



THE LAW SOCIETY OF SOUTH AFRICA (LSSA) IN PARTNERSHIP WITH IRISH RULE OF LAW INTERNATIONAL and

IRISH AID

are introducing an intensive

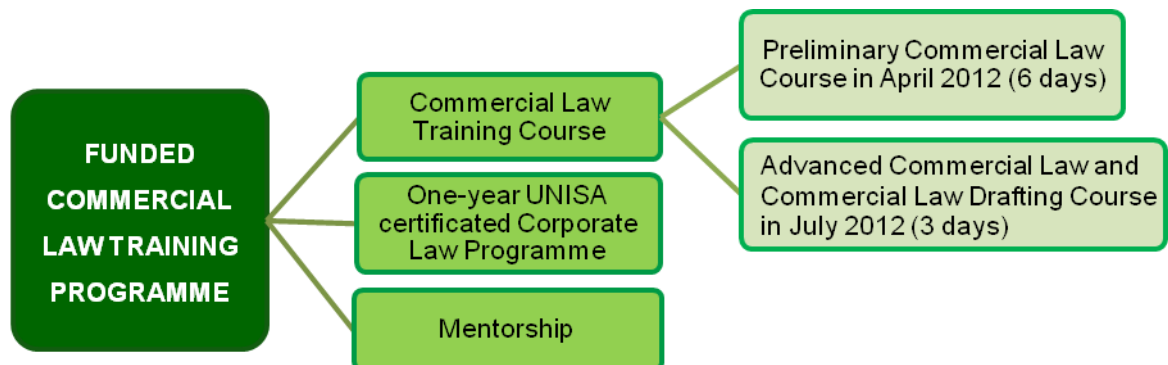
COMMERCIAL LAW TRAINING PROGRAMME

in 2012

Commercial law has particular significance in rural or marginalised areas where attorneys can use their knowledge to encourage greater contribution to the market economy and provide valuable legal assistance to local businesses.

Six important facts about the Commercial Law Training Programme (“the Programme”)

1. The Programme is an intensive one-year training programme funded by Irish Aid.
2. The overall objective of the Programme is to use commercial law as a tool in establishing sustainable economic development among the **historically disadvantaged communities** in South Africa.
3. The Programme is intended for practising attorneys from **historically disadvantaged backgrounds** who want to pursue a career in commercial law. These attorneys can be in private practice or employed by Legal Aid South Africa, the State or otherwise.
4. Participating attorneys must be willing to make the necessary time investment to become up-skilled in commercial law so that they are able to deal with commercial transactions efficiently in a best practice manner.
5. The Programme combines the academic with the practical and has the following segments.



6. **Twenty attorneys** will be selected for the Programme and, on its completion the participants will receive a certificate. Four attorneys may be placed with large commercial law firms in Ireland.

BACKGROUND TO THE 2012 COMMERCIAL LAW TRAINING PROGRAMME

Commercial legal expertise is an important element necessary for a country's enhanced good governance and economic development. The LSSA has long recognised that there are very few opportunities for attorneys from disadvantaged backgrounds to up-skill and gain grounding in commercial law. In 2002, Irish Aid undertook to provide financial assistance to make available a commercial law training course for attorneys from historically disadvantaged backgrounds. From 2012, this training has been enhanced to an intensive one-year programme which includes both academic and practical skills transfer.

ENTRY REQUIREMENTS FOR THE PROGRAMME

Applicants must be from historically disadvantaged backgrounds who have at least three years' experience as practising attorneys. Preference will be given to attorneys who do not have prior or current exposure in the field of commercial litigation and to those working in smaller firms (four partners or less) and from practices in rural or semi-urban areas. As part of the programme is distance-based, a participant must have access to the internet and have his/her own email address. There is no fee payable for the Programme as it is fully sponsored by Irish Aid. However, students make their own travel and accommodation arrangements.

THE STRUCTURE OF THE PROGRAMME

The Programme has been designed to ensure that participating attorneys will gain a fuller understanding of the theory and practice of commercial law and **is made up of the following three sections.**

1. Commercial Law Training Course held in Pretoria

- i) April 2012 - six-day preliminary Commercial Law Course undertaken by Irish Rule of Law International
- ii) July 2012 – three-day advanced Commercial Law Course and Commercial Law Drafting Course undertaken by Irish Rule of Law International and the LSSA.

As many attorneys in South Africa are not given the opportunity to improve their knowledge of commercial law, the primary aim of the course is to provide attorneys with these academic and practical skills.

Method of study

The course is designed to be interactive, with participants encouraged to engage the tutors so that the material is of practical assistance to their individual practices. Throughout the week, the participants are required to undertake home exercises which evaluate their drafting skills. During the week, workshops and tests are held to address the material covered. On the last day, there is a final open-book test.

Broad outline list of programme content

Examination of various commercial structures; advising a client on the purchase and sale of a company; the importance of conducting proper due diligence exercises; negotiating and drafting share purchase agreements; deed of tax indemnity and disclosure letters; accounting principles; and merging international best practice with South African standards and rules on the ground. On the three-day advanced Commercial Law Course, the focus will be on drafting and more complex case scenarios.

2. One-year UNISA certificated Corporate Law Programme (distance)

The programme is done on a distance basis through the University of South Africa (UNISA). The LSSA has had input in respect of the curriculum, the presentation of the programme content and the assessment. On successful completion of the programme, a certificate will be issued jointly by UNISA and the LSSA. The Corporate Law Programme will run from February 2012 – December 2012.

Method of study

The LSSA provides participants with study material to work through on their own. Participants submit their assignments for assessment online via the e-learning platform (e-LEADer). Assignments are returned together with comments and guideline answers. At least one workshop is arranged for participants, provided there is enough interest in the participant's area to make it financially feasible. The workshops are facilitated by the programme presenters.

Broad outline list of programme content

Management, formation and conversion of companies and close corporations; corporate financial reporting; membership and meetings; offer and transfer of shares; corporate capital structure and distributions to members; protection of minority interests; and securities regulation and business rescue.

3. Mentorship

During the year, participants will be assessed and mentored continuously by experienced South African and Irish commercial attorneys. Mentorship is intended to strengthen the course-work element of the Programme. The mentoring will be done at a distance as well as face to face in the participant's place of work.

APPLICATIONS

Please submit the attached form and return it to LEAD together with the supporting documents by **26 January 2012. AS A SELECTION PROCESS WILL APPLY, PLEASE APPLY EARLY.** Selected applicants may be required to undergo an interview process before a final decision is made.

CONTACT PERSON FOR ENQUIRIES

Andries Modiba

Training Supervisor: courses and education courses

Legal Education and Development

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Legal Education and Development (L.E.A.D)

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Address: PO Box 27167 Sunnyside 0132 | Docex 227 Pretoria | Old Main Building, Unisa Sunnyside Campus, 145 Mears Street, Sunnyside, Pretoria

FORM TO APPLY FOR THE COMMERCIAL LAW TRAINING PROGRAMME

Please return the form and documents to fax **086 674 6609** or e-mail andries@LSSALEAD.org.za.
The closing date for applications is on or before **26 January 2012**.

DOCUMENTS TO BE INCLUDED

1. **Certified copy of your Identity Document**
2. **Complete curriculum vitae**
3. **Letter of motivation as to why you are interested in participating in the Commercial Law Training Programme**

Surname	
Full names	
Title	
Date of birth	dd/mm/yyyy
ID number	
Race	
Employer	
Postal address	Code:
Docex address	
Residential address and town	Code:
Tel no (w)	()
Tel no (h)	()
Fax no	()
Cell no	
E-mail	

Contact Person for Enquiries

Andries Modiba (LEAD Training Supervisor: courses and education courses)
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