WERKSMANS
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Aphindile Govuza

DIRECTOR

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Aphindile Govuza is a Director in our, Digital Media & Electronic Communications, Healthcare & Life Sciences and Technology & Innovation practice areas with extensive experience in advising on a wide range of technology and sourcing agreements, advising on digital and electronic communications and commerce matters as well as on data protection laws.

He has assisted numerous major clients, both within the ICT sector and as customers of ICT services and in both the public and private sector, on technology and communications law, outsourcing and service level agreements, e-commerce law, intellectual property and data protection and privacy issues.

PRACTICE AREAS

- Digital Media & Electronic Communications
- Healthcare & Life Sciences
- Technology & Innovation

EXPERTISE

- Technology and communications law,
- Outsourcing and service level agreements,
- E-commerce law,
- Intellectual property
- Data protection and privacy issues.

RELEVANT EXPERIENCE

- Conducting extensive compliance projects on the Protection of Personal Information Act No. 4 of 2013 (“POPIA”) for various South African entities in the public and private sectors;
- Drafting due diligence reports on POPIA compliance by large South African corporate clients;
- Drafting POPIA-compliant data protection policies and procedures for various multinational companies
- Advising clients on data protection laws of various African jurisdictions (including South Africa);
- Drafting opinions on the POPIA implications of the use of geofencing technology by retail clients;
- Assisting with data protection due diligence and compliance projects which extend to numerous African jurisdictions including South Africa, Zimbabwe, Zambia, Angola, Mozambique, Botswana, Malawi, Lesotho, Swaziland, Namibia, Madagascar, Mauritius, Uganda and Tanzania;
- Advising South African companies on the application of the EU General Data Protection Regulation;

- Drafting, negotiating and/or advising on various technology and telecommunications related agreements on behalf clients, including: support and maintenance agreements; software development, software licences; service level agreements; website terms and conditions;
- Drafting, negotiating and/or advising on various IT contracts, including inter alia: support and maintenance agreements; software development services agreements, software licenses, implementation agreements, software integration agreements, hosting services agreements, etc.;
- Advising a number of the major local banks on their commercial risk on various technology deals;
- Advising various local and international clients on compliance with data protection legislative requirements and privacy law implications. This included the preparation of internal and external privacy policies, training manuals and toolkits, access to information policies, data processing agreements and employee consents forms;
- Reviewing and drafting various IT related agreements for both local and international clients from various industries including consumer electronics, retail goods, logistics, medical and financial. Examples of the agreements include service level agreements, software license agreements, software development agreements, support and maintenance agreements, reseller agreements, cloud services agreements and consultancy agreements;
- Reviewing and drafting mobile application and website terms and conditions including privacy policies; and
- Drafting opinions for various local and international clients on, inter alia, the provisions of the Electronic Communications and Transactions Act and the Protection of Personal Information Act.

CAREER

- LLB, University of Cape Town: 2013
- Registered with the Legal Practice Council
- Year admitted as an attorney: 2016
- Aphindile was promoted to Director in 2022

HIGHLIGHTS

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