

Emma Kingdon

Consultant



Emma Kingdon is a consultant in our Corporate & Commercial practice. She has specialist expertise in entertainment and media law, having worked with a number of film financing institutions, film producers and investors, scriptwriters, authors, content owners, branded entertainment producers, reality and documentary producers as well as commercial producers and large publishing houses.

Emma also has experience in negotiating and drafting large technology service agreements (including SaaS, software development and licensing, and outsourcing) as well as a background in mergers and acquisitions (mainly private equity) and general commercial transactions (such as distribution agreements and franchising arrangements).

About Emma

Emma began her career as a Candidate Attorney at Syfret Godlonton-Fuller Moore (now Cliffe Dekker Hofmeyr). She was appointed as an Associate in 1999, promoted to Senior Associate in 2000 and became a Director in 2001. Emma became a Consultant in 2011.

Emma has a special interest in social enterprise, and the role this sector plays in the greater economy as a means to bring about social change. As a result, she is able to use her experience as a commercial attorney to support social entrepreneurs and further the goals of the sector as a whole, including in relation to impact investing, business development and corporate structure.

Emma is a non-executive director of a urban market gardening non-profit, Neighbourhood Farm NPC.

Credentials

Education

- BA LLB, University of Stellenbosch
- LLM (Commercial Law), University of South Africa (UNISA)
- Year of admission as an attorney: 1999
- Registered with the Legal Practice Council

Experience

Contact Emma

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[Emma on LinkedIn](#)

Expertise

[Corporate & Commercial Law](#)

[Technology, Media & Telecommunications](#)

Location

Cape Town

Language

English

- **Drafting wide range of media agreements**

Emma has many years of experience in negotiating and drafting a wide range of media agreements, including film option agreements, investment agreements, financing documentation, sponsorship agreements, production agreements, airtime and broadcasting agreements, standard commissioning agreements, chain of title documentation, distribution agreements, directors and production team agreements, and music rights procurement.

- **Film and television productions in South Africa**

Advised in respect of various aspects for the producers, investors and financiers of film and television productions in South Africa (such as Sony Pictures, Sony Animation, Lookout Point Moonlighting Films, Federation Studios, Cofiloisirs, Natixis Coficine, Comerica Bank, Banc of California) of film and television programmes (such as Sniper 11, Catch Me A Killer, Mad Max: Fury Road, Story of an African Farm, uCarmen eKhayalitsha, Spud, Blended, The Giver, Devils Peak and Around The World in Eighty Days.

- **Programme producers**

Advised reality, format and documentary programme producers (Lorton Entertainment, Justin Bonello, Monticello Inc, Cooked, Charly's Cake Angels, Class Act, Ultimate Braaimaster,).

- **Publishing**

Drafted standard publishing agreements for a number of publishing houses, such as Penguin Random House South Africa.

- **Social Enterprise**

Advised TCB – Taking Care of Business, formerly The Clothing Bank, a non-profit organisation in various transactions, including the transfer by the Grow Educare division of its early childhood development administration software platform to Old Mutual's 22Seven division.

- **Media sponsorship**

Advised brand owners on media sponsorship and other branding transactions, such as the sponsorship of MasterChef SA and the South African national rugby side (Springboks).

- **HCL Axon**

Advised HCL Axon in its SAP implementation project with Shoprite Checkers and on its acquisition of the SAP implementation business of UCS.

- **Diageo South Africa**

Acted for the joint venture of Diageo South Africa, Heineken International BV and Namibia Breweries in South Africa (brandhouse Beverages) in all commercial matters.

- **Lonrho plc**

Acted for Lonrho plc in all acquisitions made in South Africa and all commercial matters.

News

[Elections 2024: Internet service providers must prevent dissemination of fake news](#)

With the national and provincial elections less than two months away, the Film and Publication Board (FPB) published a notice on 22 March 2024 in which it defines the terms "misinformation" and "disinformation", and declares them to be propaganda for war, inciting imminent violence or potentially advocating hate speech. The distribution of any such content via any medium, including social media, is an offence in terms of section 18H of the Films and Publications Act 65 of 1996 (Act). The fine, if found guilty, is R150,000 and/or a two-year prison term.

One step closer to law: The Copyright Amendment Bill and Performers' Protection Amendment Bill

On 29 February 2024, both houses of the National Assembly approved these two controversial bills and sent them to the President for assent. The drafters of the Copyright Amendment Bill (CAB) stated that it is aimed at updating the Copyright Act 98 of 1978 (Copyright Act) to make it more effective for educators, researchers, and people with disabilities and also to ensure that artists "do not die as paupers due to ineffective protection". This latter aspect is also addressed by the Performers' Protection Amendment Bill (PPAB) which states that it seeks to protect performers' moral and economic rights, as well as the rights of producers of sound recordings.

Podcasts

[The impact of AI and the power of streaming platforms in the South African context](#)

[All news by Emma Kingdon →](#)

Recognition

- Chambers Global recognised Emma as "Up and Coming" in Corporate/M&A in 2008.