mining, energy and sustainable development law is multidisciplinary. It ranges from advising on environment, mining, energy, and water law issues arising in infrastructural development projects, due diligence aspects of mergers and acquisitions, project finance and corporate listings to legislative and policy drafting, permitting processes and litigation.

Robyn was a Special Advisor to the Minister of Water Affairs and Forestry in respect of the Water Law Review Process and participated in drafting the National Water Act 1998, the Water Services Act 1997 and the White Paper on a National Water Policy for South Africa. Robyn's practical legal experience has afforded her an opportunity of gaining a key insight into the planning and implementation phases of water resources management as well as water supply and sanitation projects. She has also advised governmental and non-governmental sectors on integrated water management issues with a focus on the constitutional and national legislative imperatives of sustainable development. In the latter regard, her work has included advice on the national, provincial and municipal aspects of co-operative governance. Both nationally and internationally, she has gained experience and has advised on the legal and policy aspects of large-scale infrastructural development projects in the water sector particularly focusing on the social, ecological and economic pillars of sustainable development. In the latter regard she has gained experience in advising on a World Bank Project on the Mekong River Commission as well as in the SADC region. In 2009, Robyn co-edited and co-authored "Rule: Reforming Water Governance", as part of an IUCN water series designed to develop sustainable development mechanisms in the broader field of water management.



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BA LLB LLM

Admitted as an attorney and conveyancer of the
High Court of South Africa

Lloyd has been involved in all aspects of an environmental practice including preparation and advice on compiling environmental impact assessments, environmental impact assessment appeals and reviews, environmental due diligences, environmental legal registers, environmental training, mine closure and rehabilitation, product liability, disputes over natural resources, nuclear regulatory advice, agreements covering environmental rehabilitation and cost sharing, advice on obtaining environmental permits, strategic advice on development of facilities, lobbying government regarding environmental fiscal reform, development of new energy facilities, advice pertaining to maximising opportunities under international Treaties such as The Kyoto Protocol and in respect of drafting Emission Reduction Purchase Agreements both in the compliance and voluntary markets.

He is also responsible for the mineral and petroleum regulation practice area, which includes advising on mineral rights, Section 11 and section 53 applications, mineral due diligence, statutory claims arising from mining activities, statutory appeals, reviews and objections, mine health and safety, the Mining Charter, and community and local government engagement.

In addition to this, he has experience in planning and development law, constitutional law, High Court and Magistrate's Court Litigation, labour law, commercial law and drafting, and corporate secretarial work. Lloyd is a member of the Environmental Lawyers Association and the South African Clean Development Mechanism Industry Association (SACDMIA).



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BSc LLB LLM

Certificate in Environmental Law (with distinction)
Admitted as an attorney of the High Court of South Africa

Caroline has experience in various areas of environmental law and has conducted environmental legal compliance audits and provided advice on various environmental issues such as environmental risk assessments, environmental authorizations, environmental impact assessments, and the management of water and waste. In addition to this Caroline has experience in mining law, due diligence investigations and commercial law and drafting. Caroline was involved in the updating of the environmental law title of "Butterworths Forms and Precedents for Public Interest Law" published by Lexis Nexis. Caroline is a member of the Environmental Lawyers Association.

 who leads the firm



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