



## Report of the 6<sup>th</sup> Annual General Meeting of the South African Sheriff Society

11 – 12 May 2018



Firstly, Management would like to thank everybody who was involved with the planning of our most important event in our calendar, and above all, our members who attended the conference. We are very pleased with the positive feedback and below are the highlights of this event.

### TRAINING:

As it has become a practise, our training took place on 11 MAY 2018 and was well attended. Topics addressed ranged from the following:

#### 1. THE SHERIFF AND CYBER CRIME

Santho Mohapeloa of Stalker Hutchison, initiated discussions on Cybercrime and the risks faced by sheriffs. Topics such as the POPI Act, investment in good infrastructure, awareness programme to prevent attacks, disaster recovery plan and the mimic of SARS website were discussed. He presented best practice prevention measures for cybercrime, for example: IT companies to monitor trends, Cyber security on smart phones and mobile devices as well as remote wipe of such devices.

In conclusion, they suggested Cyber Liability Insurance as a solution.

More information can be obtained from: Protektum on 011 792 6296,  
susan@johanncoetzerbrokers.co.za

#### 2. ATTACHMENT AND SALE OF FIRE ARMS

Presentation was done by Chris de Wet, with guidance to attach and sell fire arms whilst complying with the new Fire arms Act 60 of 2000. The guide will be published on the SASS website: [www.sassoc.co.za](http://www.sassoc.co.za)

### 3. INTERACTIVE SESSION:

#### A. FEE GUIDE

Fanie van Wyk presented the fee guide in relation to vehicle repossessions. Members requested that the banking contacts be forwarded to them in order to interact with the banks. They raised questions on storage fees, additional driver fees and cost for heavy vehicle removal fees. It was also suggested that a meeting be arranged with the SAPS commissioner with regards to timeously police assistance.

#### B. COMPLIANCE WITH LEGAL OBLATIONS

Shirley Thoke presented a Working Document on compliance with legal obligations, which summarized all complaints and challenges experienced by members throughout the year. Members provided further input and the document will be finalized and presented to the SA Board for Sheriff's.

#### C. SHERIFF TARIFFS

A Presentation and discussion on - sheriff tariffs - a working document, was presented by Allan Murugan, listing the insufficient tariffs, non-existing tariffs and the interpretation of "radius" of the service fee, as well as a proposal for amendment to align the service fee of the Magistrate's Court to the service fee of the High Court.

### 4. PRACTICAL CHALLENGES EXPERIENCED BY SHERIFFS IN A LITIGIOUS ENVIRONMENT

Mr Harry van Nieuwenhuizen presented the following lectures on practical challenges experienced by Sheriffs: Interpretation and understanding of court orders, Requirements for, and compliance to, state Liability Act; the service requirements in the attachment of Close Corporations and the taxation of Sheriff bills.



## **GALA DINNER: 11 MAY 2018**

### **Professor B Majola – keynote speaker**

Our Gala Dinner, which has now become our flagship event, was well attended and was graced by the presence of our DM Mr. John Jeffrey, the local chief magistrate Mr. Rampai and our keynote speaker Professor Bongani Majola, the Chairperson for the Human Rights Commission.

Professor Majola addressed sheriffs and guests on the relationship between the sheriff and the Human Rights Commission and acknowledged the important role of sheriffs in the execution of court orders. He also mentioned that the Human Rights Commission monitors the evictions and undertook to assist sheriffs and provide training in relation to the Human Rights aspects pertaining to evictions.

### **Awards**

In an attempt to encourage active membership and participation by members, special Awards were handed out to Mr Martin Akker who was awarded for his leadership of Mpumalanga province, as well as Mr Harry van Nieuwenhuizen for his continuous support to the South African Sheriffs Society (SASS).

### **Auctioning**

The evening was concluded by our annual fund raising auction, this time around by auctioning prestigious portraits depicting our former President Nelson Mandela and other leaders. Other things for auctioning included auctioning gavels and hunting knives; the amount of R 178,000.00 was raised.

### ***Well done SASS!***



### **Ms Dikeledi Buys won this year's SASS auction competition and trophy.**



## ANNUAL GENERAL MEETING : 12 MAY 2018

### **1. TREASURER'S REPORT**

Mr ThakaSeboka gave a report on the financial affairs of the South African Sheriff Society.

**Membership fees:** for the ensuing year were fixed on the following sliding scale:

Members with no deputies	250.00
Members with 1 deputy	250.00
Members with 2 deputies	500.00
Members with 3 deputies	750.00
Members with 4 deputies	1000.00
Members with 5 deputies and more	1250.00

There is an increase per deputy from R200.00 to R250.00.

**Budget:** It was agreed that the budget be referred to EXCO for handling, as it is the first time that the funds of SASS increased to a level where there are funds available for budgeting and projects.

### **2. SECRETARY'S REPORT**

Chris de Wet (acting secretary) presented the secretary's report, detailing meetings of management, provinces, and reported on communication and membership details of SASS.

### **3. PROVINCIAL REPORT:**

Allan Murugan presented the Provincial Report

All provinces conducted meetings whereby new management was elected for the next two years. Provincial management leadership was formally adopted by the AGM.

<b>Gauteng</b>		<b>Mpumalanga</b>	
<b>Chairperson</b>	Andy Adimoolum 073 351 6549	<b>Chairperson</b>	Martin Akker 072 365 0963
<b>Secretary</b>	KgomotsoMphahlele 082 463 5342	<b>Dep Chairperson</b>	Phillip Phiri
<b>Treasurer</b>	Shirley Thoke	<b>Secretary</b>	Brian Holder 083 627 7869
		<b>Treasurer</b>	Reginah Tau
		<b>Additional</b>	Ivan Swart

<b>KZN</b>		<b>Western Cape</b>	
<b>Chairperson</b>	Rishaad Singh 082 780 6353	<b>Chairperson</b>	Mkhululi Ngxumza 082 968 0979
<b>Dep Chairperson</b>	Tami Tembe	<b>Dep Chairperson</b>	Georgina Naidoo
<b>Secretary</b>	Hannalie Erasmus 082 964 2193	<b>Secretary</b>	Theresa Withers 079 495 0362
<b>Treasurer</b>	Nathi Dlamini	<b>Treasurer</b>	Jerome Williams
<b>Additional</b>	Nicholas Nxumalo	<b>Additional</b>	Sue-Anne Koopman
<b>Additional</b>	Ms Manwanga	<b>Additional</b>	Amanda Tobias
		<b>Additional</b>	Nonkosi Cetywayo

<b>Eastern Cape</b>		<b>Free State</b>	
<b>Chairperson</b>	Ms NV Soga 083 267 7848	<b>Chairperson</b>	Klaas Foka 082 212 5350
<b>Dep Chairperson</b>	Ms NL Bongo	<b>Dep Chairperson</b>	Victor Daniel
<b>Secretary</b>	Ms Nyabaza 078 909 5811	<b>Secretary</b>	P Roodt 082 781 6170
<b>Additional</b>	Mr Sikhundla	<b>Additional</b>	Joseph Mthombeni
		<b>Additional</b>	Chris de Wet

<b>North West</b>		<b>Limpopo</b>	
<b>Chairperson</b>	Hendrik Tau 082 295 8180	<b>Chairperson</b>	Mr S Makhubela 076 313 7224
<b>Dep Chairperson</b>	Hannes Otto	<b>Dep Chairperson</b>	Mr D Herman
<b>Secretary</b>	Mrs Monareng 072 425 6667	<b>Secretary</b>	Ms A Ralehlaka 073 274 2161
<b>Treasurer</b>		<b>Treasurer</b>	Mr D Herman
<b>Additional</b>		<b>Deputy Secretary</b>	Mr Letsoalo

Mr Murugan highlighted some of the challenges raised by provinces:

They included:

- Evictions , poor assistance from SAPS
- Payment of accounts by attorneys
- CCMA payments and execution of documents remain a challenge
- Removal of vehicles
- Northern Cape members are experiencing difficulties to travel to meetings. It was suggested that the province should now function on its own and provincial management be elected
- Maintenance services are still not resolved in the Limpopo Province
- Management needs to look at supporting the Eastern Cape

#### **4. PRESIDENTS REPORT**

Prince Maluleke presented the president's report and outlined the following long term matters to be attended to:

Viability of sheriff's offices: New EXCO to follow up on the proposed colloquium in the Eastern Cape to address viability

CCMA payments: SASS escalated the matter to the Deputy Minister, who responded and proposed a follow up meeting with all role players

Financial support: SASS is a voluntary association and requires financial support to exist; funding of the organisation must again be addressed with the Board

On the achievements of SASS, Mr Maluleke reported that sheriffs are now represented on the Rules Board and that Mr Seboka has been appointed as a member of the Rules Board. Furthermore, sheriff tariffs were adjusted and implemented and a significant increase in auction commission was approved and published, for which members are grateful.

More Warrants of Deliveries are now channelled to sheriffs as a result of the interaction on banking forum level. After implementation of amendments to Rule 46 and 43, SASS conducted workshops in all provinces which were well attended. SASS is proud of its website which is fully functional. The SASS membership continues to grow and is considered as a great achievement for the organisation.

Mr Maluleke suggested the following to the new SASS EXCO:

- Consider dividing vast provinces into sub-regions
- Attend to implementation of annual tariff increases
- Find new innovative ways to involve members in decisions and affairs of the organisation



## 5. DEPUTY MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

The Honourable Mr J Jeffery addressed the meeting and raised the following matters:

The new Board for Sheriffs has taken office and sheriffs appointed to the Board should represent the sheriff's profession as a whole.

He raised a concern that Sheriffs do not have a uniform and accurate process in place to track the number of processes served and income derived from specific areas within the service areas, thus making it difficult to evaluate the value of a certain area.

The change in qualification requirements of a sheriff was explained.

He further encouraged interaction with stakeholders of the professions i.e. CCMA and Law Society, in an attempt to address non-payment of sheriff's accounts.

The Deputy Minister expressed concerns on the management of trust accounts by sheriffs, tax clearance certificates and suspension of sheriffs during investigations. The Deputy Minister also attended to questions from the floor.



**We wish to acknowledge the support and encouragement which the DM accords to SASS every year!!**

## 6. ANNOUNCEMENT OF NEW EXCO MEMBERS

New President:	Petro Roodt
New Vice president:	Thaka Seboka
New Treasurer:	Marks Mangaba
New Secretary:	Allan Murugan

