

Programme in the Regulatory Framework of Business Rescue 2026

Presented by the Faculty of Law, University of Pretoria in
Collaboration with the Law Society of South Africa (LSSA)



LAW SOCIETY
OF SOUTH AFRICA



Brief description

This intensive short course offers a clear, practice focused understanding of South Africa's business rescue framework under the Companies Act 71 of 2008. The programme combines essential legal theory with practical, real world application. Participants will engage with the full business rescue lifecycle from commencement through board resolution or court application, to the role and powers of the business rescue practitioner, the operation of the statutory moratorium, creditor rights, and the development and implementation of a compliant rescue plan. The course also covers litigation considerations, the rights of affected persons, and key ethical and professional responsibilities. Designed with both substance and practical skill building in mind, the programme equips delegates to navigate corporate distress matters with confidence. It also provides a solid foundation for those seeking licensing as business rescue practitioners through the CIPC, offering insight into the competencies, experience, and ongoing professional development required.

** This online course is a joint initiative between the Law Society of South Africa (LSSA) and the Enterprises University of Pretoria (EUP). Student registration and course administration are channelled through EUP. With over 30 years of experience, the legal education division of the LSSA understands the needs of a modern-day law practice. LEAD offers a wide range of top-quality courses, seminars and certificate programmes designed to give legal practitioners the knowledge and skills to manage their practices successfully. Within this framework, specific problem areas and practical challenges will also be considered. In addition to the main business rescue procedure, the programme will also address the function and role of the statutory compromise provided for in section 155 of the Companies Act 71 of 2008.*

Course Content

The programme covers all major features of the business rescue procedure, including:

- Key definitions and foundational concepts
- Initiation of business rescue proceedings and the duties of directors in this regard
- Consequences of the commencement of business rescue, including:
 - the statutory moratorium
 - the effect on property and property rights
 - treatment of unexecuted contracts
- The position and rights of affected persons, including employees, directors, shareholders and creditors
- The role, functions and duties of the business rescue practitioner
- Post-commencement financing
- The development, approval and implementation of the business rescue plan
- Termination or conclusion of business rescue proceedings

Course Outcomes

By the end of the course, delegates will:

- Understand the modern business rescue landscape, the importance of an effective corporate rehabilitation system, and the collaborative, good faith approach needed to achieve sustainable business recovery.
- Explain the purpose of business rescue under the Companies Act 71 of 2008 and key definitions in section 128.
- Distinguish between business rescue and liquidation, and apply the solvency and liquidity test.
- Describe how business rescue is initiated and the rights of affected persons.
- Understand the consequences of commencement, statutory timelines, and early obligations.
- Explain the role, powers, and duties of the Business Rescue Practitioner and directors.
- Assess the impact of the statutory moratorium on litigation, creditors, and contracts.
- Identify the rights and participation of employees, creditors, and shareholders.
- Explain post commencement finance (PCF), creditor ranking, and creditor classes.
- Outline the development, approval, and legal effect of a business rescue plan.
- Identify how business rescue ends, including rehabilitation, liquidation, and early termination.
- Draft a basic business rescue application, prepare a plan framework, and analyse case studies to determine when business rescue is preferable to liquidation.



Mode of Delivery

The programme is offered through long-distance study, based on a prescribed study guide and supporting materials, and supplemented by eight online lectures. Study materials will be posted on the University of Pretoria virtual education platform.

Accreditation and certification

Enterprises University of Pretoria (Pty) Ltd is wholly owned by the University of Pretoria. As a public higher education institution, the University of Pretoria functions in accordance to the Higher Education Act 101 of 1997. Enterprises University of Pretoria offers short courses on behalf of the University and these short courses are not credit-bearing, and do not lead to formal qualifications on the National Qualifications Framework (NQF) – unless stated otherwise. Delegates who successfully complete a short course and comply with the related assessment criteria (where applicable) are awarded certificates of successful completion and/or attendance by the University of Pretoria.

Admission requirements

An LLB or bachelor's degree or equivalent qualification incorporating a study of basic commercial law.

Who should enrol?


Professional people who are interested in understanding the legal principles of business rescue. This includes lawyers, legal advisors, auditors, financial advisors, bank decision-makers, investors, businesspersons, liquidators, managers and trade union representatives.

Course fees (Full fee including VAT)

Practising Attorneys: R 10 185 (Practising legal practitioners and their staff)

Other Professions: R 11 204 (All other professions including non-practising legal practitioners)

Appointment of Business Rescue practitioners

Nobody can guarantee that a person will qualify as a BRP by merely completing a Business Rescue programme. The CIPC has its own guidelines and requirements, and you can view the process by clicking here 

In short, and apart from the necessary practical experience, the CIPC considers, among other things, the following requirements:

- Professional Membership: You must be a member in good standing of a legal, accounting, or business management profession accredited by the CIPC.
- Educational Requirements: A minimum of a bachelor's degree (NQF Level 7) in law, accounting, or business management is required.
- Accreditation: The professional body to which you belong (for example SAICA, SAIPA, or the Legal Practice Council) must be recognised by the CIPC.

Any such programme is therefore rather aimed at equipping a person with knowledge of the regulatory framework and related aspects, which are, of course, also important in order to perform the work of a BRP effectively.

Course date

4 August – 31 October 2026

Registration closing date

31 July 2026



Course Leader

André Boraine is Emeritus Professor and former Dean of the Faculty of Law at the University of Pretoria. He remains actively involved in the Department of Mercantile Law, specialising in insolvency law and business rescue. Professor Boraine has published extensively in these fields and is co-author of Meskin: Insolvency Law, one of South Africa's leading works on insolvency law. He has also acted as consultant to the World Bank on insolvency reform projects in South Africa and Namibia. He is an active member of the Academic Forum of INSOL International and SARIPA, and a member of the International Insolvency Institute. Admitted as an attorney, he also remains actively involved in continuing legal education and professional training in insolvency law and business rescue programmes.

 **How to register**



STEP 1: Please complete the application

Form by clicking on the link supplied below and attach the following:

- a clear copy of your identity document/passport;
- a copy of your highest degree obtained;
- proof of payment; and
- should an invoice be required to effect payment, replace the proof of payment document with a Company Debtor form.



STEP 2: Payment

If your company is paying

Please complete the Debtor ID Form and return it to us to initiate the payment process.

[Click here to download Debtor ID Form](#) 

If you are paying personally

Please review the payment options below and select the one that best suits your needs:

- Upfront Payment: Settle the full course fee in a single payment.
- Upfront Instalment Payments: (Layby)

Pay the course fee in instalments, with all payments completed before the course start date.

[Click here for more information](#) 

Mobicred: A convenient credit facility with flexible repayment terms.

[Click here for more information](#) 

FUNDI: Tailored education finance solutions to suit your needs.

[Click here for more information](#) 

 **Important:**

Please upload your proof of payment and any required supporting documents (PDF) in Step 1. If payment is finalised later, kindly e-mail your proof of payment to: enrolments@enterprises.up.ac.za

Banking Details 

Account name: Enterprises University of Pretoria
Bank: ABSA
Branch code: 335545
Account number: 4087823354
Reference: Delegate's ID number
[Click here to view Enterprises University of Pretoria Bank Letter.](#)

CLICK HERE TO APPLY AND UPLOAD ALL REQUIRED DOCUMENTS 



STEP 3:

You will receive a system-generated e-mail that we have received your registration form. Course confirmation and more detail on the way forward will be e-mailed to you after the closing date.



Registration and Enquiries

Client Information Centre

Tel: +27 (0)12 434 2500
Email: info@enterprises.up.ac.za

Bettie Lubbe

E-mail: bettie@LSSALEAD.org.za
Tel: (012) 441 4670
Website: www.LSSALEAD.org.za



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(L.E.A.D.) **PROFESSIONAL AFFAIRS** **DE REBUS**

LSSA/ Enterprises University of Pretoria may cancel or postpone a course if there is insufficient demand. In such cases, delegates will be informed and fully refunded.

Business solutions. Academic credibility.

