

**MICHAEL VERMAAK**

Partner  
Johannesburg,

**T:** +27 11 669 9328

**E:** michael.vermaak@bowmanslaw.com

**Overview**

Michael Vermaak is a partner in our Johannesburg office Corporate Department and is part of the Public Law and Regulatory team.

He has specialised in environmental law and environmental regulatory issues for nearly 20 years and also advises on broader regulatory issues in a range of other sectors. His particular areas of focus include:

- environmental and other regulatory advice in a transactional and project finance context;
- representing clients in administrative appeals and enforcement actions by environmental authorities;
- pollution and contamination liabilities, transactions involving transfer of ownership or an interest in polluted or contaminated land, mitigation of risks and liabilities as well as contractual risk allocation;
- advising clients on all aspects of environmental permitting, licensing and authorisation requirements associated with new and existing operations; and
- providing environmental regulatory advice to lenders and developers under the South African Renewable Energy Independent Power Producer Procurement Programme.

Michael's clients include national and international mining and industrial companies, financial institutions, power utilities, private companies, as well as environmental and engineering consultancies. He has extensive experience working closely with environmental assessment practitioners, environmental scientists and with engineers on impact and process related regulatory issues, liabilities and risks.

Michael's expertise has been recognised by Chambers Global (Environmental Law). The organisation has also ranked Bowmans Environmental Practice in Band 1 for the past three consecutive years (2015 to 2017).

He has B.Sc (Hons) and LLB degrees from Rhodes University.

**Experience**

South African Renewable Energy Independent Power Producer Procurement Programme: Rounds 2, 3 and 4: Onshore Wind, Small Hydro, Landfill Gas, Biomass, Solar PV and CSP, including the following projects that have reached financial close:

- Gouda Wind Farm (140MW)
- Amakhala Wind Farm (140MW)
- Hopefield Wind Farm (65 MW)
- Sishen Solar Project (81 MW)
- Loeriesfontein 2 (140MW), Khobab (140MW) and Noupoort Wind Projects (80MW)
- Stortemelk Small Hydro Project (4MW)

Other recent matters that Michael has been involved with include:

- Advising on environmental and regulatory issues in numerous M&A and other commercial transactions handled by Bowmans across various sectors, including in the mining, industrial, infrastructure, agriculture and consumer goods sectors.
  - Advising on pollution and contaminated land issues and liabilities at a number of sites around South Africa.
  - Advising on potential director and shareholder environmental liabilities.
  - Successfully making representations to the environmental authorities with respect to an environmental pre-compliance notice relating to activities of another party on a property owned by a client.
  - Advising in a transactional context on the potential risks and liabilities as well as the rectification process relating to historical non-compliance and assisting in the authority interaction to address the issues.
- 
- *Chambers and Partners*, 2018 ranked Michael in Band 2 for Environment.
  - *Chambers and Partners* 2016 and 2017 ranked Michael in Band 2 for Environment.

*According to sources, Michael Vermaak "is very good at simplifying complex environmental legal matters and crystallising the issues at hand."*

**- Chambers and Partners 2017**

*Michael Vermaak is praised by sources for his thoroughness, with one interviewee commenting: "He is just so comprehensive in what he does and will uncover every single stone."* **- Chambers and Partners 2016**

## **Publications & Insights**

- [Changes proposed in the 2017 NEMA Amendment Bill could significantly change the liability position under NEMA](#)
- [Environmental Law Seminar, May 2017: Environmental Enforcement and Risks - Targets, Trends and Tips](#)
- [National Water Act: challenging appeal decisions](#)
- [Time for industry to comment and prepare for pending regulations to phase out the use of persistent organic pollutants](#)