



# Digital Media & Electronic Communications

Practice area

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Consumers and businesses alike continue to adapt to a digital world but the shift has not been without its challenges, just a few of which are cybercrime, frequency spectrum issues, regulatory complexity and the proliferation of commercial contracts involving multiple parties.

Our digital media and electronic communications lawyers are geared to handle the challenges encountered in these ever-evolving, fast-paced sectors. Several team members have been consistently rated as leaders in specialist areas of media, Communication & Technology law, with experience and expertise extending to jurisdictions across Africa.

Team members regularly represent clients before the Parliamentary Portfolio Committee responsible for the media and communications sector. We assist clients in their dealings with the Independent Communications Authority of South Africa (ICASA), the advertising authorities, the competition authorities and the civil courts both in South Africa and beyond.

Other services include advising on the licensing and regulation of the electronic communications sector (including radio frequency spectrum) and on the publication of content (hard copy and electronic media). We also advise on matters dealing with advertising law, lottery, gambling and competition law, administrative and constitutional law, dispute resolution and litigation services.

The team offers a comprehensive range of commercial services relevant to the digital media and electronic communications sector, including due diligence investigations and the drafting of agreements.

Our clients are local and international. They include leading commercial broadcasters across Africa, electronic communications services (voice and data) and network providers, advertising agencies, print media and online publishers (newspapers and magazines), and companies providing providing various information and communication technology (ICT) services, software and hardware.

## ➤ **Top lawyers fully conversant with an evolving it industry**

Combining specialist commercial capabilities with information technology (IT) expertise, our technology lawyers ensure that clients are well informed about the legal issues arising from the development, procurement and use of technology in their organisations.

With deep experience acting for large local and multinational clients across borders, particularly in Africa, the team has extensive experience in negotiating, drafting and finalising complex IT-related agreements. These include sophisticated outsourcing arrangements, the establishment of electronic banks and international licensing, and information technology development contracts.

We also draft electronic communications and website policies and advise clients on the legal implications of electronic commerce.



In addition to their legal expertise, our technology lawyers have technical qualifications and experience and a thorough knowledge of the latest developments in the fast-changing IT environment.

The team is experienced in representing providers of IT services and infrastructure, as well as clients acquiring such services and infrastructure, locally and internationally. From a litigation perspective, clients' rights are protected and enforced through innovative, tactical and sustainable application of the law.

All members of the team are able to provide opinions on issues such as the interpretation of IT-related legislation, including the Electronic Communications and Transactions Act 2002.

## ➤ From outsourcing to eCommerce

Clients can also expect to receive expert advice on a variety of other services, including telecommunications networks and IT outsourcing agreements, software development and licensing, software resale and original equipment manufacturer and distribution agreements. Additionally, we advise on agreements concerning IT system supply, equipment purchasing and rental, and software escrow and disaster recovery arrangements.

eCommerce is an important area for many clients, who seek the team's advice on related matters such as electronic payment and other IT services contracts, website and data hosting contracts, IT application service provider agreements, electronic commerce and internet-related transactions, litigation and dispute resolution, due diligence investigations and franchising.





## ➤ Meet the Team



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## » Meet the Team

## About us

Established in the early 1900s, Werksmans Attorneys is a leading South African corporate and commercial law firm, serving multinationals, listed companies, financial institutions, entrepreneurs and government.

Operating in Gauteng and the Western Cape, the firm is connected to an extensive African legal alliance through LEX Africa. LEX Africa was established in 1993 as the first and largest African legal alliance and offers huge potential for Werksmans' clients seeking to do business on the continent by providing a gateway to Africa.

With a formidable track record in mergers and acquisitions, banking and finance, business rescue and restructuring, commercial litigation and dispute resolution, Werksmans is distinguished by the people, clients and work that it attracts and retains. Werksmans' more than 200 lawyers are a

powerful team of independent-minded individuals who share a common service ethos. The firm's success is built on a solid foundation of insightful and innovative deal structuring and legal advice, a keen ability to understand business and economic imperatives and a strong focus on achieving the best legal outcome for clients.



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COMMERCIAL LAW FIRM**  
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