


The arbitrators and facilitators who are accredited to the various panels and the appeal tribunal are all AFSA members, and are independent practitioners from legal, accountancy or industrial relations background. All panelists are bound by a code of conduct, which is published in the AFSA Rules Manual.

The appropriate remedy

When arbitrators resolve disputes under the auspices of the AFSA Labour Service, the labour law of the land must be given effect to. It is not necessary that arbitrators grant remedies which match those provided for in the Labour Relations Act, which are handed down by the Labour courts or the CCMA. Innovative and different remedies may be granted by arbitrators, but the norms of fairness in all labour relations procedures and remedies will be followed, and the jurisprudence of the Labour courts will be respected.

Initiating the process

Disputants to an existing dispute, who choose to use AFSA, must initially address a request in writing to the Chief Executive Officer who will assist in the invoking of the appropriate procedure and directing attention to the appropriate panel or to the appeal tribunal.

Anyone who wishes to incorporate an AFSA clause into a contract prior to any dispute, is advised to seek advice on the most appropriate clause to use. Draft clauses can be obtained on request from the AFSA secretariat. 

Professional Provident Society

Report by Ralph Meyer SC, representative of the General Council of the Bar on the board of the Professional Provident Society

Membership

During the past year, the membership of the PPS increased by some 10%. Over 11 000 new members were en-

rolled, many of them newly qualified and young professionals. The board is currently reconsidering the criteria for membership of the society by reason of the entry into certain professions of graduates from technikons which now confer degrees.

According to statistics published by the management, advocates remain the profession of which the highest proportion are members of the PPS. Advocates are well represented on the board. In addition to my representation on the board, there are two judges (both of whom were formerly GCB representatives on the board) who are elected members of the board and serve on its executive committee.


Funds

In relation to the investment of the society's funds, the board employs the services of two advisors, namely UAL Merchant Bank and Investec Asset Management Ltd to advise on investments.

Core purpose

The board adopted a policy of concentrating on the core purpose of the society, namely that it is a sickness benefit fund, but nevertheless continues to consider additional benefits such as increasing the cover offered to group life members and group life benefits. In addition, members are now offered offshore investment alternatives and more flexible annuities on the retirement annuity scheme. The group life cover offered by the society is, according to statistics, offered at the most favourable rates in the market.

Profmed

In addition to the PPS, the board also administers the affairs of Profmed. During the last year, the benefits offered by Profmed have been reviewed and increased. Profmed is operated on a most effective and efficient basis, although I consider it to be of some concern that its reserves are continuously increasing. I believe that it is necessary to monitor this situation, since this phenomenon may be the result of a policy relating to payment of benefits which is too conservative. 

Placement and subsidy scheme for law graduates

THE Black Lawyers Association, National Association of Democratic Lawyers, the Association of Law Societies, General Council of the Bar of South Africa, Legal Resources Centre and Lawyers for Human Rights ('the participating organisations') have announced the introduction of a scheme to facilitate entry into the profession, especially by disadvantaged law graduates.

Through the assistance of the Department of Justice and a donor agency, USAID, the participating organisations have secured funding which will be utilised to subsidise, either in whole or in part, the salary of law graduates who will be placed in articles of clerkship or pupillage.

The scheme will secure placement of 240 law graduates made up as follows:

- 80 law graduates for the five-month practical law school programme and service of articles of clerkship over a period of 12 months.
- 80 law graduates for service of clerkship over a period of 24 months including a five weeks practical law school programme.
- 80 law graduates for service of pupillage in the advocates' profession for a period of five months.

Interested law graduates should phone the BLA-LEC at (011) 337-1535 and speak to Nonqaba Tshotsho or Tshepo Legodi and ask for application forms.

Note 1: The scheme is for graduates who have never done articles or pupillage before.

Note 2: Incomplete and late application forms will not be considered.