



ASSOCIATION OF ARBITRATORS (Southern Africa) NPC

Arbitrarily Speaking

Issue 5 of 2026

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MESSAGE FROM THE EDITOR

Welcome to the fifth edition of our new format Association newsletter, **Arbitrarily Speaking**.

This month sees contributions on the limits of arbitration in public procurement disputes, when one is or is not crossing the line in adjudication, and the latest events on the calendar for Association members. *Non-members are also welcome.*

Finally, Uncle Oswald explores when a refusal to participate in court-annexed mediation might not be the correct approach.

Questions or comments? Let us know right [here](#).

A CASE IN POINT

NAD PROPERTY INCOME FUND (PTY) LTD V BUSHBUCKRIDGE LOCAL MUNICIPALITY AND ANOTHER (422/2024) [2025] ZASCA 184; 2026 (2) 426 (SCA) (4 DECEMBER 2026)

An important reminder that even the widest arbitration clause has limits where public-law legality is concerned.

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5-DAY ONLINE FOUNDATION MEDIATION COURSE¹

Join the **Association of Arbitrators (Southern Africa) NPC**, in partnership with the leading London mediation training charity **The Society of Mediators (UK)**, to receive foundational mediation training accredited by the Civil Mediation Council (UK) and the Chartered Institute of Arbitrators (UK).

“

The mediation course presented by Jonathan Dingle QC and team, is outstanding. It's well put together and presented by the London Society of Mediators, in collaboration with the AoA. We learned from the world's best. A great and very practical learning experience.

Adv Albert Mooij

Dates: 25 to 29 May 2026

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for More Information and to Enrol**

¹ For purposes of the Gauteng Judge President's Mandatory Mediation **Directive and Protocol** applicable to civil trials in the Gauteng Provincial Division of the High Court of South Africa as revised from time to time (the Directive and Protocol), the Association is a listed Recognised Mediation Organisation (RMO) affiliated with ADRP-SA.



CONSTRUCTION CONUNDRUMS

Join us for this popular in-person and online workshop, presented by our KwaZulu-Natal regional committee, under the chairmanship of **Mr Alastair Hay**. Our highly-skilled experienced practitioners will address 5 important topics.



***Best afternoon in the AoA calendar for those involved in construction projects. Topics can be applied immediately following the workshop.
Brilliant!***

Mr Oteng Mamparanyane

Date: **3 June 2026**

Time: **14:00 to 17:00 (SAST)**

**[Click HERE](#)
for More Information and to Register**

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to View Past Events**

TOOLS OF THE TRADE

CROSSING THE LINE IN ADJUDICATION DECISION DRAFTING

Mr Chris Binnington, Director, discusses the increasing use of artificial intelligence (AI) by adjudicators – with thought-provoking insights.



***Crossing the line occurs not from the use of AI
– it is about surrendering judgment to it.***

Mr Chris Binnington

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to Read Further**

TO MEDIATE OR NOT TO MEDIATE

Uncle Oswald assists Ampie Ohm regarding his receipt of a notice in terms of High Court Rule 41A and the application to the High Court for a trial date.

[Click HERE](#)
to Continue Reading

**Arbitrarily Speaking is the official newsletter of the
Association of Arbitrators (Southern Africa) NPC.**

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