



NEWSLETTER

SOUTH AFRICAN SHERIFF SOCIETY

FEBRUARY 2021

Dear SASS members,

Welcome to our first SASS newsletter for 2021!!.

Despite our expectations that this year would be “COVID-19 free” we still find ourselves in the middle of the National State of Disaster with lockdown restrictions impacting negatively on offices and our daily lives.

While navigating the pandemic, we are proud that SASS remains in full control and we are attending to the day to day management of the organisation for the benefit of our members and the entire profession.

We remain positive that 2021 will be a good year for SASS and the profession.

BELOW IS AN UPDATE ON THE LATEST INDUSTRY NEWS:

1. BOARD REPRESENTATION AND CALLING FOR NEW APPOINTMENTS:

We sincerely thank our members, Mr Allan Murugan and Ms Annah Ralehlaka, who represented SASS and the profession on the Board for the past three years. We acknowledge your commitment to the profession and to SASS and we appreciate all the time and effort you spent on our behalf.

New members of the Board will be appointed soon and invitation has already been released to our members for nomination of at most 5 members.



South African Sheriff Society (<http://www.sassoc.co.za>)

President: Petro Roodt, 082 781 6170 | Vice President: Thaka Seboka, 082 783 1249 | Treasurer: Marks Mangaba, 072 353 3046

Secretary: Allan Murugan, 082 375 8340 | Tel: 051 447 3784 | Fax: 051 448 0148 | E-mail: sass@sheriffbfn.co.za

2. AARTO LEGISLATION:

SASS was requested to comment on the role of the sheriff when the AARTO legislation comes into operation in June 2021 and attached hereto the report by our task team, **Annexure 1**. Members will note that not much has changed since the first time the Act was promulgated in 2010 and we now await the Board's response to our recommendations.

3. AMENDMENT OF LEVIES:

As reported previously, the Board intends to amend the legislation applicable to Form 16 and the calculation of levies. This was once again confirmed at the Consultative Forum meeting of 8 February 2021.

The Board accepted the following resolution:

- Calculation of Levies be based on a percentage of the gross income as determined by the Board from time to time.
- The use of the gross income is a simpler manner to calculate the amount of levies due by the sheriff.
- It only uses the gross income as currently declared by the sheriff.
- The proposed amendment and percentage was determined to ensure a saving to the profession and the SABFS would sacrifice some income.
- After careful review and deliberation, the Board has approved the calculation for reviews based on 1.1 percent of THE GROSS INCOME of the sheriff.

Attached hereto a report containing a detailed explanation of the proposed amendments, **Annexure 2**. This matter will still be discussed by National management and members are invited to send their comments.

4. RELIEF FUND FOR SHERIFFS

The Board once again confirmed that the Minister approved a second relief scheme that would benefit sheriffs with an annual income higher than R1m. The Board is currently in the process of calculating the payments / reimbursement due to sheriffs who qualify for the benefit and several payments have been made, for which we thank the Board.

Furthermore, the Board undertook to issue correspondence to sheriffs once payment is made. SASS members are requested to look out for payment and correspondence in this regard and to direct any questions to management.

5. AMENDMENT TO RULE 46 HIGH COURT RULES AND 43 MAGISTRATE'S COURT RULES

Members will recall that SASS participated in the investigation to determine the various shortcomings of the amendments to the relevant Regulations and the impact thereof on the attachment and sale of immovable property. A comprehensive report was sent to the Rules Board on behalf of the sheriffs' profession and the Rules Board concluded on the matter. The response of the Rules Board was mostly negative, and it was requested to escalate the matter further.

At the Consultative Forum meeting of 8 February 2021 the Board confirmed they are in the process to engage the Rules Board further. The relevant reports are included for your information: **Annexures 3, 4 and 5.**

6. WORKSHOP WITH THE CCMA ON 23 APRIL 2021:

As a result of ongoing challenges with CCMA matters such as non-payments of accounts, the interpleader summonses etc, a workshop has been arranged to address these issues. Please diarize 23 April 2021 and make use of the opportunity to participate in this workshop. The complete execution procedure will be explained to all stakeholders and questions can be addressed to the panel.

7. SERVICE OF MAINTENANCE DOCUMENTS:

An urgent update was requested at the Consultative Forum as most sheriffs in the Limpopo province still do not receive maintenance documents for service.

We will keep members informed of any development in this regard.

8. SABFS MASTER CLASSES:

We wish to thank all the SASS members who attended the Masterclasses conducted by the Board for Sheriffs. We trust that the sessions were informative and beneficial to members. The following links with the Master Class videos has been uploaded to the Website of the Board for sheriffs for your information.

Debt Collection Masterclass:

<https://www.sheriffs.org.za/debt-collection-masterclass/>

Software Programmes Masterclass:

<https://www.sheriffs.org.za/software-programmes-masterclass/>

New Tariffs Masterclass:

<https://www.sheriffs.org.za/sabfs-new-tariffs-masterclass/>

9. PROVINCIAL MEETINGS AND STAKEHOLDER ENGAGEMENTS

We urge Provincial executive managements to continuously engage membership on the ground. We are navigating difficult terrain and urge our members to try to seek guidance and support whenever necessary. We therefore call upon our Provincial management leadership to be on standby to assist members accordingly.

We encourage members to utilize the WhatsApp - groups to communicate on a day to day basis as it has proven to be very successful.

As we begin the new year we would like to encourage Provinces to hold regular management meetings and identify problem areas with relevant stakeholders who you could engage even on virtual meeting. Colleagues we must keep the momentum going.

10. LEGAL OBLIGATIONS 2020

If you did not comply with Legal Obligations Phase 1 and 2 , we urge you to urgently resolve this matter with the Board before you encounter difficulties with your appointment as Sheriff. We need to reiterate to members that serving court processes without a Fidelity Fund certificate is illegal and would render all returns of service null and void.

11. SODESTA

Colleagues , we have now ensured that SODESTA is up and running under the safe hands of our EXCO member Kgomotso Mphahlele . We encourage members who are looking to source out new staff members and deputy sheriffs to utilize the WhatsApp groups of the various Provinces of SODESTA to advertise the vacancies. You will certainly receive CV's from a very diverse range of applicants and not stick to applicants from your neighbouring offices. You may forward your adverts to kgomotoso@sheriff-sandtonnorth.co.za. We have now 213 registered members on the SODESTA books. Well done to them team !!!!!

12. ANNUAL GENERAL MEETING

Management has requested the sub-committee on AGM preparations to explore all possibilities and revert with concrete resolutions on the way forward for our annual general meeting. We will revert shortly.

This report will be published on the SASS website www.sassoc.co.za

Best Regards
Management
South African Sheriff Society