



Ahmore Burger-Smidt

HEAD OF REGULATORY

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Location: Johannesburg

Recognised as the data privacy lawyer of choice for multinational corporations, regulatory bodies, and industry leaders, Ahmore Burger-Smidt brings over 30 years of legal expertise with a deep focus on data privacy, regulatory compliance, and competition law. As Director since 2011, Ahmore combines authoritative legal knowledge with practical advisory skills, helping clients navigate complex data protection landscapes locally and internationally.

PRACTICE AREAS

- Competition
- Regulatory (Including Data Privacy and Cybercrime)
- Digital Media & Electronic Communications
- Technology & Innovation

EXPERTISE

Ahmore's key expertise spans commercial law, spanning across Competition, Regulatory (including Data Privacy and Cybercrime), Digital Media & Electronic Communications and Technology & Innovation practice areas at Werksmans.

RELEVANT EXPERIENCE

Experience: Competition Law

- Acted as Beijer Ref SA's competition law advisor relating to its acquisition of the TecsaReco business operated by Tecsa (Pty) Ltd.
- Acted as Southern Palace Group of Companies (Pty) Ltd's ("SPG") lead competition law advisor in all aspects relating to the acquisition by SPG of Murray & Roberts Limited's Infrastructure and Buildings Platform business in South Africa, Botswana and Namibia.
- Acted as the lead competition law advisor to Lenmed Health (Pty) Ltd, Cold Creek Investments 22 (Pty) Ltd and Matlosana Medical Health Services (Pty) Ltd ("MMHS") in all aspects relating to the acquisition by Lenmed of 100% of the issued share the ordinary issued shares in Cold Creek and MMHS (through Cold Creek).
- Provided regulatory advice with specific regard to the Competition Act in 25 countries to MTN Group Ltd.
- Acted as the lead competition law advisor to Hosken Consolidated Investments Ltd in obtaining merger approval in a hostile takeover of Zamani Market and Management Consultants Proprietary Limited and Ithuba Holdings (RF) (Pty) Ltd.
- Provided regulatory advice to MTN Group Ltd in relation to a managed services agreement with Liquid MNS with specific regard to the Competition Act, 1998 and the Electronic Communications and Transactions Act, 2002 as well as commercial drafting.
- Acted as the lead competition law advisor to Bidvest Bank Ltd and Eqstra Investment Holdings (Pty) Ltd in the proposed ultimate acquisition by Bidvest Bank of 100% of the issued share capital of Eqstra Investment Holdings (Pty) Ltd.
- Acted as the lead competition law advisor Botshilu Holdings (Pty) Ltd in obtaining merger approval for the acquisition of Botshilu Private Hospital (Pty) Ltd and Botshilo Properties (Pty) Ltd by Botshilu Holdings.
- Acted as the lead competition law advisor to Beijer Ref SA in relation to its acquisition of the TecsaReco business operated by Tecsa (Pty) Ltd.
- Acted as the lead competition law advisor to Berkshire Partners LLC on its proposed indirect acquisition of Teraco Data Environments (Pty) Ltd.
- Acted as the lead competition law advisor to Karan Beef (Pty) Ltd and Karan Beef Feedlot in respect of its acquisition of the business and properties of SK Caine Farming, Caine Farming (Pty) Ltd and Triple A Meat (Pty) Ltd.
- Acted as the lead competition law advisor to Fairvest Property Holdings Ltd in all aspects relating to a transaction in terms of which the property assets of Fairvest and Arrowhead Properties Ltd would be combined. This deal was nominated for Dealmakers Deal of the Year 2021.

Relevant Experience: Data Privacy and Cybersecurity

- Provided advice to a South African Regulatory Body in respect of the 8 Conditions for Lawful Processing as well as the other essential aspects of POPIA.
- Assisted one of the largest telecommunications providers to formulate responses to the Information Regulator and affected data subjects, as well as address the matter to the general public through the media in respect of a data breach.
- Provided POPIA compliance advice to one of the largest medical schemes in South Africa. In particular, after conducting a comprehensive evaluation of the Scheme's POPIA compliance status, Werksmans developed a POPIA compliance plan for the Scheme and drafted policies and procedures for implementation.
- Provided advice to one of the largest global tech companies in respect of privacy legislation for various African jurisdictions.
- Advised Vumacam (Pty) Ltd on its legal position in respect of data subject's privacy rights relating to surveillance legislation and public interest aspects in terms of POPIA.
- Advised the Bureau Veritas Group of Companies on its duties and responsibilities in terms of POPIA, conducted POPIA e-Learning, a comprehensive evaluation of its POPIA compliance status, and reviewed existing global privacy policies and procedural, drafted necessary policies and procedural documents to ensure compliance with POPIA.
- Advised Sechaba Trust Pty Ltd on data protection and privacy aspects, reviewed and amended various IT, digital marketing and wireless applications service provider agreements.
- Advised the Mauritius Commercial Bank Limited (South African Representative Office) as to compliance with POPIA.
- Formulate and developed a privacy framework for a provincial department of education.
- Provided POPIA workshop training to a Chapter 9 Institution.

General Regulatory Experience

- Data Protection and Cyber
- Electronic Communications & Transactions Act
- The Regulation of Interception of Communications and Provision of Communication – Related Information Act
- Financial Intelligence Centre Act
- Consumer Protection Act
- National Credit Act
- Promotion to Access to Information Act

CAREER

- Reading towards LLD (Data Privacy)
- CIPP/E (Certified International Privacy professional), 2018
- MBL, University of South Africa, 2003 (Received Old Mutual Medal Best Dissertation)
- Admitted as an Advocate, 1992
- LLB, North-West University, 1991
- BCom, North-West University, 1988

HIGHLIGHTS

- Euromoney Women in Business Law Expert Guide 2022 | Leading Female Practitioner in Competition | Leading Female Practitioner in Data Protection and Cybercrime
- Ahmore Burger Smidt | GDR – Women in Data 2022, 2023
- Head Enforcement and Exemptions Division of the South African Competition Commission and Deputy Commissioner;
- Convenor, speaker and participant at local and international conferences and seminars on competition law and data privacy;
- Ranked leading lawyer (Band 4) by Chambers Global | 2017, 2019 – 2022, 2024 – 2026 | Competition/Antitrust
- Ranked as a recommended lawyer by Legal 500 | 2012, 2016, 2017 – 2022, 2024 | Competition
- Advises various SouthAfrican and international clients on various aspects of data privacy including amongst others –
 - Data Privacy and whistleblowing
 - Cross border personal information transfers
 - Compliance with POPIA
 - Compliance with the GDPR
- Ahmore was responsible for competition merger notifications in transaction nominated for the DealMakers' Private Equity Deal of the Year award, including the winning transaction Ethos Private Equity's disposal of Plumblink (Pty) Ltd to Bidvest Ltd and the nominated transaction between Fairvest Property Holdings Limited and Arrowhead Properties Limited.
- Ahmore has been appointed by the South African Information Regulator as advisor.

AUTHORSHIPS

- Author: OneTrust DataGuidance | Madagascar, 2022-date
- Co-author: Data Protection Law and Practice, LexisNexis, 2022 2nd edition
- Co-author: Email Marketing Consent and Disclosures (South Africa), Thomson Reuters, 2021-date
- Co-author: Email Marketing Compliance: South Africa, Thomson Reuters, 2021-date
- Co-author: A Commentary on the Protection of Personal Information Act, LexisNexis, 2018 1st Edition
- Published several articles on application of competition law in local and foreign journals
- Published several articles on data privacy