

staff news

University of KwaZulu-Natal Law Professions Day

The University of KwaZulu-Natal recently hosted a Law Professions Day attended by Pietermaritzburg, Durban and Johannesburg law firms. The event was intended to provide law students and prospective law students with information about career opportunities in the legal sector. Students were also able to apply for vacation jobs and for positions as candidate attorneys for 2009.

The event was the first of its kind hosted by the University and was enthusiastically attended by Venn Nemeth & Hart. A law firm is only as good as its lawyers, so we always aim to harvest the best of each new crop of law students.

The Venn Nemeth and Hart stand included computer displays and give-away CDs and the theme was "Food for Thought". Hannah Szudrawski, Nosipo Mgojo and Redvers Lee were in attendance, supported by candidate attorneys decked out in orange overalls. Initial confusion with escapees from the local correctional services facility was quickly



(from left to right) Marcel Sandells, Hannah Szudrawski, Nosie Mgojo, Liza Bagley and Amy Findlater

dispelled when our candidate attorneys fell upon passers-by with nothing more sinister than colourful brochures. Needless to say we gave the "suits" from Johannesburg much food for thought!



(from left to right) Liza Bagley, Amy Findlater and Redvers Lee

Gentlemen: I have not had your advantages. What poor education I have received has been gained in the University of Life. Horatio Bottomley

Venn Nemeth & Hart scores a hat-trick!

Conveyancers are attorneys who have passed the conveyancing exams. Only conveyancers are authorised to register the transfer of property, mortgage bonds, servitudes and other property-related transactions in the Deeds Registry. The conveyancing exams, which comprise 6 hours of practical and theoretical examination, are notoriously difficult, chilling the hearts of all but the most robust candidates.



From left to right
Gillian Curr,
Liza Bagley
and
Tasveera Ramkaran

On 9 May 2007, 141 candidates anxiously entered a hushed examination room at the Sinodale Centre in Pietermaritzburg. The candidates included three brave Venn Nemeth & Hart ladies - Gillian Curr and two candidate attorneys, Tasveera Ramkaran and Liza Bagley.

Only 17% of the candidates passed outright, while seven others subsequently made it through the oral examination available to candidates who fail within certain margins.

We are pleased to mention that all three Venn Nemeth and Hart candidates passed on their first attempt, shamelessly hogging 13% of the outright passes, and were placed amongst the top ten in Kwa-Zulu-Natal.

"Afraid? Me? A man who has licked his weight in wild caterpillars? Afraid? You bet I'm afraid. Groucho Marx"

venn nemeth & hart
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**LAW
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Corporate & Commercial Law

John Wallace
Matthew Francis
Simon Francis
Tim Brown

Criminal Law

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Debt Recoveries

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Jeanne Smith
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Labour Law and Industrial Relations

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Liquor Law

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Gerry Meyer
Logan Chetty
Robert Stuart-Hill
Gillian Curr
Yuri Maharaj

Mass Housing

Nosipo Mgojo

Medical Law

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Mortgage Loans & Investments

John Wallace
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Property Development & Town Planning

Guy Smith
Matthew Francis
Tim Brown

Public & Local Government Law

Matthew Francis
Tim Brown

Tax Planning & Law

Hannah Szudrawski
John Wallace
Simon Francis

Trusts & Wills

Hannah Szudrawski
John Wallace
Simon Francis

at the podium

Matthew Francis, Venn Nemeth and Hart's chairman, is no stranger to speech making, having addressed many academic, professional and lay audiences over the years. Matthew most recently stepped up to the microphone at the 20th Annual Labour Law Conference held in Sandton. The conference is sponsored by LexisNexis, a leading legal publisher, and is jointly organised by the Universities of Cape Town, KwaZulu-Natal and Witwatersrand.

This year's conference theme was *Transformation: Expectations and Constraints* and speakers included labour law practitioners, academics, and trade unionists. Many of the papers presented at the conference examined how transformation has helped to shape labour law.

The Minister of Labour, the Honourable Membathisi Mdladlana, delivered the opening address. The Honourable Mr Justice Ray Zondo, Judge President of the Labour Court, then provided an illuminating overview of the current status of labour law and some of the

difficulties experienced in the administration of the labour courts.

Matthew was invited to deliver a paper on recent developments in discipline and dismissal in the public sector, and chose to discuss the relatively obscure but increasingly important concept of "statutory financial misconduct". The Public Finance Management Act, the Municipal Finance Management Act and the associated Treasury Regulations are aimed at establishing a more transparent, responsive and accountable public sector. The legislation has, towards this end, created a variety of statutory offences relating to financial misconduct in public sector management. In addition to the usual motley crew - theft, fraud and corruption - this suite of legislation has created at least 46 additional offences. These statutory offences range from failure to implement adequate financial systems, to irregular expenditure and failure by public officials to prosecute offenders. Matthew considered the implications of these new offences, including who may be charged under the offences, possible defences and likely sanctions.

“ It usually takes me more than three weeks to prepare an impromptu speech. Mark Twain ”

hospitality sector determination

“ *Food beyond compare
Food beyond belief
Mix it in the mincer
And pretend it's beef
Kidney of a horse
Liver of a cat
Filling up the sausages
with this and that.* ”
Thénardier, the Innkeeper of Les Misérables, extolling the virtues of his establishment. ”

The new Hospitality Sectoral Determination has caused some consternation in that previously unregulated part-time preserve of many a poor university student - the restaurant and pub business.

The Minister of Labour has the power to make sectoral determinations that establish the remuneration and other conditions of employment applicable to employees in specified sectors of the economy. Sectoral determinations have already been applied to a number of sectors, including forestry, farming, security and the wholesale and retail sectors.

The Hospitality Sectoral Determination applies to a wide range of establishments including hotels, bed and breakfasts, restaurants, pubs, coffee shops, fast food outlets and caterers.

The introduction of minimum wages and overtime pay has particularly disturbed an industry that has famously relied on gratuities to keep employees smiling. The problem is that hospitality employers are now obliged to pay a minimum wage in addition to gratuities. Employers with 10 or less employees are required to pay a monthly wage of R1 480.00, while those with more than 10 employees must fork out R1 650.00 per month. This minimum wage will escalate annually by an amount equivalent to the consumer price index plus 2%.

Midnight oil is burnt by the barrel in the hospitality industry, so the new entitlement to overtime pay and a night work allowance for working between 18:00 and 06:00 has also got employers rethinking their staff planning schedules.