

Faculty of Law

DIPLOMA IN INSOLVENCY LAW AND PRACTICE "AIPSA DIPLOMA"



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UNIVERSITY
OF
JOHANNESBURG

GENERAL INFORMATION

- The Diploma is presented over one year on a part-time basis.
- The lectures will be presented in English only, on Thursday evenings from 18:00 to 20:00.
- The diploma is primarily aimed at persons in the legal profession, auditors, insolvency practitioners, employees of credit institutions, bankers and government officials involved in insolvency administration.
- No-one may attend lectures or receive any course material without being registered.
- A detailed programme of lectures will be issued on the day of registration.
- Lecture dates will be finalized once the University's timetable has been finalized.

ADMISSION

- Preference will generally be given to persons in the legal profession, auditors, insolvency practitioners, employees of credit institutions, bankers and government officials involved in insolvency administration who satisfy one or more of the requirements below.
- Practising accountants, attorneys and advocates.
- Persons with a bachelor's degree in law or commerce.

NB: The University reserves the right not to present the programme due to low student numbers.

TUITION FORMAT AND EXAMINATION

- The tuition will consist of a combination of formal lectures and discussions.
A significant amount of self study is expected from students
- The examination will consist of the following two written examinations:
 - o Paper 1 (three hours)
Friday, end November (to be confirmed)
The law and theory of insolvency
 - o Paper 2 (four hours)
Monday, end November (to be confirmed)
Practical aspects of the administration of an insolvent estate with an emphasis on the drafting of the liquidation and distribution account
- The pass mark for each of the examination papers will be 50%, and in order to qualify for the diploma, a pass in both papers is required.

OVERVIEW OF THE COURSE

- Administration and winding-up of companies and close corporations in liquidation and insolvent estates. Effect of sequestration on the insolvent and his/her spouse. Effect of liquidation on directors and members.
- Appointment, duties and powers of trustees and liquidators. Effect of sequestration or liquidation on pending legal proceedings and uncompleted contracts. Impeachable transactions; reports to be filed; proof of claims;

interrogations; application and distribution of assets; and criminal law offences. Other laws applicable to and affecting the winding-up of insolvent estates.

- Winding-up of companies and close corporations. Application of the law of insolvency; effect of winding-up order; liquidation; appointment, functions, duties and powers of liquidators.
- Cross-border insolvencies.
- Insolvency accounting and the preparation of trading and liquidation and distribution account.
- Functions, powers and requirements of the Master of the High Court.
- Code of ethics and professional conduct of trustees and liquidators.

PRESENTERS

The course will be presented by Dr J Calitz, Prof P O' Brien, Prof K van der Linde from the University of Johannesburg, as well as Mr Selwyn Trackman from AIPSA. The presenters will also be assisted by other leading academics and experts in practice.

RECOMMENDED TEXT BOOKS

- Hockly's Insolvency Law by Robert Sharrock, Alastair Smith and Kathleen van der Linde (seventh edition).
- Mars The Law of Insolvency in South Africa by Elmarie de la Rey (eighth edition).
- Henochsberg on the Companies Act insofar as it relates to the winding-up of companies.
- Insolvency Law and its Operation in Winding-up by Meskin (loose-leaf publication).
- Close Corporations Act insofar as it relates to the winding-up of close corporations (fourth edition).

Students will also be referred to relevant statutory provisions, case law and journal articles during the course of the year and will be provided with study notes.

FEES 2011

1. Administration fees (non-refundable)

Only New Applications	R280.00
ICT levy*	R390.00
Registration*	R450.00

2. Tuition Fee	R7,000.00
TOTAL	R8,120.00

*To be confirmed

Foreign students pay an international levy of R750*.

Students who fail to pay all fees will not be permitted to attend classes.

APPLICATION

The closing date for applications is **15 February 2011**.

The completed application form and application fee must be sent to:

The Registrar
University of Johannesburg
PO Box 524
Auckland Park
Johannesburg, 2006

Please attach a **certified** copy of your ID document/ passport and **certified** copies of your previous degree/s or CV (if required) to your application form.

Foreign applicants should contact the Faculty for relevant legislative requirements.

ADMINISTRATIVE ENQUIRIES

Application forms and more details on the programmes are available from the Faculty of Law. Tel: 011 559 3739/2758 | Email: excurlaw1@uj.ac.za; dneilon@uj.ac.za

PROGRAMMES PRESENTED IN 2011

1. Higher Diploma in Tax Law (intake every 2nd year – next intake 2012)
2. Higher Diploma in International Taxation (intake every 2nd year – next intake 2012)
3. Postgraduate Diploma in Drafting and Interpretation of Contracts
4. Postgraduate Diploma in Corporate Law
5. Diploma in Criminal Justice and Forensic Investigation
6. Diploma in Insolvency Law and Practice (AIPSA)
7. Postgraduate Diploma in Compliance
8. Certificate in Money Laundering Control
9. Certificate in Board Governance
10. Certificate in Compliance Management
11. Certificate in Sport Law*
12. Certificate in Legislative Drafting
13. Short Course in Environmental Law and Compliance
14. Short Course in Entertainment Law*
15. Postgraduate Diploma in Cyber Law*
16. FAIS Act for Key Individuals and Representatives
17. The Basics of Short-term Insurance

* Please contact the Faculty to confirm that the programme will be offered in 2011

www.uj.ac.za/law

