

Siyazanazisa

February 2021
Quarterly Newsletter

1 FAREWELL TO OUR OUTGOING SABFS BOARD



Mrs. C. Mabuza
Chairperson



Mr. M. Magida
Deputy Chairperson

As we welcome 2021, we also take this opportunity to thank our current Board members for their commitment and hard work to achieve our strategic objectives we set three years ago in 2018. You may be aware that Board members are appointed to serve for a period of three years. Thereafter, the Minister of Justice may reappoint these members or replace them with duly nominated members, as per the submissions received from various stakeholder organisations.



Ms. A. Singh



Mrs. S. Mashaba



Ms. M. Lephadi



Mr. A. Nkhumise



Mr. I. Klynsmith



Mrs. A. Ralehla



Mr. P. Mogale



Mr. A. Murugan



Ms. K. Sigenu

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SABFS ON SOCIAL MEDIA

The South African Board for Sheriffs can be found on Facebook and Twitter using these handles:

 The South African Board for Sheriffs
 Sheriffs (SABFS) @Sheriffs_SA

2 CHAIRPERSON'S NOTE - Charmaine Mabuza

“ Despite the worldwide pandemic, our Board members have been active throughout the lockdown, attending virtual meetings and making a difference behind the scenes. ”



Mrs. Charmaine Mabuza, Chairperson of the SABFS

As we start with the challenges of 2021, it would be remiss of me not to reflect on 2020 and to share my thoughts with you. I am saddened by the number of sheriff colleagues, friends and family, that the COVID 19 pandemic have taken from us to date. No longer are the statistics we see, related to someone else. We have all been touched by this virus in a personal way...I ask you to take all precautions to safeguard your families and staff. Most importantly, I urge you to be an example to all that you are in contact with, by adhering to the safety protocols that our government has so diligently been reminding us to obey.

The Board members have expressed their sincerest condolences to all of you that have lost people dear to you.

Despite the worldwide pandemic, our Board members have been active throughout the lockdown, attending virtual meetings and making a difference behind the scenes. I would therefore like to update you in respect of a few of our 2020/2021 objectives:

Sheriffs Assistance Plan 1 and Plan 2

Plan 1 which focussed on sheriffs and deputies, was completed in the last quarter of 2020.

Plan 2 was only approved by the Minister for Justice at the end of 2020, hence the delay with the finalisation of this initiative by the Board.

The finance team is currently busy concluding the reconciliation for all the other sheriffs, which reconciliation process should be finalised by 05 February 2021. This will result in sheriffs who are due for refunds, being paid.

Legal Obligations Phase 2

LOP2 delays in compliance has been experienced largely because of sheriffs' delay in obtaining insurance. In the month of December 2020, the compliance team worked with the sheriffs and Protektum to gain compliance. Numerous phone calls and e-mails were

sent to assist, unfortunately a handful of sheriffs still need to comply.

All compliant sheriffs have been furnished with an electronic version of their Fidelity Fund Certificates and has been sent their original certificates via mail.

Compulsory Bookkeeping Course for Sheriffs

As with most of our training initiatives, our compulsory Bookkeeping Course for sheriffs has been postponed more than once to accommodate the ever-changing national lockdown regulations. Please be assured that this course will be held in 2021 and we ask you to please bear with us as we make the necessary arrangements.

Sheriffs Introductory Course 2021 (SIC)

By now you are aware that the shortlisting and interviews of candidates for vacant sheriffs' posts have been conducted. We wish all applicants the best of luck and wish the few that are appointed, success with their appointments!

As is customary, once appointed, these candidates will have to attend the SIC, unless they have completed it previously. Aligned to this skills programme, the newly appointed sheriffs will be required to attend the Bookkeeping Course for sheriffs as well.

Master Classes

We have been very encouraged by the virtual participation of sheriffs and their staff during the planned Master Classes. We thank you for your support and interest!

This initiative will certainly be retained as part of our 2021 strategic objectives! We encourage you to inform us of your training needs so that we may factor it in for consideration.

Lastly, thank you to all sheriffs who have complied with their Legal Obligations in 2020!

The Board wishes all sheriffs a happy and fulfilling 2021!

3 LEGAL OBLIGATIONS 2020 UPDATE

Please note that there are still a few sheriffs who have failed to comply with their Legal Obligations for 2020. See below table indicating the non-compliant sheriffs totals as at 4th February 2021

NON-COMPLIANT SHERIFFS STATS AS AT 04 FEBRUARY 2021				
NO. OF:	NOT COMPLIANT WITH LOP1	NOT COMPLIANT WITH LOP2	NOT COMPLIANT WITH BOTH LOP1 & 2	TOTAL
SHERIFFS	7	5	2	14
OFFICES	9	6	3	18

As per the above data, there are 14 sheriffs appointed for 18 offices, who remain non-compliant despite the vigorous steps taken by the SABFS in attempting to assist the non-compliant sheriffs to become compliant, including numerous phases of contact made both telephonically and in writing.

The Next steps from the Board:

Please note the following:

1. Should sheriffs be found to be non-compliant by the SABFS for the LOP1 on or before the due dates of each year, a fine will be imposed.
2. Should any sheriff continue to remain non-complaint for 2020 or any subsequent year after a period specified by the SABFS, the following further action will be taken by the SABFS:
 - 2.1 The sheriff to not be issued with a Fidelity Fund Certificate for 2021 and any subsequent year;
 - 2.2 Disciplinary steps will be taken against the sheriff.

Result of Non-compliance:

Furthermore, should a sheriff not be issued with a Fidelity Fund Certificate both the sheriff and his/her

deputy(s) will be prohibited from performing functions of a sheriff as at 1 January 2021, in terms of Section 30(1) of the Sheriffs Act 90 of 1986.

Further steps to be taken by the Board:

The 14 non-compliant sheriffs were thus provided with a final directive by the SABFS to provide their outstanding legal obligations submission by no later than Friday, 29th January 2021.

Regrettably, since these sheriffs have still failed to comply, the SABFS will now proceed to:

1. Recommend to the Minister for an appointment of an acting sheriff at the relevant office in terms of Section 5(1)(a) of the Sheriffs Act until such time that the particular sheriff becomes compliant and is able to operate again, failing this,
2. Recommend to the Minister for the suspension of that particular sheriff.

The SABFS wishes to thank all sheriffs who have cooperated and submitted their Legal Obligations for 2020 timeously.



4 CELEBRATING THE SUCCESS OF THE SIC 100 CLASS OF 2020 by Vernon C Weitz, SABFS Training Officer and RCC Task Team Member

SABFS hosted the SIC to 103 participants

The initiation of the training of 100 SIC [Sheriffs Introductory Course] learners was viewed as a major, ambitious and challenging project. The objectives of SIC 100 was achieved within the planned timeframe, despite the forceful impact of Covid 19 on the educational environment of the project.

The Training & Communication Division had to act swiftly to adapt to the new normal,

given the strategic goals of the Board to be achieved and implemented. The management team of the SIC 100 project realised that we had to gear ourselves towards new forms of organisational, operational, virtual and social relational spaces to ensure the success of this project. The matrix below provides a snapshot of the learner profiles of the project.

Total No of Learners	Black	White	Coloured	Indian	Female	Male	Pass Rate
103	52%	25%	12%	11%	48%	55%	98%



Some salient points:

- The SASSETA funded 100 of the 103 learners totalling, R 800 000.
- Learners participated in five provincial venues, namely Western Cape, Free State, KZN, Eastern Cape and Gauteng,
- The verification process was completed and certificates have been issued by the SASSETA and posted to learners.
- The moderator, Mr Nel, liaised with

assessors virtually to finalise the technical SAQA/SASSETA requirements in respect of the moderation report.

- All facilitators and assessors have been re-registered.
- A culture of learning and career pathing has been established among participant learners and the profession.
- A healthy working relationship has been established with SASSETA staff.

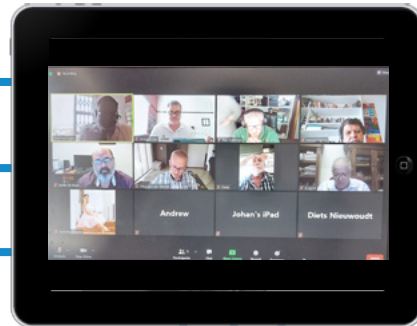
5 SABFS PRESENTS SUCCESSFUL MASTER CLASSES

The SABFS hosted four online masterclasses for sheriffs between November 2020 and February 2021.

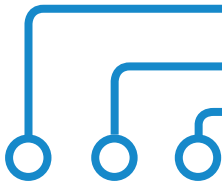
The Tariffs Masterclass on 10 November 2020 saw its more than 60 attendees learn about charging the correct fees to maximise income.



The Software Programmes Masterclass on 27 November 2020 where 5 service providers presented their various programmes attracted up to 96 attendees at any one time. The platform provided sheriffs the opportunity to engage their providers and to pose questions.



The Debt Collection Masterclass on 25 January 2021, was facilitated by an outsourced expert. The aim of the virtual session was to provide sheriffs with the principles of good practice when engaging stakeholders, contracting and collecting fees due. A total of 121 attendees was recorded.



Maximising your income Masterclass

At this Masterclass we had thoughtful presentations from eloquent speakers from institutions such as the State attorney's office, the CCMA, the Taxing Master, the courts in general and the Small Claims Court. Sheriffs were afforded the opportunity to engage the panellists by posting questions and comments in the chat room to the moderator, Mr Allan Murugan, who in turn, asked the presenters to respond. All stakeholders were in agreement that we need to forge stronger relationships through workable communication mechanisms and in some cases, formulating a MoU between the sheriffs and different parties. The Chair, Mrs. Charmaine Mabuza said in her address that: "As we look forward to 2021, the reality is that we do not have a choice but to plan ahead and put in place the objectives we set ourselves to achieve. As the South African Board for Sheriffs, we need to execute our plans and discharge our responsibilities of the

organisation with precision, like we have done in the past, however the challenge is to adapt such plans in an anticipatory way to combat the challenges we might face. The same can be said for sheriffs and our stakeholders alike".



6 SHERIFF OFFICE FOR JHB SOUTH DELIVERS LUNCH AND CARE PACKAGES TO NKOSI HAVEN VILLAGE

The Sheriff Office for JHB South, lead by Ms June Thomas, spread some festive cheer by hosting a special lunch for the Nkosi Haven Village on 28 November 2020.

Ms Thomas and her deputies supplied and served a lunch of hot dogs, stew, juice and party packs to the residents of the Haven Village, as well as donated groceries and R5000 to the organisation.

Ms Gail Johnson, founder of the Nkosi Haven Village thanked Ms Thomas and her team in a letter, highlighting that it had been a very tough year for their organisation. She thanked Ms Thomas and her staff for the generous donation, their time and the food items.



Ms. June Thomas



7 FRAUD HOTLINE

SOUTH AFRICAN BOARD FOR SHERIFFS HAS OPENED LINES OF COMMUNICATION FOR YOU TO REPORT FRAUD WITHIN THE ORGANISATION.

The hotline can be used to report unethical behaviour, theft, fraud and other related activities of staff and boards member of the South African Board of Sheriffs by simply dialing this toll free number 0800 000 628 from a Telkom line.

The Board has established a fraud hotline to help maintain the culture of ethical behaviour. The hotline is aimed at enhancing an honest work ethic. We therefore want to provide internal and external stakeholders with a mechanism to bring any unethical business practices to the attention of management.

This is a safe and result guaranteed method of blowing the whistle on unethical behaviour in the organisation for the following reasons:



0800 000 628

- All calls are recorded
- The caller may remain anonymous
- Confidentiality is guaranteed
- The caller's details will not be revealed to anyone
- A reference number is provided for the complaint
- All matters are handed over to SABFS senior management for investigation
- Feedback is provided to the complainant on request

The SABFS is appealing to you to make use of the hotline. Do not be a silent observer of practices that erode the values we wish to uphold.

If you have any queries, complaints or compliments please contact us
SOUTH AFRICAN BOARD FOR SHERIFFS - 88 LOOP STREET, CAPE TOWN 8000
T: 021-426 0577, F: 021-426 2598, SABFS Fraud Hotline: 0800 000 628
E: contact@sheriffs.org.za, W: www.sheriffs.org.za

8

MINIMUM STANDARDS FOR SHERIFFS OFFICE INFRASTRUCTURE AND ADMINISTRATION OF A SHERIFFS' OFFICE

The Board has resolved to publish sections of the Minimum Standards Model for Sheriffs, in the next few editions of the Siyanazisa.

We trust that you will find the information valuable since it should give you insight into the minimum standards the SABFS (Regulatory Body) requires sheriffs to maintain.

1. A current and valid Fidelity Fund Certificate must be displayed in full view of the public;
2. The sheriff must lodge a copy of his Fidelity Fund certificate with his local Chief Magistrate upon receipt;
3. A glass-framed sheriffs pledge must be displayed in full view of the public;
4. You must have visible exterior office signage;
5. All signage must be in line with the Sheriffs Brand Guide;
6. Sheriffs and their staff must attend annual training interventions identified and/or presented by the Board;
7. Sheriffs and all deputies must have an SABFS ID card which must be presented when on duty;
8. Each office must have a Sheriffs Guide: Practice and Procedure and must subscribe to Juta Law Publishers for updates;
9. When executing his or her duties as a sheriff, the sheriff must ensure that he or she maintains a high standard of professional ethics, provides his or her services impartially, fairly, equitably without fear and favour and most importantly, without bias;
10. The sheriff undertakes to respond to his or her clients' needs and to render the services in a fully accountable manner, without avoidable delay;
11. To do so the sheriff recognises the need for adequate record-keeping and to make these records available upon request by the Board in the event of any complaints;
12. The sheriff shall ensure that he or she has the basic minimum requirements necessary for running a professional office e.g., office, staff, stationery, computer systems with internet facilities and motor vehicles;
13. The sheriff shall ensure the safe keeping of all assets entrusted to him and shall ensure that these assets are kept in a good condition;
14. Your office should be located in the magisterial district that you are serving and preferably close to the community/court/police station to effect prompt service delivery;
15. Ensure that your office has the following:
 - a. Reception area with waiting room
 - b. General offices for staff and deputies
 - c. A fairly large room to hold auctions
 - d. Filing room with cabinets
 - e. Storeroom (storage of removals)
 - f. Office furniture
 - g. Fax machine
 - h. Photocopy machine
 - i. Telephone switchboard with extension lines
 - j. Internet and email facilities
 - k. Sheriff's computer programme to capture processes
 - l. Various rubber stamps
 - m. Stationery that includes, invoices, attachment books, etc.
16. Upon your appointment you must obtain insurance to cover theft and damage of third party goods, including public liability insurance.
 - a. Professional Liability Insurance
 - b. Advisable to have insurance for cyber fraud
 - c. Insurance against fire, theft, damage to your office and its content
17. You must have sufficient funds (cash) to carry your office in respect of expenses such as rent, lights, water, salaries, PAYE, VAT and transport.
18. In order to run a financially sound business that can meet the operational expenses, the Sheriff must understand and implement proper credit control systems in his business
19. Apply for a VAT number from SARS, where applicable.
20. Apply for a PAYE number.
21. Apply for a UIF number.
22. Register staff for workmen's compensation
23. Advisable to register with WinDeed (provides access to databases, e.g. deed search to confirm ownership and interdicts).

**CLICK HERE TO VIEW THE FULL
▶▶ LIST OF REQUIREMENTS ▶▶**

9 SAPS EVICTION ASSIST LEADS TO DRUG BUST



Sheriff LF Sharp

When our South African Police Service (SAPS) colleagues assisted the Sheriff’s Office with an eviction in Soncenywa Street in New Brighton, Port Elizabeth on Thursday 21 January 2021, the last thing they expected was for it to turn into a drug bust.

In a strange twist of fate, as the eviction was in process and the Public Order Policing (POP) members remained outside of the dwelling to ensure that there was no resistance from the 59-year-old male evictee, a packet fell from the headboard being carried outside.

Upon closer inspection, the SAPS members were able to correctly identify the contents of the packet as mandrax tablets. A refocus of members’ efforts resulted in a thorough search of the house and its content, leading to more than 4500 mandrax tablets being confiscated.

The suspect is expected to appear in the New Brighton magistrates’ court soon.

Sheriff LF Sharp of the Port Elizabeth North Office has congratulated his dedicated Deputy Sheriff Morne de Lange, his team of workers and the SAPS POP members on a job well done.

10 INTRODUCING SABFS’S NEW FINANCE MANAGER

Please join us in extending a warm welcome to our new Finance Manager, Thabang Makoa.

Mr Makoa joins us from Betcoza Online and brings with him a multitude of experience in financial management. We look forward to his long and fulfilling journey with the SABFS.



Mr. Thabang Makoa, SABFS’s New Finance Manager

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PO Box 15223, Vlaeberg, 8018

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