

# **ICTLA.za**

## **I**nformation **C**ommunication **T**echnology **L**aw **A**ssociation **o**f **S**outh **A**frica

### Meeting Minutes

August 20, 2008

#### **Opening:**

The regular meeting of the ICTLA.za was called to order at 15h20 on 20 August 2008 in the offices of Deloitte and Touche at 221 Waterkloof Road Waterkloof, Pretoria by Barend Burgers.

#### **Present:**

- |                     |                          |  |
|---------------------|--------------------------|--|
| 1. Dana vd Merwe    | UNISA                    | <a href="mailto:vdmerdp@unisa.ac.za">vdmerdp@unisa.ac.za</a> |
| 2. Sizwe Snail      | Couzyn Hertzog & Horak   | <a href="mailto:sizwes@couzyn.co.za">sizwes@couzyn.co.za</a> |
| 3. Vanessa Lawrance | Hahn & Hahn Attorneys    | <a href="mailto:Vanessa@hahn.co.za">Vanessa@hahn.co.za</a>   |
| 4. Barend Burgers   | Barend Burgers Attorneys | <a href="mailto:barendb@bbatt.de">barendb@bbatt.de</a>       |
| 5. Lettie vd Walt   | Barend Burgers Attorneys | <a href="mailto:lettie@bbatt.de">lettie@bbatt.de</a>         |

#### **Apologies received for non-attendance:**

- |                                     |      |  |
|-------------------------------------|------|--|
| 1. Karel Matthee                    | CSIR | <a href="mailto:kmatthee@csir.co.za">kmatthee@csir.co.za</a>               |
| 2. Elizabeth Snyman-van<br>Deventer | UOVS | <a href="mailto:snymane.rd@mail.uovs.ac.za">snymane.rd@mail.uovs.ac.za</a> |

## **A. Approval of Agenda**

The agenda was unanimously approved as distributed.

## **B. Approval of Minutes**

Prof Dana vd Merwe informed us of his e-mail address that is incorrect, other than that the minutes of the previous meeting was approved.

## **C. Open Issues**

### 1. *Draft Constitution*

The Chairperson suggested that the Constitution be discussed at the next meeting when there are hopefully more members present.

### 2. *Projects with DOC*

Sizwe Snail suggested that the association should involve the DOJ and the DTI seeing that Cyber Crime and E-consumers issues are more relevant to them than to the DOC. It was decided that we get involved in the DOJ's new forum regarding Cyber Crime. It was decided that we should still get the DOC involved for backing of an awareness week.

### 3. *New Members*

No new members has signed up for the association, but Prof Dana vd Merwe confirmed he will get some of his co-writers to join the association. Vanessa Lawrance informed us that we should get a table at the Domain Dispute Workshop; Sizwe Snail confirmed that he will contact a certain Marie-Louise and promote the association there.

### 4. *Registration of Domain for ICTA.za*

Sizwe Snail confirmed he is in default with registration of the domain name, but it was decided to change the association's name to ICTLA.za, which stands for Information Communication Technology Law Association. All the members present were in favour thereof. It was furthermore decided that in the interim ICTLA.za will be included on the website of Barend Burgers Attorneys.

### 5. *Bank account*

It was decided to use the Trust Account of Barend Burgers Attorneys for the association for the immediate future. It was also confirmed that details will be sent out during the month of September regarding the annual membership fee as well as the banking details.

6. *Involvement of DPSA and GPSC*

It was confirmed that neither the Department of Public Service and Administration (DPSA) nor the Gauteng Provincial Services Commission (GPSC) has been approached.

7. *LSSA recognition*

Barend Burgers and Sizwe Snail are busy with a formal presentation to the Law Society.

8. *Initiatives to raise money*

It was decided to write a formal letter to the DOC to assist the association. It was also decided to contact LexisNexis get them involved seeing that they are the publishers of Prof vd Merwe's new book. The admin staff of Barend Burgers Attorneys will contact LexisNexis.

9. *ICT Law update*

It was decided that the chairperson should attach the case of SB Jafta vs Ezembelo KZN Wildlife heard by Judge DJ Pillay in Durban Labour Court on 19-20 May 2008, with the minutes. The new book of Prof Dana vd Merwe was also suggested.

10. *Support of major universities*

Sizwe Snail confirmed he will involve the Eastern Cape as well as the Natal Universities. Prof Dana vd Merwe confirmed that he attends a Conference every 18 months by an organization for the Law Faculties and with the next conference he will introduce the association.

11. *Reading material for members – reading list*

Sizwe Snail suggested we get Prof Dana vd Merwe's book; Prof vd Merwe suggested North West University's Electronic Journal which concentrates on Electronic Law. The JBL as well as Without Prejudice was suggested.

12. *Cyber Law series of articles*

It was suggested by Sizwe Snail that each member should write about anything that is relevant and circulate it between the members. Sizwe Snail confirmed that DeRebus will give us space for TI Law and that we should ask Gavin McLachlan to push them.

## **D. New Business**

### *1. Interim measures for Bank account*

It was decided to use the Trust account of Barend Burgers Attorneys.

### *2. Interim Secretariat*

It was decided that the Admin Staff of Barend Burgers Attorneys will act as the Secretariat for the time being.

### *3. Possible change of name*

It was decided to change the name to ICTLA.za (Information Communication Technology Law Association)

### *4. 25 – 27 August 2008 Conference*

Barend Burgers mentioned that the response for the upcoming conference was very poor. Prof Dana van der Merwe suggested that it may be prudent to postpone the conference and also invite his co-authors on the new Cyber Law book as well as Prof Cecilia Magnusson Sjöberg from Sweden. Barend Burgers informed the meeting that he will give registrations another day or two and then make a final decision. (Note to members: It was decided to postpone the conference to 28 – 30 October due to Speakers canceling and delegates promising to attend but never registered.)

### *5. ITechLaw Annual Asian Conference 2009*

It was discussed that one of our overseas members, Sajai Singh, sent an e-mail informing us of a forthcoming conference in India - The ITechLaw Annual Asian Conference, 2009. For four years running it has been the largest lawyers conference in India. Next year they take the event to New Delhi. More information on the event is available at [www.itechlaw-india.com](http://www.itechlaw-india.com). And he is one of the co-chairs for the conference. He also indicated that it would also be good for ICTA to become a Supporting Organisation for the event. There is no charge for the same, only expectation being that the event is publicised amongst its membership. Any comments or suggestions from members will be appreciated.

## **Adjournment:**

The meeting was adjourned. The Agenda, Date and Venue for the next meeting is to be confirmed. The Secretariat will inform members of the next meeting.

Minutes submitted by: Lettie vd Walt

Approved by: Barend Burgers