The firm is guided by the following mission statement:

GMI is a unique firm of empowered individuals. It is grounded by integrity and draws strength from its diversity. We strive to invent the future by providing innovative solutions to our clients.
INTRODUCTION

Gildenhuys Malatji Incorporated (“GMI”) is a firm of attorneys with a rich history spanning 25 years. It is recognised as one of Pretoria’s premier law firms and now has a presence in Sandton.

A distinguishing attribute of the firm is its dedication to providing a value-adding, solution-orientated service to its clients. GMI specialises in top level Commercial Transactions, Commercial Litigation, Public Sector and Administrative Law, Employment Law, Property Law and Conveyancing, Insolvency and Estates, Insurance Law as well as Personal Injury, Medical Negligence and General Litigation.

The firm’s uniqueness is attributable to the three pillars that underpin our overall approach and strategy. They are:

1 - We place a high premium on the personal wellbeing and development of our lawyers and their support staff. Our people are thus our first and most important pillar of success.

2 - We believe in looking after our clients’ legal health by mastering their business and the environment in which they operate. In this way we are able to partner with our clients in pursuing their strategic imperatives while assisting in steering them away from the legal challenges encountered in the ordinary course of business. This innovative alternative to the usual legal service offering is our second pillar of success.

3 - We are a truly South African law firm. We have managed to achieve a demographic diversity that emulates the South African miracle. We are at the forefront of transformation in the legal services industry. This attribute is the third pillar and the strength in diversity we speak of in our mission statement.

GMI endorses the notion that, in order to avoid unnecessary delays in achieving effective transformation, the “potential to acquire” the expertise of prospective employees should be given prominence. The firm believes that, provided the appropriate in-house training programmes are undertaken, the high quality of service which a client should rightly expect from an attorney need not be compromised.

The firm has succeeded in bringing together experience extending over five decades and quality black legal expertise. In light of this recognised success, we are a major adviser to both the public sector and the corporate world. We are able to bring a world of experience gained from our advisory role in the public sector to the corporate world and, in so doing, ensure that the latter attains and maintains legal health, given the respective regulatory environments in which their businesses operate.
EXPERTISE AND PRACTICE GROUP MEMBERS

GMI offers a variety of expertise in all areas of major legal practice. We thus offer a full complement of legal services in the following fields of law:

- Administrative Law
- Alternative Dispute Resolution
- Aviation Law
- Banking Law
- Black Economic Empowerment
- Building and Construction Dispute;
- Business Rescue
- Commercial Litigation
- Companies and Close Corporations
- Competition Law
- Compliance and Corporate Governance
- Contracts
- Constitutional Law
- Conveyancing
- Corporate and Commercial Law
- Development Finance (local and international)
- Employment Law
- Estate Planning and Administration of Estates
- Expropriations
- Fire Claims
- Healthcare Law
- Information Technology Law
- Insolvency Law (including appointment as Liquidator and/or Curator)
- Insurance Law
- Intellectual Property Law
- International Contracts and Commercial Litigation
- Medical Negligence Claims
- Mergers and Acquisitions
- Mining and Mineral Law
- Notarial Practice
- Pension Funds Law
- Personal Injury Claims
- Professional Liability Claims
- Project and Structured Finance
- Property Development Law
- Property Law
- Public Law
- Public-Private Partnerships
- Sectional Titles
- Statutory Inspections
- Tax Law
- Telecommunications Law
- Trusts

GMI is organised into seven (7) practice groupings focusing on the major areas in which we specialise. The various practice groups interact with each other and operate as multidisciplinary teams as and when projects require expertise from different areas of practice. Our major areas of expertise are set out below.
GMI has moved from its humble beginnings of having a single black director in the late 1990s to being a majority black-owned law firm. In addition, the firm boasts more than 50% black and female lawyer representation.
1 CORPORATE AND COMMERCIAL PRACTICE

We offer a full spectrum of Corporate and Commercial Law services. These services include transactional and regulatory services.

Our team offers services in the following areas of law:

- Black Economic Empowerment
- Banking Law
- Competition Law
- Compliance and Corporate Governance
- Consumer Protection Law
- Corporate Law
- Development Finance Law (local and international)
- Estate Planning
- International Contracts
- Information Technology Law
- Intellectual Property Law
- Insurance Law
- Mergers and Acquisitions
- Notarial Practice
- Structured and Project Finance
- Tax Law
- Trusts

Our services include the following:

- Advice and structuring of transactions such as share sales, sale of businesses and assets sales.
- Advice on appropriate forms of business enterprises for transactions.
- Mergers, acquisitions and takeovers.
- Advice on appropriate corporate structures.
- Advice on tax implications in relation to various forms of commercial transactions.
- Advice on regulatory aspects of transactions, including Competition Commission filings, listing requirements of the Johannesburg Stock Exchange, as well as requirements of the Financial Services Board.
- Due Diligence investigations and reports thereon.
- Drafting of all related contracts and other documentation such as Sale Agreements, Leases, Shareholder Agreements and other commercial contracts.
2 COMMERCIAL LITIGATION AND PUBLIC LAW PRACTICE

This team advises a number of public bodies ranging from major government business enterprises, regulatory bodies and other public bodies such as universities and medical schemes. The team also deals with specialised litigation relating to Commercial Disputes, Building and Construction Law Disputes, Professional Negligence Claims, Arbitration as well as litigation relating to the interpretation of legislation. It also offers advisory services relating to compliance with legislation with regards to regulated industries such as the healthcare industry, financial advisory industry and others.

The team specialises in the following areas of law:

- Alternative Dispute Resolution
- Administrative and Public Law
- Building and Construction Disputes
- Commercial Litigation
- Competition Law
- Compliance and Corporate Governance
- Healthcare Law
- Public Private Partnerships
- Professional Liability Claims
- Public Finance Management Act, its application and interpretation
- Telecommunications Law

Our services include

- Advisory opinions on the interpretation and application of the Public Finance Management Act, National Treasury regulations and Treasury guidelines and directives.
- Advice on the interpretation of legislation and compliance in the healthcare industry.
- Advisory services on governance within public entities and regulated entities such as medical schemes.
- Advisory services on the restructuring of public entities.
- Commercial Litigation and Arbitration proceedings.
- Litigation centred around the interpretation of legislation and the exercise of public power.
- Professional Negligence Litigation with regard to the liability of professionals in respect of professional conduct.
- Building and construction disputes including litigation with regard to the recovery of professional fees.
- Advice on legislative drafting.
3 EMPLOYMENT LAW PRACTICE

Our Employment Law department has through the years built a reputation for service excellence in all aspects of Employment Law, which include the following:

Our services include:

- Labour Court and Labour Appeal Court Litigation.
- CCMA Litigation.
- Bargaining Council Litigation.
- Dismissals.
- Section 197 transfers.
- Drafting of Employment Contracts.
- Employment strategy consultancy.
- Relevant in-house training and labour-related presentations.
- Due diligence exercises.
- Drafting of Recognition Agreements.
- Advice on labour implications of mergers and acquisitions.
- Advice on labour implications of corporatisation of state-owned enterprises and restructuring of businesses.
- Advice on retrenchments and rationalisations.
- Advice on the Employment Equity Act and other employment-related legislation.
- Conducting disciplinary inquiries, chairing and initiating inquiries.
- Conducting investigations on behalf of employers relating to various aspects of misconduct in the workplace, including fraud, nepotism and sexual harassment.
- Conducting negotiations with unions on behalf of clients.

4 INSURANCE LAW PRACTICE

We offer a full complement of legal services in the insurance industry. We act on behalf of a number of major insurers in respect of both short- and long-term insurance, and offer the following services in these areas of specialisation:

Our services include:

- Advice on insurance legislation.
- Litigation on policy liability or repudiated claims.
- Fire claims litigation.
- Loss of production litigation.
- Advice on regulatory aspects and compliance with the applicable legislation.
- Assessment of liability on policy.
- Product liability claims.
- Interpretation of policy wording.
- Subrogated recoveries of damages and defences.
5 INSOLVENCY, FORECLOSURES, BUSINESS RESCUE AND ESTATES PRACTICE

Our lawyers in this department have been appointed on the Master’s Panel to take appointments as liquidators or trustees in insolvent estates, executors of deceased estates and as curators bonis. In addition, our team also has expertise and experience extending to forensic investigations, statutory inspections, special inquiries as well as insolvency litigation.

Our services include:

- Conducting statutory inspections in terms of applicable legislation such as the Health Professions Act.
- Conducting forensic investigations and preparing reports which will serve as a basis for instituting or defending legal proceedings.
- Attending to special inquiries such as Section 417 interrogations.
- Business Rescue interventions in the context of liquidation proceedings.
- Acting on behalf of the liquidators and trustees of insolvent estates in insolvency litigation matters.
- Acting as commissioners in Section 417 inquiries.

6 PROPERTY LAW AND CONVEYANCING PRACTICE

2.8.1 Our property lawyers and conveyancers have a wealth of knowledge and experience in all aspects of Property Law. They advise on all aspects of property developments, mining and mineral rights and expropriations, and they also act on behalf of major banks.

Our services include:

- Acquisition and Development of Property.
- Transfer of fixed properties (conveyancing).
- Registration of mortgage and notarial bonds.
- Proclamation of townships.
- Rezoning of properties.
- Registration of servitudes.
- Opening of Sectional Title registers.
- Providing advice on and litigating in respect of all property-related matters, including expropriation matters.
- Advising on all aspects of Mining and Mineral Law.
- A complimentary notarial practice.
- Law relating to environmental aspects of property.
7 GENERAL LITIGATION PRACTICE

Our lawyers have excellent investigative skills, are extremely resourceful in locating the requisite evidence to establish claims and have conducted several investigations in foreign countries as part of the assessment of claims.

Our services include:

- Assessment of liability of the wrongdoer in Personal Injury, Wrongful Arrest and Product liability matters.
- Litigation in respect of Medical Negligence claims arising from the failure by a medical professional to exercise the reasonable skill and care when treating a patient.
- Quantification of the damages for which the wrongdoer is liable.
- Conducting litigation on behalf of the injured party.
- Advice on the investment of damages awarded.
GMI endorses the notion that, in order to avoid unnecessary delays in achieving effective transformation, the “potential to acquire” the expertise of prospective employees should be given prominence.
THE FIRM’S MAJOR CLIENTS

GMI has a variety of public sector and corporate clients in the following categories:

- AGRICULTURE
- CONSTITUTIONAL INSTITUTIONS
- EDUCATION
- ENGINEERING & BUILT ENVIRONMENT
- HEALTH CARE
- INSURANCE
- LISTED COMPANIES
- MUNICIPALITIES
- NATIONAL DEPARTMENTS
- OTHER STATUTORY BODIES
- PROVINCIAL DEPARTMENTS
- REGULATORS
- STATE OWNED ENTERPRISES
The firm has succeeded in bringing together experience extending over five decades and quality black legal expertise. In light of this recognised success, we are a major adviser to both the public sector and the corporate world.
CORPORATE SOCIAL INVESTMENT

GMI has been and remains committed to a policy of giving effect to its social responsibility, inter alia, through the provision of community services. Its present involvement is as follows:

- All our lawyers from time to time render legal services at no cost to clients who would otherwise not be able to afford it (pro bono).
- Derik de Beer, José da Silva and Wim Cilliers serve on the disciplinary committee of the Law Society of the Northern Provinces.
- The firm makes available prizes for outstanding performance by students at the law faculties of four (4) universities.
- We offer a bursary to a student at Loreto Convent School. We commit to paying the selected student’s school fees from grades 10 to 12.
- We have a strategic partnership with Child Welfare Tshwane, which sees us taking responsibility for major facility upgrades at a number of its centres.

COST-EFFECTIVENESS

GMI has the ability to execute projects in a cost-effective manner that ensures optimal results for clients within the shortest possible time, inter alia, owing to the following considerations:

- Resources assigned to projects represent all areas of expertise required to execute a project.
- The expertise of GMI’s professionals is focused and all levels of skill are represented, allowing the allocation of resources according to the level of skill required. It will therefore be unnecessary to involve expensive resources in the performance of simple but necessary tasks.
- GMI utilises advanced computer and communications technology and all its professionals are supported by well-qualified and highly trained secretarial- and administrative personnel.
- GMI has a large legal library, including electronic media, with a fulltime librarian, which enhances the ability of the professional team to do research in a timely and cost effective manner.
- GMI has long-standing and well-established relationships with government support services, such as the Companies and Intellectual Property Commission, Registrar of Deeds, local authorities and Master’s Office. This ensures minimum delays and maximum time efficiency, which is essential in the execution of projects.

TARIFF STRUCTURE

GMI’s fee and tariff structure can be negotiated with each client to suit their needs. Among others, the importance, urgency and intricacy of the work are factors taken into account in determining the exact fee structure or hourly tariffs. On commercial matters, agreement can be reached on a varied fee structure, depending on the successful outcome of a transaction or otherwise.
CONFLICT OF INTEREST

GMI practises according to a strict “no conflict of interest” policy to avoid any prejudice, actual or potential, to its clients.

COMPLIANCE WITH TAX LEGISLATION

GMI fully complies with its obligations in terms of existing tax legislation.

CONCLUSION

GMI is a well-recognised and experienced law firm, confident that it will be able to render a professional and cost-effective service that will meet and exceed clients’ expectations.