



1 June 2020

NEWSLETTER

Dear SASS members,

Welcome to our 5th Lockdown Circular newsletter!!

We wish to update you on the events of the past two months - probably the most difficult two months in the history of the sheriff's profession! It is under these kind of circumstances that one realizes that one doesn't have control over the decisions impacting our lives and livelihoods. This has been one of the most challenging experiences for us as sheriffs during in the national lockdown period.

As we go into the 3rd month of the Corona lockdown period, we are pleased to realize the gradual opening of the economy and we believe that this brings hope for improvement of our current situation.

We implore you – our SASS members - let's continue to work together – we are a winning team!!.

We wish to update you on recent developments in the country that have affected our profession in a very fundamental way

1 ALERT LEVEL 3

Now that the country is moving into Alert Level 3 stage, we are happy that sheriffs can finally take up the execution of warrants and writs. This means we can also proceed with attachments, removals and repossession of vehicles, as these are no longer prohibited. Only evictions and sales in execution are still excluded under level 3, unless otherwise directed by court.

2. DIRECTIVES BY THE JUSTICE MINISTRY

We believe that by now members are aware that we have to comply with the Directives issued in terms of the Regulations. The minister of Justice and Correctional Service is the responsible cabinet Minister who must issue Directives in support of the Disaster Management Act Regulations. The draft Justice Directives were received on Saturday



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

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

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

morning, **30 May 2020** for comment and the document was forwarded to members for their input.

We wish to thank those members who engaged on the matter and gave positive response. With your support we were able to submit our comments **by 8:00 on 31 May 2020**, as required.

The final Directives will be distributed to members when received, hopefully still today.

3 EXCLUSION OF SALES IN EXECUTION

As mentioned above, Sales in Execution are still excluded under level 3, unless such a sale is conducted on an online auction basis. In our submission on Justice Directives, we argued that physical sales in execution must be allowed, under strict health protocols, as the sheriff industry is currently not capacitated to conduct online auctions. Regulations as currently applicable do not allow for Online Auctions. For online auctions to be conducted Rules must be amended and it would take an inordinately long time to effect such Rule amendment. In addition, this will necessitate a consultative process which includes other stake holders. This was also the view of the majority of members.

SASS is not opposed to the principle of online auctions and our view is that going forward this is something that will be explored.

4 ONLINE AUCTIONS BY SHERIFFS

On **10 May 2020** SASS participated in a virtual meeting of the banking forum, where an online auction platform was demonstrated. The SABFS also initiated a process whereby the use of a currently existing online auction platform was investigated. SASS also participated in a virtual meeting conducted by the SABFS on **29 May 2020** to investigate the possibility of an online auction by sheriffs. However, it was found that this platform is not suitable for sales in execution. A joint committee was established for the sheriff industry to investigate online auctions. This committee will be recommended to the ministry by the SABFS to investigate online auctions.

We wish to thank Thami Tembe, chairperson of the SASS legal committee for agreeing to represent SASS in this forum.

5 THE FINANCIAL POSITION OF SHERIFFS DURING THE LOCKDOWN PERIOD - THE ROLE PLAYED BY SASS

Going into the national lockdown was a very uncertain and scary time, not only for sheriffs, but also for all citizens of the country. As SASS management we were faced by challenges we have never experienced before and we had to engage on all levels - giving advice, providing assistance, encouraging and keeping members motivated.

From the onset it became very clear to SASS that the profession needs some form of financial assistance to survive. Members mandated management to engage our principals on an urgent basis to seek financial relief.

The following are some of the steps we found necessary to take in order to address the plight of our members and sheriffs generally:

Correspondence to the Board 16 April 2020

The month of April was a very uncertain time and nobody knew exactly who to ask for assistance and which relief programs could be accessed. When it became evident that the normal government relief schemes would not be available for sheriffs, SASS addressed a letter to the Board on **16 April 2020** where we requested:

- (a) Financial assistance to the sheriffs by the board, based on a percentage of the sheriff's income, declared through Form 16, and
- (b) Urgent intervention to allow access to government relief schemes

Follow up on 8 May 2020

A follow up was made on our request and on 8 May 2020 the Executive Manager of the Board indicated that they await response from the Minister. However, it was not indicated whether our proposal was considered or approved by the Board and what exactly was requested from the Minister.

Further correspondence to the Board 15 May 2020

In our letter to the Board of 15 May 2020, we again raised the devastating financial impact of the lockdown on sheriffs' finances and sustainability. In this letter we requested the board to exempt sheriffs from payment of levies for the 2019-2020 financial year, payable on 31 July 2020.

We also requested an urgent meeting with the Board to discuss this and other financial assistance measures, in order to SAVE THE SHERIFFS.

Correspondence to the Minister Ronald Lamola, Minister of Justice and Correctional services, 25 May 2020

During the month of May, sheriffs have now been without an income for almost a period of two and a half months and called upon SASS for assistance. A letter was addressed to the Minister wherein the dire financial position of sheriffs was explained. All the letters received by our members were enclosed to illustrate the reality sheriffs were facing.

We further requested the Minister to investigate a **special funding scheme** for the benefit of the sheriff sector to prevent the collapse of sheriffs services in many areas due to office closures. We alluded to the Minister the fact that sheriffs only qualify to apply for the UIF TERS scheme and that none of the other schemes are accessible to sheriffs.

In this letter, we also shared with the Minister our requests to the board for funding and the exemption of payment of levies.

Unfortunately we are still awaiting for responses from both the Board and the Minister and will keep members updated of any developments.

At this point there is one ray of hope – sheriffs are back to work!

6 UIF TERS APPLICATIONS

We understand that the UIF claims for May 2020 are now open and SASS members are encouraged to lodge your claims as soon as possible.

7 REFUND BY SANTAM

We wish to acknowledge and thank Susan Coetzer of Protektum Brokers and her team for the 20% premium reimbursement on motor premiums paid in April 2020 for active commercial policies.

It assisted with reducing of overhead expenses in this difficult time.

8 SASS ANNUAL GENERAL MEETING

As indicated before, the SASS Annual General Meeting had to be postponed due to the national lockdown and prohibition of gatherings.

National management will shortly be requested to consider the options and an announcement will duly follow.

9 CONSULTATIVE FORUM 9 JUNE 2020

SASS will participate in the Consultative Forum on 9 June 2020. Financial assistance and online auctions are the main items for discussion.

The president and deputy president represents SASS at this forum.

We wish to draw members attention and remind you of the special newsletter that was issued after the February meeting, where feedback was given by the SABFS on various aspects raised by SASS relating to investigations against sheriffs.

Please note that we are currently engaging members at provincial level and we will then respond to the Board on any outstanding matters.

10 TRUST ACCOUNT MANAGEMENT TRAINING WORKSHOP

Due to the national lockdown, this workshop was converted to various online meetings that started on 18 May 2020 and will end by 8 June 2020.

A reference group is meeting with a consultant who is drafting the training material for an Advanced Training Course on trust account management.

Our president Ms Petro Roodt is representing SASS on this reference group and members will be updated of any developments in this regard.

WE WISH ALL OF YOU OUR MEMBERS BEST REGARDS AS WE ENTER INTO THE NEW LEVEL OF THE LOCKDOWN!!-

SASS – the organization of choice

****NEVER LOSE HOPE ****