

2024 SAILAS Insolvency Law and Business Rescue Conference

29 – 30 AUGUST 2024

University of Cape Town | South Africa

Programme

CO-HOSTS:

UCT (Law Faculty) - UJ (Law Faculty) - UP (UBRIL) Law Faculty

DATES:

29–30 August 2024

TIMES:

Day 1: 1st panel session: 29 August at 16:00 – 18:05

Welcoming cocktail at 18:05 – 20:00

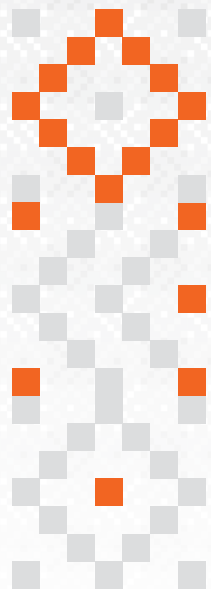
Day 2: 30 August 08:00 for 08:00 – 17:50 | Dinner 18:00 – 22:00

VENUES:

All panel sessions in the Moot Court, 5th floor, Kramer Law Building, Middle Campus, University of Cape Town, Stanley Street, Cape Town.

Welcoming cocktail function on 29 August in the Common Room, 4th Floor, Kramer Law Building, Middle Campus, Stanley Street, Cape Town

Dinner on 30 August 2024 (Venue: All Africa House, UCT).



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
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PROGRAMME

DAY 1	THURSDAY 29 AUGUST 2024
16:00 - 16:15	General welcoming (Chirwa, D (Dean, UCT))
16:15 - 16:50	Session 1: Setting the scene Panel discussion: Calitz, J (Vice- Dean (UJ)), Kelly-Louw, M (UCT), and Boraine, A (UP) Insolvency reform – Quo vadis?
16:50 - 18:05	Session 2: Insolvency and aspects of the Constitution - Chair: Roestoff, M (Akademia) <ol style="list-style-type: none"> De Kock, S (Varsity College) Applying old insolvency search and seizure laws in a new constitutional dispensation Maree, G (UFS) Ubuntu's contribution to the legal reform of insolvency law Kaplan, F (Varsity College) Business rescue in South Africa: Navigating legal and socio-Economic reforms in an era of constitutional democracy
18:05 for 18:20-20:00	Cocktail function (Speaker: Mr Paul Crosland, Webber Wentzel Attorneys)
DAY 2	FRIDAY 30 AUGUST 2024
08:00 - 08:30	Arrival & Coffee
08:30 - 08:45	Welcoming & Opening of Day 2 (Bekker, R, Boraine, A and Calitz, J)
08:45 - 10:35	Session 1: Special types of debtors - Chair: Kelly-Louw, M (UCT) <ol style="list-style-type: none"> Quinot, G (US) Is municipal financial distress falling through the cracks of insolvency and (business) rescue law in South Africa? Joubert, T (University of Tilburg) Teaching insolvency law – Global challenges and tools to navigate success Nyaude, A (UP) Bail-in as a bank recapitalisation mechanism under the new South African bank resolution regime Gerber, S (Akademia) & Botha, MM (UJ) Addressing financial challenges faced by farmers in rural areas
10:35 - 10:50	Coffee/tea break
10:50 - 12:50	Session 2: Business rescue - Chair: Calitz, J (UJ) <ol style="list-style-type: none"> Brits, R Business rescue and the landlord's tacit hypothec: Ergomode (Pty) Ltd v Jordaan NO and Others (643/2022) [2024] ZASCA 10 (29 January 2024)

	<p>9. Mpofu, K (WSU) A review of the 'rescue practitioner' versus 'debtor in possession' approaches to business rescue proceedings</p> <p>10. Swart C, & Van Wyk, J (UP) The protection of dissenting creditors in compromises and business rescues</p> <p>11. Phungula, SP (UCT) Abusing business rescue proceedings continues to taint the process despite the courts' intolerance of such abuse</p> <p>12. Nieuwoudt, C (Stadio) The suspension power of business rescue practitioners in respect of executory contracts: a judicial analysis</p>
12:55 - 13:35	Lunch
13:35 - 15:40	<p>Session 3: Various Insolvency and Business Rescue related topics - Chair: Botha, M (UJ)</p> <p>13. Stevens, R (US) The transfer of shares as an act of insolvency in terms of s 8(c) of the Insolvency Act</p> <p>14. Kekana, K (UJ) Enhancing creditor decision-making in South African business rescue proceedings: an analysis of information requirements in business rescue plans</p> <p>15. Mwelase, M (TUT) The machinery of debt collection in times of pandemics: A South African perspective</p> <p>16. Mabe, Z (UP) Extension of the rehabilitation period by court order</p> <p>17. Xulu, LS (UCT) Removal of liquidator in terms of section 379(1)(d) of the Companies Act 61 of 1973: fitting section 3 of PAJA in the insolvency puzzle</p>
15:40 - 16:00	Coffee and Comfort break
16:00 - 17:15	<p>Session 4: Comparative views - Chair: Mabe, Z (UP)</p> <p>18. Asheela-Shikalepo, NV (UNAM) An overview of the proposed insolvency reforms and business rescue proceedings in Namibia</p> <p>19. Magau, P (UP) The nexus between climate change and consumer indebtedness: A comparative perspective between South Africa and India</p> <p>20. Tripathi, I (JGLS) Special courts for criminal proceedings in insolvency: A case of India</p>
17:15 - 17:50	SAILAS Business, Membership and Forthcoming Publications
18:00 - 22:00	CLOSURE AND DINNER – All Africa House, UCT. - (Sponsored by SARIPA) - Keynote address: Dr Eric Levenstein (Director, Werksmans Attorneys, National Chair, SARIPA).

Sponsored by:



2024 SAILAS INSOLVENCY AND BUSINESS RESCUE CONFERENCE

CONFERENCE DINNER KEYNOTE SPEAKER:



Werksmans Attorneys

Dr Eric Levenstein

Expertise: Insolvency & Business Rescue

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Eric Levenstein has been a Director of Werksmans Attorneys since 1993 and is the head of the firm's Insolvency & Business Rescue Practice. He has a particular focus on litigation, business rescue and insolvency, with expertise extending to director liability issues. He regularly delivers seminars and writes for various publications on these topics, among others. He is the Chairperson of the South African Restructuring and Insolvency Practitioners Association (SARIPA) and is Chair of the Insolvency Practitioners Group (IPG) of INSOL International – Global Association of Restructuring, Insolvency & Bankruptcy Professionals. Eric is also a co-chair of the INSOL Africa Advisory Council. Eric has BCom and LLB degrees, Higher Diplomas in Company Law and Tax, a Diploma in Insolvency Law and a Doctorate of Laws in Business Rescue.

See further: <https://www.werksmans.com/our-people/eric-levenstein/>

COCKTAIL RECEPTION GUEST SPEAKER:



Webber Wentzel Attorneys

Mr Paul Crosland

Expertise: Commercial litigation, insolvency and business rescue

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Paul Crosland specialises in all forms of general and commercial litigation in all forums, as well as in insolvency law and business rescue practice. He has experience in commercial arbitrations, the prosecution of insolvency proceedings and enquiries, Superior Court practice and representing athletes in the South African Institute of Drug Free Sports forum. Paul has been involved in the resolution of various commercial disputes and has advised clients in the retail, airline, demolition, sports, paint production, fuel distribution, mining, IT, manufacturing and banking industries. He holds the LLB degree and the Certificate in Advanced Short Course in Business Rescue Practice, UNISA and L.E.A.D, 2014. Named by Best Lawyers 2022 - 2024 as a leading individual.

See further: <https://www.linkedin.com/in/paul-crosland-a9a74b24/>

DAY 1: THURSDAY 29 AUGUST 2024

Prof Michelle Kelly-Louw (UCT), E-mail: m.louw@uct.ac.za

Michelle Kelly-Louw is a professor and Head of the Department of Commercial Law at the University of Cape Town. She holds a B2 rating from the South African National Research Foundation and a doctorate in international banking law. Her extensive publications in insolvency, banking, and consumer credit law have been cited by High Courts in South Africa and Namibia. Recognized for her research, she has received five awards, including the South African Department of Science and Technology's Distinguished Young Woman Scientist award.

Throughout her career, Michelle has been involved in various law reform initiatives, including legislative drafting projects, by way of contributions to the Land and Agricultural Development Bank Act of 2002 and the National Credit Act of 2005. She was a member of the Task Group on Insolvency Law and gave input on a proposed Unified Insolvency and Business Recovery Bill.

She has held visiting fellowships at the University of Westminster and the Institute of Advanced Legal Studies in London, and she is the immediate past President of the International Association of Consumer Law. Furthermore, she serves on the advisory boards of various law journals. Michelle is a member of the International Academy of Commercial and Consumer Law and the International Academy of Financial Consumers. She has been appointed to the Specialist Committee of the National Research Foundation's Rating System for Law (2023-2026) and re-appointed to the adjudication panel of the SA Women in Science Awards (2023-2025).

Prof Juanitta Calitz (UJ), E-mail: jcalitz@uj.ac.za

Juanitta Calitz, holds the degrees LLB LLM and LLD (UP), and she is currently an Associate Professor of Law at the University of Johannesburg (UJ) and serves as Vice-Dean of Research & Internationalization. She teaches undergraduate, postgraduate, and extra-curricular courses in insolvency law, corporate insolvency law, and business rescue. Juanitta has presented papers at numerous national and international conferences and has authored articles and book chapters on topics related to insolvency law and business rescue. Notably, she is a co-author of the 10th edition of "Mars: The Law of Insolvency in South Africa" and "Hockly's Insolvency Law winding up & Business Rescue" (2023). Juanitta is a founding member and co-chair of the INSOL International INSOLTech Focus Group, previously chaired the INSOL academic forum, and the Editorial Board of the International Insolvency Review (IIR). She is currently the co-chair of the International Insolvency Institute (III) Regional Committee EMEA and serves on the International Advisory Council of the Singapore Global Restructuring Initiative (SGRI). Additionally, Juanitta is a member of the Insolvency Law Academy (ILA) Task Force on Insolvency Laws in Emerging Markets and Developing Economies (EMDEs) and serves on the steering committee of the Regional Centre for Insolvency and Bankruptcy of the ILA and ICAI Law School and serves as board member of the Stichting Bob Wessels Insolvency Law Collection. Since 2012, she has been an honorary member of the South African Restructuring and Insolvency Practitioners Association (SARIPA). Her research interests encompass insolvency law, international insolvency law, restructuring and business rescue.

Prof André Boraine (UP), E-mail: andre.boraine@up.ac.za

André Boraine is currently a professor in the Department of Mercantile Law and the former Dean of the Faculty of Law at the University of Pretoria, South Africa. His areas of specialisation include insolvency law and aspects of property law. Amongst others, he is the course leader of the law modules of a transdisciplinary M-Phil in insolvency law and business management, and he is deeply involved with practical training in the field of insolvency law and practice. He has published widely and is also a co-author of *Meskin: Insolvency Law*, a seminal work on insolvency law in South Africa. André is an honorary member of the South African Rescue and Insolvency Practitioner's Association (SARIPA), a

member of the Academics Forum of Insol International and the International Insolvency Institute. He acted as a consultant to the World Bank team which conducted a ROSC analysis of the South African Insolvency and Creditor Rights system, and he served on the World Bank team who conducted a similar analysis of the Namibian system. The World Bank also tasked him to conduct a peer review of the ROSC Report on the Zimbabwean system and the Draft Insolvency Bill of Lesotho.

Dr Melanie Roestoff (Akademia), E-mail: melanier@akademia.ac.za

Melanie Roestoff (formerly a professor at the University of Pretoria) is a lecturer and head of the Department of Private and Commercial Law at Akademia. She holds a BLC (cum laude) and LLB degree (cum laude) as well as a master's (cum laude) and doctoral degree from the University of Pretoria. She is an admitted attorney of the High Court of South Africa. Her research focus is consumer insolvency law and credit law. She is the author and co-author of numerous articles, notes, and case discussions in accredited and specialist journals. She is also a co-author of several textbooks, including *Mars: The Law of Insolvency* (2019), and has presented various papers at national and international conferences. She has also been involved in several research projects, including a study on the debt review process under the National Credit Act of 2005, which led to a report titled "The Debt Counselling Process: Challenges to Consumers and the Credit Industry in General" (2009).

Ms Susan de Kock (IEE Varsity College), E-mail: sdkock@varsitycollege.co.za

Susan de Kock is currently the Head of Law and lecturer at the IIE Varsity College, Waterfall campus. She holds the following degrees: LLB (UJ) (2005) and an LLM (Banking Law) from UJ (2014) and she is an admitted attorney since 2008. Susan has been lecturer since 2013, and lecturing insolvency law since 2015.

Ms Gerda Maree (UFS), E-mail: mareeg@ufs.ac.za

Gerda Maree graduated from the University of the Free State (UFS) with a B.Iuris, LLB, LLM (cum laude), and an Advanced University Diploma and a Masters degree in Disaster Management from the presented by the Faculty of Natural and Agricultural Sciences. She also obtained a Certificate in Mediation from the Centre of Labour Law and is currently enrolled for an LLD at the UFS. After completing her articles, she was admitted as an attorney of the High Court of South Africa. She was later also admitted as a conveyancer and notary and practised as such before joining a medical research company as a legal advisor. She has been a 2010 lecturer in the Department of Mercantile Law at the UFS since 2010. She currently presents undergraduate and postgraduate modules, primarily in disaster management law, occupational health and safety law, labour law, and insolvency law and provides supervision in these and related fields. During her employment at the UFS, she has presented guest lectures and conference papers nationally and internationally on topics related to her teaching.

Ms Fiona Kaplan (IIE Varsity College), E-mail: fkaplan@varsitycollege.co.za

Fiona Kaplan holds a BA and LLB degree from the erstwhile University of Natal, Durban (campus), and an LLM in Mercantile Law from UFS. She is currently a PhD candidate at the University of the Witwatersrand and is on the practising roll of legal practitioners in South Africa. As a practitioner she worked in the London Square Mile in the field of Investment Management from 1998 to 2004. Her academic career started at the Applied Law Department of the Durban University of Technology in 2005 and continued as a part time lecturer at IIE Varsity College in 2006. In 2015 she became the Head of School: Law at Varsity College and she is currently the Dean of the IIE Varsity College, and IIE MSA Faculty of Law. Fiona has presented at both national and international law conferences in the field of Insolvency Law, Business Rescue and Company Law and has a keen interest in these areas. She established the IIE Varsity College Community Law Clinic in 2022 and acted as the Director of the Law

Clinic. She is a recent past President of the Society for Law Teachers of Southern Africa, and also served on the Executive as Vice-President of the Society. Her areas of teaching and research include Legal Education, Company and Insolvency Law with a particular interest in business rescue.

DAY 2: FRIDAY 30 AUGUST 2024

Prof Geo Quinot (US), E-Mail: gquinot@us.ac.za

Geo Quinot is a professor in the Department of Public Law at Stellenbosch University and director of the African Procurement Law Unit. His research focuses primarily on administrative law with a particular interest in the legal treatment of public entities' commercial activities such as public procurement and public-sector insolvency. He is one of the lead researchers in the international Research Network on Public Authorities and Financial Distress and co-author of *Municipalities in Financial Distress; An Environmental, Social, and Governance Critique* to be published by Edward Elgar in 2024.

Dr Ashley Nyaude (UP), E-mail: Ashley.naude@up.ac.za

Ashley Nyaude has been a lecturer in Banking Law and the Law of Specific Contracts at the University of Pretoria since 2022. She holds LLB, LLM, and LLD degrees from the University of Pretoria. (Her LLD thesis is titled "Regulatory Measures to Address Bank Failures in Zimbabwe.") Her research interests include banking law, financial consumer protection law, insolvency law, tax law, and contract law. Currently, she is focusing on bank insolvency and advocating for the implementation of orderly bank resolution and deposit insurance frameworks to maintain financial stability and protect depositors, especially in African countries. Her other research areas include the regulation of open finance to promote financial inclusion. Dr Nyaude is the current treasurer of the Society for Law Teachers of Southern Africa.

Prof Monray Botha (UJ), E-mail: Monrayb@uj.ac.za

Monray Marsellus Botha is a full professor in the Department of Public Law. He served as Head of the Department of Mercantile Law at UJ from October 2022 to July 2023. Before rejoining UJ in January 2022, he was Deputy Dean and Head of the Department of Mercantile Law at the University of Pretoria.

Monray holds BLC, BCom (Hons), LLB, and LLM degrees from the University of Pretoria, an MCOM from UJ, and an LLD from NWU. He also completed a number of diploma programmes, i.e. AIPSA, Alternative Dispute Resolution, and Corporate Law, and he also completed leadership programs at GIBS. His LLD thesis is titled "Employee Participation and Voice in Companies: A Legal Perspective."

He is a seasoned academic with 24 years experience in the field and holds a C2 NRF rating since January 2018. During his years as an academic he has worked at the University of Pretoria, the University of Johannesburg and the North-West University. He has presented numerous papers at national and international conferences and published extensively on labour law, company law, and their intersections.

His main areas of interest are labour law, corporate law, corporate governance, and corporate social responsibility and has a wide variety of mainly commercial related subjects over the years.

Ms Sarita Gerber (Akademia), E-email: Sarita@akademia.ac.za

Sarita Gerber is a law lecture and the LLB programme coordinator at Akademia. She holds an LLB degree, a SARIPA diploma in Insolvency Law, as well as an LLM degree in Corporate Law from the University of Pretoria. She is currently pursuing an LLD degree in Insolvency Law at the University of Johannesburg. Gerber has been affiliated with the University of Pretoria, UNISA, and the University of Johannesburg in various capacities since 2006. She is the author and co-author of articles in the

accredited journal *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* (THRHR). Her research focuses on Insolvency Law and Corporate Law, and she also has an interest in Contract and Construction Law. For the past ten years, she has been the Managing director of Orliflex (Pty) Ltd, a cross-border transport company. She has been an admitted attorney since 2010.

Dr Tronel Joubert (Tilburg University), E-mail: tronel.joubert@gmail.com

Tronel Joubert started her career in Academia at the University of Pretoria, in South Africa where she was a member of the Mercantile Law Department and taught for 19 years to undergraduate and post-graduate students. Since September 2020, Dr Joubert works as a Lecturer at Tilburg University. She is the Program Coordinator of the Master Program International Business Law, and she is involved in the teaching of various modules, amongst others International Business Law: Contracts and Governance and Law, International Business Law & Technology and Law, entrepreneurship and finance.

Her primary fields of research include corporate law, insolvency law and labour law. She acts as thesis coordinator for the Master program and supervises several students.

She is also a trainer at the Teaching and Learning Center where she trains lecturers in the University Teaching Qualification. Her focus is on the modules Teach and Design.

Tronel is also involved as guest lecturer at various universities and speaker at international conferences and contributes to publications in a variety of legal fields and co-edit handbooks.

Dr Reghard Brits (Private Practice), E-mail: reghardbrits@gmail.com

Reghard Brits, BCom LLB LLD, is an Attorney, Conveyancer and Notary, and a Director of Brits Dreyer Inc. in Bellville. He is an Extraordinary Professor at the University of the Western Cape, a Research Fellow at Stellenbosch University, and a part-time Lecturer at Akademie. He was previously a Senior Lecturer and Associate Professor at the University of Pretoria. His research focuses on property law (real security rights in particular) and aspects of consumer credit and insolvency law.

Dr Kudzai Mpofu (WSU), E-mail: kmfufu@wsu.ac.za

Kudzai Mpofu currently serves as a senior lecturer and Chair of the Research and Higher Degrees Committee at the School of Law, Walter Sisulu University. Prior to this, he held positions as a Postdoctoral Research Fellow at North-West University and as a Lecturer at the University of Free State. His professional experience also includes roles as a Research Assistant, Labour Relations Consultant for the Spur Group, and a Judge's clerk at the High Court. In addition to teaching and administrative duties, he actively supervises postgraduate students in various legal research areas, including corporate law, business rescue, insolvency and cross-border legal studies. He is engaged in key academic associations such as INSOL International, the UK Insolvency Lawyers Association, and the International Public Policy Association.

Prof Christiaan Swart (UP), E-mail: swart.christiaan@up.ac.za

Christiaan Swart is an associate professor in the Department of Mercantile Law within the Faculty of Law at the University of Pretoria. He holds a BCom (Law), LLB, LLM (Corporate Law) (Pret), and LLD (UNISA) and is a qualified attorney admitted to the High Court of the Republic of South Africa. In 2019, he completed his doctoral thesis titled 'Relief from oppressive or prejudicial conduct in terms of the Companies Act 71 of 2008.'

Professor Swart commenced his academic career at the University of South Africa, where he gained extensive experience in distance learning within a virtual educational environment. This background has greatly enriched his ability to teach a range of corporate law modules, including company law, law of securities, international mergers and reorganisations, corporate liquidations law, and business rescue.

His scholarly contributions include chapters in internationally published books on the law of business structures. He has also authored numerous articles in local and international journals, focusing on statutory protections for shareholders under the Companies Act 71 of 2008 and issues related to business rescue.

In recognition of his expertise, Professor Swart was selected to participate in the International Insolvency Institute's NextGen Leadership Programme in 2023. He has been awarded a Y2 rating by the NRF (National Research Foundation).

Dr Jani van Wyk (UP), E-mail: Jani.vanwyk@up.ac.za

Dr Jani van Wyk is a senior lecturer in the Department of Mercantile Law and holds the degrees LLB (*cum laude*) LLM (coursework: Procedural Law) (*cum laude*) and LLD from the University of Pretoria. The title of her LLD thesis (2018) is “Measures that enhance the independence and accountability of the South African consumer credit industry’s market conduct regulators”, and the thesis focused on the National Credit Regulator and the Financial Sector Conduct Authority. She holds certificates in International Insolvency Law and in Insolvency Litigation and Administration Practice, and completed the Certified Rescue Analyst and SARIPA Programme in Insolvency Law and Practice programmes. She is an admitted, non-practicing attorney. She has lectured undergraduate modules such as Commercial Law, Specific Contracts, Entrepreneurial Law and Insolvency Law, and lectured on post-graduate courses such as Insolvency Law, Liquidations and Business Rescue, Advanced Consumer Protection Law and Civil Litigation. She is a NextGen III member and her main areas of interest are insolvency law, corporate law, and financial policy and market conduct regulation. She has published in national and international journals.

Dr Simphiwe Phungula (UCT), E-mail: Simphiwe.phungula@uct.ac.za

Simphiwe Phungula is a Senior Lecturer at the University of Cape Town, Department of Commercial Law. He holds a PhD in Corporate Law and specifically in Business Rescue. He has published several articles in Business Rescue and other topics in Corporate Law. He also has interests in Labour Law and has published several articles in this area of law.

Mr Cobus Nieuwoudt (STADIO), E-mail: CobusN@stadio.ac.za

Cobus Nieuwoudt is currently an insolvency law lecturer and acting academic manager at STADIO Higher Education. He completed his LLM (*cum laude*) by research at the University of Pretoria, and also holds a BCom Law, and BCom Honours in Financial Management Sciences and LLB (University of Pretoria). Before joining STADIO, he was an Academic Co-Worker at the University of Pretoria.

Prof Richard Stevens (US), E-mail: rastev@us.ac.za

Richard Stevens is an Associate Professor in Mercantile Law and the Vice Dean of the Faculty. Prof Stevens has been involved at the faculty, initially lecturing Insolvency Law, from 1999 and then Company Law since 2004. He has presented in the area of Company Law at international conferences in Scotland, the Netherlands and Australia. His focus has been on liability within company groups and has published predominantly in this area of Company Law. His focus is furthermore on the position of directors and their fiduciary duties. He is an admitted attorney and served as candidate attorney at Webber Wentzel where he also remained as admitted attorney before joining the faculty. He completed his Master of Laws degree at the University of Tübingen, Germany and his doctoral degree at the Stellenbosch University. He is also an accredited commercial mediator as well as a director at Cluver Markotter Inc in the Commercial and Labour Law department on a part-time basis. He is also visiting professor at the Technical University München since 2021

Dr Musa Barbara Mwelase (TUT), E-mail: mwelasimusamuni@gmail.com

Musa Mwelase is a Mercantile Law Lecturer at the TUT with 24 years of lecturing experience. She holds a doctorate in insolvency law from the NWU. Musa is inspired by her only daughter Nombuso Khanyisile.

Dr Zingapi Mabe (UP), E-mail: Zingapi.mabe@up.ac.za

Zingapi Mabe holds an LLB, LLM and a PhD from the University of Pretoria and she is currently a senior lecturer in the Department of Mercantile Law at the University of Pretoria, specialising in insolvency law. She completed her articles of clerkship at Glyn Marais Inc. and is an admitted attorney of the High Court of South Africa. Zingapi has worked as a legal advisor at Massbuild (Pty) Ltd (currently known as Massmart (Pty) Ltd trading as Builders Warehouse, as a lecturer at the Midrand Graduate Institute and as a lecturer at the University of South Africa. She is a member of the International Insolvency Institute NEXTGEN Leadership Program Class XIII and a member of the Unit for Business Rescue and Insolvency Law.

Mr Luyanda Xulu (UCT), E-mail: luyanda.xulu@uct.ac.za

Luyanda Xulu is a teaching assistant and an LLM (by research) candidate in the Department of Commercial Law at the University of Cape Town. He completed his LLB degree (*cum laude*) at the University of Johannesburg in 2023. His LLM research focuses on the major challenges in the winding-up of Crypto Asset Service Providers in South Africa. Luyanda's research interests include Insolvency Law, the impact of technology on the law, and Corporate Law.

Ms Katlego Kekana (UJ), E-mail: kkekana@gmail.com

Katlego Kekana is a seasoned Finance Professional and Academic, holding the prestigious Chartered Global Management Accountant (CGMA) certification from the internationally recognised Chartered Institute of Management Accountants (CIMA). She is also a professional member of the South African Restructuring and Insolvency Practitioners Association (SARIPA), INSOL International and Golden Key International Honour Society. Her qualifications include a Master's degree in Financial Management Sciences and a recently obtained Master's degree in Insolvency and Business Rescue (with distinction) from the University of Pretoria. She is currently registered for her Doctoral degree specialising in Business Management at the same institution.

In her academic role as a Senior Lecturer at the University of Johannesburg, she instructs postgraduate students on Risk Management within the CIMA curriculum. She also supervises research projects at the Honours and Master levels, focusing on individuals and households' behavioural finance and consumer financial decision-making. Additionally, her research delves into business rescue and turnaround management for financially distressed companies. Before her academic career, she had five years of corporate experience at multinational and globally listed companies such as the FirstRand Group, Sasol Oil and Absa Business Bank, primarily in originating, structuring and closing financing transactions.

Dr Ndatega Asheela-Shikalepo (UNAM, Namibia), E-mail: Nasheela @unam.na

Ndatega Asheela-Shikalepo, is the Associate Dean for the School of Law at the University of Namibia. She joined the Faculty of Law at the University of Namibia 11 years ago and has served the University in various capacities such as lecturer, senior lecturer and Head of the Commercial Law Department. Over the years, she has facilitated the teaching of the law of insolvency, consumer law, competition law and income tax law. Her research interests are on consumer credit law and consumer insolvency law. D holds a Doctor of Laws and a Master of Laws from the University of Pretoria, a Bachelor of Laws Honours and a Baccalaureus Juris from the University of Namibia. She is an admitted legal practitioner of the High Court of Namibia, serves on the Board for Legal Education in Namibia as well as a member of the BLMNS Rhodes Scholarship Selection Committee.

Dr Phemelo Magau (UP), E-mail: Phemelo.Magau@up.ac.za

Phemelo Magau is a senior lecturer in the Department of Mercantile law at the University of Pretoria, Faculty of Law. He completed his LLD in 2021 at the North-West University. He currently teaches in the areas of Business Law and Consumer Protection Law at both undergraduate and postgraduate studies. His research interests broadly lie within the areas of Consumer Protection Law, Insolvency Law and Aspects of Financial Law.

Prof Ishana Tripathi (OP Jindal Global University, India), E-mail: Ishana.tripathi@gmail.com

Ishana Tripathi teaches insolvency, restructuring and banking regulation at O P Jindal Global University, India. She also holds visiting positions at leading business, law and public policy schools across India. Prior to joining academia in 2019, Ishana has worked with leading law firms as an attorney in transaction and litigation, in commercial and financial laws. She serves a Executive Committee Member of the INSOL International Early Researcher Academics Group and the INSOL India Academics Committee. Ishana was admitted as III NextGen Class in 2021 and is presently the Co-Secretary of the III Model Laws@Work Committee.