



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

## PROGRAMME IN ADVANCED ALTERNATIVE DISPUTE RESOLUTION 2018

The Arbitration Foundation of Southern Africa (AFSA) offers you an outstanding opportunity to acquire or improve your skills in South Africa's ever expanding fields of arbitration, mediation and negotiation.

After completion, you will be qualified to negotiate, mediate and arbitrate and will be familiar with the principles and processes in conflict management and dispute resolution. This unique study course is a joint venture between the University of Pretoria and AFSA and is presented by South Africa's leading practitioners. Recommended Level 7, this is NOT a credit bearing course.

This programme reflects all current advances in the field and represents the authoritative and up-to-date dispute resolution training programme offered in South Africa. Because certain of the modules have particular importance for specialist users, eg. in international arbitrations, construction disputes and matrimonial matters, these selected modules may be undertaken separately. Please refer to the course fees in that regard.

### WHO SHOULD ATTEND?

Legal practitioners, accountants, trade union delegates, human resources practitioners, psychologists, engineers, architects and labour practitioners, contract negotiators in all fields and business people. **Please note that 100% attendance is required to qualify.**

### CONTENT

The course consists of 4 compulsory modules and is a block release program.

**Module 1: An introduction to conflict management and dispute resolution**

- Understanding conflicts and disputes
- Understanding dispute resolution
- Dispute systems design

**Presenter: (Charles Cohen, Veerash Srikison)**

**Duration: 3 days**

**(22 – 24 May 2018)**

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**Module 2: Consensus building processes and skills**

- Negotiation (dealt with during Module 1's block release)
- Mediation
- Chairing
- Facilitation

**Presenter: (Charles Cohen , Veerash Srikison)**

**Duration: 3 days**

**(28 – 30 May 2018)**

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**Module 3: Arbitration**

- The Arbitration Act
- Arbitration Agreements
- The Arbitration Procedure from Commencement to Award
- The Duties of the Arbitrator

**Presenters: Charles Cohen, Michael Kuper SC, Dr Ramola Naidoo**

**Duration: 5 days (Day one: Bridging course for non-lawyers)**

**(18 - 22 June 2018)**

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**Module 4: Elective Courses** – please choose one of the following elective courses:

- Divorce Mediation (please see next page)
- Arbitration in the Construction Industry (please see next page)
- International Commercial Arbitration (please see next page)
- Labour Arbitration (please see next page)

**Elective Module – Divorce Mediation**

***To qualify in this module, 40 hours of class time is compulsory***

In the light of the new Children's Act as well as the judgment in the matter of Brownlee vs Brownlee, this course is a must for all family law practitioners, social workers and psychologists. The course, which is primarily based on role plays with feedback, includes:

- Techniques of Divorce Mediation
- The Best Interests of the Child
- Parenting Plan
- Function of the Mediator
- Agreement to Mediate and the Intake Session
- Issues regarding the Children
- Maintenance
- Division of Assets
- Memorandum of Understanding

**Presenter: Charles Cohen**

**Duration: 5 days**

**(13 - 17 August 2018)**

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**Elective Module – Arbitration in the Construction Industry**

***Candidates should have an understanding of FIDIC Red Book***

Including:

- The Character of the Disputes
- Conditions Precedent
- Dispute Adjudication Boards
- ICC and the Protocol-Recommendations
- Case Management – UNCITRAL Guidelines
- Collation and Presentation of Evidence
- The Taking of Evidence

**Presenter: Patrick Lane SC**

**Duration: 5 days**

**(Date still to confirm)**

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## **Elective Module – International Commercial Arbitration**

No aspect of dispute resolution is changing as fundamentally and radically as the practice of the international arbitrator in South Africa. This module now covers:

- The New York Convention and the Model Law
- The International Arbitration Act for South Africa
- The China-Africa Joint Arbitration Project
- The Brics International Arbitration Mechanism

The course also includes:

- Essential Aspects of International Commercial Dispute Resolutions (cross-border disputes)
- The History and Development of such Arbitral Process with reference to International Conventions and function of International Arbitral Tribunals
- An essential Introduction for persons and legal practitioners advising or dealing with foreign investment, international trade, franchises and joint ventures

**Presenter: Michael Kuper SC, Philip Punwar (Barrister) & Prof. David Butler**

**Duration: 5 days**

**(03 -05 September 2018  
& 27 - 28 September 2018)**

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## **Elective Module – Labour Arbitration**

***Candidates should have an understanding of labour law and labour dispute resolution***

Including:

- The Labour Dispute Resolution System
- Disputes and Related Processes
- The law concerning typical issues for mediation/conciliation
- The law concerning typical issues for arbitration

**Presenter: Zarina Walele**

**Duration: 3 days**

**(4 - 6 July 2018)**

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## **EVALUATION**

Assessment of modules will include:

- Role plays with feedback
- Giving an indication of what the outcomes are
- Writing mock agreements, orders, reports and awards
- Examinations/assignments

## **COURSE FEES**

### Option 1

Module 1

Module 2

Module 3

Module 4 – Elective Module (Labour Arbitration)

**R43 320-00 incl. V.A.T.**

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Option 2

Module 1

Module 2

Module 3

Module 4 – Elective Module (Divorce Mediation) **or**

Module 4 – Elective Module (International Commercial Arbitration)

Module 4 – Elective Module (Arbitration in the Construction Industry)

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**R47 880-00 incl. V.A.T.**

Option 3

Additional elective module, having completed option 1 or 2 above

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**R3 420-00 incl. V.A.T.**

Option 4

**Divorce Mediation**, not having completed option 1 or 2 above

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**R11 400-00 incl. V.A.T.**

Option 4

**Arbitration in the Construction Industry**, not having completed option 1 or 2 above

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**R17 100-00 incl. V.A.T.**

Option 4

**International Commercial Arbitration**, not having completed option 1 or 2 above

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**R17 100-00 incl. V.A.T.**

Option 4

**Labour Arbitration**, not having completed option 1 or 2 above

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**R11 400-00incl. V.A.T.**

For further information, please contact **Selina Tshabalala** as follows:

Telephone: (011) 320 0600

Facsimile: (011) 320 0533

e-mail: [selina@arbitration.co.za](mailto:selina@arbitration.co.za)



## REGISTRATION REQUIREMENTS

Registration will be treated on a first-come, first-served basis

### PROGRAMME IN ADVANCED ALTERNATIVE DISPUTE RESOLUTION (Accredited by the University of Pretoria)

The following must accompany your completed application form:

- 1 50% deposit to ensure acceptance (payable by 30 April 2018)
- 2 Copy of identity document
- 3 Condensed CV

#### Conditions:

- On acceptance of above and once payment has been verified, AFSA's accounts department will issue confirmation that a place has been reserved for the delegate. Please ensure that this confirmation document is presented at the commencement of the module. **AFSA reserves the right to refuse admission to the course if this confirmation is not presented.**
- The outstanding balance is to be paid by **15 June 2018**. **AFSA reserves the right to refuse admission to the course if payment is outstanding.**
- The number of applicants is limited and acceptance of suitable candidates will be on a first-come, first-served basis.
- The course fee includes all course notes, lunches, refreshments and parking but excludes accommodation and travel costs.
- In the case of insufficient applications, AFSA reserves the right to cancel the course as such or a module. In this unlikely event, applicants will be informed and all fees will be refunded immediately.
- Unforeseen circumstances may necessitate the appointment of presenters other than from the ones advertised.
- **Entry requirements:** Literate persons with a working understanding of English.
- The course is presented in English.
- A written examination and/or project (per module) is to be completed.
- The course will take place at AFSA, 1<sup>st</sup> Floor Grindrod Tower, 8A Protea Place, Sandown.
- Cancellations accepted up to 1 month prior to commencement of course or module, but subject to a 10% administration fee. No refunds or cancellations will be allowed within 2 weeks of course commencement. Replacement delegates are acceptable.
- **Delegates are required to be in attendance for the full hours of each block release. Delegates failing to do so may not be certified.**

Please return the application form with your proof of payment to **Selina Tshabalala** at:

Docex 143, Randburg **or**  
P.O. Box 653007, Benmore, 2010 **or**  
1<sup>st</sup> Floor Grindrod Tower, 8A Protea Place, Sandown

For further queries, please contact Selina as follows:

Telephone: (011) 320-0600  
Facsimile: (011) 320-0533  
e-Mail: selina@arbitration.co.za

## APPLICATION

### STUDENT INFORMATION

SURNAME:

FIRST NAMES:

KNOWN AS:

TITLE: Prof  Dr  Mr  Mrs  Ms  Other

ID NUMBER:

HOME LANGUAGE:

DIETARY REQUIREMENTS:

POSTAL ADDRESS:

RESIDENTIAL ADDRESS:

TELEPHONE	(Home):	<input type="text"/>
	(Work):	<input type="text"/>
	(Fax):	<input type="text"/>
	(Mobile):	<input type="text"/>

e-MAIL ADDRESS:

### PAYMENT INFORMATION

Person/Institution responsible for payment of account (please  $\checkmark$  one)

Self  Company  Bursary  Other

If Self

Title:  Initials:  Surname:  ID Number:

Residential Address:

Postal Address:

If Company

Company Name:

V.A.T. Registration Number:

Contact person (accounts):

Telephone Number (accounts):

Physical Address:

Postal Address:

If Bursary

Bursary Granted by:

Contact person (accounts):

Telephone Number (accounts):

Physical Address:

Postal Address:

If Other

Name of Other:

V.A.T. Registration Number:

Contact person (accounts):

Telephone Number (accounts):

Physical Address:

Postal Address:

## COURSE INFORMATION

Please ✓ one

	✓	<u>V.A.T. Inclusive Course Fee</u>
<u>Option 1</u> Module 1 <b>plus</b> Module 2 <b>plus</b> Module 3 <b>plus</b> Module 4 – Elective (Labour Arbitration) <b>or</b> Module 4 – Elective Module (Arbitration in the Construction Industry)	✓	<b>R43 320-00</b>
<u>Option 2</u> Module 1 <b>plus</b> Module 2 <b>plus</b> Module 3 <b>plus</b> Module 4 – Elective (Divorce Mediation) <b>or</b> Module 4 – Elective (International Commercial Arbitration)	<input type="checkbox"/>	<b>R47 880-00</b>
<u>Option 3</u> <b>Additional</b> elective module, having completed option1 or 2 above Module 4 – Elective (Labour Arbitration) Module 4 – Elective (Divorce Mediation) Module 4 – Elective (Arbitration in the Construction Industry) Module 4 – Elective (International Commercial Arbitration)	<input type="checkbox"/>	<b>R 3 4200-00</b>
<u>Option 4</u> <b>Stand alone</b> elective module, not having completed option 1 or 2 above Module 4 – Elective (Labour Arbitration) Module 4 – Elective (Divorce Mediation) Module 4 – Elective (Arbitration in the Construction Industry) Module 4 – Elective (International Commercial Arbitration)	<input type="checkbox"/>	<b>R11 400-00</b>
	<input type="checkbox"/>	<b>R11 400-00</b>
	<input type="checkbox"/>	<b>R17 100-00</b>
	<input type="checkbox"/>	<b>R17 100-00</b>

EFT payments to account with following details

- Account name: The Arbitration Foundation of Southern Africa
- Bank: Standard Bank
- Branch: Sandton (01 81 05)
- Account Number: 22 038 054 6
- Reference: Initial + surname + "Course"

## DECLARATION AND UNDERTAKING

I declare that all particulars furnished on this Registration Form are true and correct.

I have read and agree to the conditions stipulated in this Registration Form.

Signature of Applicant:		Date:	
Signature of person responsible for account:		Date:	



**Programme in Advanced Alternative Dispute Resolution**  
**(Accredited by the University of Pretoria)**

**2018**

- Module 1: **An introduction to conflict management and dispute resolution**  
(3 days)  
22, 23, 24 May (Tuesday - Thursday)
- Module 2: **Consensus building processes and skills**  
(3 days)  
28, 29, 30, May (Monday - Wednesday)
- Module 3: **Arbitration**  
(5 days)  
18, 19, 20, 21, 22 June (Monday - Friday)
- Module 4: **Applied Study**
- **Elective 1**  
**Labour Arbitration**  
(3 days)  
04, 05, 06 July (Wednesday - Friday)
  - **Elective 2**  
**Divorce Mediation**  
(5 days)  
13, 14, 15, 16, 17 August (Monday - Friday)
  - **Elective 3**  
**International Commercial Arbitration**  
(5 days)  
03-05 September  
& 27, 28 September (Monday - Friday)
  - **Elective 4**  
**Arbitration in the Construction Industry**  
(5 days)  
(Date still to confirm) (Monday - Friday)