



Office of the Secretary

## **Notice of Ordinary General Meeting 2011**

### **Thursday, 30 June 2011**

Notice is hereby given that the ninety-first Ordinary General Meeting (OGM) of shareholders of the SA Reserve Bank (the Bank) will be held in the Auditorium of the South African Reserve Bank Conference Centre, at 370 Church Street, Pretoria, on Thursday, 30 June 2011 at 10:00.

This notice serves to inform shareholders, in accordance with regulation 12, read with regulation 7 of the regulations (the Regulations) made in terms of section 36 of the South African Reserve Bank Act (Act No. 90 of 1989), as amended (the Act), of the business to be considered at the ordinary general meeting.

- 1. The presentation and discussion (in terms of regulation 24, read with regulation 7 of the Regulations) of the following matters included in the Bank's *Annual Report 2010/11*, to be distributed to shareholders on or about 14 June 2011:**
  - 1.1 The minutes of the ordinary general meeting of shareholders held on 8 December 2010,
  - 1.2 The financial statements for the 2010/11 financial year,
  - 1.3 The report of the Board on the state of affairs and business of the Bank, including the Directors' Report for the year ended 31 March 2011 and the required disclosures, and
  - 1.4 The report of the auditors.

**2. The election of non-executive directors to serve on the Board of directors of the Bank (in terms of regulation 7.3(b) of the Regulations, read with section 4 (1) (b) of the Act):**

2.1 The tenure of three serving non-executive directors elected by shareholders will expire on 1 July 2011.

**2.2 The election of a non-executive director with knowledge and skills in commerce or finance**

2.2.1 Dr D Konar, a serving non-executive director with knowledge and skills in commerce or finance, retires by rotation and is not available for re-election. The Panel appointed in terms of section 4(1C) of the Act considered nominations of candidates to fill this vacancy. The Panel confirmed the following three nominated persons as suitable candidates for election by shareholders to fill this vacancy:

Mr R Barrow

Mr S S Gounden

Mr D C Powells

The CVs of these three candidates are attached and shareholders will be requested to elect one of these candidates.

**2.3 The election of a non-executive director with knowledge and skills in commerce or finance**

2.3.1 Ms Z P Manase, a serving non-executive director with knowledge and skills in commerce or finance, retires by rotation and is not available for re-election.

2.3.2 Owing to amendments to the Act, the position vacated by Ms Manase no longer needs to be filled by a person with knowledge and skills in commerce or finance, but with a person with knowledge and skills in labour.

2.3.3 The Panel appointed in terms of section 4(1C) of the Act considered nominations of candidates to fill the vacancy mentioned in 2.3.2 above. The Panel confirmed the following three nominated persons as suitable candidates for election by shareholders to fill this vacancy:

Professor R le Roux

Dr M A Altman

Dr S P Makhesha

The CVs of these three candidates are attached and shareholders will be requested to elect one of these candidates.

#### **2.4 The election of a non-executive director with knowledge and skills in mining**

2.4.1 Ms N D Orleyn, the serving non-executive director with knowledge and skills in mining, retires by rotation and is not available for re-election.

2.4.2 The Panel appointed in terms of section 4(1C) of the Act considered nominations of candidates to fill the vacancy mentioned in 2.4.1 above. The Panel confirmed the following three nominated persons as suitable candidates for election by shareholders to fill this vacancy:

Mr C T Loock

Mr G Ralfe

Ms M Feinstein

The CVs of these three candidates are attached and shareholders will be requested to elect one of these candidates.

### **3. The approval of the remuneration of the auditors for the past audit (in terms of regulations 22.1(b), read with regulation 7.3(c) of the Regulations).**

- 3.1 Shareholders will be requested to approve the remuneration of the Bank's external auditors, PricewaterhouseCoopers Inc and SizweNtsaluba VSP, for completing the audit for the 2010/11 financial year.
4. **The appointment of auditors for the 2011/12 financial year (in terms of regulations 22.1(a), read with regulation 7.3(c) of the Regulations).**
  - 4.1 Shareholders will be requested to appoint PricewaterhouseCoopers Inc and SizweNtsaluba VSP as the Bank's external auditors for the 2011/12 financial year. Their appointment is recommended by the Board of the Bank.
5. **To consider special business of which proper notice was given (in terms of regulations 12, read with regulation 7.3(d) of the Regulations).**
6. **To consider further business arising from the items listed above (in terms of regulation 7.3(e) of the Regulations).**

In terms of section 23 of the Act, shareholders are entitled to exercise one vote at an ordinary general meeting in respect of every 200 shares of which such shareholders have been the registered holder for a period not less than six months prior to the date of the meeting, subject to the conditions mentioned below.

A shareholder is not entitled to any vote at any meeting of the shareholders if the shareholder is not ordinarily resident in the Republic of South Africa.

No shareholders, or their associates, shall either directly or indirectly exercise any vote as a shareholder in respect of the number of shares in the Bank held by them, either alone, or in aggregate with their associates, in excess of 10 000 (which equates to a maximum number of 50 votes). No group of companies with interlocking directorates shall either directly or indirectly exercise any vote as shareholders in respect of the total number of shares in the Bank held by those companies in excess of 10 000 (which equates to a maximum number of 50 votes).

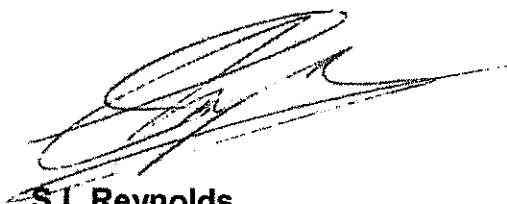
Shareholders who are unable to attend the meeting in person and who are entitled to vote may use the proxy form included in the *Annual Report 2010/11*, which is expected to be forwarded to shareholders on or about 14 June 2011. All proxy forms must be deposited at the Head Office of the Bank in Pretoria at least **forty-eight hours** prior to the meeting, i.e. not later than 10:00 on Tuesday, 28 June 2011, for attention of the Secretary of the Bank.

### **Voting procedures**

Shareholders are advised that in line with best practice, voting on each of the resolutions will take place electronically at this year's OGM. Shareholders are requested to allow sufficient time to register with the Scrutineers and receive their voting devices, and be seated in the Auditorium, by no later than 09:50.

Any enquiries in this regard may be directed to the Secretary of the Bank on [sheenagh.reynolds@resbank.co.za](mailto:sheenagh.reynolds@resbank.co.za).

By order of the Board



**S L Reynolds**

**Secretary of the Bank**

Pretoria

27 May 2011

# **Robert J G Barrow**

## **Education**

Chartered Accountant (sa) - 1971

Advanced Management Programme - University of Cape Town – 1990

## **Current situation**

Retired since 1 July 2008

Directorships:

Strate Limited

Munich Reinsurance Company of Africa Limited

## **Employment**

### **Financial Services Board**

*Executive Officer – July 2005 to 30 June 2008.*

Responsible for the day to day activities and the overall management and strategic direction of the Board.

*Deputy Executive Officer - Investment Institutions - January 1997 to June 2005*

Responsible for the supervision of the Collective Investment Schemes industry and for the three stock exchanges (JSE, SAFEX and the Bond Exchange) as well as the Insider Trading Directorate. As a member of the Executive Committee I also participated in the overall management and strategic direction of the Board.

### **Self employment**

*January to December 1996*

During this period I acted as an independent consultant. I was involved in the development of a sophisticated risk management software system.

### **Johannesburg Stock Exchange**

*Director of Surveillance - October 1992 to November 1995*

I was responsible for the day-to-day operations of the surveillance department, which included managing a team of 20 professional staff.

## **Coopers & Lybrand**

*Partner from March 1976 to September 1992*

*Manager from December 1974 to February 1976*

*Computer audit specialist from July 1973 to November 1974*

*Seconded to Coopers & Lybrand London from May 1972 to June 1973 to specialise in computer auditing*

*Audit senior from February 1970 to April 1972*

I was a partner in the Johannesburg office responsible for a portfolio of large audit clients.

I was also involved in a number of takeovers, mergers and listings of companies, acting as reporting accountant, performing due diligence reviews or acting as a business advisor.

## **Wakely Smith Cato & Co**

*January 1965 to January 1972*

Articled clerk and attended the University of the Witwatersrand on a part time basis.

## **Professional affairs**

I have been a member of the following committees of the South African Institute of Chartered Accountants and related professional bodies:

- Accounting Practices Committee - seven years and acted as chairman for three years.
- Transvaal Society of Chartered Accountants - three years.
- Banking special interest group - five years.
- Transvaal Society of Chartered Accountants consulting panel - ten years.
- Presented numerous lectures on technical matters and computer auditing.
- Accounting Practices Board - I served a previous term of 6 years and am currently one of the five SAICA representatives on the Board.
- Independent Regulatory Board for auditors (previously the Public Accountants and Auditors Board) – two years.

## **Other details**

Age: 64

Nationality: South African.

Community activities - I acted as chairman of the Crossroads School Trust, a school for learning disabled children, for ten years.

Married to Meryl and have two children.



## **CURRICULUM VITAE : SATHIE GOUNDEN**

**NAME** : Sathie Gounden

**MARITAL STATUS** : Married (With three children)

**PLACE AND DATE OF BIRTH** : Durban - 5 November 1958

**NATIONALITY** : South African (ID: 581105 5140 08 6)

**HEALTH** : Excellent

**EDUCATION** :  
Risecliff Secondary School (1972 to 1976)  
University of South Africa (1980 to 1984)  
University of Durban-Westville (1989)  
University of Pretoria (2000)

**QUALIFICATIONS** :

- B. Compt. - Unisa
- Diploma in Accounting - University of Durban-Westville
- Chartered Accountant (S.A.)
- Registered Auditor
- Certificate in Forensic Accounting & Fraud Examination - University of Pretoria
- Fellow of the Institute of Chartered Secretaries (CIS)
- Executive Leadership Development Institute Programme – Harvard Business School

**EXTRA-CURRICULAR ACTIVITIES** :

- Completed Comrades Marathon
- Gym work-outs
- Climbed Mt. Kilimanjaro & Machu Picchu
- Travelling

## **CURRICULUM VITAE : SATHIE GOUNDEN**

### **EXPERIENCE :**

- extensive auditing, accounting, forensics, consulting and tax experience
- competent at planning, organising, managing and controlling of staff
- have a flair for technical audit and accounting issues
- technically abreast of developments in the accounting and auditing environment
- have good research, report writing and presentation skills
- expert in financial reporting using IFRS / SA GAAP
- competent at advising and training on technical audit and accounting issues
- experience in training / lecturing
- strong ethical and professional values
- setting, monitoring and evaluating budgets
- pro-active in exploring revenue generating opportunities
- sound knowledge in:
  - Risk management
  - PFMA
  - Treasury regulations
  - Financial reporting
  - King 111 on Corporate Governance
  - B-BBEE

### **LEADERSHIP ROLES :**

- Past CEO of Gobodo Incorporated
- Past Management committee member of APF Chartered Accountants Inc.
- Past President of the national board of ABASA (Association for the Advancement of Black Accountants of Southern Africa)
- Past Chairman of the ABASA : Kwa-Zulu Natal Branch
- Past member of council of the Kwa-Zulu Natal Society of Chartered Accountants
- Past Chairman of the Durban and District Regional Association of the KZN Society of Chartered Accountants
- Member of the advisory committee of the department of accounting at Mangosuthu Technikon
- Past Chairman of the audit committee of Durban Metropolitan Council.
- Past Managing partner of Gobodo Incorporated (Durban branch)
- Past Chamber member of the Black Business Council (BBC)
- Past National board member of the South African Institute of Chartered Accountants (SAICA)
- Member of the Chartered Accountancy Profession Charter Committee
- Member of the Black Firms Forum
- Member of ABASA Past Presidents Club
- Member of the Institute of Directors

## **CURRICULUM VITAE : SATHIE GOUNDEN**

### **PERSONAL CHARACTERISTICS :**

- Highly developed interpersonal managerial skills and good at dealing with people at all levels in a company from top management downwards.
- Skilled at managing and motivating teams, earning loyalty through bringing out the best in individuals and accommodating preferences where possible.
- Able to sum up the big picture quickly and stay focused on company level objectives whilst directing project teams.
- Can stay calm and work well under pressure - whether this means taking on difficult tasks working to tight deadlines or focusing on multiple projects.
- An independent thinker with strong ethical and professional values.
- Have a strong commitment to good governance principles and enthusiastic & passionate on promoting basic human values.

### **EMPLOYMENT HISTORY :**

<b>Name of Company</b>	<b>Position</b>	<b>Period</b>
African Malleable Foundries	Laboratory Assistant	1977 - 1978
Propan Pharmaceuticals	Laboratory Assistant	1978 - 1979
TS Braude & Company	Trainee Accountant	1979 - 1982
Kessel Feinstein	Audit Supervisor	1982 - 1987
Tselentis & Collett	Manager	1987 - 1989
IS Pillay & Company	Senior Manager	1989 -1991
S. Gounden & Company	Managing Partner	1991 - 2000
Gobodo Incorporated	Director / CEO	2000 - 2010

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# **David Christian Powels**

## **Curriculum Vitae**

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### **PERSONAL DETAILS**

Born: 8 January 1962  
South African Citizen  
Married, 3 Children  
ID Number 6201085030086

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### **EDUCATION**

1979	Matriculated Marist Brothers College, Port Elizabeth
1982	B.Commerce Degree (Cum Laude) University of Port Elizabeth (NMMU)
1983	Certificate in the Theory of Accountancy (CTA)
1984	Chartered Accountant (CA)
1986	ICMA (British Institute of Cost and Management Accountants)
Languages	English, Afrikaans, German and Portuguese

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## **CAREER SUMMARY**

<b>2007 – To Date</b>	<b>Volkswagen of South Africa (Pty) Ltd.</b> Managing Director
<b>2002 – 2006</b>	<b>Volkswagen do Brazil Ltda.</b> Vice President Finance and Corporate Strategy
<b>1998 – 2002</b>	<b>Volkswagen of South Africa (Pty) Ltd.</b> Finance Director
<b>1996 – 1998</b>	<b>Volkswagen AG and Audi AG</b> Finance Division Head
<b>1990 - 1993</b>	<b>Volkswagen of South Africa (Pty) Ltd.</b>
<b>1993 – 1996</b>	Finance Controller
<b>1990 – 1993</b>	Senior Manager Export and New Business Development
<b>1989 – 1990</b>	Tax Accountant
<b>1987 – 1988</b>	<b>Military Service</b>
<b>1983 – 1986</b>	<b>Deloitte and Touche Accountants and Auditors</b> Articled Clerk

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**ROCHELLE LE ROUX**  
**CURRICULUM VITAE**  
(LAST UPDATED ON MAY 2011)

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**1. PERSONAL DETAILS**

<b>FULL NAME</b>	Rochelle Le Roux
<b>NATIONALITY</b>	South African
<b>MARITAL STATUS</b>	Single
<b>HEALTH</b>	Excellent
<b>IDENTITY NUMBER</b>	650314 0008 084
<b>HOBBIES</b>	Outdoor activities, reading, travelling and olive growing

**2. SUMMARY OF EXPERIENCE**

I am a qualified attorney and conveyancer and practised with a law firm in Cape Town before joining academia in 1994. Currently I am a professor in the Faculty of Law, University of Cape Town and lecture mainly labour law and occasionally sports law. I was Head of the Department of Commercial Law from March 2008 – February 2011.

In 1990 I obtained a Master's degree in International Water Law from the University of Stellenbosch, but as a result of personal interest and the demands of practice I developed an interest in labour law. In 2000 I obtained a PG Dip

(Employment Law and Social Security) from the University of Cape Town and 2002 I graduated with another Master's degree (in Sports Law) from Anglia Polytechnic University (now Anglia Ruskin University). In 2008 I graduated with a PhD in labour law from the University of Cape Town.

Since 2002 I have regularly published in peer-reviewed/accredited journals on both labour law and sports law issues. In 2005 I published a book *Sexual Harassment in the Workplace: Law, Policies and Processes* co-authored by Thandi Orleyn and Alan Rycroft. A further edition of this book, *Harassment in the Workplace: Law, Policies and Processes*, was published during August 2010.

### 3. QUALIFICATIONS

2008	UNIVERSITY OF CAPE TOWN <u>PhD</u>
2002	ANGLIA POLYTECHNIC UNIVERSITY (UK) (now Anglia Ruskin) <u>LLM (INTERNATIONAL SPORTS LAW)</u>
2000	UNIVERSITY OF CAPE TOWN <u>POSTGRADUATE DIPLOMA (LABOUR LAW AND SOCIAL SECURITY) (cum laude)</u>
1990	ADMISSION AS ATTORNEY AND CONVEYANCER
1989	UNIVERSITY OF STELLENBOSCH <u>LLM</u> (by dissertation: International water law.)
1987	UNIVERSITY OF PORT ELIZABETH (now NMMU) <u>LLB (cum laude)</u>
1985	UNIVERSITY OF PORT ELIZABETH (now NMMU) <u>B. JURIS (cum laude)</u>
1982	OUTENIQUA HIGH SCHOOL, GEORGE <u>MATRICULATION</u> First class pass

#### 4. TRAINING COURSES/WORKSHOPS, RESEARCH VISITS AND CONFERENCES ATTENDED

- 2011** SASLAW Western Cape presentation 'Liability of employers for sexual harassment'.
- 2010** HOD workshop (*Ad hominem* promotion process) (UCT)
- Congress of the International Association of Law Schools, May 2010, University of Milan, Italy
- 2009** Association of South African Law Teachers Conference, Pietermaritzburg
- Research visit, University of Cambridge
- 22<sup>nd</sup> Annual Labour Law Conference, Johannesburg
- Litigation seminar: Protected Disclosure Act - Open Democracy Advice Centre, Johannesburg
- 15<sup>th</sup> World Congress of the IIRA, Sydney,
- HOD workshop (Research development in academic departments) (UCT)
- 2008** 21<sup>st</sup> Annual Labour Law Conference, Johannesburg
- HOD Workshop for new Heads of Department (UCT)
- 2007** 20<sup>th</sup> Annual Labour Law Conference, Johannesburg
- Research visit, University of Amsterdam
- Hugo Sinzheimer lecture, Amsterdam
- 2006** 19<sup>th</sup> Annual Labour Law Conference, Johannesburg
- Research visit, University of Melbourne



Research visit, University of Cambridge

Supervision workshop hosted by UCT Research Office at Zevenwacht

- 2005**      “10 Years of the LRA”, conference, Stellenbosch
- 18<sup>th</sup> Annual Labour Law Conference, Johannesburg
- Workshop: Protected Disclosures – Open Democracy Advice Centre Cape Town
- 2004**      2004 Sports Law Update, Pretoria
- 17<sup>th</sup> Annual Labour Law Conference, Johannesburg
- 2003**      World Conference on Doping In Sport, Copenhagen, Denmark.
- 16<sup>th</sup> Annual Labour Law Conference, Johannesburg.
- South African Sports Conference (South African Sports Commission), Johannesburg
- 2002**      15<sup>th</sup> Annual Labour Law Conference, Johannesburg.
- South African Sport Conference (South African Sports Commission), Johannesburg
- Excellante International Conference Labour Relations Conference, Johannesburg and Cape Town
- One day training workshop for AFSA on sports law
- 2001**      Workshop LSO Shop Steward Training Project
- 11<sup>th</sup> ANZSLA Sports Law Conference, Perth, Australia
- 2000**      Association of South African Law Teachers Conference, Durban
- Essential Employment and Labour Law Seminar

<b>1999</b>	Credit control workshop Herr Organisation
<b>1998</b>	Juta's Applying the 1998 Labour Laws Seminar
<b>1997</b>	Juta's Current Labour Law Seminar
<b>1996</b>	Juta's Current Labour Law Seminar
<b>1995</b>	Labour Law Conference, Department of Trade and Industry
<b>1989</b>	Law Society training school for candidate attorneys

## **5. PROFESSIONAL EXPERIENCE**

<b>2000 TILL DATE</b>	UNIVERSITY OF CAPE TOWN
	PROFESSOR (from 1 January 2011) DEPARTMENT OF COMMERCIAL LAW
	ASSOCIATE PROFESSOR (January 2006 – December 2010) DEPARTMENT OF COMMERCIAL LAW
	DEPUTY DIRECTOR, INSTITUTE OF DEVELOPMENT AND LABOUR LAW (IDLL) (2002 - 2007)
	HEAD OF THE DEPARTMENT OF COMMERCIAL LAW (since March 2008 to 28 February 2011)

In these three capacities duties + activities include(d) the following:

- Management of general departmental matters
- Faculty and University *ad hoc* selection committees
- Induction and mentoring of new staff members
- Support and mentoring of junior staff
- Lecturing at LLB, postgraduate and certificate course level
- Course convening
- Guest lecturing at other South African universities and University of Melbourne

- Guest lecturing in other faculties at UCT (EBE, Humanities and Commerce)
- Supervision of LLB research papers
- Supervision of Master's/PG Dip dissertations
- PhD co-supervision
- Publication of journal articles, books and chapters in books
- Member of Faculty Committees: IT and Equipment Committee (2003-2006); Finance and Management Committee (2003-); Dean's Advisory Committee (2008 – 2009), Academic Planning Committee (2008-), Development Committee (2010-) and associated sub –committees and *ad hoc* selection committees
- Member of University Committees: Timetable (2006-); Academic Heads Working Group (2008-) and Senate (2008-)
- Presentation of papers at conferences
- Conference attendance
- Nomination of staff members and motivation for nomination of awards/fellowship
- Initiate and hosting of inaugural Mike Larkin memorial lecture
- Member of a Committee of Review, chaired by DVC, Prof Jo Beal investigating a matter concerning probation
- Submission of comments to SA Law Commission (re amendments to Protected Disclosure Act)
- Arrange TRA workshop by CHED
- Member of the planning committee of the Annual Labour Law Conference (2003-2009)
- Chair IT and Equipment Committee (until June 2008).
- Day-to-day supervision of Faculty's IT Co-ordinator (until June 2008)
- Preparation of IDLL's annual reports (until 2006)
- Editing and publishing of IDLL's monograph series
- Training of shop stewards
- Member of advisory board: Institute of Development and Labour Law (IDLL)
- Founder member and secretary of Sports Law Association of South Africa
- Member of reference group for UCT code on sexual harassment (2005-2006)
- Day-to-day administration of the IDLL (until March 2008). Facilitation of moots on regional postgraduate programmes offered in Tanzania, Botswana, Lesotho, Zimbabwe, Swaziland and Namibia)(2003 - 2005)
- Chair of the Sax Appeal 2011 Advisory board

2004 & 2006	UNIVERSITY OF MELBOURNE, AUSTRALIA <u>SENIOR FELLOW</u>
	<ul style="list-style-type: none"> <li>• Lecture Sports Employment Law</li> </ul>
JULY 1994 - 2000	CAPE TECHNIKON <u>SENIOR LECTURER IN LAW AT SCHOOL OF BUSINESS INFORMATICS</u>
OCT. 1996 - 1998	CONSULTING HEUNIS & HEUNIS (Law firm)
JAN. 1990 - JUN. 1994	<u>PROFESSIONAL ASSISTANT JAN S DE VILLIERS AND SON</u> LITIGATION DEPARTMENT
JAN. 1988 - DEC. 1989	<u>CANDIDATE ATTORNEY JAN S DE VILLIERS AND SON</u> (Law firm)

## 6. PUBLICATIONS/BOOKS/PAPERS

- 2010 *Harassment in the Workplace: Law, Policies and Processes* with A Rycroft T Orleyn (Butterworths LexisNexis, Durban) 1-215
- "Droit du travail et de la sécurité sociale dans le sport sud-africain"  
*Bulletin de droit comparé du travail et de la sécurité sociale* 2010,  
Bordeaux, p159-183 (à paraître) (Originally written in English, but  
translated by publishers.)
- "Evolution of the contract of employment in South Africa" (2010)  
39(2) *Industrial Law Journal* (UK) 139
- "Dialogue concerning externalisation and multilateral employment"  
2010 *De Jure* 129
- Foreword: 2010 *Acta Juridica* ix, also published as T Mongalo (ed)  
*Modern Company Law for a Competitive South African Economy*  
(2010)

"The Protected Disclosures Act 26 of 2000: is this as good as it is going to get for whistleblowers? A review of some recent jurisprudence" 2010 *Stell LR* 508

## 2009

*Understanding the Labour Relations Act*, Juta's Pocket Companions, Jordaan, Kalula and Strydom (eds), Juta Law, Jordaan, B; Van Jaarsveld, M & Le Roux, R. 1-229

"The Meaning of 'Worker' and the Road Towards Diversification: Reflecting On *Discovery*, *Sita* And *Kylie*" 2009 (30) *Industrial Law Journal* 49

"Research and publishing in law – no need for a Big Bang". Paper presented at the Association of South African Law Teachers Conference, Pietermaritzburg. (With Dr Lyn Holness)

"Sexual Harassment Case Law update". Paper presented at the 22<sup>nd</sup> Annual Labour Law Conference, Johannesburg (With Sufia Singlee)

"The PDA - An inquiry into wrongdoing or providing protection". Paper presented at Litigation seminar: Protected Disclosure Act - Open Democracy Advice Centre, Johannesburg

"The World of Work: Forms of Engagement in South Africa". Paper presented at the 15<sup>th</sup> World Congress of the IIRA, Sydney

"The contract of employment" Chapter in Thompson and Benjamin *South African Labour Law*, Juta

*The World of Work* – Institute of Development and Labour Law Monograph series (02/2009)

## 2008

"Reinstatement: When does a continuing employment relationship become intolerable?" 2008 (29) 1 *Obiter* 69

"A rebel without a c(l)ause: The meaning of 'worker' and diversification". Paper presented at the national SASLAW Conference, Durban, October 2009

PhD thesis (UCT): "The Regulation of Work: Whither the Contract of Employment?: An analysis of the Suitability of the Contract of Employment to Regulate the Different Forms of Labour Market Participation by Individual Workers"

- 2007** "Employment" chapter in F Du Bois (ed) Wille's Principles of South African Law 9ed (2007) Juta, Cape Town
- "Sexual harassment in the workplace: Understanding the employer's liability?". Paper presented at the Employment Relations Conference, 5 June 2007, Johannesburg
- "When does a continuing employment relationship become intolerable?". Paper presented at the 20<sup>th</sup> Annual Labour Law Conference, Johannesburg
- "Sexual Harassment in the Workplace" – lunchtime presentation to staff at the Law firm Denys Reitz (October 2007), Cape Town
- "The worker: Towards labour law's new vocabulary" 2007 (124) 3 *South African Law Journal* 469
- Book review:** *Essential Social Security Law* 2007 (18) 2 *Stellenbosch Law Review* 380
- 2006** "Labour law in South African Sport: A season of expectations?" (2006) 1-2 *The International Sports Law Journal* 56-59
- "Anatomy of a benefit: A labyrinthine enquiry" 2006 (27) *Industrial Law Journal* 53-66
- "The law, sexual harassment and the best way to go" 29(6) Dec 2006/Jan 2006 *South African Labour Bulletin* 38-39
- "Sexual harassment in the workplace: a matter of more questions than answers or do we simply know less the more we find out?" 2006 10 (1) *Law, Democracy & Development* 49-67
- "Managing Racism in the Workplace: Any lessons to be learnt from *SATAWU obo Finca v Old Mutual Life Insurance Company (SA) Limited and Burger*". Paper presented at the 19<sup>th</sup> Annual Labour Law Conference, Johannesburg
- "When is enough, enough? Reflecting on recent South African case law on the extent to which employers should be liable for the racist (and other discriminatory) conduct of their employees in the workplace". Lunchtime lecture presented at the Faculty of Law, University of Melbourne, July 2006

"Section 60 of the Employment Equity Act, 1998: Will a comparative approach shake this joker out of the pack?" 2006 (27) 3 *Obiter* 411

**2005**      *Sexual Harassment in the Workplace: Law, Policies and Processes* with T Orleyn & A Rycroft (Butterworths LexisNexis, Durban) 1-177

"Employment issues in sport" chapter in R. Cloete (ed) *Introduction to Sports Law in South Africa* 67-93, Butterworths LexisNexis – Durban

**2004**      "Be(a)ttling on expectations: Labour law issues in sport". Paper presented at the 2004 Sports Law Update, Pretoria

"Performance clauses in sport contracts". Paper presented at the South African Sport Science Conference, Johannesburg

"The vicarious liability of the employer for the sexual harassment of an employee in the workplace." Paper presented at the 17<sup>th</sup> Annual Labour Law Conference, Johannesburg

"The World Anti-Doping Code: A South African perspective" (2004) 26 *South African Journal for Research in Sport, Physical Education and Recreation* 65

"Annus horribilis for South African sport?" (2004) 1-2 *The International Sports Law Journal* 51

"Aspects of South African law as it applies to corruption in the workplace" (2004) 17 (2) *South African Journal of Criminal Justice/Suid-Afrikaanse Tydskrif vir Strafrechtspleging* 158

"Does the Constitution fail workers?" (2004) 28(2) *South African Labour Bulletin* 47

"Sexual harassment in the workplace: reflecting on *Grobler v Naspers*" (2004) 25 *Industrial Law Journal* 1897

"The cas(e) for sport" Newsletter Sports Law Association of South Africa 3 (2004)

"About updates and Olympics" Newsletter Sports Law Association of South Africa 4 (2004)

"Deliciously Nutty!" Newsletter Sports Law Association of South Africa 5 (2004)

"Vicarious liability for sexual harassment in the workplace". Lunchtime lecture presented at the Faculty of Law at the University of Melbourne, July 2004

## 2003

"Is Tsimba chipped? Reflecting on the IRB rule that a player may only represent one country". Paper presented at the UCT/RAU Sports Law Conference, Cape Town. (See *Sport: The Right to Participate and Other Legal Issues* R Le Roux & S Cornelius (eds), 2003, 18-32.)

"Corruption in the workplace: the whistleblower's dilemma". Paper co-presented (with G Ghalant) at the 16<sup>th</sup> Annual Labour Law Conference, Johannesburg

"AWOL. A clear case for summary dismissal" (2003) 11(2) *Juta's Business Law Journal* 38.

"How divine is my contract? Reflecting on the enforceability of player/athlete contracts in sport" (2003) 15(1) *SA Mercantile Law Journal* 116

*Sport: The Right to Participate and Other Legal Issues* R Le Roux & S Cornelius (eds). 2003. (Selected papers from the Sports Law Conference held at the University of Cape Town 6-7 February 2003.)

"Vicarious liability: Revisiting an old acquaintance" (2003) 24 *Industrial Law Journal* 1879

## 2002

"The impact of the amendments on the residual unfair labour practices". Paper presented at the Excellante International Labour Relations Amendments Conference, Johannesburg May 2002 and Cape Town August 2002

"Transferring a football player: not quite section 197 of the LRA". Paper presented at the 15<sup>th</sup> Annual Labour Law Conference, Johannesburg

"Under starter's orders: Law, labour law and sport?" (2002) 23 *Industrial Law Journal* 1195

"Agricultural workers: A historical and contemporary perspective" Occasional paper 1/2002 IDLL

"The Cronjé affair: Reflecting on match-fixing in cricket" (2002) 2 *The International Sports Law Journal* 11

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"Residual unfair labour practices: Another unhappy definition" (2002) 10(2) *Juta's Business Law Journal* 86

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"The impact of the 2002 amendments on residual unfair labour practices" (2002) 23 *Industrial Law Journal* 1699

"Not so clear, unambiguous, unconditional and unequivocal" (2002) 10(3) *Juta's Business Law Journal* 108

**2001** "Kerk en Vigs" *Die Kerkbode* 1 December 2001 14. (Non-legal publication Translated: "The church and AIDS".)

"Employers beware! Be consistent!" (2001) 9(3) *Juta's Business Law* 121

"Cricket is not for cheats - Cronjé loses court appeal" (2001) 6 *Sports Law Bulletin* 18.

"Corruption in sport: the lessons to be learned from South African cricket". Paper presented at the ANZSLA Sports Law Conference, Perth, Australia 2001.

**2000** "Disciplinary procedures: where are we now?" (2000) 8(2) *Juta's Business Law* 51

"Inherent job requirements in the religious profession". Paper presented at the Association of South African Law Teachers Conference, Durban.

**1995** "Does the Constitution have any implications for ordinary contractual relationships?" (1995) 3(3) *Juta's Business Law* 1995 132

"A creditor left to 'dree his weird'" (1996) 4(4) *Juta's Business Law* 1996 57

**1989** LLM Thesis "The Lesotho Highlands Water Project", University of Stellenbosch

**In press**

1. **Chapter in book:** "National Register for Sex Offenders" chapter 6 in book on Sexual Offences Act edited by D Smythe (with Jennifer Williams)

## 7. EXTENSION SERVICES/SOCIALLY RESPONSIVE ACTIVITIES

- External examiner of several LLB and LLM courses
- External examiner of Master's dissertations
- PhD examination
- Refereeing of journal articles and NRF refereeing (Singh; Kalula, Mpedi)
- Member of advisory board: *The International Sports Law Journal*
- South African Law Reform Commission Project 25 Statutory Law Revision (member of panel revising legislation falling under the department of Labour)
- Presentation of jurisprudence on whistleblowing for ODAC at Constitutional Hill in August 2009
- Hosted a series "Reg met Afrikaans" at the 2010 Word Fest organised by the University of Stellenbosch and featuring UCT colleagues
- Member of planning committee of Annual Labour Law Conference (2003-2009)
- Submission to SA Law Commission on Protected Disclosure Act (See Report on Project 123 of the SA Law Reform Commission, August 2008 where several of my comments are cited)
- Presenter of workshops/certificate courses hosted by Professional Development Project (Work@Law) (Sports law (2002-2009); sexual harassment (2005))
- Assisted the Western Province Women Golf Union with the redrafting of its constitution (2007)
- Commissioned to prepare draft sexual harassment policy for UCT and member of reference group finalising draft (completed in 2007 while I was on sabbatical)
- Member of South African Society of Labour Lawyers
- Media interviews
  - Interviewed for article in *Fair Lady* (September 2009) on the use of Facebook by employees
  - Protected Disclosures
    - SABC TV2 news – 25 October 2005
  - Sexual harassment
    - RSG Debate – 'Rekenskap' — 12 October 2005
    - FMR – 20 September 2005 – book discussion
    - Voice of the Cape – 8 August 2005
    - SAFM – 18 July 2005
    - RSG – 14 August 2005
    - Radio Namaqualand – 19 January 2011

#### Harassment in the Workplace

Dossier – 22 September 2010

Monitor – 24 September 2010

Naweek Aktueel – 25 September 2010

Monitor – 27 September 2010

SAFM John Orr – October 2011

#### Women in the Workplace

*Voice of the Cape* – 16 August 2005

Lance Klusener dismissal

*Cape Talk* – Nov 2003

- Selected as member of commission of inquiry appointed by Athletics South Africa – dispute settled before inquiry commenced (2005)
- One-person investigation into use of performance enhancing substances at UCT gym (October 2005)
- Assist the South African Institute of Drug-free sport with comments on proposed amendment to anti-doping legislation (2005)
- DITSELA shop steward training (labour law), September 2004, Citrusdal
- Co-ordinator and presenter of workshops/seminars/conferences hosted by IDLL (2002-2007)
- Founder member and secretary Sports Law Association of South Africa.
- In 2001 co-presented at Women's day festivities hosted by the Faculty of Law, UCT
- Member of the Tamboerskloof Dutch Reformed Church Council and its finance and employment committees (1998-2000)

### **8. MANAGEMENT, COMMUNICATION AND INTERPERSONAL SKILLS**

- Good and dedicated lecturer with very good student evaluations
- Able to motivate students and staff
- Dedicated researcher and research co-ordinator
- Excellent research skills
- Able to work reliably and responsibly and with drive to meet deadlines and achieve required goals
- Visionary and holistic approach to challenges and when making a decision
- Good communication skills, able to liaise and to negotiate at all levels
- Highly self-motivated, enthusiastic and dedicated
- Creative and innovative
- Adopting an objective and consultative approach to problem solving
- Punctuality
- Friendliness and good sense of humour

- Fairness

## **9 OTHER ACHIEVEMENTS**

### **SPORT**

- Western Province golf 1988 - 1996.
- Eastern Province golf 1985 - 1987.
- Received provincial school colours in athletics.

## **10. REFEREES**

### **Prof Sir Bob Hepple**

Retired Professor of Law and Master of Clare College  
University of Cambridge  
[bgh1000@cam.ac.uk](mailto:bgh1000@cam.ac.uk)

### **Prof Simon Deakin**

Professor of Law  
University of Cambridge  
01223 765339 (w)  
01223 765338 (f)  
[s.deakin@cbr.cam.ac.uk](mailto:s.deakin@cbr.cam.ac.uk)

### **Prof Alan Rycroft**

Chair of Commercial Law  
Faculty of Law  
University of Cape Town  
[Ala.rycroft@uct.ac.za](mailto:Ala.rycroft@uct.ac.za)  
021 650 3070

### **Mr Justice Anton Steenkamp**

Judge of the Labour Court of South Africa  
Twinell Building  
113 Loop Street  
Cape Town

Tel 021 424 9035  
082 700 1079 (c)  
[AJSteenkamp@justice.gov.za](mailto:AJSteenkamp@justice.gov.za)

**Dr Lyn Holness**  
Senior Co-ordinator for Research Development  
UCT Research Office  
021 650 5984  
[Lyn.holness@uct.ac.za](mailto:Lyn.holness@uct.ac.za)

$\frac{1}{2} \left( \frac{1}{2} + \frac{1}{2} \right) = \frac{1}{2}$

Nuanced understanding of public policy and its impact on industry and markets. Experience in crafting strategy. Management of public policy processes. Leadership of multi-disciplinary teams. Strong networks in the public and private spheres. Management of complex stakeholder engagements. Strong public profile as a leading economic expert.

Ph.D	Economics, University of Manchester	1996
M.Phil	Development Economics, University of Cambridge	1989
B.A.	Economics (Distinction), McGill University	1984

**Commissioner                      National Planning Commission                      from May 2010**

**Distinguished Research Fellow**  
Human Sciences Research Council since Dec 2010

**Executive Director**      **Centre for Poverty, Employment and Growth**  
**Human Sciences Research Council**      **2002 to 2010**

Establish and build a centre of excellence focused on reducing unemployment and poverty. This was a modified think tank, generating policy research and dialogue, drawing together a national vision and implementable private and public strategies to address this seemingly intractable challenge.

- Established successful and influential division in the HSRC, with working teams in key areas of policy influence related to employment promotion and poverty reduction. The Centre for Poverty Employment and Growth started in 2005 from a zero base. It grew to a complement of 16 staff, and a wide network of partners in South Africa and globally. It was a modified think tank, that initiated new ideas, implemented scientific research, drew stakeholders into dialogue from project initiation through to completion, with proven success of impact on policy, budgets and action. The scale should be understood in terms of its wider impact on the mobilisation of resources as a result of these operations.
- Contributed to the senior management of the HSRC as part of the new executive team that implemented its transformation in the early part of the 2000's. The HSRC changed from a

largely White, internally focused, and non-income generating entity to one with a much improved equity profile, that is externally oriented, income generating and policy impactful.

- Successful by a number of key measures:

- Proof of scientific basis - from 2005/6, over 350 papers produced, of which more than 40 are internationally peer reviewed journal articles.
  - Unique contribution to body of work focusing on employment policy – the body of work spans macroeconomic policy (with special emphasis on exchange rates and employment outcomes), economy-wide analysis, labour markets, industrial analysis, public employment and public finance. This enables policy makers to make a clearer link between choices and trade-offs and their employment impacts.
  - Strategic stakeholder interaction – 15 to 20 high level think tank sessions held annually with key stakeholders on focused themes, with continuous and active involvement of top decision makers from Government, business and labour sectors
  - Process innovation – created the “evidence-based employment scenarios” methodology that generated national network of government, business and labour leaders engaged on employment solutions. This was a network model that has had proven impact, linking ideas into action and the application of resources. It was a hub-and-spokes approach to generating ideas and percolating them through established networks and organisations. It enabled the diffusion of ideas on complex issues.
  - Policy impact – some examples include:
    - Framed concrete expectations in respect of government’s target of halving unemployment
    - Framed government’s target for household food and nutrition security. Gained ministerial buy-in to household food and nutrition security roadmap process.
    - Target for Expanded Public Works Programme employment set, and elements of new programme designed based on HSRC employment scenarios
    - Strategies for public employment adopted by the Departments of Public Service Administration and of Higher Education and Training, and built into their work-plans
    - Youth employment interventions adopted by Gauteng province, with minimum of R 76 million applied in its budget and aims to raise R 300m for a three year pilot.
    - Substantial influence on electricity pricing, and guidance to process for identifying price path with government, business and the regulator.
    - Established and led process with the Director-General’s in the social and economic cluster departments to raise their awareness of approaches to leveraging private services industries to achieve greater social delivery and economic growth.
    - Set expectations for sources of employment creation in agriculture, mining, manufacturing, and services, and quantifying the link between infrastructure reform and employment creation
    - National Treasury has adopted similar approach to employment scenario building
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### **PROFESSIONAL EXPERIENCE – 1990 TO 2001**

Lectured in economics at the University of the Witwatersrand from 1990 to 2001. Over this period, led large policy processes and implementation and completed PhD. Prior to 1990, employed in a variety of positions, initially at the Treasury in Ontario, Canada, and as head of the Projects Office in a large NGO in Lesotho. Private community contribution has been focused on establishing and building advocacy oriented non-governmental organisations in Canada and South Africa.

<b>Senior lecturer</b>	<b>Graduate School of Public and Development Management, University of the Witwatersrand</b>
<b>Lecturer</b>	<b>Department of Economics, University of the Witwatersrand</b>
<b>Convenor</b>	<b>Economic Development Greater Alexandra Urban Renewal Project Gauteng Provincial Department of Housing</b>

The Department of Housing in Gauteng Province, South Africa, led a multi-billion Rand, 7 – year, integrated development programme to renew the area in and surrounding the former Alexandra township. As convenor of the Economic Development Cluster, I was responsible for the strategic direction, and overseeing the implementation, of the Alexandra Renewal Project's economic programme. The budget for this programme was about R 200 million.

<b>Programme Leader</b>	<b>Employment Strategy and Presidential Jobs Summit Department of Labour</b>
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Reporting to the Minister of Labour and the Minister of Trade and Industry, I was responsible for coordinating the process leading up to the Presidential Jobs Summit. This involved devising strategy, preparing discussion paper for government gazette, drawing together the government, labour and business stakeholders into negotiation, representing government in dialogue, and assembling the final Jobs Summit Declaration.

<b>Project Leader</b>	<b>Development of New Investment Incentive Programmes, the Department of Trade and Industry</b>
<b>Lead Consultant</b>	<b>Human Resource Development Working Group, Clothing and Textile Sectors, the Department of Trade and Industry</b>
<b>Consultant</b>	<b>Competitiveness Benchmarking Department of Trade &amp; Industry</b>
<b>Lead Consultant</b>	<b>Evaluation of Spatial Development Initiatives, Development Bank of Southern Africa</b>
<b>Chairperson</b>	<b>Agricultural Employment Strategy Commission Ministry of Agriculture</b>
<b>Lead Consultant</b>	<b>Fishing Industry Transformation, Department of Environmental Affairs &amp; Tourism</b>
<b>Advisor</b>	<b>Industrial &amp; Regulatory Change, SA Clothing and Textile Workers' Union</b>
<b>Board Member</b>	<b>Manufacturing Development Programme Department of Trade &amp; Industry (currently the Enterprise Investment Programme)</b>



# PRESENTING

## DR. SETHE PATRICIA MAKHESHA

### PERSONAL INFORMATION

Nationality:	South African
EE:	Black Female
ID No:	7410190281083
Age:	35
Drivers License:	10
Availability:	3 months notice
Languages:	English, Afrikaans, South Sotho, Tswana, North Sotho, Zulu

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### EDUCATION

- |   |   |
|---|---|
| • Doctorate in Business Administration (DBA) (2008) | Marylebone University Business School   |
| • Management Development Program (MDP)( 2005)       | University of Cape Town Business School |
| • Executive Education (Strategy) (2005)             | Harvard University Business School      |
| • Executive Development Program (EDP) (2005)        | WITS Business School                    |
| • MBA Degree (2004) Strategy specialisation         | Marylebone Business School              |
| • Diploma in Public Relations Management (2001)     | Technikon SA                            |
| • Matric (1992)                                     | Thuto Lore Comprehensive School         |

### COMPUTER COURSES

- |                   |                    |
|-------------------|--------------------|
| • MS Office Suite | • Macromedia Flash |
| • Internet        | • Emails           |
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## **CANDIDATE PROFILE**

Dr. Patricia Makhesha has 17 years' work experience in various Transformation & Communication fields which include developing and implementing the strategiest. She holds a doctorate degree from MU Business School, MBA in Strategy from MU Business School, National Diploma in Public Relations Management from Technikon SA; Executive Programs from Harvard, Wits and UCT Business Schools respectively.

Prior to her being Senior Executive: Transformation at Komatiland, she was with Global Forest Products as Group Corporate Development Manager (10/2004), before then Manager: Marketing & Communication at ABSA Group (12/2000); Journalist at SABC (02/1996); and Public Relations Practitioner at South African Air Force (05/1994). Patricia is a full member of the Prestigious Women's Room - Konrad Adenauer Foundation and a member of the Young Women's Academy. She won the Women in Water Award for 2005, in the category of Policy and Management. She was also the youngest board member of the Rand Water Board and TCTA – Trans Caledon Tunnel Authority and currently the newest member of SABC Board, CIDB and NFVF. She was also a volunteer Africa Regional Director for United Way Worldwide, An award winner of Women in Water 2005 Policy and Management. Also had her own company named MMMS (Mothibi Multi Media Services) from 2007 and is currently dormant.

## **Work Experience**

### **2009 JUNE - CURRENTLY**

### **SAFCOL/KLF**

#### **SENIOR EXECUTIVE TRANSFORMATION**

#### **KEY PERFORMANCE AREAS**

- All Reputation issues that have impact on the business
- BBBEE Scorecard Target settings and tracking.
- BBBEE Policies Formulation
- Transformation Strategy for the Group and Implementation plans for Divisions
- HIV/AIDS Program implementation
- BBBEE Strategy conceptualization and implementation
- External Communication strategy including Facilitation role
- Transformation issues conceptualization and implementation
- Marketing program strategies and implementation
- Corporate Social Investment & Community Relations
- Social Compacts Formulation and Implementation
- Government Liaison – At all levels.

**ACHIEVEMENTS:** ESTABLISHING A NEW DIVISION INCLUDING MANAGING BUDGETS , PROJECTS AND PEOPLE.

### **GLOBAL FORESTS PRODUCTS**

### **GROUP CORPORATE DEVELOPMENT MANAGER**

**2004 Oct**

#### **KEY PERFORMANCE AREAS**

- Internal & External Communication strategy
- Corporate Social Investment & Community Relations
- Government Liaison – At all levels, DWAF, DME, DTI, DPE.
- Organised Labour Relations
- All Reputation issues that have impact on the business
- Corporate Citizenship video implementation
- HIV/AIDS Program implementation
- Diversity Workshops facilitator
- Women's Forum initiator and facilitator.

**ACHIEVEMENTS:** STARTED CORPORATE DEVELOPMENT DEPARTMENT FOR GLOBAL FOREST PRODUCTS AND DEALT WITH THE CRITICAL LAND CLAIMS ISSUE AND CSI MATTERS IN THE FORESTRY SECTOR REFERENCE : KEN FENNER

CONTACT DETAILS: 072 528 0881 [KFENNER@GLOBALENVIRONMENTFUND.COM](mailto:KFENNER@GLOBALENVIRONMENTFUND.COM)

**REASON FOR LEAVING: CAREER ADVANCEMENT**

12/2000

ABSA GROUP

MANAGER: MARKETING & COMMUNICATION

**KEY PERFORMANCE AREAS**

- Drafting Strategic Communication plans, i.e. products and service specific. (Conceptualization development and implementation)
- Brand Management and Strategic Marketing
- Servicing all Absa's Strategic Business Units i.e. Corporate & Merchant Bank, Business Bank, Private Bank, Personalized Financial Services, Retail Banking Services, Flexi Banking Services, Home Loans Bankfin, Delivery Channel Services, Absa Trust & Investment Services, Absa Financial Services and Credit Management Organisation
- Africa Desk Market segmentation analysis – Tanzania, Mozambique, Morocco, Ghana, Kenya, Nigeria.

**ACHIEVEMENTS:** PLAYED A VERY CRITICAL ROLE IN THE COMMUNICATION STRATEGIES WITHIN THE CORPORATE AND MERCHANT BANK INCLUDING AFRICA DESK. REFERENCE: JOHAN GELDENHUYS.

CONTACT DETAILS: 082 447 459 [JGELDENHUYS@ABSA.CO.ZA](mailto:JGELDENHUYS@ABSA.CO.ZA)

**REASON FOR LEAVING: CAREER ADVANCEMENT**

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02/1996 – 11 / 2000

SABC

JOURNALIST

**KEY PERFORMANCE AREAS**

- Producing current Affairs shows
- Managing the current affairs team
- Deciding on the news contents
- Compiling News Bulletins
- Drawing the line-up for the current affairs presenters
- Q & A (Pre-recorded and live)
- Compiling debriefs
- Field reporting

**ACHIEVEMENTS:** BECAME THE YOUNGEST MANAGEMENT TEAM MEMBER AT AGE 23 AS PRODUCER FOR THE CURRENT AFFAIRS SHOWS FOR AFRICAN LANGUAGES STATIONS.

**REASON FOR LEAVING: CAREER ADVANCEMENT**

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05/1994-01/1996

SOUTH AFRICAN AIR FORCE

PUBLIC RELATIONS PRACTITIONER

**KEY PERFORMANCE AREAS**

- Media Liaison & Writing Press Releases
- Events Co-ordination e.g. Organising Air Shows
- CSI- Corporate Social Investment
- Internal Communications
- Writing for Salute magazine
- Compiling speeches for the top officials
- Doing commentary at the air shows

**ACHIEVEMENTS:** I WAS THE FIRST BLACK FEMALE TO BE RECRUITED DURING INTEGRATION PROCESS IN 1994.

**REASON FOR LEAVING: CAREER ADVANCEMENT**

**Cornelius Theodorus Loock**  
(Theo)

**Managing Director Automotive Components**  
**Metair Investments Limited**

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**DATE OF BIRTH** 23 December 1964

**NATIONALITY** South African

**LANGUAGES** English / Afrikaans

**EDUCATION AND QUALIFICATIONS**

1986	B Eng (Industrial)	University of Pretoria
1989	B Com	UNISA (one subject outstanding)

Mine Blasting Certificate

Professional Engineer – Engineering Council SA

Vice President Naacam (National Association of Automotive Component and Allied Manufacturers)

**CAREER BACKGROUND**

**1983 – 1986 DORBYL TRANSPORT PRODUCTS**  
Engineering Student – Technical Department

**1987 – 1988 MILITARY TRAINING**

**1988 – 1989 CAR PART INDUSTRIES (PTY) LTD**  
Industrial Engineer – Technical Department

**1989 – 1993 SASOL COAL (PTY) LTD**

**1989 - 1991 Syferfontein Colliery**  
Senior Projects Engineer – Planning Department

**1991 – 1993 Sigma Colliery**  
Head of Planning and Systems Department

**1991 – 1999 SCHARRIGHUISEN HOLDINGS LIMITED**

GM New Joules Engineering 1991 – 1993  
Operations Director – Mining 1993 – 1999  
Director Scharrighuisen Holdings 1994 – 1999  
MD Scharrig Industrial Holdings 1994 - 1999

**2000 – 2006    TRIDENT STEEL (PTY) LTD**  
Divisional Director (Automotive and Exports)

**2006 – to date    METAIR INVESTMENTS LIMITED**  
Managing Director (CEO)

### **CAREER HISTORY**

After graduating Mr Loock joined Dorbyl who had sponsored him through University. His first appointment with that company was with Dorbyl Transport Products, manufacturers of trains where he was employed as an Engineering Student in the Technical Department handling work studies, production planning, materials handling and line balancing.

After completing his military service he re-joined the Group at Car Part Industries in Babelegi a forging and manufacturing operation of safety critical components for the motor industry i.e. steering and suspension components. He was appointed an Industrial Engineer and was involved in production planning and process automation and acted as the MIS Systems Supervisor implementing the computerized MRP System. He gained SABS 0157 listing for the company, optimized the JIT system.

During this period the automotive industry was experiencing severe problems and he left to join Sasol Coal, based in Secunda, as a Senior Projects Engineer. After two years in this role he transferred to the Sigma Colliery to open a new opencast mine where he was appointed Head of Planning and Systems and became involved in medium to long term business strategy. Long term business planning indicated the need for a strip cut mining section in order to maintain coal supply to the Sasol 1 factory and he was involved in the feasibility study and in the preparation of the proposal for acceptance by the Sasol Board. The mining operation was commenced in July 1992 and delivered its first coal in December of that year. The total project value was R120 million. He also had responsibility for running the company's Transport Department.

During this negotiation period he met the Director of Scharrighuisen and although they were not awarded the contract on its conclusion that company approached him with an offer of employment. As he wanted to diversify out of mining and move into a more general industrial environment he joined the Group which at the time had a small engineering company manufacturing retarders for trains. Mr Loock was appointed General Manager of the newly acquired business, New Joules Engineering, with a brief to build an industrial division utilizing a R50 million loan from the holding company with a view of listing the Division on the Stock Exchange. By 1994 the Industrial Division was well established and contributing 30% of the holding company's profits. Scharrig Industrial Holdings was listed on the Johannesburg Stock Exchange in 1994 and he was appointed Managing Director reporting to the holding company. He was also appointed a Director of the holding company. The Head Office comprised himself and a Financial Director. His responsibilities were extended to the business management of Scharrighuisen open cast mining; Giflo Engineering – manufacturers of specialized tubular type components for the motor industry; New Joules Engineering; in this latter position he set up a marketing and distribution centre in the US; NW Automotive Precision which was involved in the rebuilding and fireproofing of automotive engines; Bavarian Metal Industries; Hendor Mining Supplies as well as Steel trading and processing organizations. Scharrighuisen Holdings grew from a turnover in 1993 of R156 million per annum to R533 million per annum in 1998.

After seven years with this Group he needed a change of environment and on an approach by Dorbyl he joined that company in the Baldwins Steel Automotive Division. The company had been through a difficult phase and experienced a significant loss but he had been assured that it was now on a turn, a fact which he found inaccurate on joining the company. The company manufactured flash sheets for the automotive industry.

Mr Loock was tasked with selling the business which he did to Trident Steel after a successful application to the Competitions Commission, a condition of the sale being that he join Trident. From 2000 Mr Loock has been employed by Trident Steel as Divisional Director, Automotive with additional responsibility for exports from the Saldanha facility. He has full responsibility for the company's contracts with BMW, Ford, Daimler Chrysler and Nissan including local and overseas supply. He has shared responsibility for Toyota, Volkswagen and General Motors South Africa. He was also appointed Project Leader for the Sheet Metal Supply Chain by the OEMs for several of their new vehicle launches. As Divisional Director he is responsible for strategy, marketing, technology, production and tender/contract negotiations.

Mr Loock then became the Managing Director of Metair Investments Limited. Metair Investments Limited is the largest component manufacturer in South Africa and has been listed on the JSE for more than 40-years.

The company employs more than 6 000 employees and comprises of six operating subsidiaries and two associate companies that manufacture and distribute products predominantly for the automotive industry for the Original Equipment Manufacturers (OEM's) and Aftermarket sectors. Products manufactured include heating and cooling systems, shock absorbers, springs, lead batteries, lighting and signaling devices, plastic mouldings, and front end modules, wiring harnesses, electric motors and automotive cables. Products are supplied to South African assemblers of new vehicles, the replacement market and a proportion of output is exported to the Japan, Africa and the USA.

Annual turnover of approximately R4 billion.

## **CURRICULUM VITAE OF G.M.RALFE , September 2010**

### **PERSONAL**

**Gerard (aka Gary) Maritz Ralfe**

**Born Pretoria 15<sup>th</sup> September 1944**

**Raised in the Emchezi (Estcourt) District of KZN**

**Married to Marie-France, born in Paris, France but naturalized South African**

**Four married Daughters who, although mostly raised and educated in the UK, all live in South Africa**

**Speaks fluent English and French, passable Afrikaans and Zulu**

### **EDUCATION**

**Estcourt Primary School**

**Cordwalles Preparatory School, Pietermaritzburg**

**Michaelhouse, KZN (Major Scholarship, Head Boy in 1962)**

**St John's College, Cambridge, UK (Anglo American Open Scholarship)– BA(Hons) in History**

**UNISA – B.Proc.**

### **CAREER**

**1966 Joined Anglo American Corporation in Johannesburg as Management Trainee, working in Treasury and Gold Division.**

**1970 Anglo American Australia, Melbourne, which was seeking mining investments in Australia.**

**1971/3 Charter France, Paris, an Anglo American Group subsidiary involved in mining investments in French-speaking Africa.**

**1974/8 Diamond division of Anglo American, Johannesburg (effectively De Beers).**

**1979/83 Managing Director of European Gem Services, Antwerp, Belgium ( subsidiary of De Beers).**

**1984/5 Secretary of Executive Committee of Anglo American Corporation, Johannesburg.**

1986/97 Central Selling Organization of De Beers, London (aka Diamond Trading Company), became Managing Director in 1994, until 2004.

1998 Managing Director of De Beers Consolidated Mines, until 2004, and De Beers Group Managing Director, until retirement 2006.

Director of Anglo American Corporation 1990/2002

Director of De Beers 1992/2008

#### CURRENT ACTIVITIES

Chairman of Fund-raising Committee and on Council of Alexandra Education Committee, which runs a bursary scheme for High School for gifted children from Alex.

Chairman of Fund-raising Committee and on Council of Business against Crime, which partners Government in combating crime.

Chairman of Africa Foundation (aka & Beyond Foundation), which partners rural communities in development.

Chairman of Audit Committee and on Council of Aurum Institute, which is involved in care and research of TB and HIV/AIDS.

Trustee of Helen Suzman Foundation, a non-party NGO promoting democracy.

Chairman of Board of Governors of Michaelhouse (my old school).

Partner of family farming enterprise in Emchezi District, KZN.

#### REFEREES

Mr Penuel Maduna (ex- Minister of Mines)

Ms Phumzile Mlambo-Ncguka (ex-Minister of mines and ex-Deputy President)

Mr Julian Ogilvie Thompson (ex-Chairman of Anglo American)

Mr Nicky Oppenheimer (Chairman of De Beers)

MR Ian Plenderleith (ex-Deputy Governor, South African Reserve Bank)



**Gary Ralfe**

**29<sup>th</sup> September**

**ABBREVIATED CURRICULUM VITAE OF MIRANDA FEINSTEIN**  
**(INCLUDING EMPLOYMENT BUT NOT WORK EXPERIENCE)**

**PERSONAL INFORMATION**

First Names: Miranda Janet  
Surname: Feinstein  
Date of Birth: 19 April 1952  
Marital status: Married

**EDUCATIONAL QUALIFICATIONS**

Matriculation: Joint Matriculation Board 1969  
Degrees: BA from the University of the Witwatersrand 1972  
LLB from the University of the Witwatersrand 1974

**EMPLOYMENT**

Profession: Admitted attorney in South Africa  
Employer: Edward Nathan & Friedland Inc 1975 to 29 December 1999, Edward Nathan & Friedland (Proprietary) Limited from 29 December 1999 to 2005, Edward Nathan (Proprietary) Limited from 2005 to 30 September 2006 and Edward Nathan Sonnenbergs Inc from 1 October 2006 to the present. The first woman director of the firm, appointed from 1 March 1979, she was a director from 1979 to 2008 when, at her request, she became a consultant  
Nature of work: Admitted attorney in South Africa. Practising lawyer with Edward Nathan Sonnenbergs Inc, in the corporate commercial sphere with over 33 years' post articles experience

Focuses on structuring corporate finance, mergers and acquisition, black economic empowerment ("BEE") transactions - both acting for the companies implementing BEE structures and acting for BEEs themselves, specialised property transactions and commercial contracts. Has done work, apart from in South Africa, also in Namibia and Botswana. Has vast experience in negotiating, structuring and implementing significant projects for large listed and unlisted South African and foreign companies in regard

to their BEE transactions (eg Sasol and General Electric), their mergers and acquisitions and stock exchange related matters and standardised contracts, for instance for a supply chain with an annual multimillion rand budget.

**OFFICES:**

Member and, with effect from 1996, Chairperson of the Company Law Subcommittee of the Law Society of the Northern Provinces

Member and Chairperson with effect from 2005 of the Company Law Subcommittee of the Law Society of South Africa

Representative from 1995 of the Association of Law Societies on the King Committee on Corporate Governance

Head of task team which wrote Chapters 6 and 8 of the corporate governance code and report issued by the King Committee during 2010 and known as King III

**PUBLICATIONS:**

Co-editor with Professor Michael Katz of the Corporate Law Reporter  
September 1985 - July 1989

Co-author with Professor Michael Katz of the volumes on company law precedents in the Butterworths series

**COMMISSIONS:**

Member (the only lawyer) of the Independent Reference Group on the Remuneration of Senior Staff at South African Public Higher Education Institutions initiated by the South African Vice-Chancellors Association (which subsequently became Higher Education of South Africa) which sat during 2005/2006.