



Janine Simpson

Director

janine.simpson@dlapiper.com

Johannesburg

T: +27 (0)11 302 0828

M: +27 (0) 64 880 8991

Janine has more than 15 years' of specialised competition law experience. She advises local and international clients on all aspects of competition law, including merger control, cartel and other prohibited practice investigations and dawn raids, exemption applications and competition law compliance and training. In addition to competition work, Janine also advises on international trade, consumer and data protection and financial regulatory matters from time-to-time.

- Regulatory and Government Affairs

English Afrikaans

Prior to joining DLA Piper South Africa, Janine worked in the competition practices of Webber Wentzel, DLA Cliffe Dekker Hofmeyr and Edward Nathan Friedland, lectured constitutional law and clerked for the Honourable Justice Richard Goldstone at the South African Constitutional Court.

Janine has been involved in seminal transactions and jurisprudentially key competition matters during her career. She has extensive experience in matters involving the South African competition authorities, as well as national and regional competition authorities in the rest of Africa, and has advised on a number of cross-border and multi-jurisdictional transactions. She has submitted merger filings in the following jurisdictions outside South Africa: COMESA, Botswana, Namibia, Swaziland, Mauritius, Tanzania, Zambia, Zimbabwe and Kenya and has also advised on the merger control requirements in almost all other African jurisdictions with merger control legislation, including Cameroon, Egypt, Malawi, Seychelles, EAC, CEMAC, ECOWAS and WAEMU.

Janine has advised clients including: Unilever, Standard Bank, RMB, Nedbank, the FirstRand Group, Outsurance, Philips, Mondi, LafargeHolcim, Sumitomo Corporation, Goldman Sachs, Remgro, Distell, Hulamin, Afrimat, Italtile, Powertech, Consol, Spring Lights Gas, Johnsons Controls Inc., Bunker Holding AG, Scaw, Assupol, Sanlam and the First Rand group, as well as various international law firms, including Cleary Gottlieb Steen & Hamilton LLP, Milbank Tweed, Hadley & McCloy LLP, Debevoise & Plimpton LLP, De Brauw Blackstone Westbroek N.V and Schoenherr.

Her experience extends across a wide range of sectors including advertising, agri-processing, airline, chemical, construction, financial, information and communication technology, insurance and mining.

Janine Simpson is a director of the Competition Law practice at DLA Piper South Africa.

LANGUAGES SPOKEN

- English

- Afrikaans

EXPERIENCE

- Advising FNB Namibia (together with ESI Namibia) on the acquisition of the Pointbreak group, a Namibian financial services group that provides investment management and wealth management services managing in excess of N\$8 billion of third party capital
- Advising FirstRand Limited in the disposal of its Discovery branded credit card business to Discovery Holdings Limited
- Advised MMI Holdings and African Bank in concluding an agreement where they will offer expanded financial services solutions to their respective customers to facilitate financial wellness. The agreement is subject to regulatory approval. The office will also assist the parties in documenting their mutually beneficial relationship that will be based on 3 arrangements:
 - African Bank will provide the capabilities to enable a credit (lending) solution to MMI clients, for distribution via MMI's established sales channels. African Bank will be the exclusive provider of consumer credit products to MMI, for solutions falling within its product range
 - over time, MMI's full range of insurance products (appropriate to the relevant target market) will, on an exclusive basis, be made available to African Bank's customer base through its branch infrastructure and online distribution channels at its disposal
 - African Bank will act as a sponsoring bank to facilitate deposit-taking and extend transactional banking facilities that MMI wishes to offer to its clients
- Advising AFGRI Holdings (Pty) Ltd in its successful bid to acquire the entire stake (99.81 percent) of the National Bank of Greece S.A. in its subsidiary, the South African Bank of Athens
- Advising Remgro on its acquisition of a controlling stake in Kagiso Tiso Holdings
- Distell in its acquisition of Cruz Vodka
- Metmar Limited in its acquisition by Traxys Africa Proprietary Limited
- Both parties in Holcim's acquisition of Lafarge to create LafargeHolcim. The transaction was notified in a number of jurisdictions including: Brazil, Canada, China, Ecuador, European Union, India, Indonesia, Mexico, Morocco, Russia, Serbia, Singapore, South Africa, Tanzania, Turkey, Ukraine, the United States and with the COMESA Competition Commission. Janine was responsible for advising on and co-ordinating all Africa merger control work. She provided an assessment of the competition requirements arising from the deal in twenty affected African jurisdictions and was responsible for co-ordinating the drafting of all notifications to, or engagements with, the African competition authorities. This involved managing the anti-trust counsel in seven countries. In many jurisdictions there were significant overlaps in the activities of the merger parties which required the negotiation of conditions with the competition authorities as well as instituting appeal proceedings in respect the decisions of the South African and Tanzanian authorities*
- Both parties in the acquisition of Flint Group GmbH by Goldman Sachs Inc. and Koch Industries Inc., (jurisdiction: South Africa)*
- Marc Group's attempted disposal of EXP - required competition approvals or advice in respect of a number of jurisdictions including South Africa, Tanzania, COMESA, Angola, Cameroon, DRC, EAC, ECOWAS, Ghana, Guinea, Ivory Coast, Kenya, Malawi, Mozambique, Nigeria, Rwanda, Senegal, Uganda and Zambia*

*The above transactions were completed whilst Janine was in her previous employ.

CREDENTIALS

Professional Qualifications

- Attorney of the High Court of South Africa, 2005

Recognitions

- Recognised as an *Acritas Star* 2020
- *Legal 500* Europe, Middle East & Africa (2015) as a legal expert in Competition
- *Best Lawyers*® 2014 – 2021 (Competition/Antitrust Law)

- GCR 100 - Elite

Education

- Emory University, LLM (cum laude; top LLM student), 2002
- University of Pretoria, BCom (Law) LLB (cum laude), 1996

INSIGHTS

Publications

- "COMESA" in Davies, J. (ed). *2015 Global Competition Review – Merger Control 2015*. London: *Getting The Deal Through*. 116-118 (co-authored with Hlatshwayo, N.)
- "Competition Law" *Investing in South Africa 2015*, Webber Wentzel publication, Chapter 13 (co-authored with Versfeld, M.)
- "COMESA" in Davies, J. (ed). *2014 Global Competition Review – Merger Control 2014*. London: *Getting The Deal Through*. 94 - 96 (co-authored with Hlatshwayo, N.)
- "Recent Trends in Merger Conditions imposed by South African Competition Authorities", *DealMakers Africa*, volume 14 No 2, 2013, 42-44, Gleason Publications
- "COMESA – Yet more competition controls introduce the promise of conflicts of regional interest", *DealMakers Africa*, volume 14 No 1, 2013, 8-10, Gleason Publications
- "Dominance" in *Global Competition Review – Getting the Deal Through 2013*. 242 - 247 (co-authored with Versfeld, M.)
- "South Africa" in *Global Legal Group - The International Comparative Legal Guide to Merger Control 2011* (co-authored with Rudman, D.)
- "Legal Challenge to Corporate Leniency Policy" - *International Law Office* - March 2011

NEWS

DLA Piper advises John Menzies on its recommended cash offer

30 March 2022

DLA Piper has advised aviation services business John Menzies plc (Menzies) in respect of the recommended cash offer by Gil International Holdings V Limited a wholly owned subsidiary of Agility Public Warehousing Company K.S.C.P. (Agility), a provider of supply chain services, innovation and investment for Menzies.

DLA Piper advises Syngenta on the acquisition of South African Sensako Group

17 August 2020

DLA Piper has advised Swiss-based Syngenta Group on its acquisition of Sensako Group, a South African seeds company engaged in the breeding and the commercialization of agronomic crops.
