



Janine Simpson

Director

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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.

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.

- International Trade, Regulatory and Government Affairs

English Afrikaans

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* - Antitrust category

- GCR 100 - Elite

Education

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

INSIGHTS

Publications

South African competition authorities shift focus following coronavirus COVID-19 outbreak

2 April 2020

The novel coronavirus COVID-19 pandemic has caused a public health crisis and has significantly impacted global financial markets. The virus has also had an unprecedented impact on South Africa, with the local currency (ZAR), stock market (JSE) and businesses of all sizes suffering as the national lockdown, travel restrictions and factory closures disrupt output, supply chains, customer demand and investor confidence.

- "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

Events

Previous

Information sharing: Knowing the obligations and avoiding pitfalls

20 May 2021
Johannesburg

NEWS

DLA Piper builds its ranking in “Best Lawyers” 2022 South Africa edition

11 November 2021

DLA Piper has built on its standing in the 2022 edition of the "Best Lawyers" South Africa listing by adding another three directors.

DLA Piper advised FirstRand Bank on acquisition of Slow Lounge business from Comair

21 September 2021

DLA Piper has advised FirstRand Bank Limited, the largest financial services group in Africa, on its acquisition of the Slow Lounge business from Comair Limited for R250 million.

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.

DLA Piper advises Barloworld on its ZAR5.35 billion acquisition of the Tongaat Hulett Starch division of Tongaat Hulett

25 March 2020

DLA Piper has advised Barloworld Limited on its ZAR5.35 billion acquisition of the Tongaat Hulett Starch business from Tongaat Hulett. The acquisition (which is subject to the fulfilment of certain suspensive conditions) is the result of an auction process conducted by the seller and follows a comprehensive due diligence process.

DLA Piper lawyers named Acritas Stars

10 March 2020

Acritas has named over 200 DLA Piper lawyers as 2020 Acritas Stars. Now in its fourth year, Acritas Stars highlights the stand-out lawyers in private practice as nominated by clients around the world. More than 3,000 senior in-house counsel feed into the nomination process to give a comprehensive view of highly recommended lawyers across the globe.

DLA Piper represents Vexall in abuse of dominance proceeding

21 February 2020

DLA Piper has successfully represented Vexall in a recent abuse of dominance proceeding in the South African Competition Tribunal against Business Connection.

DLA Piper launches commercial litigation offering in South Africa with key hire

30 January 2020

DLA Piper today announced the appointment of Kirsty Simpson as disputes director in the Litigation & Regulatory practice in South Africa.
