



Pieter Steyn

DIRECTOR

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Pieter Steyn is a Director at Werksmans who provides expert advice in the Competition, Corporate Mergers & Acquisitions and Financial Services Regulation practice areas. He specialises in various areas of commercial and corporate law as it relates to companies, cross-border transactions, mergers and acquisitions, management buy-outs, restructuring of corporate entities, black economic empowerment transactions, and due diligence investigations. Pieter is also deeply experienced in matters of supply and procurement, distribution and manufacturing agreements, African trade and projects, competition law, trust and antitrust law, and gaming law (including lotteries).

PRACTICE AREAS

- Competition
- Corporate Mergers & Acquisitions
- Regulatory

EXPERTISE

Commercial and corporate law

- Companies And Close Corporations
- Cross-Border Transactions
- Mergers/Acquisitions
- Management Buy-Outs
- Restructuring Of Corporate Entities
- Share Incentive Schemes
- Private Equity Transactions
- Black Economic Empowerment (Bee) Transactions,
- Complaints, Investigations And Advice
- Due Diligence Investigations
- Procurement, Supply, Distribution And Manufacturing Agreements

African Transactions And Projects

- Cross-border joint ventures and other transactions
- Establishing Businesses In African Countries

Competition/Antitrust Law

- Merger Control
- Cartel Investigations And Other Prohibited Practices
- Abuses Of Dominance Investigations

Technology And Intellectual Property

- Outsourcing And Software Licences
- Intellectual Property Licences

Trust Law

Gaming Law, Including Lotteries

RELEVANT EXPERIENCE

General relevant experience

- Pieter has acted for several BEE clients (including Black Management Forum Investments, Sekunjalo, Nozala, Peu and Nafcoc Investment Holding Company) and been involved in several BEE transactions, including with regard to Pretoria Portland Cement (PPC), Adcorp, Aristocrat, ThyssenKrupp and Group Five.
- He has advised several local and foreign corporate clients on acquisitions, projects and other business interests in various African countries, including Cadbury in Botswana, SABMiller in Ghana, Nigeria, Sudan and Rwanda, Schwenk in Namibia, Cargill in Zimbabwe, AstraZeneca in Nigeria, Angola and Kenya and Bollore in Zambia.
- Pieter acted for Uthingo, the first operator of the South African National Lottery from 1998 to 2008 (when its lottery licence was not renewed). He was involved in forming Uthingo, advising on its shareholder arrangements and its bid for the National Lottery licence, negotiating the licence with the Government and advising Uthingo on various commercial and regulatory issues. He has also advised several gambling companies (including Tattersall's, Aristocrat, Cashcade and Bally Gaming) with regard to various gambling law and commercial legal matters.
- In 2010 and 2013, he was part of a joint American Bar Association/International Bar Association team which provided programmes on competition law for the Competition Commission of India.
- In July 2011, he prepared and presented submissions by the Law Society of the Northern Provinces to the South African Parliament's Committee on Economic Development in relation to the merger between Walmart and Massmart.
- Pieter acted for Funai Electric in lodging the first-ever merger filing with the Competition Commission for the Common Market for Eastern and Southern Africa (COMESA) in 2013. He chaired the IBA working group that made submissions to the COMESA Competition Commission on its regulations and draft guidelines. He has advised several clients on the COMESA merger control regime, including filing the AerCap Ireland/IFLC merger.
- He has also advised clients on the competition laws of other African countries, including Zimbabwe, Namibia, Swaziland, Botswana and Zambia.
- Pieter has acted in South African merger control cases for, among others, Ford, Tata, BASF, ArcelorMittal, Schaeffler, Eastman Kodak, Goldman Sachs, Yazaki Corporation, Aon, Tupperware, Cadbury, Voestalpine AG, Cargill, Tiscali, Bollore and several South African corporate clients including Murray & Roberts, Mvelaphanda and PG Group.
- Pieter has also advised numerous corporate and multinational clients in relation to cartels, other prohibited practices, compliance programmes, due diligence and leniency applications under South African competition law in the maize milling, wheat milling, lumber, vehicle, gas, steel, aviation fuel, airline, pharmaceutical, pet food, caravan and vehicle tracking industries, including Wyeth Corporation (now merged with Pfizer), Virgin Atlantic, Royal Canin and ArcelorMittal.

Competition Law Experience

- Pieter wrote the chapter on South African merger control for a book on competition law in the BRICS countries published by Kluwer International in 2012. He also co-wrote the South African chapter of the American Bar Association's treatise on competition laws outside the United States. He has contributed the South African chapters to the Global Competition Review publications on vertical agreements and intellectual property and antitrust in 2007, 2008 And 2009.
- In 2010 and 2013, he was part of a joint American Bar Association/International Bar Association team which provided a two day program on competition law for the Competition Commission of India.
- In July 2011, he prepared and presented the submissions made by the Law Society of the Northern Provinces to the South African Parliament's Committee on Economic Development with regard to the merger between Walmart and Massmart.
- Pieter acted for Funai Electric in lodging the first ever merger filing with the Competition Commission for the Common Market for Eastern and Southern Africa (COMESA) in 2013. He has since then advised clients on other COMESA merger filings as well as on other African competition law developments including the new Nigerian competition law which came into force in February 2019
- Pieter has acted in South African merger control cases for inter alia Toshiba, Mitsui/Gonvarri, Zhejiang Geely/Volvo, AerCap Ireland, Cadbury/Kraft, Airports Company, Johnson Controls, Ford Corporation, Tata, BASF, ArcelorMittal, Schaeffler, Eastman Kodak, Goldman Sachs, Yazaki Corporation, Aon Corporation, Tupperware Corporation, Cadbury, Voestalpine, Cargill, Tiscali, Bollore, Hitachi, 21st Century Fox and several South African corporate clients including Murray & Roberts, Mvelaphanda and PG Group.
- Pieter has also advised numerous corporate and multinational clients with regard to cartels, other prohibited practices, compliance programs, due diligence and leniency applications under South African competition law in the maize milling, wheat milling, lumber, vehicle, autoparts, gas, steel, aviation fuel, airline, pharmaceutical, pet food, caravan and vehicle tracking industries including Wyeth Corporation (now merged with Pfizer), Virgin Atlantic, ArcelorMittal and certain Japanese companies.

Commercial/Corporate Law Experience

Pieter has given commercial and corporate law advice to various local and foreign corporate clients, including Cadbury, Kraft, Mondelez, Cargill, Honeywell, Airports Company South Africa, SABMiller, Bollore Group, Havas, Bayer, Royal Canin, Wyeth, Edcon, Esco Corporation, Constellation Wines, PG Group, Sany Corporation, BYD, ExxonMobil. Ariba, Tata, Transpaco, Hartmann, Manuli Fluiconnecto, Mapei, Hochtief, Ferrotec, Travelex, WorleyParsons, Bidvest Group members, Schwenk Zement, Tattersall's, Amsterdam RAI, Leica, WBHO, NGK, Portion Pack, Nokia, Siemens, Aramex, Aristocrat, Bally Gaming, Ingram Micro and Zimmer.

Some examples of transactions:

- acting for Cadbury in the sale of its beverage business in South Africa to Tiger Brands (ZAR 1.3 billion)
- acting for Aergo Capital in its acquisition of Safair from Imperial and Sanlam (ZAR 1 billion)
- acting for Nafcoc Investment Holding Company in the sale of its shares in Tsogo Investment Holding Company (ZAR 1.2 billion);
- acting for Schwenk Zement and Ohorongo with regard to a 125 million euro cement plant project in Namibia;
- acting for Airports Company South Africa in the sale of the former Durban International Airport property to Transnet (ZAR 1.85 billion).

Black Economic Empowerment (BEE)

Pieter has acted and advised several clients (including ThyssenKrupp, Black Management Forum Investments, Sekunjalo, WorleyParsons, Leica, WBHO, Bidvest Group members, Nozala, Peu, and Nafcoc Investment Holding Company) on BEE generally and on several BEE transactions including with regard to Pretoria Portland Cement (PPC), Adcorp, Aristocrat and Group Five.

Since the BBBEE Commission became operational in 2017, Pieter has advised several corporate clients on investigations by the Commission (including with regard to alleged fronting practices) and the registration of transactions with the Commission.

African corporate expertise

Pieter has advised several local and foreign corporate clients with regard to acquisitions, projects, and other business interests in various African countries including Cadbury in Botswana and Swaziland, SABMiller in Ghana, Nigeria, Sudan, and Rwanda, Schwenk in Namibia, Cargill in Zimbabwe, AstraZeneca in Nigeria, Angola and Kenya and Bollore in Zambia.

Lotteries and Gaming

Pieter acted for Uthingo, the first operator of the South African National Lottery from 1998 to 2008 (when its lottery licence was not renewed). He was involved in forming Uthingo, advising on its shareholder arrangements and its bid for the National Lottery licence, negotiating the licence with the Government, and advising Uthingo on various commercial and regulatory issues.

He has also advised several gambling companies (including Tattersall's, Aristocrat, Cashcade, Nafcoc Investments, and Bally Gaming) with regard to various gambling laws and commercial legal and regulatory matters as well as Gaming Board hearings.

CAREER

- BSc (LAB MED)
- LLB (University of the Witwatersrand)
- LLM (Competition, Patent and Trade Law) (University of South Africa)
- 1996: Director, Werksmans
- Heads the Black Economic Empowerment (BEE) practice at Werksmans since 2018
- Chairperson of LEX Africa (an alliance of leading law firms in 26 African countries) since 2001
- Chairperson of the NEPAD Business Foundation (NBF) Legal Sector from 2008 to 2010

Member of the:

1. International Bar Association (IBA)
 2. Committee on Competition Law of the Law Society of the Northern Provinces
- He was an officer of the IBA's Antitrust Committee from 2001 to 2017 and was co-Chair of the Antitrust Committee in 2016 and 2017. He now serves on the Advisory Board of the Antitrust Committee.
 - He was the Co-Chair of the IBA African Regional Forum in 2019 and 2020 and now serves on the Advisory Board of the Forum.
 - He is a member of the IBA's Constitution and Governance Committee.
 - He has provided pro bono advice to the Jane Goodall Institute South Africa, Campaigning for Cancer, and educational charity Eureka. Mr. Steyn is a member of the senior advisory board of educational charity Lexlead.

Authorships

Pieter wrote the chapter on South African merger control for a book on competition law in the BRICS countries published by Kluwer International in 2012. He co-wrote the South African chapter of the American Bar Association's treatise on competition laws outside the United States. He also wrote the chapter on South African merger control in the 2012 Kluwer book on BRICS competition law. Pieter contributed the South African chapters to the Global Competition Review publications on vertical agreements and intellectual property and antitrust in 2007, 2008 and 2009.

HIGHLIGHTS

- 2001 – present: Chairperson of LEX Africa (an alliance of leading law firms in 30 African countries) since 2001
- Speaks English, German, French and Afrikaans
- Co-Chair of the International Bar Association's Antitrust Committee
- Member of the Committee on Competition Law of the Law Society of the Northern Provinces
- Provided pro bono advice to the Jane Goodall Institute South Africa, Campaigning for Cancer and the education charity Eureka
- Former Chairperson of the NEPAD Business Foundation (NBF) Legal Sector
- IBA Antitrust Committee newsletter rapporteur for South Africa from 2001 – 2010
- IBA Antitrust Committee Secretary and Membership Officer from 2010 – 2011, vice chair and senior vice chair from 2012 – 2015
- IBA Antitrust Committee Vice Chair from 2012 – 2013
- He has written several articles, been interviewed on radio and television and spoken and chaired panels at both local and international conferences and seminars on:
 - South African corporate and competition law
 - Corporate governance
 - Joint ventures, investment and doing business in Africa
 - African competition law developments
 - Black Economic Empowerment
- Named as a leading lawyer in Competition by the International Who's Who Legal (2007 – 2010), the International Who's Who of Competition Lawyers & Economists (2015), selected as being among the
- Highest-ranked lawyers by Who's Who Legal : Competition (2023)
- IFLR1000: The Guide to the World's Leading Financial Law Firms (2011 and 2012).
- Named as a highly recommended lawyer in Competition/Antitrust, Corporate/M&A and Private Equity/Venture Capital (2007); a recommended lawyer in Competition/Antitrust, Corporate/M&A and Private
- Equity/Venture Capital (2008 and 2009) and a recognised lawyer in Corporate Governance (2007 and 2009) by PLC Which Lawyer. Named as a recommended lawyer in Competition by The Legal 500 (2011,
- 2012 and 2016). Named as a leading lawyer in The Speciality of Antitrust by Best Lawyers International (2008 and 2010).