

SARIPA'S RESPONSE:

1. SARIPA is accredited by the South African Qualifications Authority (“SAQA”) as the largest professional regulatory body for Insolvency Practitioners (IP’s) and Business Rescue Practitioners (BRP’s).
2. In terms of our memorandum of incorporation, lodged with SAQA, SARIPA exists inter alia “to uphold and improve the standards and professional conduct” of IP’s and BRP’s. To this end, the SARIPA Board, by way of the Disciplinary Committee, is empowered *mero motu* “to enquire in camera into cases of alleged improper or disgraceful conduct of members” (article 5.9.1).
3. The allegations of improper conduct on the part of Mr. Klopper are viewed in a very serious light and the Board has made the decision to approach the Master of the High Court, Johannesburg, for permission to have regards to the report authored by retired judge Bertelsman.
4. We respectfully take note that the report is, in your view, in the public domain but we have been advised to obtain the permission of the Master of the High Court *ex-abundante cautela* considering the provisions of Section 417(7)¹.
5. Embarking on a process with a document which may not be in the public domain would derail the process and result in wasteful expenditure.
6. A disciplinary hearing is chaired by an independent senior legal practitioner and the outcome may vary from the imposition of a fine, suspension of membership or termination of membership.

¹ Previous Companies Act read with Item 9 of Schedule 5 of the Companies Act 71 of 2008