

Belinda Scriba

Director



Belinda Scriba is a Director in our Dispute Resolution practice. She is also a qualified mediator and a member of our Corporate Debt, Turnaround & Restructuring and our Agriculture, Aquaculture & Fishing sectors. Her extensive experience includes mediation, litigation and arbitration (international and local) in the areas of insolvency and business rescue, corporate and commercial contractual disputes (including shareholder disputes), Companies Act disputes, corporate investigations, maritime, and international trade.

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](#)

[Corporate Debt, Turnaround & Restructuring](#)

[Corporate & White Collar Investigations](#)

[International Arbitration](#)

[Mediation](#)

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

[Can companies in business rescue shield themselves from guarantee or suretyship claims by using section 133\(2\)?](#)

Section 133 of the Companies Act 71 of 2008 (Act) plays a crucial role in South Africa's corporate restructuring framework by introducing a general moratorium on instituting legal proceedings against a company undergoing business rescue. Section 133(1) ensures that no legal action, including enforcement action, can be initiated against the company or its property without the written consent of the business rescue practitioners or leave of the court. The proposed rationale behind this moratorium is to provide the necessary space for the company and the business rescue practitioners to focus on stabilising the business, restructuring its affairs, and potentially saving it from liquidation.

[Recognition and enforcement of Russian Lugovoy Law judgments in South Africa](#)

In June 2020 the Russian Federal Law 171-FZ was adopted (the "Lugovoy Law"). It amended Article 248 of the Russian Commercial (Arbitrazh) Procedure Code to enable Russian commercial courts to assume jurisdiction over disputes that involved sanctioned entities or are otherwise related to the imposition of sanctions. This amendment gave jurisdiction to Russian courts even where parties had contracted to resolve disputes before a foreign court or arbitral tribunal.

[Sanctions-era arbitration: Is South Africa the answer?](#)

The conduct and resolution of international disputes are frequently influenced by geopolitical and economic forces – which have become more erratic in the current climate. Sanctions, in particular, can significantly affect dispute resolution where parties are based in, or connected to, sanctioned jurisdictions.

[Look before you leap: Avoiding the chaos caused by multiple liquidation applications](#)

On 31 March 2025, the Supreme Court of Appeal of South Africa (SCA) handed down judgment in the matter of Resilient Rock (Pty) Ltd v Voltex (Pty) Ltd t/a Atlas Group (1132/2023) ZASCA 33, which revolved around the application of section 347(5) of the Companies Act 61 of 1973 (1973 Companies Act), as read with item 9 of Schedule 5 of the Companies Act 71 of 2008.

[From trial to table: Mediation becomes front and centre in Gauteng](#)

The Judge President of the Gauteng Division of the High Court of South Africa has now formally introduced obligatory mediation for civil matters, effective 22 April 2025. To understand the rationale behind this move, it is necessary to assess the appropriateness of the decision and anticipate its impact on the litigation landscape.

Videos

[Webinar Recording | Expropriation Act 13 of 2024: Expropriation of land - where are we](#)

Our panel of experts hosted a webinar on the Expropriation Act 13 of 2024.

[The difference between business rescue and liquidation](#)

CDH believes that the conversation around business rescue is an important one that requires the regular sharing of insights that can potentially assist businesses make informed decisions, armed with expert knowledge.

[Understanding the history and significance of business rescue in SA](#)

Belinda Scriba, Director in the Dispute Resolution practice joined Aviwe Mtila on eNCA where she discussed Understanding the history and significance of business rescue in SA.

[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.

Podcasts

[SARS and the business rescue practitioners and business rescue scenarios](#)

Lucinde Rhoodie and Belinda Scriba in the Corporate Debt, Turnaround & Restructuring sector recorded an episode of CDH Conversations on Monday, 21 October 2024, where they spoke about the ongoing battle between South African Revenue Service (SARS) and the business rescue practitioners and business rescue scenarios.

[Belinda Scriba discusses the difference between business rescue and liquidation on Fine Music Radio](#)

CDH believes that the conversation around business rescue is an important one that requires the regular sharing of insights that can potentially assist businesses make informed decisions, armed with expert knowledge.

[Could this movie have a happier ending](#)

[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.