

Belinda Scriba

Director



Belinda Scriba is a Director in our Dispute Resolution practice. She is a member of our Business Rescue, Restructuring & Insolvency sector. Her extensive experience includes litigation and arbitration (international and local) in the areas of insolvency and business rescue, corporate and commercial contractual disputes, Companies Act disputes, maritime, and international trade. She has more recently trained and qualified as a mediator.

About Belinda

Belinda completed her articles in 2004 and thereafter went to England for two years, predominantly to travel. In England Belinda worked as a corporate private mergers and acquisitions professional support paralegal at Freshfields Bruckhaus Deringer. She joined Hofmeyr Herbststein and Gihwala as an Associate in April 2007 and was promoted to Senior Associate in 2012. Belinda was appointed as a Director in 2017.

Credentials

Education

- BCom Law, LLB, University of Stellenbosch
- Year of admission as an attorney: 2004
- Mediation in Motion, University of Cape Town: 2020
- Registered with the Legal Practice Council

Membership

- Mediation in Motion

Experience

- Advising international and local clients on the aspects of South African maritime and admiralty law, both from a litigious and commercial contract drafting perspective.
- Representing international clients in launching or defending maritime proceedings, including proceedings with the view of preserving assets located in South Africa through ship arrests.

Contact Belinda

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[Belinda on LinkedIn](#)

Expertise

[Dispute Resolution](#)

[Business Rescue, Restructuring & Insolvency](#)

[Corporate & White Collar Investigations](#)

Location

Cape Town

Language

English

- Advising clients in terms of litigation or applications relating to the Consumer Protection Act, the National Credit Act, the Promotion of Access to Information Act and the Companies Act.
- Representing clients in seeking the recognition of foreign judgments and bankruptcy/re-organisation proceedings.
- Advising clients on business rescue proceedings, either as creditors or the entity requiring rescue.
- Assisting clients in defending or bringing insolvency proceedings. Advising major public institutions on maritime concession rights.
- Acting for and advising clients on commercial disputes (contractual and otherwise).

News

[Unilateral decisions by business rescue practitioners: A make or break in the termination of business rescue proceedings](#)

Monyela N.O and Others v Tayob N.O and Others (2023/117272) ZAGPPHC 86 (2 February 2024) involved an application for leave to appeal a judgment granted in the urgent court.

[When does the proverbial clock begin to tick under section 7\(1\) of PAJA?](#)

A ruling was made by the Constitutional Court at the end of last year in Sasol Chevron Holdings Limited v Commissioner for the South African Revenue Services ZACC30, confirming that the 180-day period afforded by section 7(1) of the Promotion of Administrative Justice Act 3 of 2000 (PAJA) starts running from the date that reasons for the decision are provided with sufficient detail to allow the offended party to file an objection against the decision. A party's request for more detailed reasons does not afford that party room to argue that the 180-day period only starts running once those more detailed reasons are provided.

[Aggrieved by the decision of the Master of the High Court? Remedies should be considered carefully](#)

What happens when the Master of the High Court (Master) accepts or rejects a creditor's claim in liquidation proceedings and the affected person wishes to challenge the decision?

[Your 'home away from home' is not in fact your home: Students be warned](#)

Many students across South Africa are fortunate enough to benefit from student residence when attending a higher education institution.

[Trusts and suretyship: Is consent from a majority of trustees enough for a trust to conclude an agreement?](#)

In the decision of Shepstone & Wylie Attorneys v Abraham Johannes de Witt N O and Others (1270/2021) ZASCA, the Supreme Court of Appeal (SCA) had to determine whether the court a quo was correct in finding that a resolution taken by the majority of a trust's trustees was sufficient to authorise the conclusion of a deed of suretyship in favour of a third party.

Videos

[Webinar Recording | Your land or mine?](#)

A review of the law and trends in relation to unlawful occupation, both rural and urban.

[Turnaround Talks | Unpacking the Comair saga](#)

Director and Head of our Business Rescue, Restructuring & Insolvency sector Tobie Jordaan, with Directors, Lucinde Rhoodie, Belinda Scriba, Roxanne Webster, and Associate Nseula Chilikhuma were panellists at a virtual round table discussion in collaboration with Turnaround Talks. The discussion unpacked the Comair saga and the lessons that can be learnt after it was placed under provisional liquidation by the South Gauteng High Court in Johannesburg.

[The state of business rescue in South Africa](#)

Belinda Scriba, Director in our Dispute Resolution practice joined Newzroom Africa to discuss the state of business rescue in South Africa. One of the major concerns raised is that the country may not have enough business rescue practitioners for the companies already in business rescue, let alone those rescues that are anticipated as a result of the latest civil unrest experienced in Gauteng and KwaZulu-Natal.

[Navigating Business Rescue, Restructuring & Insolvency during COVID-19 | Part 2](#)

Topics discussed included the impact of COVID-19 on South African economy, Directors' liability when trading in financially distressed or insolvent circumstances, current legislative amendments and regulations that have been put in place in South Africa (including the impact on general court proceedings) and case law update.

Podcasts

[Belinda Scriba unpacks maritime law](#)

As we continue to commemorate 100 years of women in law, we bring you another insightful episode of the CDH Women Empowerment podcast series. This month we are joined by Belinda Scriba.

[Digital progression of South Africa's courts](#)

Belinda Scriba, Director in the Dispute Resolution practice joined Cape Talk to discuss the digital progression of South Africa's courts, particularly amid Covid-19 and lockdown. She especially highlights the challenges and solutions in electronic tracing of case files and legal documentation

[All news by Belinda Scriba →](#)

Recognition

- Belinda was listed in the Legal 500 Private Practice Arbitration Powerlist: Africa 2023.