



ADVOCATE H LOUW

Practising Advocate and Member of the Legal Practice Council and Johannesburg Society of Advocates
Practising Advocate and Member of the Law Society of Lesotho
Commercial and General Panel Arbitrator – Arbitration Foundation of Southern Africa (AFSA)
Fellow Arbitrator Adjudicator – Association of Arbitrators (Southern Africa)
Fellow – Chartered Institute of Arbitrators (UK)
Member – African Arbitration Association
Accredited Mediator – Society of Mediators (London) and Association of Arbitrators (Southern Africa)
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To whom it may concern

3 September 2022

ABBREVIATED CURRICULUM VITAE – HENDRIK LOUW

Hendrik Louw was born on 18 August 1965 in South Africa.

He attended Louw Geldenhuys Primary School and Linden High School in Johannesburg and obtained a Baccalareus Commercii Degree in Law in 1987 and a Baccalaureus Legum (LLB) Degree in 1990 from the University of Johannesburg. He successfully completed the Association of Arbitrators Certificate and Fellowship Course consisting of the Law and Practice of Arbitration, International Arbitration and Evidence and Award Writing as well as the Association of Arbitrators Certificate Course - Specialisation in Construction Law. He further completed the short course of the University of Pretoria on the Promotion and Protection of Investments and completed the Accredited Mediator Course with the Society of Mediators in London.

He acted as a Registrar to Mr Justice Streicher during 1989 and was appointed as a Strike Craft Flotilla Legal Officer, South African Navy in Durban during 1990. Thereafter he commenced

service as a State Prosecutor with the Department of Justice and was appointed as a Specialist Prosecutor in the Commercial Crimes Unit in Johannesburg.

During 1993 he became a State Advocate in the Commercial Crime Unit with the then Office of the Attorney General specializing in large scale international commercial criminal matters and was called to the Bar in 1996.

He is an Advocate of the High Court of South Africa being appointed as such during 1990, a member of the General Bar Council of South Africa, a Member of the Johannesburg Society of Advocates¹ and a member of the Legal Practice Council of South Africa². He is also a member of the Law Society of the Kingdom of Lesotho³. He holds Chambers within Johannesburg, Sandton and is a member of the Rivonia Group of Advocates⁴.

He held delegated authority on behalf of the Director of Prosecutions and the Directorate of Corruption and Economic Offences of Lesotho to prosecute commercial criminal related matters including large-scale international commercial criminal matters. He has mainly a commercial and arbitration practice and was appointed to the Commercial Panel as Arbitrator of the Arbitration Foundation of Southern Africa (AFSA)⁵, acting as an Arbitrator in numerous AFSA administered and ad hoc arbitrations. He is an Arbitrator, Adjudicator and Mediator of, and obtained Fellowship status with the Association of Arbitrators (Southern Africa)⁶, was appointed to their Commercial Arbitration Panel, Panel of Mediators and Adjudicators acting as an Arbitrator in *ad-hoc* arbitrations, Mediator and Adjudicator. He obtained Fellowship status of the Chartered Institute of Arbitrators (UK)⁷, is a Committee Member of the Chartered Institute of Arbitrators South African Branch and has accepted various private appointments and appointments by the Johannesburg Bar Council to act as an ad hoc Arbitrator. He is a member of the African Arbitration Association⁸ and an Accredited Mediator with the Society of Mediators (London) and Association of Arbitrators (Southern Africa). He was awarded Fellowship status with Prime Dispute (UK)⁹.

¹ www.johannesburgbar.co.za

² www.lpc.org.za LPC Number 55647

³ www.lawsociety.org.ls

⁴ www.rivoniaadvocates.co.za

⁵ www.arbitration.co.za

⁶ www.arbitrators.co.za

⁷ www.ciarg.org

⁸ www.afaanngo

⁹ www.primedispute.com

He represents various parties in arbitral disputes within the general commercial, mining and petroleum sectors. During his practice he appeared in various tribunals, forums and on behalf of clients in France, Switzerland, the United Kingdom, Hong Kong Special Administrative Region of the People's Republic of China, Singapore and Reunion. He has acted in various Courts, Tribunals, Appeal Tribunals, Mediation proceedings and Arbitral Hearings.

He is actively involved in civil and commercial litigation, arbitrations, mediations, appeal tribunals, cross-border matters and inquiries with reference to insurance matters, liquidation matters, contractual disputes, delictual disputes, the petroleum industry and revenue related matters. He was further instructed on behalf of a multi-national company to localize their SADC agreements with reference to the various SADC legislative structures regarding their business interests in various SADC countries.

He was a member of the Professional and Fees Sub-Committee of the Johannesburg Bar and he is a tutor with the Association of Arbitrators in their Arbitration Model 2 Course on the Law and Practice of Arbitration.

He was the principal author of the AFSA Remote Hearing Protocol¹⁰. He was further a panellist in the Chartered Institute of Arbitrator's YGM ADR World Tour with reference to Africa, more particularly the Southern African Development Community¹¹ and a Prime Dispute influencer, participating in their International Round-Table on Mediation.

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The judgments in 39 of his litigious matters have been reported in both South Africa and Lesotho which is Annexed hereto marker Annex A.

He acted as Arbitrator in some 24 Arbitral disputes, not annexed due to confidentiality associated with the matters.

(Electronically Signed: H Louw)¹²

H LOUW

FAArb (Southern Africa)
FCIArb (UK)
FPD (UK)

¹⁰ [Remote-Hearing-Protocol.pdf \(arbitration.co.za\); www.arbitration.co.za/wp-content/uploads/2020/10/Remote-Hearing-Protocol.pdf](#)

¹¹ [www.ciarb.org/events/ymg-world-tour-africa/](#)

¹² Electronic Communications and Transaction Act 25 of 2002

Annexure A**Reported Cases**

	Case	Reference	Counsel	Court	Judges
1.	S v Stephen and another	1994 (2) SACR 163 (W)	J N S du Plessis and A Bezuidenhout for the accused H de Beer and H Louw for the State	Witwatersrand Local Division	Schutz J
2.	S v Friedman (1)	1996 (1) SACR 181 (W)	A O Cook and D N Unterhalter for the accused Z H de Beer and H Louw for the State	1996 (1) SACR 181 (W)	Cloete J
3.	S v Friedman (2)	1996 (1) SACR 196 (W)	H Z Slomowitz SC and D N Unterhaltzer for the accused Z H de Beer and H Louw for the State	Witwatersrand Local Division	Cloete J
4.	S v Nagrani	1997 (2) SACR 98 (W)	A J Fourie for the State H Louw for the appellant	Witwatersrand Local Division	Labe J
5.	R v Mokone	[2000] LSCA 52	H. Louw for the Crown B. Sooknanan for the Accused	High Court of Lesotho	Monapathi J
5.	R v Mokone	[2000] LSCA 61	H. Louw for	High Court of	Monapathi

			the Crown	Lesotho	J
			B. Sooknanan		
			for the		
			Accused		
6.	R v Lebina and Another	[2001] LSHC	H Louw for the Crown	R v Lebina and Another	Maqutu J
7.	Kolo Diamond Mines (Pty) Ltd v Monethi and Others	[2002] LSCA 55	H Louw for the Applicant	High Court of Lesotho	Peete J
			Moruthoane		
			for the		
			Respondents		
8.	R v Lebina and Another	[2002] LSCA 9	H Louw for the Crown	High Court of Lesotho	Maqutu J
9.	R v Lebina and Another	[2002] LSCA 9	H Louw for the Appellant	Court of Appeal of Lesotho	Ramodibedi, J.A.
			Lesuthu for the Respondents:		Kumleben, J.A.
					Plewman, J.A.
10.	Humanitarian Relief Lesotho (Formerly Dorcas Aid International Lesotho) and Another v Dorcas Aid International and Others	[2004] LSHC 133	Ntloki for the Applicant	High Court of Lesotho	Mofolo J
			H Louw for the Respondents		
11.	R v Thamae	[2005] LSHC 24	H Louw for Crown assisted by Ms Mofilikoane	High Court of Lesotho	Lehohla C.J.

			Phoofolo for the Defence		
12.	Thamae v Crown	(C of A (CRI)NO1/2005) (NULL) [2005] LSHC 214 (20 October 2005);	H Louw for the Respondent	Court of Appeal of Lesotho	Ramodibed i JA Grosskopf JA Melunsky JA
13.	R v Lehloka and Others	[2005] LSHC 1	H Louw for the Crown Semenya SC for the Defense	High Court of Lesotho	Molai J
14.	R v Lehloka and Others	[2004] LSHC 154	H Louw for the Crown	Court of Appeal of Lesotho	
15.	R v Manuel and Others	(CRI/T/19/2004) [2005] LSHC 168 (02 September 2005);	H Louw for the Crown Maieane for Accused 2 Mphalane for Accused 2,3 & 4	High Court of Lesotho	Maqutu J
16.	S v Esterhuizen and others	2005 (1) SACR 490 (T)	B Roux SC for Accused 1, H Louw for Accused 2 and C Meiring for Accused 3	Transvaal Provincial Division	Els J
17.	R v Serobanyane and Others	[2006] LSCA 1	H Louw for the Crown	Court of Appeal of Lesotho	Grosskopf, JA Plewman, JA Gauntlett, JA

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| 18. | Serobanyane
and Another v
Director of
Public
Prosecutions;
Director of
Public
Prosecutions v
Lehloka and
Others | (C OF A (CRI)
NO.9/05) (NULL)
[2007] LSHC 45 (04
April 2007); | H Louw for the
Respondent | Court of
Appeal of
Lesotho | Grosskopf,
JA
Smalberger
, JA
Majara, JA |
| 19. | Siltek Holdings
(Pty) Ltd (in
liq) t/a
Workgroup v
Business
Connexion
Solutions (Pty)
Ltd | [2009] 1 All SA 471
(SCA) | H Louw for the
Appellant
CAC Korf for
the Respondent | Supreme Court
of Appeal | Streicher
JA
Jafta JA
Boruchowit
z JA |
| 20. | Theobald v
Minister of
Safety and
Security and 3
Others | 2011 (1) SACR 379
GSJ | H Louw for the
Plaintiff.
HW Sibuyi for
the First,
Second and
Third
Defendants.
W Van
Niekerk for the
Fourth
Defendant. | South Gauteng
High Court | RM Wise
AJ |
| 21. | Thabex Ltd and
Others v
Mosebo and
Another | (C OF A (CIV)
37/2010) [2011] LSCA
8 (20 April 2011); | H Louw for the
Appellants
C Edeling
Respondents | Court of
Appeal of
Lesotho | Smalberger
, JA
Melunsky,
JA |

					Howie, JA
22.	Selogile v Total Lesotho (Pty) Ltd	(C of A (CIV) 27/2010) [2011] LSCA 36 (21 October 2011);	M Ntloki for the Appellant H Louw for the Respondent	Court of Appeal of Lesotho	Ramodibed i P Scott JA Farlam JA
23.	Iozzo NO and Others v Rocha De Figueirido NO and Others	(2010/728) [2011] ZAGPJHC 45 (15 May 2011) (matter marked reportable)	E Wessels for the Applicant PF Louw SC and H Louw for the Respondent	South Gauteng High Court	Spilg J
23.	Maputsoe Properties and Others v Mamatlakala Maphisa and Others	(CIV/T/136/2006) [2012] LSHC 87 (02 August 2012);	H Louw for the Applicant Maqakachane for the Respondent	High Court of Lesotho	Mahase J
25.	Daniel Gerhadus Roberts N.O. and Others v Angel Diamond Mining (Pty) Ltd and Others	(C OF A (CIV) NO. 36 & 37/2012) [2013] LSCA 2 (19 April 2013);	Adv B. Pretorius with Adv T.R. Mpaka for the 1 st , 2 nd , and 4 th Appellants C. Edeling for the 3 rd Appellant H Louw for the Respondents	Court of Appeal of Lesotho	Ramodibed i, P Scott, JA Hurt, JA
26.	Maputsoe Property (Pty) Ltd and Another v Mamatlakala Maphisa	(C OF A (CIV) 21/12) [2013] LSCA 3 (19 April 2013);	H Louw for the Respondent ST. Maqakachane for the Appellant	Court of Appeal of Lesotho	Howie, JA Hurt, JA Thring, JA

27.	Codix Trust and Others v Stockowners Co-Operative (in liquidation) and Others	[2014] 1 All SA 342 (KZP)	PF Louw SC and H Louw for the Appellant Rall SC for the Respondent	Full Bench Appeal Kwazulu-Natal Provincial Division	Madondo J, Kruger J and Chili AJ
28.	Lephema v Total Lesotho (Pty) Ltd	[2014] LSCA 30	Maqakachane for the Appellant H. Louw for the Respondent	Court of Appeal of Lesotho	Howie, JA Farlam, JA Thring, JA
29.	LM v Goldstein	2016 (1) SA 465 (GJ)	E Kilian SC with H Louw and F Bezuidenhout for the Applicant A De Wet for the Respondent	Gauteng Local Division	Francis J
30.	Farah Investments (Pty) Ltd v Total Lesotho (Pty) Ltd	[2017] LSCA 7	RA Shur for the Appellant H Louw for the Respondent	Court of Appeal of Lesotho	Makara JA Louw AJA Dr Musonda AJA
31.	Yang Wu v Jie Zhang and 3 others	ZAGPJHC/2017 437 (17 November 2017)	SK Dayal for the Applicant H Louw for the Respondents	Gauteng Local Division	Van Oosten J
32.	Trio Engineered Products Inc v Pilot Crushtec	22 March 2018 2016/16836	P Strathern SC for the Applicant / Plaintiff	Gauteng Local Division, Johannesburg (not yet	Unterhalter J

	International (Pty) Ltd		H Louw for the Respondent / Defendant	reported)	
33.	Luqy's Manufacturing (Pty) Ltd v First National Bank Ltd	CCA 0040/2017 heard on 14 February 2019 // date of judgment 23 May 2019	H Louw and L Molapo for the Applicant Adv T Mpaka for the Respondent	High Court of Lesotho Commercial Division	Molete J
34.	Sechaba Maphike v P Sachet, Total South Africa and various others	CoA (CIV) 2/2019 CIV/APN/176/2018	Adv BH Sekonyela, Adv P Phororo for the Appellant Adv H Louw for the Respondent	Court of Appeal of Lesotho	Chinhengo AJA Damased AJA Mtshiya
35.	First National Bank Ltd v Luqy's Manufacturing (Pty) Ltd	(C of A (CIV) 51/2019) [2019] LSCA 33 (11 November 2019);	Adv T Mpaka for the Appellant / Applicant H Louw and L Molapo for the Applicant	Court of Appeal of Lesotho	Chinhengo AJA Damased AJA Mtshiya AJA
36.	Special Investigation Unit and Another v Msagala and Others	(GP05/2020) [2021] ZAST 7 (30 April 2021)	Adv. P. Kennedy SC assisted by Adv. G. Ngcangisa for SIU Adv H Louw for Defendants	Special Tribunal Special Investigation Unit	Modiba J

Matters marked reportable but not reported

1.	Philip v Estate	39922/12 heard	H Greef for the	North Gauteng	Mabuse J
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	Agency Affairs Board	on 26 April 2013	Applicant H Louw for the Respondent	High Court	
2.	Beaux Lane (SA) Properties (Pty) Ltd v Snowy Owl Properties 310 (Pty) Ltd	2009/49949 [2013] ZAGPJHC 32 (25 February 2013)	H Louw for the Plaintiff / Respondent G Young for the Defendant / Applicant	South Gauteng High Court	Weiner J

Matter in which I was the subject of the appeal

1.	Abubaker and others v Director of Public Prosecutions	(C of A (CRI)) 3/2014) [2014] LSCA 29 (24 October 2014)	KJ Kemp SC, Van Schalkwyk SC and Price SC for Appellants G Marcus CS and S Budlender for Respondents	Court of Appeal	Scott AP, Thring JA and Louw AJA
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