CEO’s message
Building leaders in corporate governance

We can’t have Mervyn King fighting on his own for good corporate governance. We need a thousand Mervyn Kings to work for better governance.

Stephen Sadie
CEO, CSSA

At the board strategy session held on 5 April 2019, it was decided that the core purpose of CSSA is ‘building leaders in corporate governance’. This core purpose will replace the tagline ‘good governance across the board’, which we used for many years in the past. You will see a lot more of the new tagline in our publications and on the website. In a sense the core purpose defines in a nutshell what we do. If someone were to ask you “what does CSSA do?” The answer is simple – “we build leaders in corporate governance”. Our vision and mission statement spells this out in more detail. Let us look at the why, how and who of building leaders in corporate governance.

Why do we need to build leaders?
Both the private and public sectors are crying out for good governance. The Zondo commission leaves no stone unturned in getting to the bottom of how poor governance has been in the public sector. The Mpati commission on the PIC illustrates how government employees’ pension funds went into some highly questionable investments. Governance needs to be improved at all levels from the smallest municipality to the largest national department, from the smallest SOE to the largest SOE. While we build, others break down. Good people are victimised, isolated and sometimes dismissed for standing up for good governance.

If we turn to the private sector, the latest scandal is Tongaat Hulett whose annual financial statements have been shown to be unreliable. Tongaat Hulett recently applied to have its status on the JSE suspended, which was granted. Incidentally the Hulett part is the same JL Hulett and Sons that won our first annual report award in 1956. How the mighty have fallen! The crisis at Tongaat Hulett followed hot on the heels of Steinhoff, where we still haven’t seen any action by the authorities. It is clear one of the biggest issues facing South Africa is poor corporate governance. Our vision is for a country free of corruption where both the private and public sector will be well governed and the country’s scarce resources will be used to lift the majority out of poverty and not to line the pockets of those in power.

Although we have basically been the home of company secretaries internationally, we have decided to ‘broaden the church’ to attract a more diverse grouping of people who are interested and active in the corporate governance arena whether they are risk managers, legal counsel, compliance officers, accountants, auditors or non-executive directors.

Apartheid has been defeated. In many ways anti-corruption is the new struggle in South Africa. There are three broad choices. You either aid and abet corruption, you tolerate and accept it, or you actively fight
Building leaders in corporate governance

against it. We cannot be involved in the first two options. The outcome of this struggle will determine where we end up in the next five years.

How do we build leaders?
Education is important. We educate our students in a deep and proper understanding of corporate governance. We need to increase the number of students who are exposed to our programmes. We need to work with a wider variety of skills development providers (tuition providers) to teach our curriculum. We need to increase the pass rate of our students so that many more can qualify and become members.

Our new board curriculum, which was introduced in February this year has been developed internationally and is a really superb curriculum. Programmes one to three have been developed in Southern Africa and provide a solid foundation for those who don’t have a university degree and who may want to enter the board programme.

CSSA also develops leaders in corporate governance through thought leadership. This is achieved through our publications such as boardroom, technical newsletter, e-Zine or best practice guides. We also organise the largest corporate governance conference in South Africa. We have organised the integrated reporting awards since 1956 to develop better reporting in Southern Africa long before it was fashionable.

Every company secretary and governance professional is an educator. This is a role we need to take seriously. Don’t let any good crisis go to waste. Learn from it and ensure it does not happen again. Education can happen in board and committee meetings. It can happen in one-on-one discussions, in presentations, in writing articles and even in the corridors. The role of the company secretary and governance professional is to educate others, who may not understand the finer workings of corporate governance. However this should always be done with humility.

Who will build leaders?
Our members and students need to build leaders. We call especially on our members and students who are in leadership positions in their companies or practices to develop and train younger employees. Once upon a time you were also young and you were trained by those more experienced than you. I bet if you think about it you can actually recall those people who guided you along and taught you a whole range of skills. A lot of training occurs in the workplace and on the job. The more people who are trained in corporate governance the better for our future.

We also collaborate with other professional bodies such as IoDSA, IIA, ACFE, RMSA on the Anti-intimidation and Ethical Practices Forum. We work with the JSE whereby our technical committee provides advice on listings requirements. We have made submissions to the dti and the CIPC. We are represented on the King Committee where we co-operate with other bodies to promote the King Code as widely as possible in Southern Africa. We are committed to developing ICSA and CSIA to further the growth of company secretaries and governance professionals in all corners of the world.

We can’t have Mervyn King fighting on his own for good corporate governance. We need a thousand Mervyn Kings to work for better governance. We need many more members and students to work alongside Mervyn so that the King IV Code can become a reality and not a fine document on the bookshelf gathering dust.

Building leaders in corporate governance is our core purpose. It is a great challenge to build leaders but one which we can be successful at if we dedicate ourselves to this purpose. If you need further information on CSSA, please do not hesitate to contact us.
boardroom advertising rates – 2019

Advert Sizes

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All rates include VAT and exclude production charges.

CSSA reserves the right to withhold any advertisement from publication and to cancel any advertisement order that has been accepted. CSSA reserves the right to edit, revise or reject — even after acceptance for publication — any advertisement deemed to be untruthful or objectionable in subject matter or wording, discriminatory, offensive, or unsuitable for any other reason, whether space for the advertisement has been booked in advance or not.

Deadlines

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Events and updates

AGM news

Honorary officers for 2019/20

Lynelle Bagwandeep (FCIS), Vice President
Karen Robinson (FCIS), Senior Vice President
Robert Likhang (FCIS), President
Sikkie Kajee (FCIS), Past President

New directors elected for 2019/20

Suraya Periah (FCIS), Company Secretary, African Rainbow Minerals
Sandile Mbhamali (FCIS), Company Secretary and Management Accountant, Robinson Bertram Attorneys

International representatives for 2019/20

Jill Parratt (FCIS), Vice President, ICSA
Karen Southgate (FCIS), Vice President, CSIA
Renewed focus on RPL

The role that RPL can play in redressing past injustices relating to access to formal education, has resulted in RPL being recognised as a human right in terms of France’s Labour Code.

Recognition of Prior Learning (RPL) is defined by SAQA as “a process through which formal, non-formal and informal learning are measured, mediated for recognition across different contexts and certified against the requirements for credit, access, inclusion or advancement in the formal education and training system or workplace.”¹ What this means in practice is that RPL is a process whereby formal credit or access can be awarded on the basis of experience and/or other similar qualifications without the formality of writing the relevant exams.

Recently, the importance of RPL as a tool for transformation was highlighted at the SAQA International Seminar on Recognition of Prior Learning (RPL) for Professional Qualifications and Professional Designations held on 21 June at the Birchwood Hotel in Boksburg. The keynote speaker at the seminar was Dr Borhene Chakroun, the director of the Division for Policies and Lifelong Learning Systems at the United Nations Educational, Scientific and Cultural Organisation.

During his address, Chakroun discussed the RPL process in France, highlighting how France has recognised qualifications via RPL for more than a century. This long history, together with a recognition of the role that RPL can play in redressing past injustices relating to access to formal education, has resulted in RPL being recognised as a human right in terms of France’s Labour Code. Chakroun went on to detail how the French system of RPL entails the compilation of a portfolio of evidence and the presentation of that evidence to a panel. The process can take up to a year, although the French government provides funding to applicants, as well as guidance and counselling.

In South Africa there is a system of RPL in place, and its importance as a mechanism for aiding transformation in our context is recognised in the SAQA policy.² Hopefully this will result in funding, guidance and counselling for RPL materialising from our government in the future, but in the meantime CSSA is making its contribution within the current framework.

CSSA has been offering qualifications via RPL for a number of years, and has a policy on RPL in place. The RPL policy is available on our website in the Student Policies Manual available at http://www.chartsec.co.za/

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² SAQA National Policy for the Implementation of RPL, paras 29 and 47(d)
Events and updates  
Renewed focus on RPL

documents/students/CSSA-Student-Policies-Manual-2019.pdf. The institute receives relatively few applications – even though many of our mature students are already seasoned company secretaries.

Why is this the case?
One of these reasons could be because the portfolio of evidence we require is in itself quite extensive. Given the involved RPL processes in France, this is one of the challenges they are also facing – in some cases it may seem easier to just write the exams! It might be difficult to get around the extensive portfolio requirement given that quality assurance is also a value that needs to be taken into account in the RPL process. However, given the renewed focus on RPL and its recognised importance, perhaps the time has come to look toward promoting RPL as a viable gateway toward CSSA membership for experienced company secretaries and governance professionals.
From the Technical Adviser’s desk

Ethical leadership and fundamental truth

I recently finished watching a gripping series on the nuclear disaster in Chernobyl, Russia. A nightmare brought to life through unethical leadership. Where a series of budget-fueled shortcuts and ill-conceived instructions from leaders led to one of the greatest nuclear disasters of our time but through which, reforms were adopted that would ensure that an event of this magnitude would not happen again. After watching this series, I immediately drew a comparison with the evidence coming to the fore at the Zondo Commission, and how leaders in various state-owned entities acted unethically and caused national disasters, with Eskom to name one, in a dire state. The private sector is not exempted either when it comes to unethical leadership and one needs to look no further than Steinhoff in this regard. Thus, it is safe to say that unethical leadership and deceitful behaviour leads to catastrophic consequences that are often difficult to rectify.

The series on Chernobyl illustrated how leaders gave instructions to fellow colleagues, that were against protocol and policies and that ultimately led to the nuclear plants’ explosion and the death of innocent civilians. Similarly, we have seen through evidence and testimonies given at the Zondo Commission how leaders in various state-owned companies gave unlawful instructions. The commission recently heard how SAA board chairperson Dudu Myeni and the former chairperson of the audit and risk committee, Yakhe Kwinana, instructed executives to make appointments without following proper procedures.3 Whilst watching the Chernobyl series, it was shown how workers at the nuclear plant challenged their superior’s instruction to proceed with the testing and how their superior then threatened their jobs, which led to the instruction being followed due to fear and intimidation. Former South African Airways (SAA) human resources general manager, Mathulwane Mpshe testified at the commission and stated that her refusal to follow unlawful instructions ultimately led to her suspension.4

Ethical leadership is one of the pillars of King IV and is paramount to good corporate governance. Without ethical leadership, corruption and greed thrive at the expense of the company as a whole and its stakeholders, which sometimes includes the entire country. Ethics and the creation of an ethical culture within companies starts at the top and filters down to all staff. Where the board consists of tainted and unethical

leaders, unlawful instructions arise and fear often leads to the implementation of such instructions. Protection afforded to whistleblowers needs to be improved so that fear does not prevent the disclosure of unethical and illegal activities within companies.

The Chernobyl disaster could have been prevented had proper safety measures been followed and policies been adhered to. State-capture could have been prevented had ethical leaders been in place to effectively govern and lead the various state-owned entities. Companies need to be proactive and not reactive and need to ensure that the leaders that are appointed are ethical and honest and committed to good corporate governance practices. Stakeholders, employees and the country at large are dependent on good and ethical leaders who will uphold the law and adhere to policies and protocols. We commend all those whistleblowers that have been brave enough to expose corrupt behaviour within companies, and we encourage all company secretaries and governance professionals to stand firm in their respective roles and to perform all tasks ethically and lawfully. Company secretaries need to drive agenda items at board level on good corporate governance and on implementing proper policies and procedures that need to be adhered to at all times. Ethical leadership exits at all levels within a company, and though ethical behaviour starts at the top, it is the duty of all individuals within a company to act ethically and honestly.

What are the current tangible benefits of membership?

- Weekly emails – continuously be updated with the latest thinking in the profession
- Quarterly Ezine
- Quarterly Boardroom magazine
- Discounts on conferences and CPD seminars
- A guarantee to employers regarding the member’s character, integrity and accountability
- Adherence to a code of ethics and conduct
- Up-to-date technical support with a monthly technical newsletter
- Networking opportunities
- Access to Chartered Secretaries Placements should you be in need of a job or career guidance
- Commissioner of Oaths status for members that are in good standing
CSSA Technical support package

- Technical Newsletter – 11 editions (electronic)
- Boardroom – the Institute’s quarterly journal
- eZine – the Institute’s quarterly eMagazine
- Access by e-mail to the Institute’s Technical Adviser
- Discounts on conferences, webinars and CPD seminars
- Information mailers sent out weekly

The Technical Adviser is Sabrina Paxton. Sabrina is an attorney and obtained her LLB (Cum Laude) and her LLM from the University of Johannesburg. She has worked in private practice with KR Incorporated, and has also worked in the company secretarial department of Business Partners Limited. Sabrina has worked as a legal consultant specialising in corporate and commercial law.
Meet our members

Thulile Tseladimitloa (ACIS), Functional Specialist, SARS Criminal Investigations

Keep at it; this prized qualification is attainable with hard work, commitment and passion for holding the law in high regard.

Pathway to studying CSSA
My academic qualifications include a National Higher Diploma in Company Administration at Wits Technikon, a Higher Diploma in South African and International Taxation at the North West University. Just last year my innate self-drive resulted in the completion of the CSSA qualification, the gateway to becoming an Associate Member in June 2019. It’s with that same spirit that I am currently studying towards an LLB degree with the University of South Africa.

CSSA qualification:
I chose the CSSA qualification because it’s internationally recognised and has served me well at SARS. The qualification also equips me to practise as a tax practitioner, which is a field of my expertise. I would recommend the CSSA qualification to others as it provides an individual with skills and theory in governance, secretaryship as well as finance knowledge that one wouldn’t be exposed to without that credential. The fact that it’s internationally recognised is a bonus for those looking to expand their skills base by gaining global experience.

Career and work
With 23 years of experience, I began my career at a young and determined age at SARS in 1995. Since then I have served with diligence in various roles ranging from auditor, investigator, mentor, and acting team leader. This trajectory also included exercising the abilities learnt through experience during my employ at SARS as tax auditor and later the criminal investigation field.

Probing allegations of non-tax compliance best describes my current role as a functional specialist within the SARS Criminal Investigations division. That entails investigating serious suspected transgressions in respect of the different tax act provisions with a view to prosecuting the offenders criminally and recovering lost revenue. My duties also include engaging the NPA on the referred charges and attending the trial in my capacity as the investigating officer. The entire process feeds into the will to uphold the law which I take pride in.

I must unequivocally say that the opportunity to constantly learn from every case presented is fulfilling as the merits are never the same and are a test of one’s skills. Interacting with other office bearers in the criminal justice system including the NPA as well as the SAPS is also gratifying as my contribution feeds into the bigger picture of prosecuting illegal activity within the broad church of the legal profession, which serves as the cornerstone of any democratic society.
Meet our members (continued)

Having grown up as a black woman under unequal laws in South Africa which sought to exclude a majority race, I take pride in serving the continued phase of this country where tackling economic crime is concerned because it’s a side of corruption which remains a work in progress as it often goes unnoticed or does not get publicised. I revel in managing and operating within the adversarial criminal justice system as well as making the process fair for witnesses and suspects.

A challenge in my line of work is that one deals with highly skilled people who will do everything to cover their wrong doing. It requires someone of equal skill to work through the smoke screens and uncover the true facts.

**Views on the role of the chartered secretary in today’s workplace**

My view is that this role is imperative and most of all requires the utmost independence from any form of influence and interference. I feel strongly about that because the position must ensure against great odds that companies and the board must comply with the framework of the law.

The role of the chartered secretary is crucial, not only in the world but specifically in South Africa if the upward trend in legal and regulatory non-compliance is to be addressed, especially given recent occurrences that have cast doubt on the auditing/tax profession.

**Inspirational anecdotes**

The CSSA qualification is challenging. At times one might consider giving up due to the strain of work and family commitments but always remember that there is nothing impossible for those who dare to dream. Keep at it; this prized qualification is attainable with hard work, commitment and passion for holding the law in high regard.

**Leisure time**

Spending quality time with my family and friends is key for a dynamic yet subtle being. I also enjoy reading and maybe that forms the basis of my academic history which has over years involved studying to better myself.
Meet our members (continued)

My career path has allowed me to be exposed to some of the greatest business minds in our country as well as complex business transactions.

Rowyn Jesse Reddy (ACIS), Assistant Group Company Secretary, Alexander Forbes

Pathway to studying CSSA
I completed my CSSA qualification in 2013 with the assistance of CSSA affiliated tuition providers, the Durban University of Technology and Professional Distance Education. My career path was always destined to be a company secretary due to my immense desire and passion for this pivotal function.

CSSA qualification
I specifically chose the CSSA qualification due to its diverse composition of academic modules, which enable students access to a wide range of career opportunities and I would definitely recommend it to others.

Career and work
The current functions of my job entail, inter alia:
- statutory compliance across the group;
- drafting of director and shareholder resolutions;
- mentoring capability sets of staff;
- proper recordings of Board and Committee meetings;
- drafting SENS announcements;
- assisting with Board evaluations;
- annual returns (XBRL requirements);
- compliance with Companies Act 71 of 2008, King IV and JSE listings requirements.

My career path has allowed me to be exposed to some of the greatest business minds in our country as well as complex business transactions. It has given me the opportunity to contribute, learn and evolve in my pursuit as a well-seasoned company secretary.

Views on the role of the chartered secretary in today’s workplace
It is a critical and crucial role to any board irrespective of the sector. It is becoming a non-negotiable function, in my opinion, as it enables and equips a board to effectively and efficiently fulfil its duties and responsibilities.

Inspirational anecdotes
“To get something you never had, you have to do something you never did.”

Leisure time
I enjoy spending time with family and friends.
In 1895 the Italian inventor Guglielmo Marconi, proved the feasibility of radio communication when he sent and received the first radio signal ever. By 1899 he flashed the first wireless signal across the English Channel and two years later received the letter “S”, telegraphed from England to Newfoundland, Canada. Today, the online internet radio industry doesn’t even reside on the same machinery that the entire radio industry once did. The reality is there will always be a desire to improve things. It’s the same when it comes to knowledge. That’s why CSSA will help you stay ahead of the pack with Continuing Professional Development (CPD) which ensures you’ll remain at the cutting edge of developments. Don’t get left behind.

### Seminars

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<td><strong>Johannesburg</strong></td>
<td>25 July</td>
<td>The potential of the social and ethics committee and key trends</td>
<td>Sibani Mngomezulu</td>
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<td>1 August</td>
<td>Cross-border transactions for companies and individuals: Tax, exchange control and repatriation of funds</td>
<td>Ruaan van Eeden</td>
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<td>14 August</td>
<td>Unpacking the intricacies of the remuneration committee</td>
<td>Lynelle Bagwandeen</td>
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<td>Business and governance across the border in Africa</td>
<td>Almir De Sousa</td>
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<td>The ABC of board resolutions</td>
<td>Thandiwe Nhlapo</td>
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<td>6 September</td>
<td>How to prepare for an AGM: The law and compliance</td>
<td>Joanne Matisonn</td>
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<td>The tax consequences of dividend payments and distribution to shareholders</td>
<td>Nico Theron</td>
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<td>Stakeholder management strategy</td>
<td>Dominik Heil</td>
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<td>Back to basics: consolidations</td>
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<td>30 July</td>
<td>Basics tax consequences of the corporate restructuring rules</td>
<td>Ruaan Van Eeden</td>
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See our website for the latest information and registration [www.chartsec.co.za](http://www.chartsec.co.za)

You can earn CPD hours by attending a seminar
Students in the spotlight
CSSA endeavours to fulfil its civic duty through the Mentor Bursary Fund

The Mentor Trust has been offering bursaries to our students for the past 30 years. Marshall Murton, Past CSSA President and Past ICSA President, has to his credit, been actively involved with the Trust since its formation 30 years ago. The Trust relies on the benevolence of companies to assist those disadvantaged students that would like to study for our qualification but simply cannot afford to do so.

It is our belief that by giving financial assistance in the form of a bursary, we are adding a vital ingredient to a candidate’s academic success. Sars has also recently granted us tax exemption status enabling us to receive donations and we are able to issue certificates in this regard. CSSA is thus able to fulfil its social responsibility.

Read how the Mentor bursary fund assisted Nonhlanhla Ncube. We look forward to the prospect of working with other companies who have this element of social responsibility at heart, and would like to partner with us in offering bursaries to students wishing to pursue a career in corporate governance.

Both my academic and career paths have been filled with challenges, however, the feeling of successfully completing the programme has proved to be worth each challenge encountered on this long journey.

Pathway to studying CSSA
My journey with the CSSA began in 2013 when I registered to study the CSSA qualification through Wits University. Thereafter, I developed an insatiable hunger to not only complete the qualification but to also gain practical knowledge and understanding of the chartered secretary field in the various business industries. Both my academic and career paths have been filled with challenges, however, the feeling of successfully completing the programme has proved to be worth each challenge encountered on this long journey.

CSSA qualification
I chose this path because of the numerous opportunities it offers. The course has given me a competitive edge and sets me apart from others. The governance profession and chartered secretary role at large, make one a force to be reckoned with in business.

Career and work
My current role entails being deployed throughout the various business divisions in PSG Konsult Ltd as a representative of the company secretarial department. The role in itself varies as required. The vast exposure to the numerous business units, operations, regulatory and governance requirements keeps me on my toes and makes my job even more fascinating.
Students in the spotlight (continued)

CSSA endeavours to fulfil its civic duty through the Mentor Bursary Fund

Views on the role of the chartered secretary in today’s workplace
The role and importance of the chartered secretary is growing at an unprecedented rate and in return becoming much more valued.

Inspirational anecdotes
Never stop learning, unlearning and growing – professionally, academically and personally. Push the boundaries. Challenge status quo but most importantly pass on the lessons to many other aspiring chartered secretaries.

Leisure time
I recently relocated to Cape Town, so I spend most of my leisure time exploring my new city.

Why become a Chartered Secretary or Chartered Governance Professional?

- You’ll stand out from the competition with an enhanced professional identity – those with professional qualifications instantly stand out to prospective employers.
- It gives instant recognition of your professional and academic achievement – being Chartered shows that you have reached a level of academic achievement and professional experience.
- The qualification is recognised around the globe and CSSA members in good standing are welcome anywhere in the world should they decide to emigrate.
- There is currently a shortage of qualified and experienced Chartered Secretaries and Chartered Governance Professionals, with demand on the increase in light of the Companies Act and the King code. This means that members can command competitive remuneration packages.
- If you are studying or starting out in your career, belonging to a professional body will give you a good head start and support structure.
- The benefits of belonging to a professional organisation can enhance your professional life and far outweigh the disadvantages of an annual fee.
- CSSSA is:
  - A registered professional body with SAQA;
  - A recognised controlling body for tax practitioners with SARS;
  - An accredited quality assurance partner of QCTO;
  - Represented on the King committee;
  - Recognised by the CIPC for accounting officers;
  - Recognised by the FSCA for financial advisors and compliance officers.
Our new curriculum is created for individuals who are always looking for new ways to pilot their careers in the right direction. It will equip you with the knowledge you need to become a master of corporate governance and the confidence you need to operate at Board level. The new curriculum will let you soar to new heights with skills like critical thinking and complex problem solving. So take a chance. Create your own path to success.

Become a master of corporate governance by enrolling for the CSSA qualification.