INTRODUCTION:
Given the financial turmoil caused by the COVID-19 lockdown and the downgrades by rating agencies, the number of businesses experiencing financial difficulties is set to increase dramatically. The demand for trained and experienced business rescue practitioners is thus likely to continue rising. The programme is also aimed at directors, lawyers, legal advisors, auditors, financial advisors, bankers, businesspersons, and trade union representatives. The Faculty of Law of the University of Johannesburg is now offering its short learning programme in business rescue in a fully online format. This will give you a convenient and accelerated opportunity to update your knowledge on the legal and practical principles and the latest developments in this field. This programme covers the scope and underlying principles of business rescue and thoroughly analyses the substantive law and procedure of the legal process. It also focuses on the practical implications of business rescue.

HOW WILL YOU LEARN?
The programme is broken down into 3 manageable modules and includes a range of interactive content, including live video lectures, case studies and access to various further educational resources. The programme is presented on the Blackboard e-Learning platform. After successful registration, students will receive their personal log-in details and will gain access through the uLink portal. The duration of the programme is 3 months (July – September 2020) culminating in an online examination at end of the course.

COURSE LEADERS:

Prof Kathleen van der Linde - Kathleen is professor of corporate law in the Department of Mercantile Law and programme director for the LLM in Corporate Law at UJ. She has extensive teaching experience and has presented training on the new Companies Act to several prominent law firms and businesses. Kathleen is on the course committee for INSOL International’s Foundation Certificate in International Insolvency Law, and on the technical committee for the INSOL San Diego conference in 2021. She publishes on company and insolvency law, is a co-author of Hockly’s Insolvency Law, and has contributed to national and international publications.

Prof Juanitta Calitz - Juanitta is an associate professor of Law at the University of Johannesburg and is head of the Department of Mercantile law. She presents under- and postgraduate courses in insolvency law and business rescue and is co-author of Mars: The Law of Insolvency in South Africa (10th ed). Juanitta is the Chair of the INSOL International Academic Group as well as a member of the INSOL Legislative & Regulatory Steering Committee. She is an honorary member and serves as a national council member of SARIPA (the South African Restructuring and Insolvency Practitioners Association). She has presented at national and international conferences and has published in the field of commercial law.
ADMISSION:
Admission on NQF level 6: Any equivalent qualification on NQF 5 level (matric certificate) with relevant practical experience.

ASSESSMENT:
There will be two assignments and an examination, all in online format.

COURSE FEES:
The course fee is R14 150. (Foreign students pay an international levy of R1 000). Participants need to adhere to the set deadlines for payment of all fees.

APPLICATIONS:
The closing date for registration is **19 JULY 2020**.

REGISTRATION:
Use the link below to apply online. https://www.uj.ac.za/studyatUJ/sec/Pages/continuing-education-programmes.aspx
Use token: LAWSLP

ADMINISTRATIVE ENQUIRIES:
Please contact the Faculty for more information on the programme:
Prof Juanitta Calitz: jcalitz@uj.ac.za
Prof Kathleen van der Linde: kevdlinde@uj.ac.za
Ms Esmeralde du Plessis: esmeraldedp@uj.ac.za

COURSE OUTLINE:

**MODULE 1:**
1. Orientation; introduction and history of business rescue legislation in South Africa
2. Overview of international restructuring tools and procedures
3. The Business Rescue framework of the Companies Act
4. Commencement of business rescue proceedings
5. Launching business rescue applications in liquidation proceedings and converting business rescue into liquidation
6. The business rescue practitioner (BRP): appointment; regulation; qualification; duties and powers; termination; tariff and determination of fees
7. Directors: powers, duties and liability prior to and during business rescue
8. Lessons from the cases

**MODULE 2:**
1. Legal consequences of the commencement of business rescue:
   • General moratorium
   • Post- commencement finance
• Uncompleted contracts
• Comparative aspects of business rescue and section 155 compromises

2. Role of the creditor
3. Rights of employees
4. Lessons from the cases

MODULE 3:
1. Scope and drafting of a business rescue plan
2. Prescribed content of the plan
3. Consequences of the approval or rejection of a plan
4. Practical aspects of a business rescue plan
5. Analysis and evaluation of plans
6. Lessons from the cases