

REPORT OF THE PRESIDENT OF SASS PRINCE MALULEKE FOR PERIOD 2014 -2018

I would like to express my sincere appreciation and to thank each and every one of you for your tremendous support and for allowing me to serve as you as President for the past 4 years. Indeed serving you has been the highlight of my Sheriff career, and indeed an honour and rewarding learning experience to lead this prestigious organisation, the South African Sheriff Society. As I finish my second and final term as the President of SASS, I am proud of everything we have achieved together, and humbled by the incredible support you have given me over the years.

During the past four years I have represented all of you in various meetings and forums where important issues relevant to our profession were debated and agreements reached. Naturally, some issues are long term and are still being debated and considered. Among these are:

One ongoing and serious issue of concern is the viability of some offices especially in our rural provinces like the Eastern Cape, Northern Cape and Limpopo, to name but a few. It is important that a lasting solution to this problem is urgently found otherwise the whole notion of the transformation of the profession will become a ruse. In this regard our Exco has resolved to convene a special colloquial in one of our rural towns in order to get firsthand account of the experiences of our colleagues with a view to engaging our stakeholders and finding a workable solution to this problem. I would sincerely encourage the incoming Exco to follow up and implement this important resolution.

Linked to this is the perennial problem of non –payment of sheriffs’ accounts by the CCMA, some attorneys and bargaining councils. Although I am grateful and appreciate the interventions of the Deputy Minister in the regard, I do however believe that there is a need to seriously look at this issue and consider reviewing the outdated section of the Magistrate Court Act, which requires the prior permission of the Chief Magistrate before a Sheriff can refuse to serve a document as a result of non-payment. The sad reality is that in most instances Chief Magistrates do not respond to Sheriffs’ desperate requests for intervention.

A submission has already been presented to the South African Board for Sheriff to consider revising the formula that has been used since time immemorial in deducting the expenses in the sheriff’s office. SASS is strongly of the view that this formula is outdated and need to be adjusted in line with current cost factors involved in the running of a sheriff’s office. I hope that the new Board will give this matter the urgent attention it deserves.

Voluntary Associations by their very nature require strong financial support in order to deliver effectively on their mandates. SASS is indeed no exception to this principle. In this regard I believe that the current process of reviewing the Sheriffs Act present an opportunity to create the necessary legislative framework to enable the Board to fund SASS.

Having zoomed in on the most urgent challenges facing SASS, I would also like to highlight some of the more important achievements of the past years:

As SASS we are indeed happy that we are finally represented on the Rules Board for the Courts of Law. Members will recall that when I took over as the President I did indicate that one of my objectives during my tenure was to ensure that the sheriff profession is part of rulemaking in our country and that it should no longer be treated as a step child of the justice system. This has been achieved.

As you are aware, the Rules Board, after a protracted period of silence of more than two years, finally approved the new Tariff for Sheriffs with an average increase of 13% in the past year. In addition a new commission structure for immovable sales was also published after a very intense and fruitful engagement with the banking sector. Whilst this is appreciated there is still a need for further engagement with the Board to ensure that the tariff is adjusted annually.

I am pleased to report that after the intense pressure that SASS exerted on the banks to cease their conduct unlawful of handing warrants to tracers this seem to have stopped and evidently a number of sheriffs are seeing a dramatic increase in the number of warrants of delivery at their offices. In addition, we have now agreed on a common fee structure with regard to warrants of delivery and vehicle repossession. We must remain vigilant and ensure that banks continue to play strictly by the book.

I am equally pleased that SASS conducted numerous workshops for members on the new amended Rule 46. The workshops were well attended and our members and their staff were provided with an opportunity to enhance their skills.

SASS has also developed a modern and functional website to assist our members gain easy access to important information on the organization in particular and the profession in general. Members are encouraged to make use of this important tool to keep abreast of developments within the organization and the profession.

Our membership continues to grow. In this regard I am particularly pleased to report that out of a total of 260 Sheriffs in the country, 187 are verified members of SASS. Whilst the numbers are impressive it is however that members also participate in the activities of the organization. It is disappointing that in some provinces our members are not active and meetings attendance is dismally poor. We need to consider other options of involving members in the affairs of the organization other than solely relying on physical meetings. In this regard I am pleased that some provinces are very active on social media like whatssup and are keeping members informed on a regular basis. The incoming Executive must seriously consider splitting some of the vast provinces like Limpopo, Eastern Cape and Western Cape into two sub-provinces to ease the burden of long distance travel for members.

SASS continues to play an effective and constructive role in the policy and legislative space. We have made a number of written submissions on new policy proposals and rule changes. In this regard I would like to particularly thank two of our members Mr Fanie Van Wyk and Harry Van Nieuwenhuizen who are always willing and available to assist the organization. Thank you for your hard work, dedication and commitment to SASS.

In accordance with our constitution we have established a permanent Committee led by our Deputy President Mr Allan Murugan to consider and develop a policy framework on the wellbeing of deputy

sheriffs and staff employed at our offices. The Committee has been hard at work and a policy document was submit to Exco and approved at our last meeting.

Colleagues, working together we have achieved a lot for our Profession. We have built a very strong organization which is influential and an easily recognizable brand. Once again, it has been an honour and privilege to be your loyal servant. I wish to thank members of my Executive Committee starting with my Deputy Allan Murugan, the Secretary Petro Roodt, Treasurer Thaka Seboka and our current acting Chris De Wet. Even though I may not be running for President again I will still be involved with the activities of organization. I pledge my support to the new management committee, who has a mammoth task of continuing to work on some of the important projects outlined in this report.

I wish to echo the wise words of Oliver Tambo the then President of the ANC when passing the baton to the his lifelong friend and comrade utata Nelson Mandela in 1991, and say to you all that I am handing you an organization that is much bigger, nonracial, united, solid and stronger please look after it.

I thank you all.