



Nuhaa Amardien


Associate


Nuhaa Amardien is an Associate in our Corporate & Commercial practice. Nuhaa assists in the establishment and legal structuring of investment funds and financial products, including private equity funds, hedge funds and collective investment schemes, drafting and reviewing commercial agreements and investment management and fund related agreements, as well as providing structural and regulatory advice pertaining to the corporate, commercial, and financial services sectors.


Practice areas

Corporate & Commercial

Contact Details

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Career

Nuhaa commenced serving articles of clerkship at Norton Rose Fulbright South Africa Inc. in 2015, and joined Cliffe Dekker Hofmeyr Inc in 2016 as a Candidate Attorney. She was appointed as an Associate in 2017.

Experience

Nuhaa has assisted in the following matters:

Secondment

- Secondment to Coronation Fund Manager's internal legal team for 9 months (2018)

Investment Funds

- 27four Investment Managers in respect of the establishment of the Black Business Growth Fund, a private equity fund of funds.

- Mbuyu Capital Partners, a UK based fund adviser, in respect of various investment fund related transactions entered into by its clients, being UK pension funds, including investments in:
 - Tillage Africa Limited, an investment holding company established in Mauritius;
 - ECP Africa Fund IV LLC (Mauritius) private equity fund;
 - Phatisa Food Fund 2 LLC, a private equity fund established as a limited liability company in Mauritius;
 - Verod Capital Growth Fund, a private equity fund established as a limited partnership in Mauritius;
 - Africa Logistics Properties Holdings, a company incorporated in Mauritius.
- Mbuyu Capital Partners in respect of the establishment of a Mauritian private equity fund.
- Visio Fund Management in respect of portfolio management agreements to be entered into with their institutional clients.
- Novare Equity Partners Limited in setting up its second property private equity fund, Novare Africa Property Fund II.
- Matrix Fund Managers, in respect of the migration of two funds from debenture trust structures to collective investment scheme trust structures.
- Dimensional Funds Public Limited Company, a UCITS collective investment scheme registered in Ireland, in relation to an application for registration as a foreign collective investment scheme with the South African Financial Services Board, as well as reviewing and negotiating the representative agreement to be entered into with a local representative.
- Sands Capital Funds Public Liability Company in relation to an application for registration as a foreign collective investment scheme with the South African Financial Services Board.
- CoreShares Index Tracker Managers with the establishment of two exchange traded funds in Mauritius to be listed on the Mauritius stock exchange (SEM) and a subsequent secondary listing on the South African JSE, as well as with the registration of the Mauritian exchange traded funds as foreign collective investment schemes with the Financial Services Board.
- CoreShares Index Tracker Managers with the drafting and negotiation of market maker and authorised participant agreements.

Financial Services and Regulatory Advice

- Investec Bank Limited in respect of the categorisation of equity structured products and listed note products for the purposes of Board Notice 90 (issued under the Collective Investment Schemes Control Act) and Regulation 28 of the Pension Funds Act.
- Investec Bank Limited in respect of marketing and advertising compliance requirements of a foreign collective investment scheme registered in South Africa.
- Coronation Fund Managers in respect of their reinsurance policy, fund policy and sinking fund policy product offerings.
- Coronation Fund Managers in respect of applicability of Directive 8 (prohibition on the acceptance of gratification) issued in terms of the Pension Funds Act.

- 27four Investment Managers in respect of applicability of Directive 8 (prohibition on the acceptance of gratification) issued in terms of the Pension Funds Act.
- 27four Investment Managers in respect of the applicability of the National Credit Act to loans.
- 27four Investment Managers in respect of whether investment by a life company (insurer) in a private equity fund would result in an encumbrance of such insurers assets for the purposes of Financial Standards of Insurers Prudential Standards issued under the Insurance Act.
- CFM Deferred Remuneration Trust in respect of information disclosure obligations of the trustees in terms of, inter alia, the Trust Property Control Act and the Promotion of Access to Information Act.
- Bank of America Merrill Lynch in relation to the marketing and selling of financial products in South Africa.
- Zeidler Legal Services in respect of reverse solicitation, marketing and advertising UCITS in South Africa and in respect of whether Mauritian "professional collective investment schemes" falls within the ambit of the Collective Investment Schemes Control Act;
- Ernst & Young Business Advisory Services and its client, Credit Suisse, in respect of the registration of foreign collective investment schemes in South Africa and in respect of ongoing regulatory obligations of registered foreign collective investment schemes.

Publications

- *SCA rejects valuation methodology of shares* - In a judgment delivered on 30 September 2015 the Supreme Court of Appeal rejected the taxpayer's valuation methodology of its minority holding in Emanzi Leisure Resorts (Pty) Ltd (ELR) in CSARS v Stepney Investments (Pty) Ltd [2015] ZASCA 138 (not yet reported in SA Tax Cases). November 3, 2015.

Education

- LLB, University of Cape Town: 2014
- Year of admission as an attorney: 2017
- Enrolled with the Legal Practice Council

Languages

English