



GRAY'S INN SQUARE

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Frank Pelser

Year of call: 01/02/2008

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Practice Summary

Qualifications

2005 – 2006

- LL.M. (International Dispute Settlement) (with merit) - University of London (Queen Mary College)

Courses completed:

- Alternative Dispute Resolution
- International and Comparative Commercial Arbitration
- International Construction Contracts and Arbitration
- International Trade Law

2004 – 2005

- LL.M. (Mercantile Law) (cum laude) - University of Pretoria

Courses completed:

- Advanced Transnational Business Law
- Capita Selecta of the General Principles of the Law of Contract
- Law of Damages
- Law of Specific Contracts

Academic awards received:

- Juta Prize (“For the LL.M.-student with the highest average in all courses presented”)

2000 – 2003

LL.B. (cum laude) - University of Pretoria

Academic awards received:

- Vice-chancellor and Rector’s Medal (“For excellent undergraduate academic achievement”)
 - Butterworths Prize (“For final-year LL.B.-student who wrote the best dissertation”)
 - De Swardt Law of Contract Prize (“For best second-year student in Law of Contract”)
 - EM Hamman Floating Trophy (“For best performance in Tax Law and Third Party Compensation Law”)
 - Harold Galasko Prize (“For best final-year LL.B.-student”)
 - Rorich, Wolmarans and Luderitz Prize (“For best student in Criminal Procedure”)
 - Willem van der Merwe Prize (“For best student in the fourth year of study of the LL.B.-degree”)
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Awards for best achievement in

- Alternative Dispute Resolution
 - Criminal Procedure
 - Family Law
 - Introduction to the Law
 - Law of Contract
 - Law of Delict
 - Law of Insolvency
 - Law of Negotiable Instruments
 - Specific Contracts
 - Third Party Compensation Law
 - Transnational Business Law
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Other awards and memberships

- Commonwealth Scholarship
 - Dean's List of Merit
 - Honorary Colours for Academics
 - Member of the Golden Key International Society
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Academic Publications

2006

“Sekere aspekte van negatiewe interesse as alternatiewe kontraktuele skadevergoedingsmaatstaf” (“Certain Aspects of negative interesse as alternative measure for contractual damages”) De Jure 2006

2005

“Eiendomsverkryging deur estoppel” (“Acquiring ownership by Estoppel”) De Jure 2005

Reported Judgments

1. Afriforum and Another v University of the Free State 2018 (2) SA 185 (CC)
 2. Alexander v Minister of Home Affairs and Others 2010 (1) NR 226 (HC)
 3. Allpay Consolidated Investment Holdings (Pty) Ltd and Others v Chief Executive Officer of the South African Social Security Agency and Others (Corruption Watch and Others as Amici Curiae) 2015 (6) BCLR 653 (CC)
 4. Attorney-General of Namibia v Minister of Justice and Others 2013 (3) NR 806 (SC)
 5. Bothma v Els and Others 2010 (2) SA 622 (CC)
 6. City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd and Another
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2012 (2) SA 104 (CC)

7. Comair Ltd v Minister of Public Enterprises and Others 2016 (1) SA 1 (GP)
8. Commissioner, South African Revenue Service v Van Der Merwe 2016 (1) SA 599 (SCA)
9. Dark Fibre Africa (Pty) Ltd v Cape Town City 2018 (4) SA 185 (WCC)
10. Democratic Alliance v Minister of International Relations and Cooperation and Others 2017 (3) SA 212 (GP)
11. Democratic Alliance v President of South Africa and Others 2014 (4) SA 402 (WCC)
12. Department of Transport and Others v Tasima (Pty) Ltd 2017 (2) SA 622 (CC)
13. Gold Fields Ltd and Others v Motley Rice LLC 2015 (4) SA 299 (GJ)
14. Government of the Republic of Zimbabwe v Fick and Others 2013 (5) SA 325 (CC)
15. Lameck and Another v President of the Republic of Namibia and Others 2012 (1) NR 255 (HC)
16. Land Access Movement of South Africa and Others v Chairperson, National Council of Provinces and Others 2016 (5) SA 635 (CC)
17. Law Society of South Africa and Others v Minister for Transport and Another 2011 (1) SA 400 (CC)
18. Law Society of South Africa and Others v President of the Republic of South Africa and Others (Southern African Litigation Centre and Another as Amici Curiae) [2018] 2 All SA 806 (GP)
19. Metals Australia Ltd and Another v Amakutuwa and Others 2011 (1) NR 262 (SC)
20. Minister of Finance v Oakbay Investments (Pty) Ltd and Others 2018 (3) SA 515 (GP)
21. Minister of Justice and Constitutional Development and Others v Southern Africa Litigation Centre and Others 2016 (3) SA 317 (SCA)
22. Minister of Mineral Resources and Others v Sishen Iron Ore Co (Pty) Ltd and Another 2014 (2) SA 603 (CC)
23. Minister of Mines and Energy and Others v Petroneft International Ltd and Others 2012 (2) NR 781 (SC)
24. Namibian Competition Commission and Another v Wal-Mart Stores Incorporated 2012 (1) NR 69 (SC)
25. National Commissioner of Police v Southern African Human Rights Litigation Centre and Another 2015 (1) SA 315 (CC)
26. National Treasury and Others v Opposition to Urban Tolling Alliance and Others 2012 (6) SA 223 (CC)
27. Nkala and Others v Harmony Gold Mining Co Ltd and Others 2016 (5) SA 240 (GJ)
28. Occupiers of Saratoga Avenue v City of Johannesburg Metropolitan Municipality and Another 2012 (9) BCLR 951 (CC)
29. Opposition to Urban Tolling Alliance v South African National Roads Agency Limited [2013] 4 All SA 639 (SCA)
30. President of the Republic of South Africa and Others v M&G Media Ltd 2012 (2) SA 50 (CC)
31. President of the Republic of South Africa and Others v M&G Media Ltd 2011 (2) SA 1 (SCA)
32. President of the RSA and Others v M&G Media Ltd 2015 (1) SA 92 (SCA)

33. S v Malumo and Others 2010 (2) NR 595 (SC)
 34. S v Paulo and Another (Attorney-General as Amicus Curiae) 2013 (2) NR 366 (SC)
 35. Shalli v Attorney-General and Another 2013 (3) NR 613 (HC)
 36. South African Poultry Association and Others v Minister of Trade and Industry and Others 2018 (1) NR 1 (SC)
 37. South African Poultry Association and Others v Ministry of Trade and Industry and Others 2015 (1) NR 260 (HC)
 38. Tasima (Pty) Ltd v Department of Transport and Others [2016] 1 All SA 465 (SCA)
 39. Trustco Group International Ltd and Others v Shikongo 2010 (2) NR 377 (SC)
 40. University of the Free State v Afriforum and Another 2017 (4) SA 283 (SCA)
 41. University of the Free State v Afriforum and Another 2018 (3) SA 428 (SCA)
 42. West Coast Rock Lobster Association and Others v Minister of Environmental Affairs and Tourism and Others [2011] 1 All SA 487 (SCA)
 43. Woodlands Dairy (Pty) Ltd and Another v Competition Commission 2010 (6) SA 108 (SCA)
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