

# Vivien Chaplin

Sector Head, Director



Vivien Chaplin is a Director in our Corporate & Commercial practice and Head of the Mining & Minerals sector. Vivien has over 20 years' experience in advising on local and cross border mergers and acquisitions, company law and corporate governance issues and drafting specialised commercial contracts.

## About Vivien

Vivien is a corporate commercial lawyer with over 20 years' experience in advising on local and cross border mergers and acquisitions, company law and corporate governance issues and drafting specialised commercial contracts.

Before joining Cliffe Dekker Hofmeyr, Vivien led the Corporate Commercial Team at Hogan Lovells Johannesburg, and prior to that she was a Corporate Partner at ENSafrica.

## Credentials

### Education

- BA/LLB, University of Cape Town
- Registered with the Legal Practice Council

## Experience

- **Advising companies across various industries**

Vivien's experience includes advising companies across various industries on mergers and acquisitions (including the structuring, due diligence and drafting of all transaction documents), Black Economic Empowerment (BEE) transactions and advice, Employee Share Ownership Plans (ESOP) and corporate restructures.

- **Setting up and doing business in South Africa**

Vivien assists her clients on all aspects of setting up and doing business in South Africa, including BEE, corporate governance and Companies Act compliance as well as specific regulatory advice in the mining, aviation, IT, film, industrial and logistics sectors.

- **Major mining companies**

Vivien also assisted major mining companies with the drafting of high value long-term supply and offtake agreements and many large companies with the drafting of their standard form and bespoke agreements for all steps of the supply chain, as well as corporate documents such as shareholders' agreements, memoranda of incorporation, committee charters and resolutions.

## Contact Vivien

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## Expertise

[Corporate & Commercial Law](#)

## Location

Johannesburg

## Language

English

- **Contract drafting for private and public companies**

In addition, Vivien provides training on BEE, corporate governance, procurement and supply chain contract drafting to private and public companies. She regularly speaks on these topics at conferences and has published numerous articles on corporate law and BEE developments. Vivien has also assisted several non-profit organisations in the education and health sectors.

## News

### [Skyward shift: Modernising air service licensing in South Africa](#)

In a move geared towards enhancing the efficiency of air service licensing in South Africa, local operators' air service licence applications and foreign operators' permit applications will now be submitted electronically to the South African Civil Aviation Authority (SACAA) for processing.

### [Paycheck Politics: Decoding the Companies Amendment Bill and its impact on executive remuneration](#)

In recent years, there has been a significant global focus on the remuneration of senior executives within companies. This heightened attention is especially pertinent in South Africa, a nation that has consistently ranked among the countries with the highest levels of income inequality in the world.

### [Positive disruption: How do we shape a transformative future for African mining?](#)

As we approach the 2024 Investing in African Mining Indaba (Indaba), the theme of positive disruption takes centre stage. This year's conference marks a significant milestone, celebrating its 30th anniversary by charting a fresh course and purpose. To capture the spirit of this transformation, the 2024 theme is 'Embracing the power of positive disruption: A bold new future for African mining'.

### [Recent amendments to South Africa's non-profit organisation legislation in response to the FATF greylisting](#)

In 2021, the Financial Action Task Force (FATF) released its Mutual Evaluation Report of South Africa, which summarised the effectiveness of South Africa's anti-money laundering and counter-terrorism financing measures.

### [Does an indirect change of control by means of a rights issue or otherwise require section 11 consent in terms of the MPRDA?](#)

The Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) provides for the Minister of the Department of Mineral Resources and Energy (DMRE) (Minister) to consent to the transfer of prospecting and mining rights, including the transfer of a "controlling interest" in companies or close corporations that hold such rights.

## Videos

### [Companies Act Developments Seminar](#)

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

[All news by Vivien Chaplin →](#)

## Recognition

- **Market recognition**
  - Chambers Global 2024 ranked Vivien in Band 5 for corporate/M&A.
  - The Legal 500 EMEA 2021–2024 recommended her for commercial, corporate/M&A.
  - The Legal 500 EMEA 2021–2024 also recommended her for mining.
  - IFLR1000 2021–2023 ranked Vivien as highly regarded in M&A.
  - Winner of Lexology ILO Client Service Award for Corporate Law: South Africa (2019)
  - Finalist: Businesswoman of the Year (Legal): 2010

