Curriculum vitae of Elmarie van der Schyff as on 28 January 2009

1. Tertiary Qualifications and Career History
   1987: B.A. (Law) [PU for CHE]  
   1989: LLB [PU for CHE]  
   1989: Abe Bailey Travel Bursary  
   1990 + 1991: Complete articles at Theron, Jordaan and Smit attorneys, Potchefstroom  
   1992: Admitted as an attorney of the High Court of South Africa  
   1992 -: Practicing attorney  
   1997 – 2000: Commissioner of the Small Claims Court, Pongola  
   2001: TLS facilitator and part time locum at the Faculty of Law, PU for CHE.  
   2002: Appointed as lecturer at the Law Faculty of the Potchefstroom University for CHE (now NWU)  
   2003: LLM (Estate Planning) (cum laude) [PU for CHE]  
   2003: Promoted: Senior lecturer  
   2003: Acting Director of Education (3 months)  
   2006: Appointed as Quality Manager of the Faculty of Law  
   2007: LLD [NWU]  
   2007: Acting Director of Education (March – June)  
   2008: Promoted: Associate Professor  

2. Teaching and Learning

AWARDS:

2002: Institutional Teaching Excellence Award- A Category  
2006: Practical Legal School for Candidate Attorneys: Best Facilitator.
2.1 Program development:

2.1.1 Faculty of Law

I assisted in developing the programme ‘Diploma in Law’ during 2002/2003. The study guides for the following modules were developed by me:

- DPRA 215 Property Law
- DPRA 223 Consumer and Contract Law
- DPRA 224 Social and Economic Rights
- DPRA 127 Housing Law
- DPRA 226 Motor Law

2.1.2 Other

(a) I assisted in developing a course for candidate attorneys at Law Clinics in South Africa during 2003. I developed the module – Legal Ethics and presented courses at Pinetown, Middelburg and Johannesburg.

(b) I took part in developing a course presented by the Centre for Environmental Management that focused on the training of Johannesburg Metropolitan Officials “Legal liability in health matters”.

(c) Involved in training courses of the Centre for Environmental management NWU:
   # Introduction to Waste Management
   # Law Enforcement and Dispute Resolution.

2.2 Modules

During the scope of my employment at the NWU I lectured Property Law, Law of Contracts, Enrichment Law, Law of Delicts, Road Accident Fund Compensation and Law of Damages to inter alia 2nd and 4th year students.

I participate in the LLM Program in Property Law.

2.3 External moderation

2006: University of Kwazulu Natal – LLMT 810
2.3.2 External examiner

2008 University of KwaZulu Natal – Research Project (3 candidates)
University of KwaZulu Natal- Property Law (LAWS2PR)(PLA3PT)

3. Research

3.1 Research outputs
3.1.1 Publications

Peer Reviewed articles printed in bold

2002
“Die Prokureur, sy Regsplig en die Teleurgestelde Bevoordeelde –
’n Nuwe Benadering: Pretorius en andere v McCallum 2002 2 SA
423 (KPA)” 2002 13:3 Stell LR 454 – 459

“Inheemse Opvolgingsreg – Weeskind in die Wetenskap van
Boedelbeplanning” 2002 1 Tydskrif vir Boedelbeplanning 30 – 45

2003
“Constitutional Interpretation according to First National Bank of
SA Limited T/A Wesbank v Commissioner for the South African
Revenue Services and another; First National Bank of SA Limited
T/A Wesbank v Minister of Finance 2002 (7) BCLR 702 CC” – 2003
PER Special Edition
“Die getuie-eed: afskaf of behou?” 2003 384 Woord en Daad/Word and Action\(^1\) 3 – 5


“Die nasionalisering van watergebruiksregte – ontneming of onteiening?” 2003 PER 1 1 - 32

“Staatsinmenging in privaat-eiendom – verantwoordbaar vanuit Christelike perspektief?” 2003 KOERS 68:2, 3 1 – 18

2004

“Een maal is reeds te veel! Die Uitsaaklagtekommissie en die ongeërgde gebruik van die Naam van die Here” 2004 387 Woord en Daad/Word and Action

2005


2006


\(^1\) At the time of publication Word and Action was an accredited journal.
2007


2008


3.1.2. Post graduate students – leader, co-leader, external moderation
LLM dissertation study leader: 4 [6 LLM students for 2008- one of them a dissertation LLM]
Completed: 4
2006: External moderator:
* University of Kwazulu Natal – LLMT 810
2007: External moderator:
3.1.3 Research management and academic leadership

2004 - 2006: Participation in NRF-funded project headed by Prof. G.J. Pienaar titled: "The alleviation of poverty in rural areas by the extended application of the constitutional property clause" (R 135 000,00 p.a)


2008: Participation in NRF-funded project headed by Prof. L.J. van Rensburg titled: “Poverty and a right-based approach”.

2008: Participation in WRC-funded project headed by Me Aileen Anderson “The impact of IWRM on the lives of women and the poor in South Africa” (R 1, 000,000.00).

2008: Participation in LLM and LLM programme headed by Prof. A.J. van der Walt at the University of Stellenbosch [15-20 September].

Presentation on South African Mineral Law.

3.1.4 External recognition

2004: NRF Travel Award

2006: NRF Travel Award

2008: NRF Travel Award

3.1.5 Networking

3.1.5.1 Conference -, Seminar- and Workshop Contributions

2002


2 November, Stellenbosch: Annual Property Law Conference “Konstitusionele Aspekte van Sekere Bepalings van die Waterwet”

2003
11-14 December, Egypt: 3rd Conference of the International Water History Association “The Nationalisation of Waterrights – deprivation or expropriation”

2004

June, Nairobi: Environmental Law Conference “The Nationalisation of Waterrights in South Africa” (with Prof. G.J. Pienaar)

September, Limpopo: 3rd UNIN Law Week “Constitutional Adjudication – Expropriation in terms of section 25 of the Constitution”


2005

September, Limpopo: 4th UNIN Law Week: “Perspectives on the changes and challenges brought about by the introduction of the public trust doctrine to natural resource law”


2006

South African Sport and Recreation Conference (SASReCon)
7-8 September 2006, Potchefstroom “Practitioner liability around supervision of biokinetic interns (students in training)”
C.J. Wilders and Van der Schyff, E.

3 November, Durban: Annual Property Law Conference “Constructive Appropriation: The Key to Constructive Expropriation? Guidelines from Canada”

2007

22 May, Potchefstroom, Sanpad Workshop on Transboundary Water Issues Potchefstroom Public trust doctrine in Swaziland, South Africa and Lesotho
16-19 July, Athens, 4th International Law Conference The Public Trust in Natural Resources Management – a new concept in South African jurisprudence

2 November 2007 Environmental Law Association Conference UCT Cape Town Securing the Equitable and Effective Management of Shared Watercourses through the Public Trust Doctrine


2008


September 2008 Guest lecture at University of Stellenbosch in LLM Programme South African Mineral Law Dispensation

22 September 2008 SANPAD Workshop Potchefstroom Water without Borders

31 October 2008 Pretoria Annual Property Law Conference Van die hand na die mond val die pap op die grond – ’n vonnisbespreking van De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd and Others
3.1.5.2 Editorial membership

3.1.5.3 Research visits
April-May 2006 The Canadian Institute for Natural Resources Law, University of Calgary

3.1.5.4 Membership: Associations
South African Law Teachers Association
Environmental Law Association
Law Society of the Northern Provinces

3.1.5.5 Marketing of expertise and contract research
2003: Participation in project: Constitutionality of legislation in the North-West province
2005: Cabinet’s Manual – Conrad Adenhauer Stiftung
Expertise is marketed through research outputs and the developing and presenting of courses for institutions like LEAD, CEM and the Law Clinic.

3.1.5.6 External Reviews
2008 SAJELP
Review of Chapter/s for Environmental Compliance and Enforcement in South Africa: Legal Perspectives (JUTA and Company Ltd) by Kotze L and Patterson A.
Stellenbosch Law Review
Journal for Juridical Science

4. Organisational and managerial tasks
2002 - : Education Committee
2003: Acting Director of Education (3 months)
2004/2005: Member of the task team that negotiated aligning of LLB with Mafikeng
2006 -: Quality Manager of the Faculty of Law
2006 -: Member of the Research Ethics Committee of the NWU
2007 -: Council Member: North-West University
2007: Acting Director of Education (March – June)
2009: Director: Quality – Faculty of Law

5. Highest academic and professional qualifications
   1992: Admitted as an attorney of the High Court of South Africa
   2007: LLD