

**DALEEN MILLARD**  
**Professor of Private Law**  
**University of Johannesburg**

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**QUALIFICATIONS**

LLD, University of Johannesburg	2006
LLM, University of Pretoria	2000
LLB, University of Pretoria	1997
B Iuris, University of Pretoria	1994
Matric, Wonderboom High School	1990

**OTHER QUALIFICATIONS**

SHORT PROGRAMME IN MEDICAL ETHICS, UNIVERSITY OF THE WITWATERSRAND ( <i>SUMMA CUM LAUDE</i> )	2017
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**WORK EXPERIENCE (FULL-TIME)**

**University of Johannesburg**

Vice Dean; Law

August 2016 – date

**University of Johannesburg**

Professor of Private Law

November 2012 – date

**University of Johannesburg**

Associate Professor

February 2007 – October 2012

**University of Pretoria**

Senior Lecturer

March 2003 – January 2007

**Vista University**

Lecturer

January 1999 – February 2003

**Road Accident Fund**

Assistant Manager

January 1995 – December 1998

**Department of Justice**

Senior Administrative Clerk

January 1990 – December 1994

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**WORK EXPERIENCE (PART-TIME)**

**Old Mutual Insurance Company**

2013-2018

Re-drafting of policies in plain language

**Liberty Life Insurance Company**

Re-drafting of policies in plain language 2017-date

**Santam Insurance Company**

Ad Hoc training on Treating Customers Fairly 2016-date

**Legal Education and Development**

Course director: Co-ordinate programmes for candidate attorneys for purposes of their practical legal training, which includes facilitation, general advice and administration. 2009-2010

**CenFri**

Research on a contract basis, consultations, provide legal advice to insurance intermediaries and service providers. 2008

**Legal Aid Clinic, University of Pretoria**

*Pro Bono* consultations, opinions and training. 2005 – 2006

**Sieg de Beer Attorneys**

Drafting of particulars of claim, mostly where the insured's right to a claim based on delict is subrogated to the insurer. Work on a retainer basis. 2005 – 2007

**University of Johannesburg**

Lecture on social security law - Certificate in Social Security and Advanced Certificate Marking of dissertations, designing of study material. 2000 – 2007

**Bond South Africa**

Senior Lecturer: Commercial Law 2002 – 2003

**University of Pretoria**

Lecturer: Legal Skills and Introduction to Law 1999 – 2001

**Du Plessis and Associates**

Claims consultant on personal injury matters 1999 – 2001

**Vista University**

Marking of papers 1997 – 1999

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**PROFESSIONAL EXPERIENCE**

Admitted as an advocate of the High Court, Transvaal Provincial Division

April 2001

Completed the National Bar Exam

May 2001

Practiced part-time as an advocate

2001- date

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**TEACHING ACTIVITIES: COURSES PRESENTED**

<b>COURSE/SUBJECT</b>	<b>LEVEL/YEAR OF STUDY</b>
<b>Commercial law 100 and 200B</b> Vista University, 1999-2002	First and second
<b>Law of Insolvency 300 A</b> Vista University, 1999-2003	Third
<b>Road Accident Fund Compensation</b> Vista University, 2000-2003	Fourth
<b>Law of Insurance 300</b> 2003	Fourth
<b>Law of Insurance 320</b> University of Pretoria, 2003-2006	Third
<b>Introduction to Law 110 and 120</b> University of Pretoria, 2000-2001	First
<b>Legal Skills 110 and 120</b> University of Pretoria	First
<b>Business Law 210 and 220</b> University of Pretoria, 2003-2005	Second
<b>Commercial Law 110 and 120</b> University of Pretoria	First and second
<b>Social Security Law 420</b> University of Pretoria, 2003-2006	Fourth and Master's
<b>Law of Delict</b> University of Johannesburg, 2007-date	Second and third year
<b>Capita Selecta: Mercantile law</b> (Insurance and Road Accident Fund legislation) 2008 – 2010	Fourth year
<b>Short programme on the FAIS Act</b> 2010	Extra-curricular training for key individuals and representatives
<b>Short programme in Short-term Insurance</b> 2010	Extra-curricular training for the short-term insurance industry based on the outcomes for the RE 2 exams
<b>LLM in Drafting and Interpretation of Contracts</b> 2014 – date	Master's
<b>LLM in Law and Language</b> 2015 - date	Master's
<b>LLM in Insurance Law</b> 2017-date	Master's

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**TEACHING OUTPUTS: EDUCATIONAL PUBLICATIONS AND OUTPUTS**

1. Drafting and implementing of a virtual tutor (the first of its kind for law) for the course BER 210 in co-operation with Telematics Education. This entailed the drafting of questions and the design of a teaching method for students who no longer have access to ordinary tutorials. This project was expanded in 2006 to include virtual tutor programmes for the courses BER 410, BER 310, BER 220, KRG 110 and KRG 120.
2. Designing of three new courses: FAIS Act for key individuals and representatives, Basics of short-term insurance and Social Security Adjudication.
3. Designing of a virtual writing centre as part of the module “Law of Delict”.
4. Designing of a PassPlus Product for Lexis Nexis for Law of Delict.
5. Designing of an interactive platform for insurance brokers, compliance officers and claims handlers with Juta, the “TCF Integrator”
6. Designing of a module in research methodology for final year LLB students.
7. Faculty participation in a pilot project on predictive analytics for the entire faculty (2018)
8. Designing of an interactive platform with the use of AI for law students (2019)

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**HYBRID LEARNING**

PILOTED STUDENT SUCCESS ANALYTICS AS PART OF A COMPREHENSIVE, BLENDED-LEARNING MODEL ON BLACKBOARD, 2018

EXTENSIVE USE OF ON-LINE LEARNING SOFTWARE, THE FLIPPED CLASSROOM AND ON-LINE, FORMATIVE ASSESSMENTS

DESIGN OF FLOAT, THE FACULTY OF LAW ON-LINE TUTOR, 2019

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**RESEARCH ACTIVITIES: FORMER SUPERVISION OR CO-SUPERVISION*****Undergraduate:*****University of Pretoria**

2003-2006

10 LLB dissertations per year

***Postgraduate:*****University of Johannesburg**

Ms. C Broodryk (LLM minor dissertation)

2010

FICA and international standards

*Cum laude*, received Faculty of Law Prize for the best LLM dissertation.

Ms. V Vergano (LLM minor dissertation) 2012  
FICA and Attorneys  
Completed, co-published with student in 2013.

Ms S J van Breda (LLM minor dissertation) 2013  
Implications of the parol evidence rule on the interpretation and drafting  
of contracts in South Africa.  
Completed.

Ms S Nieman (LLM minor dissertation) 2014  
Tacit terms of a contract in the South African common law context: the  
interpretation tools utilised by the courts to discover the parties' unexpressed  
intention  
Completed.

Mr E Bascerano (LLM minor dissertation) 2015  
Protection of Personal Information and the limitation of the statutory vicarious  
liability of the employer.  
Complete

Ms T Stuart (LLM minor dissertation) 2015  
Unreasonable, unconscionable and oppressive contract terms in South African  
and Western Australian consumer legislation  
Complete

Ms J Maholo (LLM minor dissertation) 2015  
The influence of "Treating Customers Fairly" on insurance contracts  
Complete

Mr Christopher Wright (LLM minor dissertation) 2016  
An overview of the enforcements of surrogate contracts before and after the  
introduction of the children's Act 38 of 2005  
Complete

Ms Ntombinkosi Mncube (LLM minor dissertation) 2016  
The role of prior negotiations and antecedent contracts in the interpretation  
of contracts: A shift from a textual to a contextual approach?  
Complete

Ms Mxolisi Nene (LLM minor dissertation) 2016  
From pre-contractual negotiation to drafting: The quest for consensus  
Complete

Ms Chantelle Botha (LLM minor dissertation) 2017  
Are Maxims still applicable to the interpretation of contracts in South African

law?

Complete

Ms Fikile Ndlebe (LLM minor dissertation)

2017

Contractual autonomy and unfair contract terms:

A Constitutional perspective.

Complete

Kylene Phillips (LLM minor dissertation)

Contract law, Robo Advisors and financial advice in South Africa.

Complete

2017

Ms Bridget Ngubane (LLM minor dissertation)

2018

The objective of plain language as meant in section 64A of the National Credit Act 34 of 2005

Complete

Ms Cynthia Opare-Kumi (LLM minor dissertation)

2018

The role of prior negotiations and antecedent contracts in the interpretation of contracts in light of modern-day commercial expectations.

Complete

Ms Palmira Pio (LLM minor dissertation)

2018

The development of restraint of trade clauses after *Magna Alloys v Ellis*

Complete

Ms Eugenia Mwale (LLM minor dissertation)

2018

The fairness of early cancellation fees in the age of consumerism:

Are fixed-term contracts flying under the radar?

Complete

Mr Liaquat Soobraithi (LLM minor dissertation)

2018

The practical application of Good Faith in agreements concluded in terms of the National Credit Act 34 of 2005. Is more required?

Complete

Ms Megan Collins (LLM minor dissertation)

2018

Intermediaries' duties to disclose onerous clauses to prospective policyholders

Complete

Ms Arifa E Mohammadali Haji (LLM minor dissertation)

2018

Drafting and interpreting (in)formal contracts

Complete

Ms Grethele Cuthbertson (LLM minor dissertation)

The historical development of exemption clauses in South Africa	2018
Ms Samantha Huneberg (LLD) Short-term insurance fraud and the effect of forfeiture clauses on exaggerated and fabricated insurance claims (Complete)	2018
Mr Mbongeni Dladla (LLM minor dissertation) A critical appraisal of call centre contracts for insurance	2019
Mr Mohau Tshepo Lencwe (LLM minor dissertation) Problematic aspects pertaining to group funeral insurance in South Africa	2019
Mr Muhammad Coovadia (LLM minor dissertation) The effect of the principle of reciprocity and the <i>exceptio non adimpleti contractus</i> in light of the constitution: A South African perspective.	2019
Mrs Susan Els (LLM minor dissertation)  The historical development of <i>caveat subscriptor</i> in South Africa: from antiquity to fairness	2019
Ms Yvette Joubert (LLD) Co-promotor Judicial Case Management: a comparative study (In process, due to submit in 2019)	2017
Ms Leonie van der Merwe (LLD) The meaning of “reasonable accommodation” in labour law (Pre- registered)	2018
<b>NGAP MENTOR</b> Mentor for Ms Yolandie Springveldt, University of Pretoria	2016 -date

## **RESEARCH OUTPUTS**

### **PUBLICATIONS IN PEER-REVIEWED OR REFEREED JOURNALS**

1. Myburgh P and Van der Nest D “Social security aspects of accident compensation: COIDA and RAF as examples” 2000 *Law, Democracy and Development* 43-60.
2. Lötž D J en van der Nest D “Verborge Gebreke: die Handelaar, die Fabrikant en Siener van Rensburg” 2001 *De Jure* 219-246.
3. Lötž DJ en van der Nest D “Aanspreeklikheid vir Verborge Gebreke in die Engelse en Kanadese reg.” 2001 *de Jure* 515-533.
4. Nienaber A G and van der Nest D “The Good, The Bad and the Ugly: Contingency deductions for remarriage in the light of *Ongevallekomssaris v Santam*” 2001

*Tydskrif vir Regswetenskap* 23-40).

5. Nienaber A G and Van der Nest D “An exploration of the impact of a claimant’s HIV/AIDS status on a personal injury claim” 2002 *Tydskrif vir die Suid-Afrikaanse Reg* 290-307.
6. Nienaber AG and Van der Nest D “Genetic Testing for the Purpose of Insurance Risk Assessment and the Constitutional Right to Privacy.” 2004 *Tydskrif vir Hedendaagse Romeins-Hollandse reg* 446-461.
7. Smit N and Van der Nest D “The Satchwell Report: an Analysis of and Comment on the findings of the Road Accident Fund Commission” (2003) *Tydskrif vir die Suid-Afrikaanse Reg* 677 – 703.
8. Smit N and Van der Nest D “When Sisters are doing it for Themselves: Sexual Harassment Claims in the Workplace” (2004) *Tydskrif vir die Suid-Afrikaanse Reg* 520-543.
9. Nienaber AG en Van der Nest D “Actuarial Science v Equity: Contingency Deductions for Future Loss of Earnings and the HIV/AIDS Pandemic “ 2005 *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* 546-561.
10. Millard D “Corporate Social Responsibility in the Insurance Industry: A South African Perspective with a focus on disability insurance.” 2005 *De Jure* 223-238.
11. Millard D “Models to assess personal injury: lessons from Norwegian law? 2006 4 *TSAR* 690-704.
12. Millard D “Loss of earning capacity: The difference between the sum – formula approach and the ‘some - how- or- other’ approach” 2007 (1) *Law, Democracy and Development* 15-31.
13. Millard D “Informal Social Security and the Self-employed: The Case for including the Self- Employed in Social protection Structures” 2007 (2) *De Jure* 236-256.
14. Millard D “Migration and the Portability of Social Security Benefits: The Position of Non-citizens in SADC” 2008 8 *African Human Rights Law Journal* 37-59.
15. Millard D and Smit N “Employees, occupational injuries and the Road Accident Fund - *Road Accident Fund v Monjane* [2007] SCA 57 RSA 2008 (4) *TSAR* 596-604.
16. Millard D “Extended damage: A Comparison of South African and Belgian Law” 2009 (1) *De Jure* 48 – 68.
17. Millard, D 2009 “Protecting Dependents against the Effects of Occupational Hazards: Extended Damage in South African and Belgian Law” 47- 65 *International Social Security and*



Workers Compensation Journal (Online Journal), 2009.

18. Millard, D. 2009 “The Missing Link: Collateral Benefits, Law of Damage and Social Security law: A marriage of true minds?” pp 101 – 120 15 pages) in *Challenges of the Law in a Permeable World*, Edited by David A. Frenkel and Carsten Gerner-Beuerle 2009, ATINER – Athens Institute for Education and Research (ISBN: 978-960-6672-53-8).
19. Millard, D. 2010 “For whom the bell tolls... Interplay between law of delict and social security law in three modern compensation systems.” 532-557 in *TSAR 2010* (3) *TSAR*.
20. Mpedi, LG & Millard, D 2010. “Bridging the Gap: The Role of Micro-Insurance in a Comprehensive Social Protection System in South Africa”, 2010 (3) *Obiter* 497 – 517.
21. Millard D 2010. “Analysing Some Key Challenges you will Face When Entering the Micro Insurance Market” *ILTC Conference* , ISBN no 978-87-991395-8-6.
22. Steynberg L and Millard D “Distinguishing Between Private Law and Social Security Law in Deducting Social Grants from Claims for Loss of Support” (2011) *PELJ* (14) 4.
23. Millard D “Bespoke Justice? On Financial Ombudsmen, Rules And Principles” *De Jure* (2011).
24. Millard D and Botha MM “Something’s Got to Give: The Future of Financial Advisors and Intermediaries as Employees” *Journal of Contemporary Roman-Dutch Law*, Vol. 75, p. 41-64, 2012.
25. Millard D “Harnessing the informal economy: Some reflections on National Treasury’s Policy Document on the South African Microinsurance Regulatory Framework” *Journal of Contemporary Roman-Dutch Law*, Vol. 76, 2012.
26. Millard D “So Much Owed by so Many to so Few: How the Financial Advisory and Intermediaries Act 37 of 2002 addresses “Conflict of Interest” *Obiter* vol 1 2012.
27. Millard D and Botha MM “The Past, Present and Future of Vicarious Liability in South Africa” *De Jure* vol 2 2012.
28. Millard D “Hello, Popi? On cold calling, financial intermediaries and advisors and the Protection of Personal Information Bill” *Journal of Contemporary Roman-Dutch Law*.
29. Millard D and Vergano V “Hung out to dry? Attorney-client confidentiality and the reporting duties imposed by the Financial Intelligence Centre Act 38 of 2001” *Obiter* 2013.
30. Millard D and Botha MM The buck stops... where, exactly? On outsourcing and liability towards third parties” *Obiter* 2013.
31. Kuschke B and Millard D *Insurance Law* (South African Chapter) in Cousy H (ed)

*Insurance Law* in International Encyclopedia of Laws Wolters Kluwer, 2014 (updated in 2017, published as a monograph in 2018).

32. Millard D “Through the looking glass: Fairness in Insurance contracts – A caucus race?” *Journal of Contemporary Roman-Dutch Law* (2015) 547-566.

33. Millard, D and Joubert, Y “Bitter and twisted? On personal injury claims, predatory fees and access to justice” 2015 2 *Obiter*.

34. Millard, D “Insurance” in *Annual Survey of South African Law* (2015) , Juta, Cape Town).

35. Millard, D *P K Harikasun v New National Assurance Company Ltd (Unreported case High Court, KwaZulu Natal nr 190/2008 of 12 December 2013)* Of red herrings, sardines and insurance fraud: Something’s fishy! 2016 *De Jure*.

36. Millard D and Bascerano E “Employers’ statutory vicarious liability in terms of the Protection of Personal Information Act” *PER* 2016 vol 19

37. Millard D and Maholo J Treating customers fairly: a new name for existing principles? *Journal of Contemporary Roman-Dutch Law*, Vol. 79, p. 594-613, Nov. 2016.

38. Millard D The impact of the twin peaks model on the insurance industry Millard D *PER / PELJ* 2016 (19).

39. Millard, D “Insurance” in *Annual Survey of South African Law* (2014) (Juta, Cape Town).

40. Millard, D “Insurance” in *Annual Survey of South African Law* (2015) (Juta, Cape Town).

41. Millard, D “Insurance” in *Annual Survey of South African Law* (2016) (Juta, Cape Town).

42. Millard, D The Quest for fairness in the rendering of financial advice and intermediary services in light of the Retail Distribution Review Hugo C & Möllers T.M.J (eds.) *Transnational Impacts on Law: Perspectives from South Africa and Germany*

43. Millard, D “Insurance” in *Annual Survey of South African Law* (2017) (Juta, Cape Town)

44. Millard, D “CoFI and T(CF): Further along the road to Twin Peaks and a fair insurance industry” *Journal for Contemporary Roman-Dutch Law* (2018)

#### SUBMITTED FOR PUBLICATION

45. Millard, D “The devil is not in the detail: on microinsurance, policyholder protection and financial inclusion” (THRHR)

46. Millard, D “Of agency, representation and financial advice: one step forward or two steps back?”

Contribution towards the Tribute to Prof Johan Lötz.

47. Millard, D “Fair play? COFI and the new face of the financial services industry” submitted as part of the UJ Faculty of Law’s Annual Banking law update, to be published in October 2019.

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#### BOOKS AND/OR CHAPTERS IN BOOKS

1. Olivier *et al Social Security Law: General Principles* 1999 Butterworths (Chapter 11 with Smit and Myburgh: “Employment Injuries, Diseases and Motor Vehicle Accidents 307-404).
2. Olivier *et al Social Security: a Legal Analysis* 2003 LexisNexis Butterworths (Chapter 16: Motor Vehicle Accidents 501-514).
3. Olivier *et al Introduction to Social Security* 2004 LexisNexis Butterworths (Chapter 21: Motor Vehicle Accidents 377-387).
4. Millard D “Disability Provisioning in South Africa: Towards a normative framework and some lessons from Norway: in Olivier M & Kuhnle S (Eds) *Norms and Institutional Design: Social Security in Norway and South Africa* African Sun Media, Stellenbosch, 2008 (266-278).
5. Millard D “The Portability of Social Security Benefits: The Position of Non-Citizens in South Africa and the southern African Development Community” in Becker U & Olivier MP (eds) *Access to Social Security for Non-citizens and Informal Sector Workers: An International, South African and German Perspective* African Sun Media, Stellenbosch, 2008 (205-221).
6. Hattingh and Millard *The FAIS ACT Explained* (2010) LexisNexis, Butterworths (electronic update, 2013).
7. Millard *Modern Insurance Law* (2013) Juta, Cape Town.
8. Hattingh and Millard *FAIS Multilingual Glossary* (2013) LexisNexis, Butterworths (published electronically as a mobi-site).
9. Millard and Hattingh *The FAIS ACT Explained* (2016) LexisNexis, Butterworths.
10. Bernauw, K, Roux, S and Millard, D “Micro-verzekering: naar een inclusieve verzekeringsmarkt? Tijdschrift voor Verzekeringen, 2018 Wolters Kluwer.
11. Kuschke B and Millard D “Transparency in South Africa” in Noussia K and Marano P *Transparency in Insurance Law Vol I and II* (to be published in 2019).
12. Millard, D *Treating Customers Fairly for Short-term Insurers: an Integrated Guide* Juta, Cape Town (to be published in 2019).

13. Grove, Kuschke and Millard *Reinecke, van Biekerk and Nienaber's South African Insurance Law* (to be published in 2020)

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#### **NON-ACCREDITED PUBLICATIONS**

1. Juta's *Insurance Law Bulletin* (Quarterly publication, available to subscribers only) 2014, 2015, 2016, 2017, 2018, 2019 (1) and 2 (22 publications to date).
2. Juta's quarterly Review: Insurance (Quarterly publication, available to subscribers only) 2014, 2015, 2016, 2017, 2018, 2019 (1) and (2) (22 publications to date).
3. Chapter on Insurance in *Juta's Quarterly Review* (Quarterly publication, available to subscribers only) 2014, 2015, 2016, 2017, 2018, 2019 (1) (21 publications to date).

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#### **PARTICIPATION IN CONFERENCES, WORKSHOPS, SHORT COURSES, SEMINARS AND PRESENTATIONS**

##### **NATIONAL**

##### **1999**

1. "Latent defects in the South African law" Law Teacher's Conference, Durban, June 1999

##### **2000**

2. "Contingency deductions for remarriage in the light of *Ongevallekomssaris v Santam*" Equality Conference, Cape Town.
3. "Is there such a thing as a 'latent defect' in human beings? The effect of misrepresentation in sports contracts" Conference on Sports and the law, Johannesburg

##### **2003**

4. "The Satchwell report: an analysis of and comment on the findings of the Road Accident Fund Commission" Law Teacher's Conference, Namibia.

##### **2009**

5. "Insurance and Road Accident Fund" Annual Banking Law Update, University of Johannesburg, April 2009.
6. "Interplay between law of delict and social security law in three modern compensation systems." Law teachers' Conference, Pietermaritzburg, July 2009.

##### **2010**

7. "Bridging the gap: The role of micro-insurance in a comprehensive social protection system in South Africa" presented by Letlhokwa George Mpedi and Daleen Millard presented at the Universities of the Western and Eastern Cape Seventh Annual Law Conference 18 – 19 January 2010, Port Elizabeth.
8. "Insurance and Road Accident Fund" Annual Banking Law Update, University of Johannesburg, 21 April 2010.

9. “The constitutionality of the Road Accident Fund Amendment Act 19 of 2005: An analysis of *Law Society of South Africa and Others v The Minister of Transport and the Road Accident Fund* (case number 10654/09, NGHC) Faculty seminar on 17 August 2010.

10. “Analysing key challenges you will face when entering the Microinsurance Market: Overview of the current legislative framework.” Microinsurance Masterclass, International Institute for Research on 24 August 2010.

11. “Double dipping v collateral benefits: when public and private law collide.” Presented at a Symposium on double dipping in the South African Social Security System hosted by CICALASS, University of Johannesburg, 30 August 2010

12. “How to prepare for the FAIS exam” INSETA Stakeholder Breakfast Seminar Hyatt, Sandton 26 November 2010, 18 March 2011 in Durban and 25 March 2011 in Cape Town

### 2011

13. “So much owed by so many to so few: How the Financial Advisory and Intermediaries Act addresses “Conflict of Interest”. Presented at the Law Teachers’ Conference, Stellenbosch, 19 January 2011.

14. “The FAIS Act explained”, a seminar for the IIG/IISA as part of their series of education seminars at the FNB Training Centre, Sandton, 26 January 2011.

15. Faculty seminar on *Mvumvu and Others v Minister of Transport and Another* [2011] ZACC 1, 17 February 2011.

16. INSETA Stakeholder Breakfast Seminar at the Elangeni Hotel, Durban: “How to prepare for the RE Exams: Some guidelines” as well as a book signing of *The FAIS Act Explained*, 18 February 2011.

17. INSETA Stakeholder Breakfast Seminar at the Commodore Hotel, Cape Town: “How to prepare for the RE Exams: Some guidelines” as well as a book signing of *The FAIS Act Explained*, 26 February 2011.

18. “The FAIS Act explained”, a seminar presented for the Insurance Institute of the East Rand at the Benoni Country Club, Benoni, 8 March 2011.

19. “Law of Third Party Compensation and Insurance Law” presented at the Annual Banking Law Update, Indaba Hotel, Sandton, 4 May 2011.

20. “The FAIS Act explained”, a seminar presented for the Gauteng Insurance Institute, Pretoria Golf Club, Pretoria, 21 May 2011.

### 2012

21. “Delictual liability for Financial Regulators: Foreign twaddle or formidable remedy?” Faculty seminar presented at the University of Johannesburg, 25 April 2012.

22. Annual Banking Law Update, University of Johannesburg, Indaba Hotel, Sandton, 23 May 2012.

23. Again! *Res inter alios acta and the recent ruling in Road Accident Fund v Lechner* [2011] ZASCA 240, Annual Law Teachers' Conference, Nelson Mandela Metropolitan University, Port Elizabeth, 13 July 2012.

24. Permanent impairment, road accident victims and the "AMA Guides": adding insult to injury? Conference on Private Law and Social Justice 2012, Nelson Mandela Metropolitan University, Port Elizabeth, 21 August 2012.

### 2013

25. "The Financial Advisory and Intermediary Services (FAIS) Act and the proposed Microinsurance Act", The Wanderers Club, Illovo, Johannesburg Institute for International Research Third Annual Microinsurance Conference, 22-24 January 2013.

26. "Law of third party compensation, insurance and the FAIS Act", University of Johannesburg Annual Banking Law Update Indaba Hotel, Sandton, Johannesburg, 17 April 2013.

27. "Ensuring that your policy wording is reasonable and compliant with TCF", Institute for International Research Insurance Regulation Conference, The Hyatt Hotel, Rosebank, Johannesburg, 25 April 2013.

28. "A few more arrows in the Registrar's quiver? A critical look at the latest amendments to the Financial Advisory and Intermediaries Act 37 of 2002". Law Faculty, University of Johannesburg, 22 May 2013.

29. Consumer Protection Act, Medical Schemes Act and the Health Insurance Industry Trade conferences International Medical Aid and Insurance Conference, 7-8 August 2013.

30. "Through the looking glass: Fairness in insurance contracts - a caucus race?" Inaugural Address, Professorial inauguration, University of Johannesburg, 10 September 2013.

31. *Hello, Popi? on Cold Calling, Financial Intermediaries and Advisors and the Protection of Personal Information Bill* Conference on Private Law and Social Justice 2012, Nelson Mandela Metropolitan University, Port Elizabeth, 19-20 August 2013

### 2014

31. Of red herrings, sardines and insurance fraud: Something's fishy in *P K Harikasun v New National Assurance Company Ltd* (Unreported case High Court, KwaZulu Natal nr 190/2008 of 12 December 2013), Faculty seminar, University of Johannesburg, 6 May 2014.

32. The new RABS system, seminar for the *Regslui vir Afrikaans*, Pretoria, 13 May 2014.

33. An overview of contingency fees for personal injury cases in the light of *Justin John Bitter N.O v Ronald Bobroff & Partners Inc and the Road Accident Fund*, Private Law and Social Justice 2014, Port Elizabeth, 18-19 August 2014.

## **2015**

34. Is good advice rarer than rubies? Of onerous clauses, insurance contracts and fairness

Private Law and Social Justice 2014, Port Elizabeth, 22-23 August 2015

## **2017**

35. Fairness, equity and insurance law

Santam seminar on Equity and Insurance Law, Pretoria, 17 February 2017

36. Fairness, equity and insurance law

Santam seminar on Equity and Insurance Law, Pretoria, 17 February 2017

37. Fairness, equity and insurance law

Santam seminar on Equity and Insurance Law, Johannesburg, 25 October 2017

38. Fairness, equity and insurance law

Santam seminar on Equity and Insurance Law, Bellville, 27 October 2017

## **2018**

39. Fairness, equity and insurance law

Santam seminar on Equity and Insurance Law, Pretoria, 28 March 2018

40. Fairness, equity and insurance law

Santam seminar on Equity and Insurance Law, Pretoria, 9 May 2018

41. Utmost good faith is dead, long live utmost good faith? A historical overview of marine insurance in England and South Africa (Co-authored with Samantha Huneberg)

Presented at the NMU/UJ engagement, 23-24 August 2018.

## **INTERNATIONAL**

### **2004**

1. "Actuarial Science v Equity: Contingency Deductions for Future Loss of Earnings and the HIV/AIDS Pandemic" International Conference on Constitutional Law, Santiago de Chile

2. "Disability: a South African Perspective" Social Security Conference in Bergen, Norway.

3. "Disability: Shortcomings in the South African System" Social Security Conference with Norwegian counterparts, Cape Town.

### **2005**

4. "Corporate social responsibility and insurance: a South African Perspective" International Conference on Corporate Social Responsibility, Udaipur, India.

5. "Sexual harassment in the Workplace: A South African Perspective" Gender, work and Organisation: Fourth International Interdisciplinary Conference, Keele, United Kingdom.

6. “Human damage, disability and testing models: can South Africa learn something from Norway?” SA/Norway Research Project Colloquium held at Johannesburg.

7. “Informal Social Security and the Self-employed: The Case for including the Self-Employed in Social protection Structures” 4<sup>th</sup> IIRA African Regional Congress held at Mauritius.

### **2006**

8. “Access to social security for non-citizens and informal sector workers” Max Planck Institute for Foreign and Comparative Social Law, Munich Germany and Centre for International and Comparative Labour Law and Social Security Law seminar held at Johannesburg.

### **2008**

9. “Protecting communities against the effects of occupational hazards: Extended damages in South African and Belgian law” 8<sup>th</sup> International Work Congress on Work Injury Prevention, Rehabilitation and Compensation held at Durban.

10. “The Missing Link: Collateral benefits, Law of Damages and Social Security Law: A Marriage of True Minds?” Athens Institute for Education and Research 5<sup>th</sup> International Conference on law, 17-20 July 2008, Athens, Greece.

### **2010**

11. Millard, D “Financial service providers, clients and disputes; a plea for greater awareness of alternative dispute resolution mechanisms” International Conference on Practising Law, 15-16 July 2010, London, United Kingdom.

12. Millard, D “Analysing key challenges you will face when entering the Microinsurance Market: A South African Perspective.” ILTC Conference, 2- 5 November, Barcelona, Spain.

### **2011**

13. Athens Institute for Education and Research 8<sup>th</sup> International Conference on law held in Athens, Greece “Permanent Impairment, Road Accident Victims and the “AMA Guides”: Going Out on a Limb?” 18-21 July, Athens, Greece.

14. The 6<sup>th</sup> International Conference on Legal, Security and Privacy Issues in IT, 2<sup>nd</sup> Intl. Conference on Private Law and the 5<sup>th</sup> International Law and Trade Conference and 1<sup>st</sup> Public Law Conference held at Nicosia, Cyprus Joint paper with Botha, MM “Something’s got to give: The Future of Financial Advisors and Intermediaries as Employees. 19-22 September 2011.

### **2012**

15. The role of alternative dispute resolution systems in the financial services industry Seminar at Beijing Normal University, interaction between UJ and Beijing Normal University, Wednesday 6 June 2012.

16. On duty! Or not? The past, present and future of vicarious liability in South Africa (with MM Botha) ILTC Conference Athens, Greece Tuesday 2 October.



### **2013**

17. Financial intermediaries and advisors and the Protection of Personal Information Bill, Faculty Seminar, Law School, Deakin University, Geelong, Australia, Wednesday 26 June.

18. Microinsurance and consumer protection: Can the principles of microinsurance legislation be applied to other insurance contracts? A South African perspective 14<sup>th</sup> International Association of Consumer Law Conference The University of Sydney, 1-4 July 2013.

19. The buck stops...where, exactly? On outsourcing and liability towards third parties. 2013 IAITL Conference 11-15 November, Bangkok, Thailand.

### **2014**

20. Microinsurance: An alternative for the 21<sup>st</sup> century in the South and te North, Proposed Microinsurance Framework for South Africa, Brussels, Belgium, 20 June 2014.

21. *Associacion Internationale de Droit Assurances* (AIDA) XIV World Congress 2014, Global trends in insurance law, co-author with Birgit Kuschke on the South African Chapter on Transparency in Insurance Law, Rome, Italy, 28 September – 2 October.

### **2015**

22. The Draft Paper on Microinsurance: Facts and comments  
Presented at Microinsurance: A tale of two jurisdictions, an international conference held at Johannesburg on 16 January with Prof Kris Bernauw (UGhent) under a grant from the Fondation Européenne des Fondations (Grand Duchy of Luxembourg) and under the scientific supervision of the Universities of Ghent and Johannesburg

### **2016**

22. The quest for fairness in the rendering of financial advice and intermediary services in light of the retail distribution review  
Presented at the UJ/University of Augsburg joint conference held at Augsburg, Germany from 22-23 June 2016.

### **2017**

23. Good faith in contracts: a South African Perspective  
Presented at Exeter University on 30 July 2017

24. Alternative dispute resolution in Insurance Contracts: a South African Perspective  
Presented at the Russian Chapter of AIDA, Moscow, 14 September 2017.

25. Alternative dispute resolution in Insurance Contracts: a South African Perspective  
Presented at the Asia Pacific Presidential Council meeting of AIDA, Singapore, 18 October 2017.

### **2018**

26. Where is the love? A critical look at *Komape and Others v Minister of Basic Education* (1416/2015) [2018] ZALMPPHC 18

Presented at the Nelson Mandela University's 10<sup>th</sup> Annual conference on private law and social justice held at Port Elizabeth.

27. The insurance Act and Consumer Protection: Visualising Twin Peaks, presented at the Third University of Pretoria International Consumer Law Conference (UPICLC), held at Pretoria, 25 to 27 September 2018.

28. The balance between the duties of the insurer and the policyholder: a South African perspective presented at the AIDA Rio XV Conference from 10-13 October in Rio de Janeiro, Brazil.

### **2019**

29. Does South Africa need a special dispensation for contracts with government and state-owned enterprises? Presented at the Slovenian and South African Legal orders: Convergence and Divergence conference at the University of Johannesburg, South Africa on 7 March 2019.

30. Market conduct regulation in perspective: Triumphs and tribulations post Twin Peaks, prepared with Jackie Maholo, presented at the UJ/University of Augsburg joint conference held at Chiemsee, Germany from 6-7 June 2019.

### **ABSTRACTS ACCEPTED**

Millard, D "The fairest in the land? Microinsurance and the balance between macro and micro power relationships" to be presented at the Nelson Mandela University's 11<sup>th</sup> Annual conference on private law and social justice at Port Elizabeth, on 19-20 August 2019.

Millard, D "Gaming as an innovative teaching tool for Law of Delict" to be presented at the first Law of Delict Colloquium at the Nelson Mandela University, Port Elizabeth, 21 August 2019.

Millard, D "The IDD- A comparative Study From A South African Perspective" to be presented at the 8th AIDA Europe Conference, to be held in Lisbon, Portugal, on 3 & 4 October 2019.

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### **TEAMWORK AND COLLABORATION WITH OTHERS**

- Prof Loma Steynberg, University of South Africa, on Law of Damages
- Prof Chris Bernauw, Ghent, on insurance law.
- Prof Birgit Kuschke on South African Chapter for Association des Droit des Assurances (AIDA) and the South African Chapter for the International Insurance Encyclopedia (Kluwer)
- Prof Niek Grové on Insurance and Compliance with the UP Chair in Insurance Law
- Mr Peter Tyldesley, Exeter University, on good faith in contract law
- Prof Kyriaki Noussia, Exeter University, on insurance law and regulation in Europe
- Prof Pierpaolo Marano, Associate Professor, Università Cattolica del Sacro Cuore, Milan.

### **MEMBERSHIP IN NATIONAL AND INTERNATIONAL BODIES**

Co-contributor to the South African Chapter for Association des Droit des Assurances (AIDA)

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**VISITS TO LOCAL AND OVERSEAS UNIVERSITIES OR RESEARCH INSTITUTES AS GUEST PROFESSOR OR RESEARCHER**

- Max Planck Institute for International Law, Researcher 2000
- Max Planck Institute for International Law, Alumnus, 2007
- Max Planck Institute for International Law, Alumnus, 2008
- Institute for Applied Legal Studies, July 2010
- Deakin University, June 2013
- University of Auckland, June-July 2013
- University of Exeter, United Kingdom, July 2017

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**EVENTS ORGANISED**

1. First Annual Forum for Medicine and the Law, 27 November 2014 at the University of Johannesburg.  
2. Microinsurance: A Tale of Two Jurisdictions, 16 January 2015 at the University of Johannesburg in corroboration with the University of Ghent.

3. Environmental damage, insurance law and legal policy: conversations between Australia and SADC.  
4. Second Annual Forum for Medicine and the Law, November 2015 at the University of Johannesburg.  
5. "North, South and in-between: Fairness, transparency and emerging themes in insurance" at the University of Johannesburg, 19 August 2016.  
6. UJ annual Teaching and Learning Indabas, 2017, 2018 and 2019.

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**COMMUNITY SERVICE OR PROFESSIONAL SKILLS**

**Professional services performed**

Legal opinions for various institutions, including CenFri, Old Mutual and Liberty. This involves inter alia the re-drafting of insurance contracts and other client communications in plain language.

**Clinical service**

Advice, consultation and training 2006 onwards at the Legal Aid Clinic, University of Pretoria.

**Community service**

Member: Research Ethics Committee, Law Faculty and Medical Faculty, University of Pretoria (Student committee) 2005-2011 (February).

Member: Research ethics Committee, Medical Faculty, University of Johannesburg (August 2017 – date).

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**MEMBERSHIP OF EDITORIAL BOARDS**

Member: Editorial Board of the AIDA Europe Research Series on Insurance Law and Regulation.

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**INVOLVEMENT WITH OTHER UNIVERSITIES/SCIENTIFIC INSTITUTIONS**

- External examiner: Fort Hare: Insurance Law
- External examiner: University of Johannesburg (Formerly Technicon) Commercial Law
- External Examiner: PGDSS Diploma, University of Johannesburg
- External Examiner: University of Swaziland: Law of Delict
- External Examiner: North West University: Insurance law and Third Party Compensation
- External examiner: Social Security law, University of Pretoria
- External examiner: Law of Damages: University of South Africa
- External examiner: Insurance Law: North West University
- External examiner: Insurance Law: University of the Witwatersrand
- External Examiner: Tort Law: University of Malawi

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### **REFEREE DUTIES**

- Ad Hoc refereeing of articles for journals.

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### **AWARDS**

2015

Prize for the best contribution in 2014 awarded by the *Vereniging Hugo de Groot* for the article “Through the looking glass: Fairness in insurance contracts – A caucus race?” in the November 2014 edition of the *Journal of Contemporary Roman-Dutch Law*

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### **LEADERSHIP**

2014 – DECEMBER 2016

Nominated as the Faculty of Law’s representative on the Senior Student Experience (SSE) project. This involves the implementation of university policy in the Faculty of Law and providing feedback on teaching and learning activities in the law faculty.

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### **MANAGEMENT**

AUGUST 2016 – JULY 2019

-Appointed as Vice Dean for the Faculty of Law (teaching and learning and research) and Vice Dean: Teaching and Learning (from 1 July 2016 to 31 July 2019).

This involves strategic initiatives in all aspects of teaching and learning and quality control of all Faculty programmes, including short learning programmes.

-Member of the UJ Industry 4.0 Teaching and Learning Committee, MOOC Task team, chaired by Prof Angina Parekh

-Facilitator: UJ internal, inter-faculty quality reviews

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### **NATIONAL RESEARCH FOUNDATION RATING**

Currently holding a C2 rating (awarded in 2018).

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### **COMMITTEE WORK**

Member of the Faculty Appeals Committee on academic exclusions  
Member of the Faculty Higher Degrees Committee  
Member of the Dean's Committee  
Chair of the Faculty Teaching and Learning Year Group Committees.  
Trustee of the UJ Pension Fund  
Member of the Faculty of Health Ethics Committee