

Representative Legal Matters

Tiffany Gray

Healthcare & life sciences

- Advised and represented a client in the health and pharmaceutical sector, successfully challenging and setting aside the General Regulations published under the Medicines and Related Substances Act to the extent that they apply to 'complementary medicines' and 'health supplements'. The matter was finally determined in the Supreme Court of Appeal (SCA). *
- Advised and represented a consortium of pharmaceutical companies where the court was required to determine whether the term "beneficial interest" in Regulation 6 of the Ownership and Licensing of Pharmacies, under the Pharmacy Act, includes shareholding in a company that owns a pharmacy business. The case was ultimately resolved in the Constitutional Court. *
- Advised a global biopharmaceutical company on the importation and distribution of biopharmaceutical and biosimilar products manufactured in India and Malaysia for sale and distribution to hospitals and pharmacies in South Africa. The advice specifically outlined the regulatory framework under the Medicines and Related Substances Act, its Regulations, and the relevant SAHPRA guidelines. *
- Advised a biomedical, life science, and medical technology company based in Finland on the regulatory framework for medical devices and their distribution within South Africa. *
- Routinely advise an American multinational medical technology company that manufactures and sells medical devices and instrument systems on their regulatory compliance and adherence to relevant industry codes.

Energy & infrastructure

- Advised and represented various multi-national oil companies, in several arbitration and commercial litigation proceedings that affect the sale/distribution of petroleum products in South Africa and other African countries, including statutory arbitration proceedings in terms of the Petroleum Products Act (as amended). *
- Advised and represented a state organ in a multi-billion-rand arbitration between major players in the primary energy sector of South Africa regarding its coal supply agreements. *
- Advised and represented several mining companies in South Africa on various aspects of mining law, provided regulatory advice and represented them in litigation proceedings, including obtaining urgent interdicts against community members who were disrupting the mining operations. *
- Advised and represented a mining company in a multinational dispute involving parties from Japan, the United Kingdom, Germany, Malta, the United Arab Emirates, Australia, and China. The dispute pertains to allegations of transfer pricing and the withdrawal of funds from South Africa, estimated at \$1.9 billion. *

Baker McKenzie.

- Represented a Hong Kong company in arbitration proceedings against a mining investment company based in South Africa concerning a contractual dispute. *
- Represented a minority shareholder in a mining company in various High Court and Supreme Court of Appeal litigation matters against two prominent mining entities. *
- Successfully represented a mining consultancy firm in an international arbitration against a company based in Dubai in respect of a contractual dispute. *
- Advised and conducted due diligence investigations concerning the risks associated with various coal supply agreements. *
- Successfully represented a mining consultancy firm in an international arbitration against a company based in Botswana in respect of a contractual dispute.*
- Advised and successfully defended clients in disputes relating to its obligations in terms of its Social and Labour Plan in terms of the Mineral and Petroleum Resources Development Act No. 28 of 2002. *
- Advised various clients on the regulatory requirements for wholesale and retail licenses for petroleum products in South Africa. *

Industrials, manufacturing & transportation

- Successfully represented and defended one of Africa's largest aviation security companies in multiple review applications, where unsuccessful bidders sought to review and set aside a tender awarded to them by the relevant state-owned entity. *
- Represented one of Africa's largest aviation security companies in liquidation proceedings against a state-owned entity.

State organs & parastatals

- Advised and represented an organ of state in a multi-billion-rand arbitration involving major players in South Africa's primary energy sector regarding coal supply agreements.*
- Represented a state entity in a review application to set aside its own decision to award a tender, which was found to have been awarded irregularly following an investigation. *
- Represented a state entity in a review application where an unsuccessful bidder sought to review and set aside a tender issued and awarded by the client to a leading multinational telecommunications company. *
- Represented the South African rail, port, and pipeline company in litigation proceedings in the High Court and Supreme Court of Appeal concerning a contractual dispute regarding its property portfolio in the Western Cape. *
- Represented an organ of state in multiple review applications concerning tender irregularities related to COVID emergency procurement tenders. *
- Represented an organ of state providing the largest diagnostic pathology service in South Africa in review proceedings concerning a tender dispute for the provision of Multiprotocol Label Switching (MPLS) Network services. *
- Advised and represented various private companies and parastatals in judicial review applications, providing ancillary regulatory advice.

Tourism & gambling

- Advised various clients on national and provincial gambling regulatory compliance. *
- Represented industry players in various review applications against the Gambling Boards in respective provinces regarding gambling licenses. *
- Represented a hotel, gaming, and entertainment group in litigation proceedings arising from a contractual dispute.*
- Represented a client in a judicial review application launched by an unsuccessful bidder, seeking to review and set aside the bingo license issued to them by the Gauteng Gambling Board.

Restructuring & Insolvency

- Represented the largest creditor in business rescue proceedings involving mining companies.*
- Represented a client in enforcing a parent company guarantee against a company which went into business rescue.*
- Represented one of Africa's largest aviation security companies in liquidation proceedings against a State Owned Entity.
- Advised a client on acquiring a bank's claim in business rescue proceedings and recovering the acquired claims.*
- Represented a shareholder and creditor in initiating business rescue proceedings against a mining company with pan-African operations.*
- Represented the largest creditor in liquidation proceedings, where they acquired the bank's claim and recovered the claims in the liquidation proceedings.
- Represented a Hong Kong based company in business rescue proceedings of three South African mining companies and the acquisition of the majority claims in the proceedings.*
- Represented an organ of state in the business rescue proceedings in proving and enforcing its claim.*
- Representing a director and the largest creditor in provisional liquidation proceedings, in the recovery of their claims and the potential acquisition of assets.

* Experience obtained prior to joining Baker McKenzie