



THE LAW SOCIETY

O F N A M I B I A

Chairperson's Newsletter
1 July – 22 August 2018

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Foreword

The past two months have been extremely busy as you will see from the contents of this newsletter.

A lot of progress has been made with the Change Project and the draft legislation will be available within the next few months.

The Hon Minister indicated that he would be willing to attend to certain amendments to the Legal Practitioners Act (LPA), 'piecemeal'.

Council, at its meeting on 10 August 2018, considered the practicality of arranging a special general meeting (between now and the AGM) and came to the conclusion that it would be difficult due to time and financial constraints.

Council resolved that it would be pragmatic to take the proposals for amendment to the LPA to the AGM scheduled to be held on 23 November 2018.

Kindly diarise the date and please attend in person.

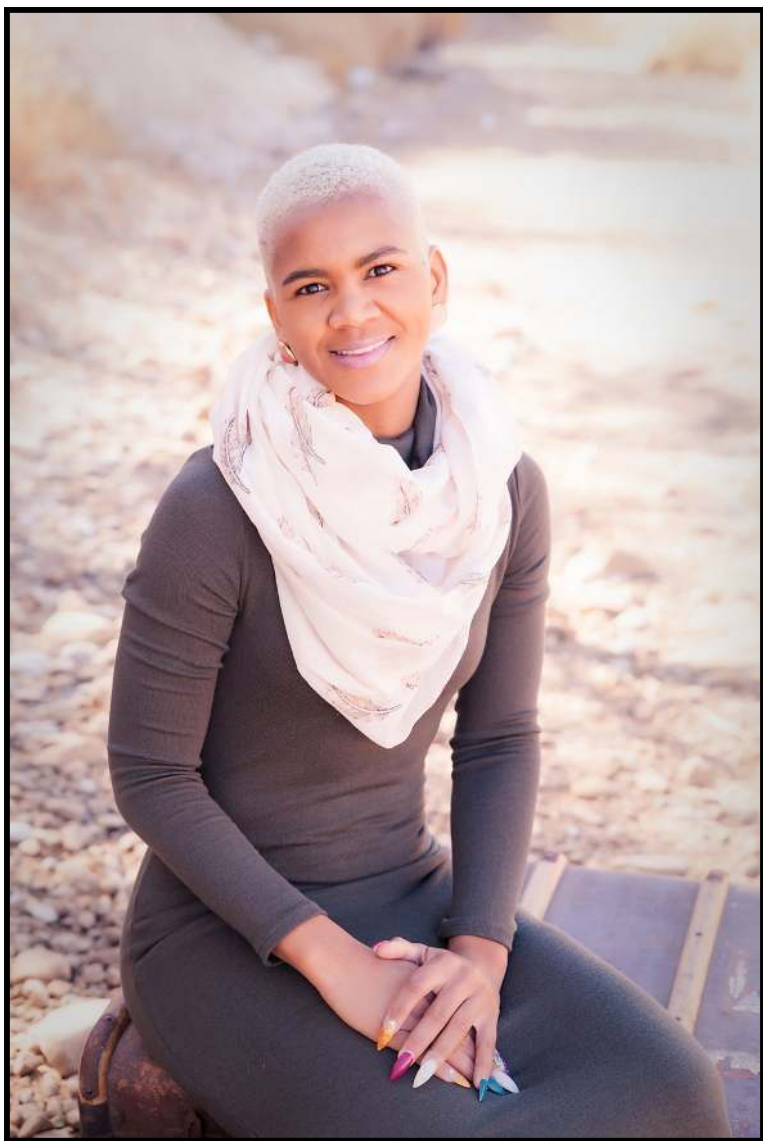
Stakeholder events are arranged to take place on Monday, 17 and Wednesday, 19 September 2018. More details will follow soon.

The Director is currently the President of the International Institute of Law Association Chief Executives (IILACE) and will attend 20th Anniversary conference and AGM in Ottawa, Canada. She will take a few well deserved leave days after the conference before returning to Namibia.

Jo-mari Koekemoer will be the Acting Director during her absence from the office from 23 August 2018 until 11 September 2018. Please direct your enquiries to Jo-mari at jkoekemoer@lawsocietynamibia.org.

Kind regards

Meyer



Co-opted Councillor

Council, at its meeting on 28 July 2018 resolved to co-opt Vincia Cloete as Councillor.

Vincia attended her first Council meeting on 10 August 2018.

She was also a co-opted Councillor in 2017.

1st Week of July 2018
Legal Assistance Centre – 30th Anniversary

The week started with a symposium on “Land Rights – strategies that will work.” The speakers were Norman Tjombe who spoke on legal issues and expropriation, Mwilima Mushokobanji, from the Namibia National Farmers Union, who provided perspectives from communal farmers and Sakkie Coetzee, from the Namibian Agricultural Union, who spoke on the concerns of commercial farmers. Tommy Bayer from NUST was the moderator.

3 July 2018 - Breakfast at Roof of Africa

On Tuesday, the LAC hosted a Business Breakfast, at which time a DVD was shown to representatives from the business community. The DVD was meant to showcase the various projects of the LAC and to inform the business community of the value of the work of the LAC and how issues of human rights ultimately affects all of us within Namibia. A strong functioning democracy founded on human rights is a precursor for a diverse and sustainable business environment.

Top: Toni Hancox – LAC Director making the presentation at the breakfast.

Bottom: Attending the breakfast, Retha Steinmann – LSN Director and Rolanda van Wyk – Permanent Secretary of the Office of the Judiciary.



Wednesday evening the LAC hosted a second symposium at NUST on “Education, unemployment and the youth – are we failing our future?” The speakers were Clement Daniels speaking on the scourge of unemployment, Marvellous Shilongo, NUST SRC President, speaking on the challenges faced by the youth, Niels Serrer, obo of the Namibia Employers’ Federation, outlining their training programmes as well as Olavi Hamwele, from the NSFAF. Toni Hancox was the moderator.

On **Thursday**, the Director appeared on Good Morning Namibia to speak of the LAC at 30.

On Friday, LAC staff members braved the freezing cold to host an “Open Office Day” at Post Street Mall where its publications were provided to the public and free legal advice offered to those who required it.

Friday, 6 July 2018 – Cocktail Reception

The LAC Director hosted a cocktail event at the LAC for donors and stakeholders.

Top: Judge David Smuts, Norman Tjombe, Toni Hancox and Clement Daniels.
Bottom: Retha Steinmann, Eileen Rakow and Toni Hancox.





The LAC held an Open Office Day on Friday, 6 July 2018 and ended the week with a bring and braai with all the staff, old and new as well as friends of the LAC.

The President, Council and Directorate congratulates the LAC and wish them many more anniversaries.
Keep up the good work!

(Photographs provided by the LAC)

Friday, 13 July 2018
Meeting of the Deputy Sheriffs / Messengers of Court of Namibia

The meeting took place at Hotel Thule and was well attended by the Deputy Sheriffs and the Registrar of the High Court. From the profession, the following members attended: Graham McCulloch, Ralph Behrens, Saima Nambinga, **Mathias** Kashindi (GRN Attorney) and Retha Steinmann.

The discussions points were, inter alia:

- E Justice System.
- Rule 8 Service of Process.
- Removal of attached goods for auction – attorneys postpone, goods to remain in storage. Defendant pays attorney and deputy is not paid.
- Sale in execution of agricultural land.
- Changes / revision of rules.
- Proposed appointment of a 2nd deputy for each district.
- Trust, business and private banking accounts. Use of trust money and auditing of trust accounts.
- Sale in execution vehicles, Natis and arrear license fees.
- The Deputy Sheriffs' obligation to follow the provisions of Rule 104 (6) (7) and (8) strictly, including, the furnishing of a nulla bona return of service and matters ancillary thereto.

The minutes of the meeting were referred to the Standing Committee on Civil Litigation for consideration.

Thursday, 19 July 2018

The European Union's new law for protecting data privacy – the General Data Protection Regulation (GDPR)

The panellists, appearing on the photograph:

Her Excellency, **Jana Hybaskova**, EU Ambassador to Namibia.

Melanie Harrison Director (Risk Advisory) at Deloitte

Kai Kleingunther Magistrates Court

Yolinda Van Der Linde: Iwits – Private company

Some of the questions addressed at the session were:

1. How will GDPR affect Namibian businesses?
2. Has the Government been informed about GDPR and do they have a role to play in the implementation thereof?
3. What are the benefits of the GDPR?
4. Is it cumbersome and costly to implement the GDPR?
5. Will Namibian businesses only be affected if they do trade with EU citizens online or also in a personal interaction?
6. How can a business or organization protect itself against potential penalties? Must they, for example, hire a Chief Information Officer?
7. How can the financial sector ensure that they adhere to the regulations?
8. What are the impacts of GDPR in terms of the legal aspect of Namibian law?
9. Where does Namibia stand (status / progress) in terms of data protection?
10. Are there any good practices or lessons to be learnt from the GDPR that may be relevant for Namibia?

Gilroy Kasper, Appollos Shimakeleni and Retha Steinmann attended the session on behalf of the LSN.

(Photographs provided by European Union)



Thursday, 26 July 2018
Chevauchee Foundation
Workshop and Lecture Event
on the Economic Freedom of Namibia Audit

The Chevauchee Foundation invited 8 persons from the LSN to attend a lecture event on 26 July 2018 at the Protea Hotel Furstenhof, to discuss the state of the economy, the state of economic freedom in the country and garner suggestions for reform.

The event was a combination of a workshop and a lecture focusing on business, credit and labour market regulation and how these impact on economic development.

Two Councillors and two members (Arthur Pickering and Sabine Halberstadt) attended. When Councillors could not attend Retha Steinmann partly attended.

Speakers were:

- Fred McMahon, a Fraser Institute Resident Fellow and holder of the Dr. Michael A Walker Cahir in Economic Freedom addressed the issue of “Correlation between economic freedom and prosperity”.
- Daniel Steinmann, the founder and editor of the Namibia Economist gave “A brief history of the Namibian Capital Market, 2015 – 2018, reflecting on Development Goals versus Financing Options. What went wrong?”.
- Rowland Brown, Economist addressed “Challenges faced by Namibian Entrepreneurs”.
- Leonard Kamwi, the head of the Public Policy Department addressed the “Recession and the Opportunities for Reform”.



Thursday, 2 August 2018
Invitation to presentation by
US District Judge
Lynn Winmill

The LSN received an invitation to attend a presentation by US District Judge Lynn Winmill at the Auditorium of the American Cultural Centre, Sanlam Centre on current topics affecting the US Federal Judiciary, including the transformations of technology and the emphasis on cyber security, as well as the impact of the “Me Too” movement on workplaces.

Judge Winmill with LSN Vice
Chairperson Saima Nambinga.

(Photographs by George Beukes)



Thursday, 2 August 2018
Presentation by US District Judge Lynn Winmill

Judge Lynn Winmill(Guest Speaker) with some of the legal practitioners in attendance:
Saima Nambinga (Vice Chairperson), Lot Haifidi, Bryan Eiseb, Jana-Marie van Zyl,
Daneale Beukes, Namene Shejavali, Tinana Matjila, Retha Steinmann, Rolanda van Wyk,
Philip Bahao.



Thursday, 9 August 2018
The 20th Economist Businesswomen Conference

The conference took place at Bennies Entertainment Park in Ongwediva.

Petrine Hango represented the LSN and spoke on the topic: “The benefits of establishing a compliance function”.

The organiser, Desere Lundon-Muller with Petrine Hango.

(Photographs by Petrine Hango / Namibia Economist)

Monday, 13 August 2018
Visit to Namibia by Santhaaan SanthanaKrishnan
President of the Commonwealth Lawyers Association (CLA)

Santhaaan SanthanaKrishnan was elected as President of the CLA in 2017 and will hold office until 2019. He has been visiting various jurisdictions across the Commonwealth and reports on his visits to the CLA.

He and others visited Zambia in April for a site visit for the Commonwealth conference to be held in Zambia in April 2019, where he also met with the SADC LA President, James Banda.

Before visiting Namibia, he attended the annual conference of the Law Society of Kenya in Mombasa. After visiting Namibia, he visited the Law Society of Zimbabwe and continued to attend the SADC LA conference in Mozambique from 15 – 17 August 2018.

During his visits to the region, he tries to engage with leaders of the law society, the bench and the legal fraternity in general.

He invited the members of the LSN to attend the 21st Commonwealth Law Conference in Livingstone, Zambia from 8 – 12 April 2018. The theme of the conference: “The Rule of Law in Retreat? Challenges for the Modern Commonwealth”.



Monday, 13 August 2018
Breakfast Meeting with CLA President at Hilton

Front: Retha Steinmann (Director), Meyer van den Berg (Chairperson), Santhaan SanthanaKrishnan (CLA President).

Back: Saima Nambinga (Vice Chairperson and present CLA Councillor), Eldorette Harmse, Stacey Bock, Vincia Cloete and Gilroy Kasper.

On the same day he also met with JP Jones (of the Society of Advocates) and Toni Hancox (past CLA Councillor and Director of the LAC).



*The President, Council and Directorate of the
LSN cordially invites you to a presentation by the
President of the Commonwealth Lawyers
Association (CLA),*

Mr Santhaan SanthanaKrishnan

on

*'Issues concerning Rule of Law around
Commonwealth and Independence of the
Judiciary - Recent experience'*

On: Monday, 13 August 2018

Time: 17h30 for 18h00

Venue: LSN Boardroom

RSVP: Friday, 10 August 2018

rsteinmann@lawsocietynamibia.org



Monday, 13 August 2018
Presentation by CLA President on “Issues concerning the Rule of Law around
Commonwealth and Independence of the Judiciary – Recent experience”
LSN Boardroom

Santhaan SanthanaKrishnan (CLA President) with some of the legal practitioners in attendance:
Arthur Pickering, Saima Nambinga (Chairperson), Retha Steinmann (Director),
Eva Shifotoka, Laura Pack, Ngutjiua Hjarunguru (Legal Officer), Sarah Martin, Twapewu Andjamba,
Namene Shejvali, Maria Nghishililwa, Jo-mari Koekemoer (Manager Professional Affairs).

Monday, 13 August 2018
14th Southern Africa Civil Society Forum

This forum was held from 12 to 16 August 2018 at Heja Lodge in Windhoek.

The LSN received a request, via the SADC Lawyers Association, to join a panel discussion on 'Respondents on the African State and democratic governance':

- Rule of law and human rights - Chairperson of South African Human Rights Commission
- Elections and democracy - Hilda Modisane, Elections Commission Forum of SADC countries (ECF SADC)
- Civic space and participation - Teldah Mawarire, CIVICUS
- Accountability and corruption - Law Society of Namibia

The organisers requested the LSN's assistance to identify a speaker.

Almarie Bartch, of Mulberry Compliance, made a presentation.

Wednesday, 15 – Friday, 17 August 2018
SADC-LA conference, Mozambique

The inaugural Pro Bono conference took on 15 August 2018. Meyer van den Berg, Melki Uupindi, Vincia Cloete and Gilroy Kasper represented the LSN at the Pro Bono conference. Meyer van den Berg returned after the Pro Bono conference.

The attendance of both Vincia and Meyer, in respect of the Pro Bono conference, were sponsored.

The SADC LA conference and AGM took place on 16 and 17 August 2018 at the International Conference Centre, Mozambique. V

Top: Attending the Pro Bono conference:
Melki Uupindi, Vincia Cloete, Gilroy Kasper and Meyer van den Berg.

Bottom: Attending the SADC LA conference:
Vincia Cloete, Yvonne Dausab (Law Reform and Development Commission) Melki Uupindi and Gilroy Kasper.





**Wednesday, 15 – Friday, 17 August 2018
SADC-LA conference, Mozambique**

The SADC-LA AGM 2018 was an elective one. Each Law Society / Bar Association submitted two nominees from amongst its membership to represent them on the SADC-LA Council for a term of two years each.

Council, at its meeting held on 24 May 2018, resolved to nominate Vincia Cloete (who serves on, inter alia, the SADC standing committee) and Gilroy Kasper (who is the Portfolio holder for SADC) as its SADC LA Councillors. Ramon Maasdorp and Melki Uupindi were the LSN's Councillors for the past two years and still had to attend the AGM and vote thereat.

Council, at its meeting held on 24 July 2018, resolved to nominate Vincia Cloete as SADC LA EXCO member and Max Boqwana as the SADC LA President. Vincia Cloete was elected on the SADC LA EXCO as an ordinary member and Max Boqwana (of South Africa) was elected as SADC LA President.

Congratulations, Vincia!

Left: Gilroy Kasper, Stanley Nyamanhindi (SADC LA CEO), Melki Uupindi and Vimbai Nyembe (incoming SADC LA Vice President)
Right: James Banda (outgoing SADC LA President), Vincia Cloete, Max Boqwana (incoming SADC LA President), Melkie Uupindi.

Photographs provided by Melki Uupindi, Vincia Cloete and Gilroy Kasper.

July to 22 August 2018
Continuing Professional Development

Confirmation is awaited from SADC LA on SADC Arbitration training.

The LSN is also consulting on the prospect of presenting Cyberlaw and / or Artificial Intelligence training shortly, in co-operation with the Law Society of South Africa.

Once the dates and the trainers are confirmed we shall advise our members accordingly.

6 July 2018
CPD Competition Law – Restrictive Business Practices” at Hotel Thuringerhof

The following legal practitioners attended the training at Protea Hotel Thuringerhof, Windhoek, presented by Alet Louw.

In attendance were: Adda Angula, Stacey Bock, Karin Coetzee, Mathys du Preez, Jackson Eixab, Linda Erasmus, Sabine Halberstadt, Jo-mari Koekemoer, Rohann Linde, Tobie Louw, Corlia Maritz, Charity Mufwinda, Saima Nambinga, Francois Pretorius, Caitlin Quinn, Raimund Strzelecki, Amanda van der Merwe, Johanna von Wielligh, Nangosora Tjipitua, Tjiho Hitjiua.





**26 and 27 July 2018, Pelican Bay Hotel, Walvis Bay
CPD “Competition Law – Merger Application” and “Competition Law – Restrictive
Business Practices”**

The following legal practitioners attended the training, presented by Alet Louw, on either or both 26 and 27 July 2018 :

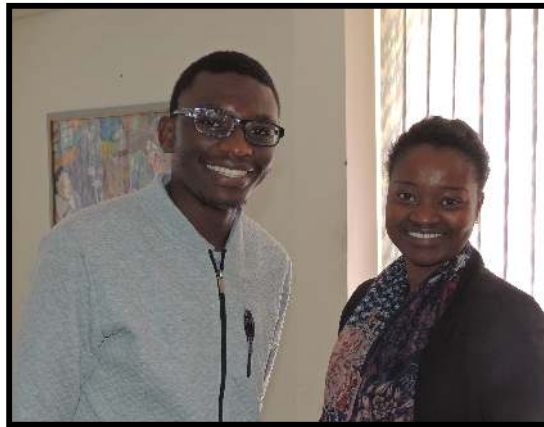
Hilke Ahrens, Piet Burger, Jo-mari Koekemoer, Danie Malherbe, Lisa Martins, Shakespeare Masiza, Mercedes Ovis, Garoy September, Mekumbu Tjiteere, Gerard van Wijk, Percy van Zyl, Hendriaan Visser, Thomas Wylie, Elzaan Wylie, Johan Roux, Elmo Ochs, Joyce Uises.



Friday, 17 August 2018

CPD “Anti-Money Laundering and Counter Financing of Terrorism for Legal Practitioners”.

The training was presented, at the LSN Boardroom by:
Sumari Von Kunow and Almarie Bartsch of KYC Due Diligence Services.
Both will also make a similar presentation at the coast on 24 August 2018.

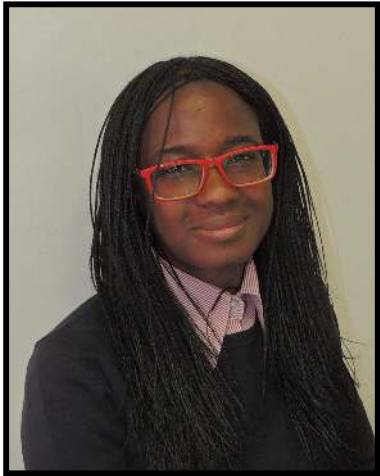


Friday, 17 August 2018

CPD: “Anti-Money Laundering and Counter Financing of Terrorism for Legal Practitioners”.

The following persons attended the training:

Cheraldy Abrahams, Gwendoline Appollus, Daneale Beukes, Renay Bock, Cecilia Botha, Marinda Coleman, Adele du Pisani, Ulrich Etzold, Consetha Haradoes, Alwyn Harmse, Gushi Hjarunguru, Mercia Basson, Nawala Kamati, Himeekua Ketjuere, Annerie Keulder, Claudia Kleinhans, Jo-mari Koekemoer, Danielle Lubbe, Thabo Makhurane, Lwando Mufune, Isabel Mwazi, Willem Odendaal, Wolfgang Pfeiffer, Namene Shejavali-Lungu, Hilde Shilamba, Lizzie Steenkamp, Steffi Strauss, Michelle Theron, Marold Thabanello, Riette van Niekerk, Jan Wessels.



**Friday, 17 August 2018
CPD “Anti-Money Laundering and Counter Financing of Terrorism for
Legal Practitioners”.**

July and August 2018 Free Legal Advice Day

The Free Legal Advice Day forms part of the LSN's objectives to make legal services more accessible to those members of the public who cannot afford legal services. The Office of the Ombudsman has been instrumental in the success of the FLAD since the project was launched in August 2014 by supporting this project and assisting the LSN with the venues and advertising in the region. Topics such as Labour, Domestic Violence, Wills & Estates, Divorce and Maintenance are addressed.

The LSN, in collaboration with the Office of the Ombudsman, hosted its 1st Free Legal Advice Day for 2018 at the Swanevelder Community Hall, Otjiwarongo where 63 persons received free legal advice.

The 2nd Free Legal Advice Day took place in Rehoboth at the Hermanus van Wyk Memorial Hall on 13 April 2018 where 121 persons received legal advice and co-incided with a Circle Meeting with the members on Thursday, 12 April 2018.

The 3rd Free Legal Advice Day took place in Ongwediva at the Office of the Ombudsman on 15 June 2018, where 53 people received free legal advice, and co-incided with a Circle meeting with the members in Oshakati on 14 June 2018.

Another FLAD and Circle meeting took place on 13 July 2018 in Gobabis where 80 persons received free legal advice.

The recent FLAD took place in Windhoek on 3 August 2018 where 25 persons received free legal advice.

The last FLAD for 2018 will take place on 28 September 2018 – West Circle – Walvis Bay.

The Chairperson, Council and Directorate of the LSN sincerely thank all involved for their participation and support in making the FLAD project a success.



13 July 2018
Opening Ceremony – Epako Community Hall, Gobabis

Meyer van den Berg (LSN Chairperson)
Ignatius Thudinyane, (Gobabis Municipality Chief Executive Officer)
Hendrik Mauyoma (Office of the Ombudsman).



13 July 2018
Circle Meeting – Die Dam, Gobabis

An informal East Circle Meeting took place at Die Dam, Gobabis.
Meyer van den Berg (LSN Chairperson), Edel Upindi, Stacey Bock (LSN Councillor).

The following persons assisted at the FLAD and assisted 80 persons: Stacey Bock, Michelene de Lange, Hennie Mauyoma, Jo-mari Koekemoer, Vilho Mbangi, Amore Pienaar, Timothy Shangadi, Vetjavi Tjivikua, Edel Upindi, Meyer van den Berg, Marion van Dorssen, Stefan van Zijl, Bennie Venter, Anielle von Finckenstein, Jamie Theron, Marko Himmel, Kenneth Humu, Olivia Mutjavikua, Druvhila Kavari, Rewaldo Quest.



3 August 2018
Free Legal Advice Day Windhoek

Appolos Shimakeleni, Hon Ruben Sheehama (Katutura East Constituency Office Councillor) George Trepper on behalf of the Chairperson of the Komas Regional Council, Eileen Rakow, Her Worship, Tala Tekla Nwanga, Deputy Mayor of the City of Windhoek.

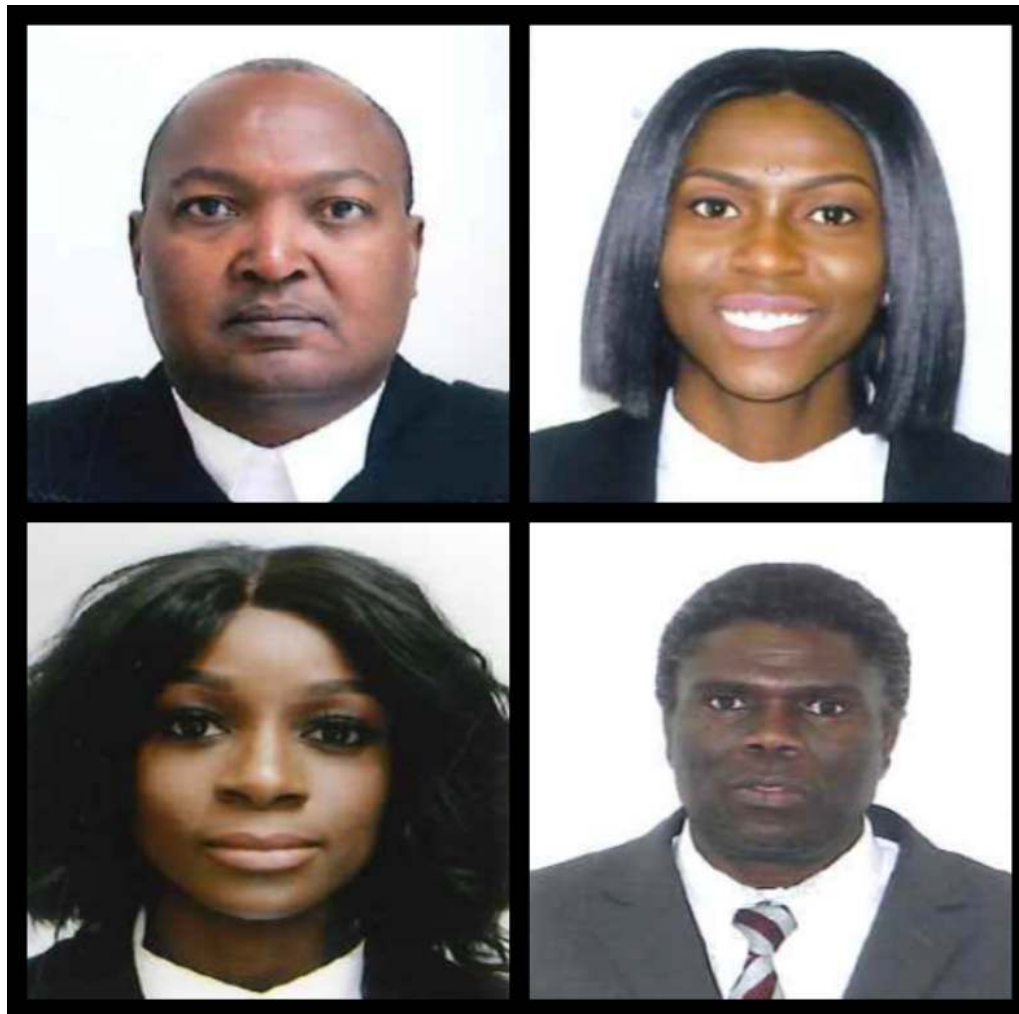


**21 August 2018
Blood Donation Clinic**

The Law Society of Namibia and the Namibia Blood Transfusion Services (NAMBTS) arranged a Blood Donation Clinic at the Law Society on 21 August 2018.

Statistics as at 22 August 2018

Active members	848
Racially Disadvantaged	498
Racially Advantaged	347
Male members	431
Racially Disadvantaged	217
Racially Advantaged	214
Female members	414
Racially Disadvantaged	281
Racially Advantaged	133



**1 July to 22 August t2018
New Admissions**

Top row:

912 – Francis Nyathi

913 – Frieda-Etuna Akuunda

Bottom row:

914 – Kaunapawa Angula

915 – Ivan Gawanab

The Chairperson, Council and Directorate congratulate them, welcome them as members of the LSN and wish them a successful career.

Statistics - Risk & Compliance Unit – 8 August 2018

Total Law Firms: 157 consisting of:

Sole Proprietors: 103

Partnerships: 26

Incorporated Law Firms: 28

Included in above: 15 branches and 2 satellite office

Firms on RCU inspection programme: 66

Sole Proprietors on RCU 43

Partnerships on RCU 11

Incorporated Law Firms on RCU 12

Firms using Independent Auditors: 91

Legal practitioners practising with exemption certificates (excluding Society of Advocates):

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LSN Staff Members

Ngutjiua (Gushi) Hjarunguru was appointed as Legal Officer and she commenced employment on Wednesday, 18 July 2018. We wish Gushi a successful career at the LSN. Gushi was admitted as a legal practitioner on 27 October 2017.

Gaby Ferreira is presently busy with JTC and will commence her attachment at a law firm. Her last working day is 22 August 2018. We wish her all the best with her new endeavours and the examinations and look forward to welcoming her as a member of the LSN when she is admitted as a legal practitioner.



LSN Staff on 22 August 2018

Front:

Isabel Mwazi, Retha Steinmann, Margaret Bennett, Jo-mari Koekemoer.

Back:

Lorraine Naris, Patresia Afrikaner, Thabo Makhurane, Emillie Konstantin,
Gaby Ferreira, Ngutjiua (Gushi) Hjarunguru, Ivy Pretorius,
Charles Rose, Cosetha Haradoes.

(Photograph by Uno Katjipuka)

Acknowledgements

Document compiled by Retha Steinmann and electronically distributed by June 21 Internet Marketing.

Photographs: Retha Steinmann, Jo-mari Koekemoer and as credited in this publication.

Proofreading: Retha Steinmann, Gaby Ferreira, Ivy Pretorius and Gushi Hjarunguru.

Disclaimer: Although reasonable effort has been taken to verify the accuracy of the information to ensure that the information published in this work is accurate, the compiler takes no responsibility for any loss or damage suffered by any person as a result of the reliance upon the information contained herein.

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