

Kate Anderson

Director



Kate Anderson is a Director in our Corporate & Commercial practice. She specialises in private equity mergers and acquisitions and is experienced in transactional work. Kate also advises on aspects of the Companies Act and general corporate governance.

About Kate

Kate joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2015 and was appointed as an Associate in 2017. In 2020, Kate was promoted to Senior Associate. In 2023 she was appointed Director.

Credentials

Education

- Registered with the Legal Practice Council
- B Com, University of Johannesburg
- LLB, University of Johannesburg
- Year of admission as an attorney: 2017

Experience

- Kate has experience in drafting of multiple-step transaction implementation agreements for restructures as well as bespoke memoranda of incorporation and shareholders' agreements.
- Kate was part of the team that advised the shareholders of Vumatel on the multi-billion Rand disposal of Vumatel to CIVH, a subsidiary of Remgro. The deal was named "Deal of the Year" by DealMakers in 2018.
- IEP Group

Kate was also part of the team that advised IEP Group in a series of integrated transactions with the shareholders of its various portfolio companies to create the industrial services holding group, InServe, the industrial chemicals holding group, Synchem and more recently, the Bud Group.

News

Contact Kate

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[Kate on LinkedIn](#)

Expertise

[Corporate & Commercial Law](#)

Location

Johannesburg

Language

English

Court confirms right to revoke authority, even in long-term deals

On 2 May 2025, the High Court (Eastern Cape Division, Gqeberha) delivered judgment in two urgent, interrelated applications brought by applicant Stargrow Fruit Marketing (Pty) Ltd (SFM) against respondents Gamtoosvalley Farming (Pty) Ltd t/a Entabeni (Entabeni) and New Day Packaging (Pty) Ltd (New Day Packing). SFM sought orders for specific performance and enforcement of marketing agreements relating to the 2025 citrus harvest and beyond. The court dismissed both applications, finding that no enforceable new agreements had been concluded and that the respondents lawfully revoked SFM's authority as marketing agent.

Establishing the necessary elements of a repudiation

In the matter of African Zaibatsu Corporation Ltd and another v Industrial Development Corporation of South Africa Ltd 4 All SA 739, African Zaibatsu Corporation Ltd (AZC) and Mr Kotane (Kotane) brought a claim against the Industrial Development Corporation of South Africa Ltd (IDC) for allegedly repudiating a loan agreement.

To guarantee or not to guarantee? Rights of recourse against a principal debtor

The case of Nedbank Limited v Xanita (Pty) Limited (885/2019) ZAWCHC 144 (12 June 2023) addressed and clarified the principles surrounding a guarantee and the right of recourse that a guarantor has against a principal debtor. The case also assessed the legal obligations of a guarantor in comparison to that of a surety.

50/50 shareholders and oppressive conduct: When some shareholders are more equal than others

A fundamental principle of South African company law is "majority rules" – shareholders and directors are bound by the decisions of the majority even where such decisions are not in their interest. However, recognising the potential for unfair abuse of such a principle, the Companies Act 71 of 2008 (Companies Act) devised section 163, which allows a director or shareholder of a company to apply to court for relief from oppressive conduct of the company or a person related to it that unfairly disregards or prejudices the interests of the applicant. Section 163 therefore paints the picture of a majority shareholder abusing its ability to control the company to unfairly bully or oppress minority shareholders. But what happens if the shareholders are equals – can a 50/50 shareholder be oppressed by their equal? This was the question before the High Court in Van der Watt v Schoeman and Others 91 SA 531 (ECGq).

Distributions: More than meets the (i)

Section 46 of the Companies Act 71 of 2008 (Act) is clear on the requirements that must be met before a company may make a distribution – a company must not make any proposed distribution unless the distribution is pursuant to an existing legal obligation of the company, or a court order, or where the board of the company has authorised the distribution.

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