

## Wessel Badenhorst

Office Managing Partner  
Johannesburg

### Biography

His sound working knowledge of mining operational practices and principles, underpinned by a thorough understanding of relevant legislation make Wessel Badenhorst the go-to person for clients that face a variety of commercial and operational challenges in the mining sector.

A partner in our mining team, he has over 20 years' experience in operational mining transactions, restructuring and disposal of distressed mining and smelter operations, health and safety, mining labour law, mining and mineral dispute resolution, and environmental law pertaining to the mining industry.

Wessel has led a team of lawyers who have recently successfully restructured mining and smelting operations with combined debt exposure of over ZAR10 billion. He has spearheaded the commercial transactions in respect of the disposal of several mining, smelter and beneficiation operations. Having recently obtained a land-mark judgment in respect of the enforcement jurisdiction of environmental laws in respect of mining sites, he continues to advise mining companies in respect of such matters.

Wessel has extensive experience in advising Chinese state-owned entities (SoEs) and Chinese companies in respect of their investment into the mining industry. Together with his team he successfully facilitated negotiations between SoEs and Chinese banks to restructure debt in excess of ZAR5.8 billion in order to rescue ailing mining operations.



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### Languages

English  
Afrikaans

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### Practices

Infrastructure, Energy, Resources,  
and Projects  
Executive Compensation, Employee  
Benefits, and Share Incentives  
Litigation Services  
Environment and Natural Resources  
Commercial Litigation

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### Industries

Energy and Natural Resources

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### Areas of focus

Mining and Resources

During his many trips to the People's Republic of China, he has developed a good understanding of the cultural approach to the business needs of SoEs and private Chinese and Asian corporates that invest in South Africa and on the continent of Africa.

As head of the firm's Asia-Africa Practice, Wessel acts as the liaison for legal advice given to a variety of Asian and Chinese clients throughout Africa.

## Representative experience

Advising IFMSA in respect of the disposal of its ferrochrome smelter, mining operations and related entities with a transactional value in excess of ZAR500m.

Advising ASA Metals and Dilokong Chrome Mine on the restructuring of their ferrochrome and mining operations, with a transactional value in excess of ZAR500m.

Advising junior coal exporters in respect of their entitlement to export coal and acting for the former administrator of coal export allocations.

Representing a major coal producer for the past nine years in respect of disputes arising from coal take-off agreements.

Advising international shareholders in respect of exposure resulting from ailing mining operations in the chrome, diamond, coal and manganese commodity industries.

Advising foreign mining companies and their boards of directors regarding legislative obligations and operational structures, including BEE and shareholding structures.

Representing a mining client in respect of the investigations into a major fall of ground disaster, which resulted in multiple fatalities.

Conducting operational legal audits and advising foreign holding companies of legal risks pertaining to South African mining operations.

IERP Dispute Resolution  
Construction and Engineering  
Hogan Lovells China Desk

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## Education and admissions

### Education

B.Com., University of Johannesburg  
LL.B., University of South Africa

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### Court admissions

South Africa

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## Awards and rankings

- Energy & Natural Resources: Mining: Health & Safety (South Africa), *Chambers Global*, 2015-2022
- Recognised, *The Best Lawyers of South Africa for Mining*, 2020

## Latest thinking and events

- Webinar
  - EMEA Leadership Talks - Shaping the Future
- Press Releases
  - Hogan Lovells makes strategic hire in Johannesburg
- Press Releases
  - Hogan Lovells leads dialogue on growth drivers in South Africa
- Webinar
  - Business Leaders Series: Southern Africa
- Media Mention
  - Wessel Badenhorst: Hogan Lovells' African dream *Leadership*
- Published Works
  - How to get foreign direct investment in mining right? *Mining Review Africa*