

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](#)

[Mining & Minerals](#)

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

[South Africa's Civil Aviation Policy: The next chapter](#)

South Africa's Department of Transport has published its Draft Comprehensive Civil Aviation Policy (a strategic roadmap designed to address critical gaps in South Africa's existing Civil Aviation Policy and propel the sector forward) for public comment on 23 May 2025. The closing date for written comments has been extended to 11 July 2025.

[Draft Mineral Resources Development Bill indicates clear policy direction on interpretation of "controlling interest"](#)

One of the major issues of contention for mineral right holders when transacting in the mining sector by way of a share purchase agreement, joint venture or co-development arrangement amongst others, is whether ministerial consent is required in terms of section 11 of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) to transfer the mineral rights in the event of an direct or indirect change of control.

[Developments in the Mining Industry in South Africa: The Draft Mineral Resources Development Bill, 2025 published for comment](#)

Yesterday, the Minister of Mineral and Petroleum Resources (Minister), Gwede Mantashe, published the draft Mineral Resources Development Bill, 2025 (Draft Bill) and invited interested and affected parties to comment on it.

[A quick guide to B-BBEE ownership transactions in South Africa](#)

The element of ownership is regarded as one of the most important elements of the broad-based black economic empowerment (B-BBEE) scorecard, as set out in the Codes of Good Practice issued in terms of the Broad-Based Black Economic Empowerment Act, No. 53 of 2003 (Codes). The ownership element is a key driver of a company's B-BBEE level and, in some cases, a mandatory requirement for certain sectors of the economy, which are governed by bespoke sector charters (such as in the mining industry) that prescribe minimum ownership thresholds. It is also often a critical consideration in contracting, particularly in public procurement processes.

[Seized and suspended: Is your mining investment safe from political crises?](#)

Earlier this year, Barrick Gold, a leading Canadian mining company, temporarily suspended operations at its Loulo-Gounkoto mine in Mali following the seizure of gold stocks by the Malian junta amid an ongoing revenue dispute and an interim attachment order. The seizure marked a significant escalation in the tensions between Barrick Gold and the Malian Government, which had been worsening over the past months due to a protracted financial disagreement.

Videos

[JMC Webinar Recording - Raising finance for mining activities](#)

A panel of CDH experts hosted a webinar where they discussed financing options for companies in the mining industry.

[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



- Chambers Global 2024 - 2025 ranked Vivien in Band 5 for corporate/M&A.
- Chambers Global 2025 ranked Vivien in Band 4 for energy & natural resources: mining.
- The Legal 500 EMEA 2021–2025 recommended her for commercial, corporate/M&A.
- The Legal 500 EMEA 2021–2025 also recommended her for mining.
- IFLR1000 2021–2024 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