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COMPANY PROFILE 2023

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1. ABOUT US

Johnston & Partners was established and has been in practice since 1996. The Firm has a staff contingent of approximately 35 people, comprising of three Senior Attorneys, ten Junior Attorneys, three Candidate Attorneys and a number of secretaries, paralegals, bookkeepers and messengers.

Andrew Johnston, who is the Senior Partner of Johnston & Partners, has been practicing law since 1985 and is experienced in Commercial Law, Banking Law and Insurance Law and particularly specializes in Commercial Law, Business Rescue, Liquidations and Sequestrations, Foreclosures and Repossessions. Johnston and Partners has over a period of time been recognized as one of the forerunners in relation to Liquidation and Sequestration applications in KwaZulu-Natal.

Johnston & Partners prides itself for being on some of the major Banking and Insurance Panels in addition to having a substantial and well-established Conveyancing practice.



2. MISSION STATEMENT

Our mission is to take a genuine interest in our clients, understand their objectives, and meet or exceed their expectations.

We dedicate ourselves to these values:

- For our clients, we strive to work hard, provide superior legal services on a timely, effective, and proficient basis, and maintain the highest standard of professional integrity.
- For our Firm, we foster an enjoyable working environment, based on open communication and mutual respect, and encourage initiative, innovation, teamwork, and loyalty. We are committed to the promotion of transformation by creating a diverse and inclusive culture within our firm.
- For our community, we will continue our long tradition of service and leadership.

3. VALUES



INTEGRITY

To be honest, trustworthy, respectful and ethical in our actions. To honor our commitments and to be accountable to our clients, partners and service providers



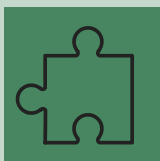
CLIENT FOCUS

To fully understand our clients' requirements, challenges, objectives and goals and to maximize the value of our services to our clients including safeguarding the security and confidentiality of their information.



INTELLECTUAL RIGOUR

To be meticulous in our attention to detail. To extract larger meaning from data and information to support objective evaluation, decision making and innovation.



COLLABORATION

To seek, share and respect diverse perspectives and to function as a team with our colleagues, clients and third party providers. To openly communicate all relevant information consistently and constructively.



EXCELLENCE

To relentlessly pursue delivery of outstanding results in all aspects of our practice.

4. OUR SERVICES

Our Firm specializes in all areas of law including:

- High Court and Magistrates' Court Litigation
- Commercial Law
- Business Rescue
- Liquidations and Sequestrations
- Foreclosures and Repossessions
- Recoveries and Collections
- Insurance Law
- Matrimonial Law
- Third Party and Indemnity Compensation
- Estate Planning
- Trusts and Conveyancing

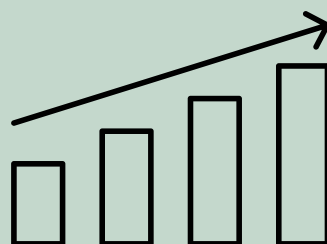
We believe that we are in a position to satisfy all your legal requirements and that our Firm is structured to ensure that all matters are handled in a competent and professional manner.

5. PERFORMANCE

For one of the major financial institutions, for the year ending 2021, our Firm was ranked first nationally in the On Balance Sheet Commercial and Small Medium Enterprise Recoveries (including Agri & Wealth).

In addition hereto, our performance extends to Off Balance Sheet matters where we achieved 144% of target in Commercial Asset Finance Recoveries. This was achieved by undergoing investigations on assets held and facilitating settlements.

We are consistently ranked in the top 3 nationally in relation to Vehicle Asset Finance matters and Home Loan recoveries, out of 22 Firms.



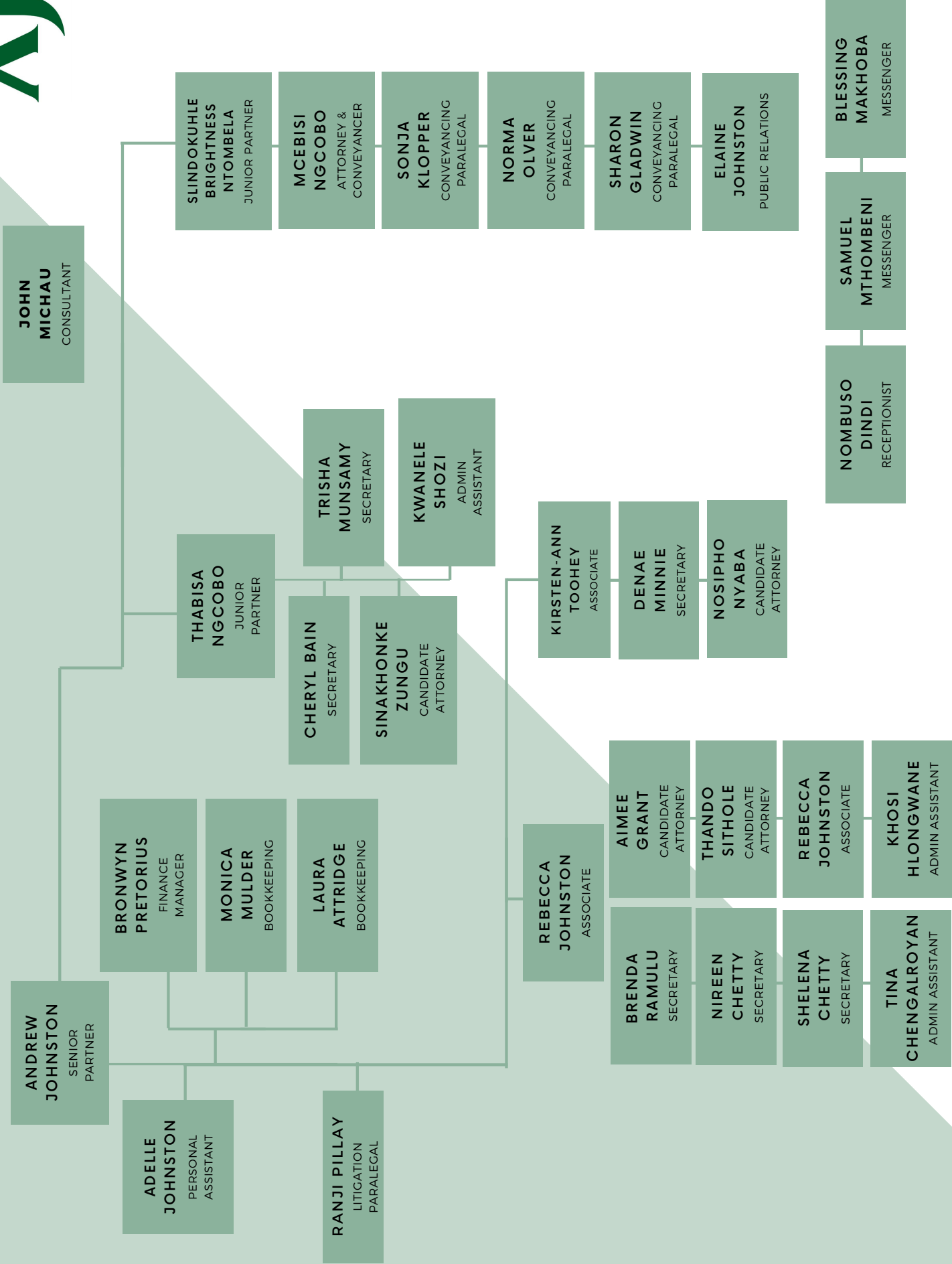
6. CONTINUITY

- As aforementioned, Johnston & Partners was established in 1996 and thus has been in practice for 26 years.
- Andrew Johnston has no intention of retiring for at least the next 5-6 years however continuity has always been a consideration and with this in mind, two dynamic junior partners have been appointed.
- Thabisa Ngcobo heads up the Vehicle Asset Finance Department at the Firm and regularly scores in the top three during the quarterly performance reviews. In fact, in September 2021, our undefended VAF Department was ranked first nationally.
- Brightness Ntombela assists our Conveyancer in relation to property transfers, including sales in execution as well as bonds and registrations.
- They are assisted by not only Andrew Johnston but other Senior professionals, with the support of the Junior professionals, Candidate Attorneys and secretarial staff.
- Overall, there is wealth of knowledge and expertise and the Firm will only continue to grow with the addition of more Partners in the years to come.

7. RATES / FEES

- We are negotiable on fees and are willing to discuss and agree upon terms of a Service Level Agreement that is mutually beneficial to both parties.
- In addition, we draft most of our own Pleadings and Affidavits in-house, as opposed to instructing Counsel, at a significant cost saving to our clients whether corporate or individuals.

8. ORGANIGRAM



9. TRAINING AND SKILLS DEVELOPMENT

- The Firm's Senior Professionals assist and guide the Junior Professionals, Candidate Attorneys and other staff members in all aspects of legal practice.
- Staff are encouraged to participate and attend various lectures offered by L.E.A.D. from time to time, which is paid for by Johnston & Partners.
- In addition, Advocates with whom we have a good working relationship on occasion attend our offices to offer training sessions on certain law topics which are relevant to the Firm's line of practice.
- Support staff are encouraged to further their studies. In fact, our present Conveyancer, Mcebisi Ngcobo, was employed as a Conveyancing Paralegal for many years whilst studying towards his LLB degree. Johnston & Partners assisted Mcebisi with exam preparation, devoting time to assist him with tuition, training and advice insofar as his studies were concerned.
- We are on a major drive to assist with skills and learning development of previously disadvantaged persons. The Firm has partnered with the I CAN learnership programme and has sponsored its first learner who performed extremely well. The Firm has since employed the learner as an administrative assistant.
- The Firm is currently engaging with the Production Management Institute of South Africa (Pty) Limited to sponsor its second learner under the I CAN programme with a view to offering the learner permanent employment in the future.

10. CODE OF CONDUCT AND BUSINESS INTEGRITY

Johnston & Partners upholds the highest standard of ethics, with particular reference to anti-bribery and corruption.

- All staff are required to maintain the highest level of honesty, integrity and ethical conduct not only with clients and corporates but also amongst other staff members, third parties and any and all persons that staff may otherwise engage with during the course and scope of their employment.
- All staff must appraise themselves of any and all Service Level Agreements with clients and/or corporates that Johnston & Partners may be a party to and to act with due regard as to what is contained therein so that there can be no confusion as to the level of expectancy that is required of them.
- The giving and receiving of gifts or hospitality events and/or functions is sometimes an important aspect of maintaining and developing business relationships. All gifts and hospitality events and/or functions must be for genuine reasons and must not fall outside the ordinary course of business. It is strictly prohibited to give and/or receive gifts or to attend and/or invite any client, corporate or third party to a hospitality event and/or function with the sole intention to receive work or some form of remuneration from that individual.
- Likewise, it is strictly prohibited to give and/or receive a gift with the intention of influencing that person to increase the speed in which they perform their job and/or any specific duty.
- Any and all discounts that may be offered to any client are to be considered taking into account various factors including but not limited to previously disadvantaged persons, pro bono services that our profession may dictate from time to time and the overall nature and scope of the work and/or service that was performed. It is strictly prohibited to offer a discount to any client for the purpose of receiving additional future work or some form of remuneration from that client.
- All staff are required to immediately disclose whether he/she or any of their immediate family members are connected or in any way affiliated with any client, corporate, third parties and any and all persons that they may otherwise engage with during the course and scope of their employment.
- Donations and/or gifts to any charitable events and/or organisations are to be done gratuitously for the benefit of corporate social investment/development only.
- All staff are required to immediately report any act or suspected act of bribery and/or corruption to Andrew Johnston who will then perform the necessary investigations.
- Failure to comply with this policy will be viewed in an extremely serious light and will result in disciplinary action. Criminal charges may also be brought, if so warranted.

11. B-BBEE

At Johnston & Partners we believe in nurturing and developing the communities we serve, and our development campaign focuses on equal opportunity and education. The firm is 25% black female owned with active participation in the management of the Firm. We are committed to transformation and the Firm is currently a Level 2 B-BBEE Contributor.

**BROAD BASED BLACK ECONOMIC
EMPOWERMENT CERTIFICATE**

**VISION
VERIFICATION**



QUALIFYING SMALL ENTERPRISE SCORECARD

JOHNSTON & PARTNERS

Registration Number: N/A

VAT Number: 4560284806

Address: 81 Richefond Circle, Ridgeside Office Park, Umhlanga Rocks, KwaZulu-Natal, 4319

CERTIFICATE NO: VV217/REV00/06/2022

This certificate is issued in accordance with the DTI General Code issued in terms of the Broad-Based Black Economic Empowerment Act (53 of 2003) on 31 May 2019 – 42496. The information used to prepare this scorecard is confidential to Vision Verification.

LEVEL TWO CONTRIBUTOR		
SCORECARD ELEMENT	ACTUAL SCORE	TARGET SCORE
Ownership	25.00	25.00
Management Control	12.69	15.00
Skills Development	30.00	25.00
Enterprise & Supplier Development	26.32	30.00
Socio-Economic Development	5.00	5.00
TOTAL SCORE	99.00	100.00

B-BBEE STATUS

Black Ownership Percentage	25.00%	Procurement Recognition Level	125.00%
Black Female Ownership Percentage	25.00%	Empowering Supplier	Yes
Black Owned Designated Group	25.00%	Black Owned Designated Group	No
Black People Living in Rural Areas	0.00%	Modified Flow-Through Applicable	No
Black Military Veterans	0.00%	Discounting Principle Applicable	No
Black Youth	25.00%	Exclusion Principle Applicable	No
Black Disabled	0.00%	Participated in Y.E.S Initiative	No
Black Unemployed	0.00%	Achieve Y.E.S Target and 2.5% Absorption	No
Black New Entrant	25.00%	Achieve 1.5 x Y.E.S Target and 5% Absorption	No
Financial Year End	28 February 2022	Achieve double x Y.E.S Target and 5% Absorption	No

Date Issued 01 June 2022
Reissue date N/A
Expiry Date 31 May 2023

This certificate is valid for 12 months from date of issue.

For any enquiries, please contact Riyadh Hoosen on (031) 312 0618 or riyadh@visionverification.co.za



**Director: R. HOOSEN
TECHNICAL SIGNATORY**

Vision Verification (Pty) Ltd
Riyadh Hoosen
Managing Director

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Email: info@visionverification.co.za

Head Office
Florida Fields, 295 Florida Road,
Morningside, Durban



Visit us at www.visionverification.co.za

12. SOCIAL RESPONSIBILITY

The Firm participates in various Corporate Social Investment ("CSI") programs which undoubtedly play an important role, particularly in South Africa where social needs are considerable.

As part of our contribution, we donate funds and/or supplies to the Domino Foundation on an annual basis.

The Domino Foundation is a non-profit organization that creates essential structures geared to meet the needs of the vulnerable and impoverished communities.

The Domino effect is achieved through focused interventions which include:

- Domino Babies Homes;
- Domino Feeding;
- Domino Early Childhood Development;
- Domino Life Skills;
- Domino Literacy Program.

We also participate and sponsor / donate towards various Fundraisers throughout the year.

Substantial discounts are given to disadvantaged and/or previously disadvantaged persons, particularly in Conveyancing matters.

Significant time, funds and resources are accordingly invested to ensure that we meet our CSI goals which we strive to maintain and exceed in the years to come.

13. POPI/ PAIA POLICY

At Johnston and Partners we are committed to keeping your personal information safe. We have compiled a PAIA Manual which outlines where and how we keep personal information safe.

Our PAIA Manual is available for inspection, at the offices of Johnston & Partners and on our website.

14. ENVIRONMENTAL POLICY

Johnston & Partners is committed to minimizing our potential impact on the environment and operate in compliance with all relevant environmental legislation.

Due to the nature of our profession, we cannot employ a completely “paperless” approach and our primary focus is on ensuring minimal paper waste and continual recycling.

We have been proactive and have engaged with an accredited and reputable third party company who supplies our offices with sealed bins into which all our paper waste is deposited. These bins are then collected on a regular basis, the contents shredded and then recycled.

We are considered to be a low contributor to greenhouse gas emission, being a company that solely renders professional services, with an associated limited impact on the environment.

Although we have a low carbon footprint, we strive to maintain the following values when it comes to environmental impact:

- We promote awareness amongst our staff and encourage them to maintain an environmental friendly workplace;
- We encourage and discipline our staff to utilize resources efficiently and with minimal waste including water and electricity;
- We reduce waste by recycling all paper and other recycle products;

We strive to continually improve our environmental awareness by reviewing our internal policies on a regular basis.

15. HEALTH AND SAFETY POLICY

The health and safety of our staff is a priority to Johnston & Partners. We are committed to providing and maintaining, as far as practicably possible, a working environment that is safe and without risk to the health of our staff.

The provisions of the Occupational Health and Safety Act, No. 85 of 1993, together with all other applicable legislative requirements are strictly adhered to insofar as may be necessary.

Every employee is entitled to work in a safe and healthy environment and we strive to eliminate and/or minimize any hazards that can lead to accidents and/or injuries.

All staff recognize that they play a vital role in ensuring the health and safety of others in the workplace and that unacceptable conduct that poses a risk to the health and safety of staff, clients and other third parties will not be tolerated.

The staff must fully acquaint themselves with the route of the fire escape and the procedures to be followed in the event of a fire or other emergency. The lift must not be used in these circumstances.

In accordance with the relevant legislation, smoking is strictly prohibited in the office parameters.

All staff are required to immediately report any accidents and/or injuries, alternatively any incident(s) that may result in accidents or injuries, to Andrew Johnston or a member of Senior Management whom will immediately take the appropriate steps to address the situation and implement any health and safety procedures as may be necessary.

The Covid-19 pandemic has seen a need to implement additional safety protocols, including but not limited to:

- All staff are required to wear a mask at all times except when they are sitting at their desk or work station with a space of at least 1 metre between them and another staff member;
- Only 2 persons are allowed in the kitchen at any time with masks to be worn;
- If a staff member experiences any flu-like symptoms or any other known symptoms of Covid-19, they are not to come into the office but are first required to have a PCR test. Upon receipt of a negative test result, the employee in question may return to work.
- regular hand-washing / hand-sanitizing is to be practiced.



16. HUMAN RIGHTS, EQUALITY AND DIVERSITY POLICY

The Constitution is the foundation for human rights and equality in South Africa.

Johnston & Partners strives to uphold the values entrenched in the Constitution with the following objectives:

- To promote human rights within the workplace, the observance, respect and protection thereof;
- Develop an awareness of human rights amongst staff members;
- Monitor and assess the compliance with human rights in the workplace;
- Investigate any alleged violation of any human rights and take appropriate measures to address the violation.

We expect our staff, suppliers and other third parties to share our commitment to high moral and ethical standards and in particular to treat all persons with dignity and respect.

All persons, whether staff members, clients or otherwise are treated fairly and without discrimination of race, ancestry, colour, ethnic origin, nationality, citizenship, gender, sexual orientation, age, marital status, disability, pregnancy, religion, political persuasion, etc.

Any form of discrimination and/or harassment will not be tolerated at any level.

Johnston & Partners promotes equality and diversity in the working environment. All staff are treated equally and have the same access to promotion and progression within the firm. Johnston & Partners understands, appreciates and values the different set of skills and abilities each staff member offers and prides itself in a diverse staff complement.



17. FRAUD IDENTIFICATION AND PREVENTION

Johnston & Partners employs strict internal policies and procedures to identify and prevent fraudulent transactions. These are adhered to by all relevant staff, without exception. This is to prevent potential fraud and otherwise ensure the smooth and efficient running of the practice. Failure to comply with the Firm's internal policies and procedures is viewed in a very serious light and disciplinary action will be taken, if necessary.

The policies and procedures include but are not limited to the following:

- Upon receipt of an email advising of a change in personal and/or other details, we immediately authenticate the email by calling the client on the number we already have on file. Should the change in details extend to a change of address, updated FICA (i.e. proof of address) is to be obtained.
- Upon receipt of an email requesting a change of banking details, we immediately authenticate the email before transferring any funds. To do this, we once again call the number we already have on file for the client and confirm that the email did in fact emanate from him/her. Our staff are under strict instructions not to phone a new contact number that may be provided in the email as this may also be fabricated.
- All clients who intend changing their banking details are to furnish our offices with proof of the banking details in the form of a cancelled cheque, statement, letter from the bank concerned or similar document. Only an original will be accepted.
- Client's signatures on any documentation are verified.
- Any negotiations and/or proposals by clients and/or third parties (for example Debtors) are to be reduced to writing to our offices.
- Any telephonic instruction received is immediately to be confirmed in writing to the client.

17. FRAUD IDENTIFICATION AND PREVENTION

Our staff are to exercise caution when receiving an email instruction in the following circumstances:

- instructions containing spelling or grammatical errors that are not in the appropriate language, tone and format the client would ordinarily use;
- the client requests an urgent payment;
- requests for payments to new beneficiaries;
- the client requests not to be contacted telephonically to verify the instruction and gives a reason as to why he/she is not contactable;
- the instruction does not align with the client's normal behavior, i.e. the client would not normally make requests in this manner;
- the client makes a mobile number change and shortly thereafter requests a payment to a new beneficiary.

Any of the instances listed above would immediately raise suspicion and the appropriate steps would be taken.

18. PHYSICAL SECURITY

The Firm is situated on the second floor of the building known as 81 Richefond Circle which is based in Ridgeside Office Park, Umhlanga Rocks, KwaZulu-Natal.

Ridegside Office Park is a well-established and upmarket office park that prioritizes safety and security.

We confirm that:

- the Firm has a 24 hour armed response alarm system in place with Blue Security;
- a dedicated security guard who patrols the building and car park;
- the ground floor door to the building automatically locks with an intercom system in place for access control;
- the front door to the Firm is locked at all times with access control;
- the Firm has installed a security gate and burglar bars to the server room which is locked at all times with limited staff access (only two (2) long standing employees have access to the keys to the server room).

19. IT SECURITY

Johnston & Partners have engaged the services of Netelligent Consulting who ensure that the Firm's IT infrastructure and cyber security is of the highest standard. The Firm utilizes a hybrid model of on premise and cloud services to store data or information received from our clients.

We have implemented the following security measures to protect our systems:

- Sophos XGS Next Generation Firewall. The SOPHOS XGS, "The world's best visibility, protection, and response to the modern online threat landscape" . Sophos XG Firewall provides all the latest advanced technology to protect data from ransomware and advanced threats including top rated Intrusion Prevention System and Advanced Threat Protection
- Sophos Intercept X Antivirus. Closely tied to the Sophos firewall, synchronised security forms a heartbeat between company computers and the firewall, to ensure all round security of the network.
- Office 365 Business Suite, with all the benefits of the enterprise grade security it offers.
- TLS Encryption (Preventing others from reading content of mail)
- 2 Factor Authentication (Preventing unauthorised login to email accounts)
- Data Leak Prevention Policies.
- Encrypted nightly local and cloud backup of data to Ensure continuity of the business as part of the disaster recovery plan
- Network and Data security measures are monitored and maintained for compliance and efficacy.

19. IT SECURITY CONTINUED

DATA TYPE	BACKUP LOCATION & DETAILS	FREQUENCY	NOTIFICATIONS
EMAIL	Archiving and Email backup is setup with office 365 Best Practice.	This is a live backup and replication between office 365 and Mimecast (SYNAQ)	No backup notations are required for this.
GHOST PRACTICE	Server 2016 box is running SQL Express, Backups are done with (SQL 2017 express) – Backed up to NAS and Local HDD. Acronis Backup runs nightly as well	Nightly Backups to NAS and Local HDD of server with SQL Backup & FTP (7pm Schedule) Acronis is scheduled to start at 7pm	Notifications for this backup are sent to the ticket system
Lexis Convey	Server 2016 box is running SQL Express, Backups are done with (SQL 2017 express) Backed up to NAS and Local HDD. Acronis Backup runs nightly as well as a full VM backup	Nightly Backups to NAS and Local HDD of server with SQL Backup & FTP (7pm Schedule) Acronis is scheduled to start at 7pm	Notifications for this backup are sent to the ticket system
Data Files/User and Company Files	Iperius Backup performs incremental backups of all user folders and shared directories to the NAS drive. Acronis Backup runs nightly as well as a full VM backup	Iperius backup runs at 6pm, Nightly Acronis is scheduled to start at 7pm	Notifications for this backup are sent to the ticket system
VOIP Config and Recordings	Cloud Hosted with Netelligent YMP. No onsite equipment	Backed with Veeam on Netelligent Hosted Solution	Netelligent Managed Service
SOPHOS Firewall	XGS136. Statistics. Configuration backups are setup using automated email backups	Weekly Sophos backups (Sunday 00:00)	Backups are sent to the ticket system for archiving

20. GHOST PRACTICE SOFTWARE

Ghost Practice is renowned for being the most innovative legal software platform available in the legal fraternity, which platform is currently being utilized by Johnston & Partners to:

- manage billing & trust accounting,
- manage matters & documents,
- manage tasks & milestones and
- streamline document assembly

Ghost Practice assists with facilitating fraud prevention, security of data and access to data as it runs on a Microsoft SQL database which database is owned and controlled by Johnston & Partners to ensure maximum security of stored data.

21. THE LEGAL PRACTITIONERS INDEMNITY INSURANCE FUND CERTIFICATE



Jessann Samben
Client Executive

29th June 2022

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309 Umhlanga Rocks Drive
Umhlanga Ridge, 4051
South Africa
Tel +27 31 830 6038
Jessann.samben@marsh.com
www.marsh-africa.com

Certificate of Insurance

To Whom It May Concern

Dear Sirs

Johnston & Partners

Professional Indemnity – Insurance Confirmation

This letter shall serve to confirm that we arrange Professional Indemnity cover on behalf of the above practice, subject to the terms and conditions on the policy - on the following basis:

Insured : Johnston & Partners

Address : **PO Box 3823**
Durban
4000

Policy Period : 01st July 2022 to 30th June 2023 (both dates included)

Limit of Indemnity : **R 30 000 000** Each and Every Claim inclusive of Costs

Insurer : Leppard & Associates (Pty) Ltd

Policy Number : P51 004831

We confirm that the above policy is currently in place. Should you require any additional information, please do not hesitate to contact this office.

Yours Sincerely

Jessann Samben

An authorised financial services provider
FSP Licence no.: 7784
Registration no.: 1993/005898/07
Directors: S Fatouros, K Groenewald, M Pienaar, GA Royston

LEADERSHIP, KNOWLEDGE, SOLUTIONS...WORLDWIDE.

22. REFERENCES

- John Garbers (MAN Financial Services)
082 874 6742 | John.Garbers@absa.africa
- Mandy Becker (Absa On Balance SME & Wealth)
083 454 9004 | Mandy.Becker@absa.africa
- Alicia Thandroyen (Absa Manager: Wealth & SME)
076 264 4638 | Alicia.Thandroyen@absa.africa
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