



Jennifer Smit

HEAD OF CONSTRUCTION & ENGINEERING

Phone: +27 11 535 8447 Email: jasmit@werksmans.com Location: Johannesburg

Jennifer Smit is a Director and has significant experience in construction and engineering; administrative law; insolvency law; general contractual claims and recoveries of a general commercial nature, and lease and property disputes. Her administration and review-related work is founded in various sectors from mining and oil & gas to hospital IT, infrastructure and horse racing. Jennifer had many years' grounding in insolvency and recoveries law and considerable experience in execution, including recognition of arbitration awards and foreign enforcement in China and Africa. She has extensive High Court and private arbitration experience and has been involved in several major local and international arbitrations, including ICC, AFSA and private arbitrations.

PRACTICE AREAS

- Construction & Engineering
- Disputes
- Insolvency & Business Rescue

EXPERTISE

- Liquidations / Sequestrations / Business rescue
- Enquiries in insolvent estates
- Litigation in insolvent estates
- Building and construction law disputes and advice
- Property disputes and interdicts
- Commercial recoveries
- Sale and lease disputes
- Law of delict and contract
- High Court actions and applications
- Arbitrations and alternative dispute resolution, including mediation
- Shareholder disputes
- Review proceedings and administrative law
- Substantial trial and application experience
- e-discovery processes

RELEVANT EXPERIENCE

- Liquidations, money judgments and contractual claims;
- Recovery prospects, strategic guidance and advice from inception of disputes;
- High court and private arbitral proceedings
- Proceedings involving experts;
- Risk avoidance / assessment; strategic advice and contractual dispute resolution in all sectors including construction & engineering, mining, retail, IT and banking;
- Strategic guidance through complex business rescue-related share-holder disputes;
- Institution of proceedings in foreign jurisdictions; and
- Recognition of foreign enforcement of awards, recovery and execution.

Advised / Represented / Acted on behalf of:

- Successfully acted for an international mining house in ICC proceedings against two foreign national entities in the People's Republic of China for substantial claims relating to defective engineering equipment; proceedings have subsequently been successfully instituted for the recognition and enforcement of those claims in the PRC
- Successfully defended over R300million claims in FIDIC construction dispute from Contractor;
- Successfully claimed on significant construction guarantee claims in contentious matters
- Acted for major international traders in relation to substantial arbitration proceedings concerning oil trade and storage
- Successfully assisted a large IT infrastructure company into and out of business rescue with resultant success and preservation of business and jobs
- Acted for major international traders in relation to substantial arbitration proceedings relating to oil trade and storage

CAREER

- **Certificate in Construction & Engineering Law** (cum laude), University of Witwatersrand, 2024
- **AIPSA Dip Insolvency Law** (cum laude), University of Johannesburg, 2020
- **CEDR Accredited Mediator**, March 2020
- **Certificate of Mediator Accreditation**, Conflict Dynamics, 2019
- **Certificate of Attendance of Arbitration in Construction Industry Course**, University of Pretoria, 2017
- **Certificate of Attendance of FIDIC Training Course for Legal Practitioners**, 2013
- **AIPSA Dip Insolvency Law** (cum laude), University of Johannesburg
- **Admitted as an Attorney**, 2005
- **LLB**, Rhodes University, 2002
- **BA (Philosophy and Law)**, Rhodes University, 2000

HIGHLIGHTS

- Ranked as a leading lawyer by Chambers Global: Construction Band 4 (2026);
- Appointed as a Commissioner of the Small Claims Court (2025);
- Ranked as a recommended lawyer by Legal 500: Construction and Dispute Resolution (2024);
- Ranked as a leading lawyer by Chambers Global: Construction Band 2 (2024);
- Listed as a leading practitioner in Who's Who Legal: Commercial Litigation (2022 – 2023);
- Attorney with Right of Appearance in terms of section 4(2) of the Right of Appearance Act 62 of 1995 since 2015;
- SARIPA member since 2011