

# Jessica van den Berg

Associate



Jessica van den Berg is an Associate in our Dispute Resolution practice.

## About Jessica

Jessica joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2020 and has gained experience in the Dispute Resolution, Employment Law and Technology, Media & Telecommunications practices. She was exposed to general and labour litigation, and technology and telecommunications regulatory and compliance work.

Jessica was retained as an Associate Designate in 2022.

## Credentials

### Education

- LLB, University of Pretoria (cum laude)

## Experience

- Assisted in a wide range of litigation

Jessica has assisted in a wide range of litigation across various divisions of the Superior Courts. Focussing on commercial litigation, she has been exposed to and assisted with matters relating to inter alia mining law, public law, business rescue and insolvency law. Further, she has assisted in advising clients on data protection and regulation, with a particular focus on POPIA compliance.

## News

### B-BBEE Commission found to lack evidence in finding of fronting

In the case of Cargo Carriers Proprietary Limited v Broad-Based Black Economic Empowerment Commission and Others (HC), the High Court reviewed and set aside a decision of the Broad-Based Black Economic Empowerment Commission (B-BBEE Commission) in terms of section 6 of the Promotion of Administrative Justice Act 3 of 2000 (PAJA) in relation to a fronting complaint against the applicant, Cargo Carriers Proprietary Limited (Cargo Carriers).

## Contact Jessica

+27 (0)11 562 1617

[jessica.vandenberg@cdhlegal.com](mailto:jessica.vandenberg@cdhlegal.com)

[Jessica on LinkedIn](#)

## Expertise

[Dispute Resolution](#)

[Corporate Debt, Turnaround & Restructuring](#)

## Location

Johannesburg

## Language

English

### [The beginning of an era: Certain sections of South Africa's Cybercrimes Act have commenced and here's what you need to know](#)

There is no denying that rapid technological advancements and the use of various software, applications and data storage mechanisms have changed the way South Africans conduct themselves in business and on a personal level. These often indispensable technologies have exposed South Africans to a significant increase of ever-evolving cybercrime-related incidents which have, until the very recent commencement of certain sections of the Cybercrimes Act 19 of 2020 (Cybercrimes Act), gone without punishment.

### [If it happened to them, it could happen to you: Lessons from the Information Regulator](#)

A business' operations can be brought to a standstill if it experiences a data breach – a reality which is becoming more and more familiar. Section 22 of the Protection of Personal Information Act 4 of 2013 (POPIA) requires responsible parties to notify both the Information Regulator and the relevant data subject(s) of a breach where there are reasonable grounds to believe that their personal information has been accessed or acquired by any unauthorised person. The Information Regulator itself recently had the unfortunate opportunity to demonstrate this requirement.

### [Regulations Relating to the Promotion of Access to Information, 2021 issued by the Minister of Justice and Correctional Services](#)

On 27 August 2021 the Regulations relating to the Promotion of Access to Information, 2021 (new PAIA Regulations) were issued in Government Gazette No. 45057 by the Minister of Justice and Correctional Services under section 92 of the Promotion of Access to Information Act 2 of 2000 (PAIA).

### [Conflicts of interest: An analysis by the Supreme Court of Appeal within the context of business rescue](#)

Section 139(2)(e) of the Companies Act 71 of 2008 (the Act) empowers the court upon the request of an affected person, or on its own motion, to remove a business rescue practitioner (BRP) from office on the ground of 'conflict of interest or lack of independence'.

[All news by Jessica van den Berg →](#)