

CURRICULUM VITAE

HERMANUS HENDRIK STEYN

Personal Information:

Surname: Steyn
First names: Hermanus Hendrik
Gender: Male
Birth date: 24 April 1954
Marital status: Married to Vickie
Place of birth: Keetmanshoop, Namibia
Languages: English and Afrikaans
Nationalities: Namibian and South African
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Academic and professional qualifications:

2019	International Fellow Member No. 3854 of The Association of Arbitrators (Southern Africa) NPC
2015	Accredited mediator of the High Court of Namibia
2014	Commercial mediator accredited by Conflict Dynamics, The Africa Centre for Dispute Settlement at the University of Stellenbosch Business School (SA) and Centre for Effective Dispute Resolution (UK)
2014	Arbitrator on General Commercial Panel of The Arbitration Foundation of South Africa
2008	LLM (Banking and Stock Exchange Law) with dissertation entitled The Legal Implications of Foreign Exchange Fluctuations at the University of Johannesburg
2007	Member No. 024221 of The Chartered Institute of Arbitrators
1980	LLB at the Rand Afrikaans University, Johannesburg
1976	B.Com (Law) at the Rand Afrikaans University, Johannesburg
1972	Matric at High School PK de Villiers, Keetmanshoop

Professional Career:

2014 to date	Practising as an advocate and member of The Society of Advocates of Namibia in Windhoek and Swakopmund
1988 to date:	Practising as advocate at the Johannesburg Bar
1986-1987:	Legal Advisor Corbank (formerly Hill Samuel Merchant Bank)
1984-1985:	Practised as advocate at the Johannesburg Bar
1981-1983:	Practised as attorney as professional assistant at Sutherland Van der Westhuizen in Randburg
1979-1980:	Articled as attorney with Gildenhuis Taylor & Vos in Johannesburg and Van Zyl Kruger & Marais in Randburg
1977-1978:	Military service.

Legal fields of experience

Building disputes

Arbitration law

General Commercial law:

- Contracts
- Companies and Close Corporations
- Partnerships
- Sequestrations and Liquidations

Property law:

- Sales
- Leases
- Estate Agency
- Evictions
- Building Contracts

Banking law:

- Vehicle credit agreement recoveries
- Notarial bond perfections
- Overdraft and loan recoveries
- Mortgage bond foreclosures

Administrative law:

- Reviews of State procurements (tenders)
- Reviews of administrative decisions in general

Experience in Arbitration

- 2022 Arbitrator in *The Namibia Procurement Fund Trust v Flow Centric Mining Technology (Pty) Ltd*
- 2021 Arbitrator in *Kruger v Van Zyl* under the ADR Forum rules of arbitration
- 2019 to date Chairperson of the Dispute Avoidance and Adjudication Board (DAAB) in terms of the building contract between the Namibian Airports Company Ltd and Nexus Building Contractors (Pty) Ltd to Alleviate Congestion at Hosea Kutako International Airport (the other members of the DAAB are Bryan Wicks and Philip Main)
- 2021 Arbitrator in *Chigama v Prophetess Elizabeth Sacharias Private Secondary School (Pty) Ltd*
- 2021 Counsel in *Maroela Contractors v MVA Fund* under the ADR Forum rules of arbitration before Adv Louis Botes as Arbitrator
- 2020 Arbitrator in *Retsol International Ltd v Koudelka t/a Jan Jonker Service Station* under the ADR Forum rules of arbitration
- 2020 Arbitrator in *Squara v Bank Windhoek Ltd*
- 2020 Arbitrator in *Betcrete Namibia Manufacturing CC v Namibia Airports Company Ltd*
- 2019 Arbitrator in *Kaura v Elisenheim Property Development Company (Pty) Ltd* under the ADR Forum rules of arbitration
- 2019 Arbitrator in *Overberg Fishing Company (Pty) Ltd and Another v Cato Fishing Company (Pty) Ltd*
- 2018 Arbitrator in *New Era Investments (Pty) Ltd v African Flooring CC* according to ADR Forum rules of arbitration
- 2017 Arbitrator in *The Faanbergh Winckler Development Trust v OJ Construction CC*
- 2016 Arbitrator in *Strauss Group Construction CC v Oceans 102 Investments CC* under The Association of Arbitrators (Southern Africa) Rules of Arbitration 2013 Edition
- 2015 Counsel in *Prosperytal Consultants (Pty) Ltd v Fishoff 1021 (Pty) Ltd t/a Samco Foods* before Adv Johan van den Berg as Arbitrator
- 2012 Counsel in *VT Marble and Granite Exports (Pty) Ltd v Royal Granite Supplies-Red (Pty) Ltd* under AFSA rules before Adv Gerrit Grobler SC as Arbitrator
- 2007 Counsel in *Sandwich Baron Franchising CC v Nexsa Sourcing CC* under AFSA rules before Adv MA Chohan as Arbitrator
- 2007 Counsel in *Diners Club SA v Mihaljevic* before Attorney Jammy as Arbitrator
- 2006 Counsel in *Pleish and Others v Walk and Talk Services* under AFSA rules before Adv Gerald Farber SC as Arbitrator
- 2005 Counsel in *Prosperytal Consultants v Li Feng Textiles (Pty) Ltd* before Adv LT Sibeko SC as Arbitrator
- 2005 Counsel in *Boss Logistics v World Food Programme* under UNCITRAL rules before Smalberger (Chair), Kriegler and Van Dijkhorst (all retired judges) as Arbitrators
- 2003 Arbitrator in *Nick's Fishmonger v De Souza* under AFSA rules

Experience in Mediation

- 2022 Mediator in *Theron v Schoonbee* (private mediation)
- 2021 Mediator in *National Fluid Control CC v African Flooring CC & Another*
- 2021 Mediator in *Lucerne Investments and Mausberg v Alberts* (private mediation)
- 2020 Mediator in *Kunene Tours & Safari's CC v U Mueseler*
- 2020 Mediator in *Page v Unibuild CC* (private mediation)
- 2020 Mediator in *Aluminum Maximum Fabricators CC t/a Alu-Max v JN Smit t/a JN Smit Bouers*
- 2019 Mediator in *Ritter* according to ADR Forum rules of mediation (private mediation)
- 2019 Mediator in *Horn v Horn*
- 2019 Mediator in *Rosemund v Redman*
- 2019 Mediator in *Pupkewitz Holdings (Pty) Ltd v Truter* (private mediation)
- 2019 Mediator in *Nickelback Roofing and Construction CC v Cosmo Construction Civils CC*
- 2019 Mediator in *Neil MacLeod Safaris CC t/a Safariwise v Minister of Health & Social Services and Another*
- 2019 Mediator in *Jacobs v Jacobs*
- 2019 Mediator in *Rouco Auto Manufacturers (Pty) Ltd v Yeti Panel Manufacturers CC and Others*
- 2019 Mediator in *Doise v Cloete*
- 2018 Mediator in *Cavaleros Construction Company (Pty) Ltd v Malherbe Associates*
- 2018 Mediator in *Beukes v Beukes*
- 2018 Mediator in *Atlantic Pacific Fishing (Pty) Ltd v Hefdy Group of Companies (Pty) Ltd* in mediation under the ADR Forum rules of mediation
- 2018 Mediator in *Tietz t/a Henties Skrynwerkers v Mouton*
- 2018 Mediator in *Rahn & Another v Wehl & Others*
- 2018 Mediator in *Nechvile v Sixth Street Properties CC*
- 2018 Mediator in *Snyman v Snyman*
- 2018 Mediator in *Empire Property Development CC v Greensquare Investments 65 CC*
- 2018 Mediator in *Walvis Bay Plant & Tool Hire Services CC v Swakop Uranium (Pty) Ltd*
- 2018 Mediator in *Kraatz Marine (Pty) Ltd v Logistics Support Services (Pty) Ltd*
- 2018 Party representative in the mediation before Mr T Wylie as mediator in the matter *Cars and Guides for Hire (Pty) Ltd v Du Toit Motors CC*
- 2018 Mediator in *Salpeter v Salpeter*
- 2018 Mediator in *Van Deventer v Van Deventer*
- 2018 Mediator in *Garani Investment Ltd v Wynnlic Maritime Services CC*
- 2018 Mediator in *Mould v Ferreira* according to ADR Forum Rules (private mediation)
- 2018 Mediator in *De Klerk NO v Midvaal Diesel & Turbo (Namibia) (Pty) Ltd*

- 2017 Mediator in *Swiegers v Tjongarero v Kotze*
- 2017 Mediator in *Van der Westhuizen v Kotze*
- 2017 Mediator in *Van der Plas v Steenkamp*
- 2017 Mediator in *Van Biljon v GJ Investment*
- 2017 Mediator in *Sinden v Sinden*
- 2017 Mediator in *NCN v Gregory*
- 2017 Mediator in *Memorable Order of Tin Hats v Van der Merwe*
- 2017 Mediator in *Herman v Herman*
- 2017 Mediator in *Ellied v Moses*
- 2017 Mediator in *Anderson v Le Roux*
- 2017 Party representative in private mediation before Mr Johan van Vuuren as mediator in *Swart v Liebenberg*
- 2017 Mediator in *Blue Diamond Properties (Pty) Ltd v Van Schalkwyk*
- 2016 Mediator in *Meyer v Greensquare Investments 65 CC*
- 2015 Mediator in *M Joseph v ML Joseph (born Shipopyeni)*
- 2015 Mediator in *Government of The Republic of Namibia (The Minister of Regional and Local Government, Housing and Rural Development v Storbeck*
- 2015 Mediator in *Enviro-Fill Namibia (Pty) Ltd v Municipality of Tsumeb*
- 2015 Mediator in *Strauss v C Strauss NO and Others*
- 2014 Counsel in *Brandt v Fourth Mining Company (Pty) Ltd* under ADR rules of the High Court of Namibia before Mr Peter Koep as court connected mediator
- 2014 Counsel in *Katjaerua v Pisces Turnkey Construction & Development and Management CC and Another* under ADR rules of the High Court of Namibia before Adv Sackey Akweenda as court accredited mediator.

Experience in Adjudication:

- 2022 Adjudicator in *WV Construction (Pty) Ltd v SME Bank Ltd*

Involvement as advocate in reported cases:

1. *Krucor Investment Holdings (Pty) Ltd v Kwenani* 2022 JDR 2166 (NmS)
2. *Van Biljon v Coleman NO and Another* 2021 (3) NR 699 (HC)
3. *Baard and Another v Serengetti Tourism (Pty) Ltd t/a Etosha Mountain Lodge* 2021 (1) NR 17 (SC)
4. *Krucor Investment Holdings (Pty) Ltd v Kwenani (born Eberenz)* 2021 JDR 1013 (Nm)
5. *Expedite Aviation CC v Tsumeb Municipal Council* 2020 (4) NR 1126 (SC)
6. *Tempelhoff v Wattrus* 2020 JDR 2041 (GJ)

7. *Kwenani (born Eberenz) v Krucor Investment Holdings (Pty) Ltd* 2020 JDR 0443 (Nm)
8. *First National Bank Ltd v Oberholster* 2019 All Nam 66 (HC)
9. *Tsumeb Municipal Council v Tötemeyer NO* 2019 All Nam 80 (HC)
10. *African Selection Trust SA v Namsov Fishing Enterprises (Pty) Ltd* 2018 JDR 1606 (Nm)
11. *Greencoal (Namibia) (Pty) Ltd v Laicatti Trading Capital Inc* 2016 JDR 0383 (Nm)
12. *Laicatti Trading Capital Inc and Others v Greencoal (Namibia) (Pty) Ltd and Another* 2016 (2) NR 363 (HC)
13. *Laicatti Trading Capital Inc and Others NNO v Greencoal (Namibia) (Pty) Ltd and Another* 2015 (4) NR 1194 (HC)
14. *South African Municipal Workers Union National Provident Fund v Dihlabeng Local Municipality* 2014 JDR 2714 (FB)
15. *Exdev (Pty) Ltd and Another v Pekudei Investments (Pty) Ltd* 2011 (2) SA 282 (SCA)
16. *ATB Chartered Accountants (SA) v Bonfiglio* [2011] 2 All SA 132 (SCA)
17. *Versitrade 540 (Pty) Ltd v Global Telematics South Africa (Pty) Ltd* 2011 JDR 1428 (ECG)
18. *Thabo Mogudi Security Services CC v Randfontein Local Municipality and another* [2010] 4 All SA 314 (GSJ)
19. *Espag and Another v Hattingh* 2010 (3) SA 22 (SCA)
20. *Exdev (Pty) Ltd v Yeoman Properties 1007 (Pty) Ltd* [2008] 2 All SA 223 (SCA)
21. *Oosthuizen's Transport (Pty) Ltd and Others v MEC, Road Traffic Matters, Mpumalanga, and Others* 2008 (2) SA 570 (T)
22. *Valunet Solutions Inc t/a Dinkum USA and Another v eTel Communications Solutions (Pty) Ltd* 2005 (3) SA 494 (W)
23. *Orange River Export (Pty) Ltd v TDC International Fruit Frais du Monde Inc* [2005] 1 All SA 764 (NC)
24. *Byron v Duke Inc* 2002 (5) SA 483 (SCA)
25. *Absa Bank Ltd v Cooper and Others* 2001 (4) SA 876 (T)
26. *EBN Trading (Pty) Ltd v Commissioner of Customs and Excise and Another* 2001 (2) SA 1210 (SCA), [2001] 3 All SA 117 (A)
27. *Absa Bank Ltd v Myburgh* 2001 (2) SA 462 (W)
28. *Unitrans Passenger (Pty) Ltd t/a Greyhound Coach Lines v Chairman, National Transport Commission, and Others; Transnet Ltd (Autonet Division) v Chairman, National Transport Commission, and Others* 1999 (4) SA 1 (SCA), [1999] 3 All SA 365 (A)
29. *Silva v Transcape Transport Consultants and Another* 1999 (4) SA 556 (W)

30. *Theron v Phoenix Marketing (Pty) Ltd (Heyman Intervening)* 1998 (4) SA 287 (W)
31. *Commissioner of Customs and Excise v Strauss and Others* 1998 (4) SA 593 (T), [1998] 3 All SA 104 (T)
32. *Ward and Another v Smit and Others: In Re Gurr v Zambia Airways Corporation Ltd* 1998 (3) SA 175 (SCA), [1998] 2 All SA 479 (A)
33. *Interkaap Ferreira Busdiens (Pty) Ltd v Chairman, National Transport Commission, and Others* 1997 (4) SA 687 (T)
34. *Unitrans Passenger Bpk v Voorsitter, Nasionale Vervoerkommissie, en Ander; Transnet Bpk v Voorsitter, Nasionale Vervoerkommissie, en Andere* 1997 (4) SA 663 (T)
35. *Hawkins v Cohen NO* 1994 (4) SA 23 (W)
36. *Diepsloot Residents' and Landowners' Association and Others v Administrator, Transvaal* 1994 (3) SA 336 (A)
37. *Diepsloot Residents and Landowners Association and Others v Administrator Transvaal, and Others* 1993 (3) SA 49 (T)
38. *Diepsloot Residents' and Landowners Association and Others v Administrator, Transvaal and Others* 1993 (1) SA 577 (T)
39. *Diesel Power Plant Hire CC v Master Diggers (Pty) Ltd* 1992 (2) SA 295 (W) (the law reports incorrectly state that JF Steyn appeared for the respondent)