

Anita Moolman

Director



Anita Moolman is a Director in our Corporate and Commercial practice. Anita's areas of expertise are company law, mergers and acquisitions, private equity, structuring and restructuring, due diligences, general commercial agreements and advisory services, including consumer law.

About Anita

Anita began her career as a candidate attorney at Hofmeyr Herbststein and Gihwala (now Cliffe Dekker Hofmeyr Inc) in 2006. Anita was appointed as an associate in 2008 and became a director in 2013.

Credentials

Education

- BComm LLB, University of Stellenbosch
- Year of admission as an attorney: 2008
- Registered with the Legal Practice Council

Experience

- Acted for Rand Merchant Bank and various of its subsidiaries in relation to recent disposal of their equity interests in numerous property owning companies.
- Acted for a number of clients (unlisted) in relation to ongoing secondary transactions in the energy sector.
- Acted for a private equity fund in a secondary transaction involving the disposal of its equity investments in 5 portfolio companies participating in round 1 of the South African IPP Programme, through a competitive bid process in 2016/2017.
- Acted for Old Mutual Private Equity in relation to the acquisition of a 70% equity interest in MoreCorp (Pty) Ltd (owner of well-known South African brands such as The Pro Shop, World of Gold and Playmoregolf) and MoreCycle (Pty) Ltd for approximately R300 mil in 2015.
- Advised Renewables Cookhouse Wind Farm 1 (RF) (Pty) Ltd in relation to the equity arrangements, financing (BEE financing and project financing), construction and development of an onshore wind farm in South Africa in round 1 of the South African IPP Programme.

Contact Anita

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[Anita on LinkedIn](#)

Expertise

[Corporate & Commercial Law](#)

[Projects & Energy](#)

[Consumer Goods, Services & Retail](#)

[Consumer Protection](#)

[Listings, Stock Exchanges & Public Documents](#)

[Mergers & Acquisitions](#)

[Industrials, Manufacturing & Trade](#)

Location

Johannesburg

Language

English

- Advised Kakamas Hydro Electric Company (RF) (Pty) Ltd in relation to the equity arrangements, financing, construction and development of a hydro facility in South Africa in round 2 of the South African IPP Programme.
- Advised African Clean Energy Developments, AFPOC Ltd and African Infrastructure Investment Managers (Pty) Ltd in relation to, inter alia, the disposal of their equity investments in Soetwater Wind Farm (Pty) Ltd, Great Karoo Wind Farm (Pty) Ltd, Karuso Wind Farm (Pty) Ltd, Nxuba Wind Farm (Pty) Ltd.
- Acted for KapschTrafficCom in relation to its investment in TMT Services and Supplies (Pty) Ltd t/a Traffic Management Technologies and Electronic Toll Company (Pty) Ltd (which is contracted with SANRAL for the design, build and operation of the Gauteng Open Road Tolling (GORT) contract) in 2007 and the acquisition of sole control of TMT Services and Supplies (Pty) Ltd by KapschTrafficCom in 2016/2017.
- Acted for an unlisted entity in relation to recent acquisitions in the food-moving consumer goods industry.
- Acted for Old Mutual Alternative Investments Holdings (Pty) Ltd and Old Mutual Life Assurance Company (South Africa) Ltd in relation to the acquisition of the remaining 50% of African Infrastructure Investment Managers (Pty) Ltd, African Infrastructure Investment Fund 2 GP (Pty) Ltd, African Infrastructure Investment Holding Company 2 (Mauritius), African Infrastructure Investment Fund 2 (Mauritius) and African Fund Managers (Mauritius) from Macquarie Africa (Pty) Ltd and Macquarie Corporate Holdings Ltd in 2015.
- Acted for the shareholders of Earthchild Clothing (Pty) Ltd in relation to disposal of 100% of Earthchild Clothing (Pty) Ltd to Truworths Ltd in 2014.
- Acted for the Arçelik Group, a Turkish home appliance group, in relation to the acquisition of Defy Appliances (Pty) Ltd in 2011, following a competitive bid process.
- Assisted the South African legal advisory team in relation to PERI GmbH's investment into a South African formwork and scaffolding business in 2011.
- Assisted in advising a consortium, led by Brimstone Investment Corporation Ltd and including key members of Sea Harvest management, in relation to the acquisition of Tiger Brands 73.16% shareholding in Sea Harvest Corporation in 2008/2009. The transaction included a scheme of arrangement, structuring and restructuring of the Sea Harvest business, and the negotiation of debt finance facilities for Sea Harvest.
- Assisted the South African legal advisory team advising Mediclinic International Plc in relation to its international expansion and the acquisition of Hirslanden (a large private hospital group in Switzerland) for SF2.54 billion in 2007.
- Acted for Istithmar PJSC, Leisurecorp LLC and Dubai World Group in relation to several investments in South Africa in the tourism and leisure sector.
- Advised on numerous legal due diligence investigations of all sizes in a variety of sectors such as construction, engineering, private security, infrastructure projects, energy, retail, munitions, digital marketing, financial services, tourism and leisure. Anita has extensive experience in all aspects of the due diligence process and regularly advises clients on the establishment of data rooms, conducting vendor due diligences, co-ordination of due diligence team, preparation of disclosure schedules, due diligence analysis, preparation of due diligence reports, reporting of due diligence findings to client, etc
- Negotiating, drafting and settling various types of commercial agreements such as confidentiality agreements, term sheets / heads of agreement / memorandum of agreement, sale of shares agreement, sale of business agreement, subscription agreement, lease agreement, shareholders' agreement and memorandum of incorporation, trust deeds, terms and conditions of sale, supply agreements, service agreements, resolutions, etc.
- Acted for various foreign entities with South African company formations, compliance with South African laws and on acquisitions and disposals in South Africa and sub-Saharan Africa.
- Advised on several confidential mergers and acquisitions involving both listed and unlisted companies.

- Acted for various clients (listed and unlisted) in connection with compliance with consumer law, preparation of anti-bribery and corruption policies, due diligence and assessment of compliance with laws in South Africa and various other countries in sub-Saharan Africa.

News

[W&I insurance – A key consideration for M&A transactions](#)

Warranty and indemnity (W&I) insurance has become increasingly familiar to the South African M&A market in recent years. This has been driven, in part, by transacting parties gaining a better understanding and appreciation of the process and benefits of an insured deal. At its heart, W&I insurance exists to support a seller's clean exit and to ease a buyer's concern as to a seller's ability to make good on a warranty or indemnity claim once a transaction has closed. With M&A activity expected to increase as we emerge from the pandemic, largely as a result of private equity fund activity and distressed disposals, W&I insurance could prove invaluable to support the key objectives of parties to a transaction.

[More time means more money – negotiating protections against the relaxation of time-bar clauses](#)

The benefits of arbitration are well-known. It is often cheaper, quicker and allows the parties flexibility to a process that suits their needs. Moreover, the process, pleadings, agreements and rulings may also remain confidential, unlike the case in public court proceedings. As a result, many commercial agreements allow for disputes to be resolved by way of arbitration.

[The deal with break-fees](#)

The term "headed for an economic downturn" has the look and feel of a buzzword that has overstayed its welcome on newspaper headlines. Now more than ever taking the first step to start a corporate transaction in the current state of the global economy is a daunting task for all parties concerned. The high costs and reputational risks of a failed deal have demanded that corporate lawyers come up with new and innovative ways to ensure that a commercial deal succeeds. This article assesses the payment of break-fees also known as ("break-up fees" or "termination fees") in merger and acquisition transactions (M&A Transactions) to protect the consummation of deals

[Walking the tightrope – guidelines for defining your malus and clawback policy](#)

There is a growing trend in South Africa towards businesses adopting malus and clawback policies in relation to their variable pay structures and employee incentive schemes. This trend has been driven by the view that responsible corporate governance requires businesses to be able to assess and, where necessary, adjust or recover variable pay benefits awarded to employees on the occurrence of certain events.

[Let's get personal: The transferability of shareholder rights under a company's constitutional documents](#)

It's a long-standing and well acknowledged principle in South African common law that parties to an agreement are generally free to cede and assign their contractual rights as they wish, except where there is a clause specifically prohibiting the transfer of those rights. As a result, where a contract is silent as to whether the rights of a party may be transferred to third parties, that party is generally free to cede and assign its rights freely, without the consent of the other parties.

[All news by Anita Moolman →](#)

Recognition

- The Legal 500 EMEA 2025 recommended Anita for commercial, corporate/M&A.
- The Legal 500 EMEA 2024 - 2025 recommended Anita for projects & infrastructure.
- IFLR1000 2021-2024 recommended Anita as a highly regarded leading lawyer for M&A.