

Yaniv Kleitman

Director



Yaniv Kleitman is a Director in our Corporate & Commercial practice and operates as Counsel within the practice. He specialises in company and securities law.

About Yaniv

Yaniv began his career as a Candidate Attorney at Cliffe Dekker Hofmeyr and was appointed as an Associate in January 2009. He was promoted to Senior Associate in January 2011. In 2015 Yaniv was appointed as a Director.

Credentials

Education

- LLB (cum laude), University of Johannesburg
- LLM (Commercial Law) (cum laude), University of Johannesburg
- Year of admission as an attorney: 2009
- Enrolled with the Legal Practice Council

Experience

• Foskor and Industrial Development Corporation

Part of the team that advised Foskor and Industrial Development Corporation in Foskor's BEE transaction in 2008/2009.

• Batho Bonke Capital

Part of the team that advised Batho Bonke Capital in the latter's conversion of its "A" Preference Shares in Absa Group into a 5% shareholding in Absa Group, in 2009.

• Pareto

Part of the team that advised Pareto in its acquisition of a 50% ownership interest in each of Menlyn Park Shopping Centre and Cavendish Square and Cavendish Connect Shopping Centres, in 2010.

• Mvelaserve

Part of the team that advised on the unbundling and listing of Mvelaserve, then a subsidiary of Mvelaphanda Group, in 2010.

• Batho Bonke

Advised in the unwind of Batho Bonke, in 2012 / 2013.

Contact Yaniv

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Expertise

Corporate & Commercial Law

Commercial Real Estate

The Companies Act

Corporate Governance

Listings, Stock Exchanges & Public Documents

Location

Johannesburg

Language

English

- **Mvelaserve and Mvelaphanda Group**

Part of the team that advised Mvelaserve and Mvelaphanda Group (now New Bond Capital) in their respective takeovers by Bidvest and Blackstar Group, in 2012 / 2013.

- **Various listed transactions and mergers**

Advised on a number of listed acquisitions and combinations including Steinhoff / Pepkor (as well as the subsequent Steinhoff scheme of arrangement and Frankfurt listing), Mediclinic / Al-Noor, Ascendis / Remedica and Ascendis / Scitec, Heineken / Distell, Remgro / Mediclinic, Volaris / Adapt IT and Clientele / 1Life in 2014 - 2024.

- **Department of Energy**

Advised extensively in the numerous renewable energy projects that were initiated by the Department of Energy and which are underway in South Africa.

- **Parastatals**

Advised a number of parastatals on compliance and governance aspects.

- **Company and commercial law**

Advises extensively in the field of company and commercial law, and provides training and seminars in these fields.

News

[Profit at your peril: Highest UK court reinforces strict ethic on corporate opportunities](#)

A director cannot, without express permission of the company, go it alone and pursue a corporate opportunity that is in the same line of business as the company's; and resigning in order to do so will not absolve them of this duty. The primary remedy for the company in this regard would be a disgorgement of profits. So strict is this ethic, and so narrow are its exceptions, that one may wonder if the rule is entirely reasonable in all cases. Nevertheless, in the landmark case of *Rukhadze v Recovery Partners GP Ltd* UKSC 10 the UK Supreme Court has recently rejected attempts to water down the fiduciary duties of directors in this regard.

[The magic wand of reinstatement of a deregistered company](#)

It is a common occurrence to discover after the fact that a company was deregistered (and thus legally did not exist) during a period in which it concluded multiple juristic acts. Section 82(3) of the Companies Act 71 of 2008 (Companies Act) sets out various reasons for which a company may be deregistered, such as a company failing to file an annual return for two or more years in succession – a common oversight – without any satisfactory reasons for such failure, or the Companies and Intellectual Property Commission (CIPC) determining that a company has remained inactive for seven years and no person has shown interest in the company's continued existence.

[Courts not so unanimous about unanimous assent](#)

In the recent case of *Cowan and Others v Norton and Others* (2024/090281) ZAGPJHC 358 (25 March 2025) the Johannesburg High Court considered the validity of company actions ratified by the unanimous assent of the shareholders, without (at the outset) passing resolutions at a shareholders' meeting or in writing by way of a section 60 round-robin.

[MOI v Companies Act amendments: A fight best settled out of court](#)

As the dust settles following the President's belated Christmas gift of bringing the amendments to the Companies Act 71 of 2008 (Companies Act) into operation on 27 December 2024, it is clear that many companies are still grappling with the consequences of the amendments. An increasingly common issue is the inconsistencies these amendments bring about between the Companies Act (as amended) and a company's memorandum of incorporation (MOI).

[Staying ahead of governance trends: Key changes in the draft King V Code](#)

South Africa's influential King Codes on corporate governance continue to evolve, responding to changes in the business, regulatory and social landscape. The recently published draft King V Code introduces updates intended to improve clarity, usability and relevance in governance practices. Businesses of all sizes and sectors should understand these changes, given their importance in demonstrating sound governance, maintaining credibility and creating long-term value.

Videos

[Seminar Recording | Director Law Developments Seminar](#)

[Webinar Recording | Unpacking the Companies Act amendments](#)

Our legal experts provided valuable insights into the key Companies Act amendments in a thought-provoking webinar.

[Companies Act Developments Seminar](#)

On Tuesday, 30 January 2024, our Corporate & Commercial practice hosted a seminar on Companies Act Developments.

Podcasts

[Unpacking the Companies Act amendments 2024 | Share buy backs](#)

Section 48(8) of the Companies Act, which deals with share buy backs, has undergone an overhaul, as explained by Yaniv Kleitman, Director in our Corporate & Commercial practice, in our webinar on the new Companies Act amendments.

[Everything you have always wanted to know about beneficial ownership under the Companies Act](#)

Almost two years after the Companies Act was amended to provide for a beneficial ownership disclosure regime, questions still abound as to its interpretation and implementation.

[All news by Yaniv Kleitman →](#)

Recognition

- IFLR1000
 - The IFLR1000 2024 recommended Yaniv is a notable practitioner in M&A.
 - The IFLR1000 2019, 2020, and 2022 recommended Yaniv as a notable practitioner in M&A.