

ASK EXPERIENCED PRACTITIONERS!

Association of Arbitrators
(Southern Africa) NPC



WORKSHOP

CHALLENGE PROCEDURE, INCLUDING THE REVOCATION OF AN ARBITRATOR'S APPOINTMENT, AND THE RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS IN SOUTH AFRICA

Please join us for snacks, drinks and networking as Adv Pierre Rossouw SC and Adv Tjaart van der Walt SC present this valuable workshop, on 2 important subjects, as part of the Association's ongoing mission to provide regular upskilling opportunities for everyone with an interest in Alternative Dispute Resolution. The event will be hosted by the Chair of our Western Cape Branch, Mr Jonathan Mitchell. Both subjects are of equal importance to arbitrators and party representatives.

ABOUT THE WORKSHOP:

The first part of the workshop concerns the challenge procedure which is the mechanism whereby an arbitrator can be removed from office and replaced, for instance, if he refuses to act, becomes incapacitated or there is good cause to set aside his or her appointment. Although the Court has jurisdiction to decide these issues, the Association can do the same under its Rules in respect of arbitrations falling within its domain. The grounds for challenge will be discussed. It will include issues such as fitness to act. The all-embracing "good cause" ground will be considered in light of the authorities. The Association's challenge procedure will also be dealt with. Arbitrators must be acutely aware of the fact that their appointment is not immune to challenge.

The second part of the workshop promises to enhance the skills of any arbitration practitioner. The subject concerns the legal principles and the practicalities relating to the judicial recognition and enforcement of foreign arbitral awards. The Recognition and Enforcement of Foreign Arbitral Awards Act 40 of 1977 was repealed by the International Arbitration Act 15 of 2017. What now?

ABOUT OUR PRESENTERS:

Adv Pierre Rossouw SC, FAArb (SA):

Pierre is a Senior Counsel of 3 Maisels Chambers Group of Advocates in Sandton. He has held various appointments as acting judge of the High Court. He has appeared in various divisions of the High Court, Supreme Court of Appeal and the Constitutional Court of South Africa, and the High and Supreme Courts of Namibia. Judgments in 32 of his litigious matters have been reported in the SA Law Reports, the All South African Law Reports, the Butterworths Constitutional Law Reports and the Commercial Law Reports. He was awarded the CI Arb Advanced Certificate in International Arbitration. He practices in arbitration and commercial litigation, specialising in contract law, construction law, company law, and insolvency law. He is the Chairman, a Director, a Module 4 tutor of the Fellowship Course, and Fellow of the Association of Arbitrators (Southern Africa). He serves on the General Commercial Panel of AFSA.

Adv Tjaart van der Walt SC (B Iur LLB FAArb (SA) MAFSA (Int) FCIArb (UK) MSOM (UK)

Tjaart is a Senior Counsel of the Maisels Group of Advocates in Sandton. He is the Vice-Chairman, a Director, a Module 4 Tutor and a Fellow of the Association of Arbitrators (Southern Africa) NPC. He is a Fellow and Full Faculty Member of the Chartered Institute of Arbitrators (UK) and a listed international arbitrator and adjudicator for the Association of Arbitrators (Southern Africa) NPC, the CI Arb (UK) and AFSA International. He is an International Mediator accredited as such by the Civil Mediation Council (UK), the Society of Mediators (UK), the CI Arb (UK) and the Association of Arbitrators (Southern Africa) to mediate *inter alia* construction, commercial and contractual disputes. Prior to his admission as Advocate in 1995, he was employed as Legal Advisor, Public Prosecutor and part-time Academic and he practised as an Attorney. His practice includes general commercial arbitration, adjudication, mediation and litigation with a focus on the law of contract and delict. His industry specific exposure as Legal Practitioner, Arbitrator, Adjudicator and Mediator over more than 25 years includes construction, petroleum, rail and road transportation, coal and platinum mining, agriculture, food and beverage, telecommunication, forestry and saw milling, pension funds and banking.

DATE: Saturday, 14 September 2019

Time: 09:00 – 13:00

VENUE: Rustenberg Wine Farm Community Hall, Rustenberg Road, Ida's Valley, Stellenbosch

NOTE: Seats are limited.

COST (incl. VAT): AoA, RICS, MBA and WISA Members: **R200.00** AoA Students: **R0.00** Non-members: **R250.00**
University Students, Pupil Advocates and Candidate Attorneys: **R0.00**

Snacks and beverages will be served!

RSVP by: Friday, 13 September 2019

Irrespective of whether you are a paying or non-paying attendee, please send your completed [Registration Form](#) to our Accounting Manager **Leatitia Taljaardt** at accounts@arbitrators.co.za.