

# THE MARITIME LAW ASSOCIATION OF SOUTH AFRICA

Member of the Comité Maritime International



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## PRESIDENT'S UPDATE – 29 FEBRUARY 2024

Dear Members

This report is intended to update members on MLA happenings, midway between the annual president's report that precedes the AGM. I hope that you find it informative. It has been a busy six months since the conference at Pumula.

### The Steven Wallace Maritime Trust

The hugely successful fundraising auction at our 2023 MLA Conference has enabled the Trust to provide scholarships to three aspirant maritime lawyers for post-graduate study. Two of the three awards are to junior female advocates who wish to specialise in this field at the bar. The other award is to a young man who is currently excelling academically while in full-time employment with Transnet as a trainee marine pilot. These awards reflect the MLA's commitment to promoting transformation and rewarding academic excellence. Mentors will be appointed to each student to support their academic progress and guide them in managing the simultaneous demands of work and study.

- Zime Vilakazi is a first year advocate at the Durban Bar, who completed her pupillage under the mentorship of Jabu Thobela-Mkhulusi. Before becoming an advocate, Zime worked for Transnet for twelve years, the last eight of which she served as a ship to shore crane operator at the Durban Port (during that period the only black female to do so at pier 1). She impressed her male colleagues and bosses alike with her 100% track record over all eight years.
- Francette Gouws has practised as an advocate for four years and has already completed the coursework part of her LLM. Her dissertation topic concerns the constitutionality of the associated ship provisions in the Admiralty Act. Francette is an

avid marathon runner with a personal best marathon time of 3:01:55. She has a stellar academic record, both at school (8 distinctions in matric) and at the University of Pretoria (a total of 17 distinctions).

- Mahanyele Munyai has recently qualified as a junior marine pilot with Transnet, where he has worked since 2012. Previously a tug master, Mahanyele commenced his training as a pilot in 2022. Mahanyele obtained his LLB part-time while working and has successfully completed the first year of his LLM, impressing his lecturers with his enthusiasm and academic ability.

The Trust and the MLA express their gratitude to all those who contributed so generously to this scholarship fund, in the memory of our own Steven Wallace.

#### Inaugural Maritime Legislation Stakeholders Consultation Week

The MLA was invited by the Department of Transport to participate in the Inaugural Maritime Legislation Stakeholders Consultation Week, which was held virtually from 27 November to 1 December 2023. The following members participated:

Name	Draft Instrument
Andrew Pike/Gavin Fitzmaurice/Peter Lamb/Jenny Finnigan	National Ports Act Regulations
Dusty Donnelly	FAL convention (Convention on Facilitation of Maritime Traffic)
Dr Vishal Surban	<ul style="list-style-type: none"> <li>• Wreck Removal</li> <li>• Maritime Zones</li> </ul>
Francine Hattingh	Marine Pollution (Prevention of Pollution from Ships) Regulations

Michael Heads	<ul style="list-style-type: none"> <li>● Draft Ballast Water Management Bill</li> <li>● Draft Wreck Removal Bill</li> <li>● Facilitation of Maritime Traffic Convention</li> <li>● Marine Pollution (Prevention of Pollution from Ships) Regulations</li> <li>● Marine Oil Pollution (Preparedness, Response and Cooperation) Regulations</li> </ul>
Peter Edwards/Nicholas Britz/Charlotte Ducommun/Alistair Downing  <b>(Dawsons)</b>	<ul style="list-style-type: none"> <li>● Draft Wreck Removal Bill</li> <li>● Marine Pollution (Prevention of Pollution from Ships) Regulations</li> <li>● Maritime Zones</li> <li>● Marine Oil Pollution (Preparedness, Response and Cooperation) Regulations</li> </ul>

More detail about these meetings will be included in the Legislation Sub-Committee reports to be circulated prior to the 2024 AGM.

#### Comité Maritime International

The CMI Colloquium will take place in Gothenburg, Sweden from 22 to 24 May 2024. Our CMI rapporteur, Gavin Fitzmaurice, will attend this event and will include a synopsis of the event in his annual report, which will be circulated with the AGM pack later this year. The program for this event has been circulated to all MLA members, who can benefit from an early registration discount up until mid-March.

Elections are soon to be held for the CMI's new Executive Committee. The MLA has supported the nomination of Dr. Alexander von Ziegler (Switzerland) for the position of Vice-President and of Peter Laurijssen (President of the Belgian MLA) as executive councillor. Both nominations were accepted. Other nominees are: Bernado Mendes Vienna of Brazil, Massimillano Musi of Italy, Edmund Sweetman of Ireland and Vassilis E. Vernicos of Greece. Member associations have been invited to express their views on these nominations, in terms of article 26 of the CMI's Constitution. A circular has been sent to our MLA members to submit their views to Gavin Fitzmaurice by no later than 14 March 2024.

The CMI has lost some of its valued members in recent months. We pay tribute to:

- Dr Bülent Sözer, who was the vice-Chairman of the Turkish Maritime Law Association for three terms. He was a member of the CMI International Working Groups on MASS and Ship, among other extensive contributions to the CMI.
- Jacques Libouton, who was a Titulary Member of the CMI and an Administrateur of the Alber Lilar Foundation. He was a highly respected member of the legal profession in Belgium, specialising in Maritime and Aviation Law.
- Archie Bishop, a great friend of the CMI, a world authority on Salvage and Senior Partner of Holman, Fenwick and Willan from 1988 to 2000.

#### MLA Website and LinkedIn Page

We remind you that our website offers a fantastic opportunity to share news and information and to post articles on topics of interest. The MLA website will be updated every two months. The next update is imminent and we ask members to send in articles, news and recent judgments for publication. Please send them to the MLA secretary, Aideen Ross at [aross@coxeats.co.za](mailto:aross@coxeats.co.za). We also remind you to follow the MLA's LinkedIn page for news and articles.

#### The 2023 MLA AGM Draft Minutes

The draft minutes of the 2023 AGM are attached, for those who missed it. They will be formally adopted at the next AGM. Members are invited to correct any errata or add anything omitted (please send to the secretary at [aross@coxeats.co.za](mailto:aross@coxeats.co.za)).

#### Chapter Events

Two successful mentoring workshops were held at the end of last year, one in Durban and one in Cape Town, both convened by Captain Mike Melly. They were interactive and thought-provoking for mentors and mentees alike. It was agreed at the AGM that Mentoring should be high on the MLA's agenda, to facilitate the transfer of skills and knowledge from experienced maritime practitioners to those who are newer to the field.

#### The 2024 MLA Conference

This year the MLA conference will be a special celebration to mark the MLA's 50<sup>th</sup> Anniversary. It will be held at the Le Franschhoek Hotel and Spa in Franschhoek from 23-25 August 2024.

A "Save the Date" pamphlet has been circulated already. We will extend a special invitation to all past MLA Presidents and Honourees to join us in celebrating this milestone.

A handwritten signature in black ink, appearing to read "Lisa Mills". The signature is stylized with a large, sweeping initial "L" and "M".

**Lisa Mills**  
President