

# Faculty of Law

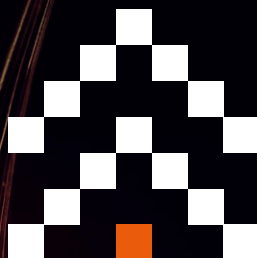
## Short Learning Programme: Business Rescue

Non-subsidised Programmes (NSP)



UNIVERSITY  
OF  
JOHANNESBURG

FACULTY OF LAW



**Our Future  
Reimagined**

## Programme Overview

Given South Africa's energy and economic challenges and the worst global cost of living crisis in the 21st century, it is hardly surprising that increasing numbers of businesses face financial difficulties. The demand for legal expertise on the underlying principles of business rescue is higher than ever. The Faculty of Law: Non-subsidised Programmes at the University of Johannesburg is offering its short learning programme in Business Rescue in a fully online format. We designed the programme to suit the busy practitioner: it is a thorough yet compact course that can be completed over a six-month period. In addition to covering the substantive law and procedure of business rescue, the programme focuses on the practical implications of business rescue and provides an update on the latest legal developments in this field.

## Programme Content

### 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, 2008
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. Lessons from the cases

### MODULE 2:

1. Legal consequences of the commencement of business rescue:
  - General moratorium
  - Post-commencement finance
  - Uncompleted contracts
2. Role of the creditor
3. Rights of employees
4. Directors: powers, duties and liability prior to and during business rescue
5. 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

### MODULE 4:

1. Overview of relevant business management considerations
2. Case study
3. Interview with senior practitioners
  - Guest Lecture: "Surviving the Fourth Industrial Revolution: Navigating business rescue strategies for the modern era"
  - Guest Lecture: "Business Rescue in practice: Securitisations and general debt finance"

## Assessments

There will be one assignment and a final online examination will be written in **October/November**.

## Programme Presenter(s)



**Prof Kathleen Van der Linde** – 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 a co-author of *Hockly's Insolvency Law* and serves on the course committee for INSOL International's Foundation Certificate in International

Insolvency Law. In 2021, the Amsterdam district court appointed her as an independent expert member of the committee of representation in the Dutch restructuring proceedings of the Steinhoff group.



**Prof Juanitta Calitz** – LLB LLM LLD (UP) is currently an Associate Professor of Law at the University of Johannesburg (UJ). Since 1st August 2022 she has been appointed as Vice Dean: Research and Internationalisation, Faculty of Law, UJ. She presents undergraduate; postgraduate and extra-curricular courses in insolvency law, corporate insolvency law as well as business rescue and have presented papers at various national and international conferences. She has written articles and book chapters on topics related to insolvency law and business rescue and is a co-author

of *Mars: The Law of Insolvency in South Africa* (10th ed.) and co-author of *Hockly's Law of Insolvency, Winding-up and Business Rescue* (10th ed. 2022). Prof Calitz is a member of the International Advisory Council of the Singapore Global Restructuring Initiative (SGRI); was recently appointed to the course committee of the INSOL International Fintech course and is regional co-chair of the International Insolvency Institute. Prof Calitz is also an honorary member of the South African Restructuring and Insolvency Practitioners Association (SARIPA). She has participated in multiple insolvency and business rescue law reform and training projects with organizations such as INSOL and the World Bank.

## Lectures and Workshops

The programme is divided into four manageable modules, featuring a variety of interactive content such as online video lectures, case studies, and access to numerous additional educational resources. In addition to the assessed content, the programme includes two guest lectures on pertinent topics. The programme is delivered via the Moodle e-Learning platform. The programme spans six months (**July – December 2025**), concluding with an online examination.

## Admission Requirements

Any equivalent qualification on NQF 5 level, or matric certificate on NQF Level 4 with relevant practical experience.

## Application dates

Applications open from the **31 August 2024** and close on **27 June 2025**.

## Documents Required

- certified copy of ID
- certified copy of marriage certificate (If applicable e.g. your surname is different on your grade 12 certificate to what appears on your tertiary qualification certificate/s)
- certified copy of matric/senior certificate/school leaving certificate
- certified copy of tertiary qualification certificate/s
- certified copy of academic record of your qualification/s obtained

## Online Application

TO MAKE AN ONLINE APPLICATION (No application fee is payable)

- The Course Code is: **S4BR5Q**
- For a quicker and easier application process for first-time (new) applicants use the **Short web application**  
[https://registration.uj.ac.za/pls/prodi41/wuj012pkg.wuj012\\_startup](https://registration.uj.ac.za/pls/prodi41/wuj012pkg.wuj012_startup)
- The RETURNING student web link is:  
[https://registration.uj.ac.za/pls/prodi41/w99pkg.mi\\_login](https://registration.uj.ac.za/pls/prodi41/w99pkg.mi_login)
- For both processes above the “token” that must be used by applicants is **LAWSLP**
- Password/Pin reset: If you have previously created a password/pin, you will be prompted to login with that password/pin. You can click on the “Forgot Password/Pin” button if you cannot remember your password/pin and follow the instructions to reset your password/pin.

For assistance regarding Applications please contact the University call centre on (+27) 11 559 4555 or at [mylife@uj.ac.za](mailto:mylife@uj.ac.za)

## Programme Fees

Fees for 2024	% increase for 2025
R11 290.00	Generally, between 5-10%

A full upfront payment of the course fees is required upon registration. It is advised that students start making payments towards their fees by depositing money into their student account on a monthly basis upon being admitted for the programme. The course fee includes the cost of the textbook.

Non-refundable International Levy - SADC students: R1 000.00

Please contact your course coordinator for the final course fees.

Please be aware that SADC students also pay an international levy. SADC/International students must also contact the International Office of UJ on 011 559 4399 or **Email: [international1@uj.ac.za](mailto:international1@uj.ac.za)** prior to registration.

Students whose fees are paid by a bursary sponsor or employer must request for a tax invoice from the NSP financial officer, Mr Isaac Moagi - [imoagi@uj.ac.za](mailto:imoagi@uj.ac.za)

Students who do not pay the full fees will not be permitted to register and thus will not be able to attend classes.

## Administrative Enquiries:

For administrative assistance regarding this programme, please contact: The Faculty of Law: NSP, **Tel:** 011 559 3739 or **Email:** [lawnsnp@uj.ac.za](mailto:lawnsnp@uj.ac.za)