

Vivien Chaplin

Partner

Johannesburg

Biography

Vivien Chaplin focuses on corporate and commercial law with specific emphasis on mergers and acquisitions, employee share schemes, and black economic empowerment (BEE) transactions. She has advised on several BEE and unbundling transactions in the mining sector. In addition, private and state-owned companies consult her on compliance with the Companies Act and corporate governance issues.

Vivien also assists multinational companies in setting up and operating businesses in South Africa.

Recently she has also worked with a number of NGOs and entities in the education, health and finance sectors, assisting them with operational and other issues. These include the Graca Machel Trust, the Mandela Institute for Development Studies and the Nelson Mandela Children's Hospital NPC.

Representative experience

Advised National Treasury itself (or the underwriters) in respect of all the South African National Treasury's bond issuances on the international capital markets.

Advised Transnet on the unbundling of SAA and SA Express from Transnet.

Advised on the disposal of the SAA interest in Air Tanzania and various aircraft finance transactions.



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Languages

English
German

Practices

Corporate
Mergers and Acquisitions
Corporate Governance
Aviation Law
Transportation

Assisted Eskom in the recent conversion of its ZAR60bn loan into equity and ancillary equity transactions with the DPE.

Lead attorney for BHP Billiton Energy Coal South Africa in its empowerment transaction with Phembani.

Co-lead attorney in the South African aspects of the unbundling of South32 from BHP Billiton Limited in 2015.

Assisted BHP Billiton (now South32) on numerous corporate contractual transactions advice since 2010 (particularly in the coal sector).

Assisted in the structuring and implementation of the Arcelor Mittal BEE employee share scheme, and advised on its rights issue.

Awards and rankings

- Recognised, *The Best Lawyers of South Africa for M&A*, 2011-2013
- Finalist, *Businesswoman of the Year (Legal)*, 2010
- Recognised, *The Best Lawyers of South Africa for Corporate Law*, 2018-2019
- Commercial, Corporate and M&A, *Legal 500 EMEA*, 2018-2019

Latest thinking and events

- Published Works
 - Merger & Acquisition in Africa and South Africa *Cover*
- Published Works
 - Amendments to the Companies Act and M&A *Without Prejudice*
- Hogan Lovells Publications
 - Publication of the draft broad-based socio-economic empowerment charter for the mining and minerals industry, 2018

Industries

Diversified Industrials

Energy and Natural Resources

Areas of focus

Mining and Resources: Mining

Corporate and Commercial Transactions

Governance

Education and admissions

Education

University of the Witwatersrand, Certificate in Banking and Financial Markets Law, 2001

LL.B., University of Cape Town, 1996

B.A. Law, University of Cape Town, 1994

Court admissions

South Africa

- Published Works
 - Considering the ownership element of the Draft Broad-Based Socio-Economic Empowerment Charter for the Mining and Minerals Industry 2018 *Polity*
- Hogan Lovells Publications
 - Publication of the Draft Broad-Based Socio-Economic Empowerment Charter for the Mining and Minerals Industry 2018 *Mining Alert 1*
- Published Works
 - BBBEE for doing business in South Africa *Business Brief*