



### WHAT IS THIS SERVICE?

1. Tokiso offers conferencing facilities through online tools. This enables panellists, representatives, witnesses, and other participants in processes, to connect to a meeting through an online video conferencing tool. This will enable all parties to be able to view and hear each other on a screen.
2. This guideline provides the requirements for using such conferencing tools for processes through Tokiso.

### WHAT ARE THE CONNECTIVITY REQUIREMENTS?

3. To use conferencing tools, a minimum download and upload speed of 2Mbps is required.
4. If you are unsure of your connectivity speed, this can be tested on [www.speedtest.net](http://www.speedtest.net).
5. The connectivity speed is required for all parties who are connecting.
6. If there is load shedding, it is recommended that the affected party to the conferencing call have an alternative connection option such as 3G. It is the responsibility of each party connecting to ensure that they are aware of when loadshedding is taking place and that they have an alternative option to connect should they not have electricity due to loadshedding.
7. Tokiso has offices in Johannesburg and Cape Town which parties may use for purposes of conferencing facilities should a party not have the requisite connectivity requirements.

### HOW WILL THE CONFERENCING TOOL BE SET UP AND ADMINISTERED?

8. Tokiso will set up the conference meeting with a preferred conferencing tool. Tokiso will send a link via email which a party must click on and accept just before the meeting commences.
9. Tokiso will be the 'host' of the meeting and will maintain a link to the conference meeting to ensure that no connection and other issues arise with the meeting. Tokiso employees are bound by the same confidentiality requirements as panellists.
10. For processes which require it, the conferencing meeting can be recorded and saved by Tokiso. Parties may request a copy of the recording.
11. Where it is necessary to share documents with the witness/other party, the online tools we use have the capabilities which allow the participants to share their screen. It will therefore be essential that documents are scanned in by the representatives for this purpose. Parties will agree on how documents are managed.

### THE CONDUCTING OF PROCESSES VIA A CONFERENCING FACILITY

12. For **arbitrations and hearings**:
  - It is preferable that parties agree to use the conferencing facility to proceed with the matter.
  - Where parties disagree that the hearing should proceed using a conferencing facility, a party may submit an application on paper. It is for the presiding officer to determine whether the matter is to proceed, considering factors including the practicality of hearing the case through an online conferencing facility, whether it will materially prejudice a party and any other relevant factors.
  - Where a witness is to give evidence over a conferencing facility and is not in the same room as the presiding officer, the arbitrator must ensure that the witness is not interfered for the duration of their evidence. This may require a commissioner of oaths or representatives from the parties be present when the witness gives evidence.
  - In an arbitration, the arbitrator may swear the witness in through the conferencing facility.
  - The conferencing video should enable the presiding officer to see the witness in full seated at a table so that the presiding officer can observe the physical actions and responses of the witness.
  - Where representatives are not in the same room with the presiding officer, there is a process in place which will guide the manner in which a representative can raise an objection or be given the opportunity to speak.
  - The conferencing facility should provide that all parties can view not only a witness, but the presiding officer and representatives as well.
13. For **mediations and facilitations**:
  - For these processes, it is imperative that all parties agree to conduct the process using the conferencing facility.
  - The requirements and the impact will need to be discussed on a case by case basis with the mediator/facilitator and the parties to ensure that there is no prejudice to any party.