

Carmin Botha

Associate



Carmin Botha is an Associate in our Corporate & Commercial practice. Carmin assists the team with commercial transactions, including restructuring, refinancing and acquisition transactions as well as drafting and reviewing commercial agreements.

About Carmin

After completing her studies, Carmin worked as a property administrator at Pam Golding Property Management Services where she gained experience in managing sectional title schemes and home owners associations. She joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2021 and was appointed as an Associate in 2023.

Credentials

Education

- BSc Human Life Sciences with Psychology (Stellenbosch University): 2014
- BSc (Honours) Psychology (cum laude) (Stellenbosch University): 2015
- LLB (Stellenbosch University): 2019

Experience

- **Transactional work**

Carmin has experience in transactional work, including drafting transaction agreements, conducting due diligence investigations and attending to company secretarial instructions.

News

[Legal insights into concert party relationships in South Africa](#)

In takeover law, the regulation of concert party relationships is crucial for maintaining fairness and protecting the interests of minority shareholders. When multiple parties co-operate for the purpose of pursuing a transaction to gain control of a regulated company, or its business, additional protections are imposed under the Companies Act 71 of 2008 (Act) and the accompanying regulations (collectively, the Takeover Laws). The Takeover Regulation Panel (Panel) is responsible for enforcing these laws and ensuring fairness and transparency against the backdrop of an affected transaction.

Contact Carmin

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Expertise

[Corporate & Commercial Law](#)

Location

Stellenbosch

Language

Afrikaans

English

Deferred purchase price and interest in share sale agreements: The National Credit Act

The National Credit Act 34 of 2005 (NCA) is not a piece of legislation that springs to mind when negotiating share sale transactions. This is mainly since share sale transactions typically do not constitute credit agreements and, if they do (due to payment deferral provisions), the NCA still wouldn't apply where the purchaser (being the "credit consumer") is a juristic person whose annual turnover or asset value equals or exceeds R1 million or where the purchase price is R250,000 or more, and the purchaser's annual turnover or asset value is below R1million.

Anti-cancellation clauses and restitution: Fraud unravels all

The matter of Titan Asset Management (Pty) Ltd and Others v Lanzerac Estate Investments (Pty) Ltd and Another (2102 / 2020) ZAWCHC 136 (9 June 2023) relates to an action instituted by Christo Wiese and five other plaintiffs against Lanzerac Estate Investments (Pty) Ltd and Markus Jooste.

The benefits and pitfalls of constituting a voluntary audit committee

When it comes to audit committees, a private company is not required to appoint an audit committee unless it is required to do so by its memorandum of incorporation (MOI). Nevertheless, a private company that is not legally required to appoint an audit committee may still voluntarily constitute one. Deciding whether to voluntarily appoint an audit committee requires careful consideration of a number of factors, the most important being the particular business, structure and needs of the company or company group in question. Additionally, weighing up the pros and cons may provide important insights into whether or not voluntarily appointing an audit committee is advantageous to a business.

The role of mergers and acquisitions in the pharmaceutical industry

Corporate & Commercial Director Roxanna Valayathum and Candidate Attorney Carmin Jansen van Vuuren, featured in a DealMakers Magazine article titled "The role of mergers and acquisitions in the pharmaceutical industry".

[All news by Carmin Botha →](#)