



ASSOCIATION OF ARBITRATORS (Southern Africa) NPC

Arbitrarily Speaking

Issue 9 of 2026

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MESSAGE FROM THE EDITOR

This September we're looking Women's Month and an important panel discussion on women in the mining, construction and project management sectors.

In addition, Alastair Hay from Cox Yeats Attorneys breaks down an interesting matter involving the setting aside of an international award..

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

HER JOURNEY, HER INFLUENCE

MAKING AN IMPACT IN A MALE-DOMINATED INDUSTRY

This Women's Month, the Association is proud to highlight a powerful panel discussion featuring trailblazing female leaders across the mining, construction and project management sectors.

The discussion provides critical insights into navigating career growth, building professional credibility and fostering inclusive leadership cultures in heavily male-dominated environments.



Samantha Reyneke at a Glance

- Current Role: Director at NSDV Law (Construction and Dispute Resolution).
- Credentials: Fellow (FAArb) and Board Director of the Association.
- Core Expertise: JCC, GCC, FIDIC, NEC3/4, MBSA contracts.
- Industry Impact: Adjudicator, Arbitrator and accredited Qualified Mediator.
- Key Projects: Medupi, Kusile and Oya Hybrid Power Stations.

Missed this inspiring event? Click below to catch up on the recording and on Samantha's achievements:

[Click HERE
to Catch Up](#)

TOOLS OF THE TRADE

SETTING ASIDE AN INTERNATIONAL ARBITRATION AWARD

An application to set aside an international arbitration award under the International Arbitration Act 15 of 2017 is strictly subject to a three-month time bar under Article 34 (3) of the UNCITRAL Model Law.

In May 2026 the Supreme Court of appeal (SCA) judgment, discussed by legal expert Mr Alastair Hay, the court dealt with a €50m award dispute between Frazer Solar GmbH and the Kingdom of Lesotho (KOL).

“

A party to an arbitration who wishes to challenge the validity of the arbitration award issued in terms of the Act on any basis must do so within the three months time period specified in Article 34(3) of the Act, whatever the basis for that challenge might be, including fraud.

Mr Alastair Hay

Read legal expert, Mr Alastair Hay's interesting article:

[Click HERE
to Read Further](#)

THE ASSOCIATION'S EVENTS



RENEWABLE ENERGY DISPUTES AND, IN PARTICULAR, THE SPANISH RENEWABLE INVESTMENT TREATY CASES

Explore the growing area of investment treaty disputes in renewables and the clean energy sector, with particular focus on investor-state arbitration and the Spanish renewable energy cases – how changes to tariffs, subsidies and government policy can trigger claims by international investors; the key treaty protections available; the impact of significant developments in EU law on energy-related arbitration. Look ahead to the evolving disputes landscape as governments seek to balance the energy transition and net-zero commitments with their obligations to international investors.

Date: **1 October 2026**

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



TIEMAP: 2026 OPTIMISING ROI IN HUMAN CAPITAL SUMMIT

The Association is proud to be represented at this important event by Qualified Mediator, **Mrs Jolanda Pretorius**, as a featured speaker who will provide important insights and strategies on 'Workplace Mediation'.

Take this opportunity to invest in your most valuable asset - people - and experience a tangible return on your investment.

Dates: **8 to 9 October 2026**

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



PENALTIES, LIQUIDATED DAMAGES AND CERTIFICATION

Thank you to the presenters for this excellent webinar and to all who attended and contributed to its success.

Click below to see the reviews and to watch the recording.

Date: **17 September 2026**

[Click HERE](#)
[for the Reviews](#)
[and to Watch the Recording](#)

[Click HERE](#)
[to View Past Events](#)

OTHER VALUABLE EVENTS



ICE-SA: NEC FORUM 11 – 2026

Portfolio management – follow-up on NEC4 Framework Contract – FC4.

Date: **6 October 2026**

[Click HERE](#)
[to Register](#)



SAICE: ETHICS IMBIZO

Annual transformational gathering to advance ethical excellence, accountability and integrity in the built environment and public governance.

Date: **21 October 2026**

[Click HERE
to Register](#)



JBCC: EXTENSION OF TIME AND ROLE OF THE PRINCIPAL AGENT

Guidelines on how to administer extension of time for practical completion in terms of Clause 23.0 of the JBCC May 2018 6th Edition.

Date: **28 October 2026**

[Click HERE
to Register](#)

Arbitrarily Speaking is the official newsletter of the
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