

# VAN ZYL KRUGER

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February 2017

Dear Client / Geagte Kliënt



*Time flies when you're having fun...* As for our exciting venture to establish and get our new Law Offices under the name Van Zyl Kruger Incorporated, up and running this was particularly true and as a result we have just not had the time to contact all our clients and friends to thank you for your loyalty, support and good wishes. For those whom we have not contacted please be assured that your support was much needed and greatly appreciated!

Ons Firma het pas ons eerste jaar agter die blad en vanaf hierdie maand sal ons maandeliks in kontak bly met ons kliënte deur middel van 'n elektroniese nuusbrieff met nuus en gebeure op die regsfront, gebeur met so bietjie nuus en inligting van 'n persoonlike aard rakende ons firma en ons mense.

You are also welcome to visit our website [www.vzk.co.za](http://www.vzk.co.za) to find out more about the firm and our services. We have furthermore tasked some of our younger colleagues to get active on social media to keep all abreast of events that might be of interest.

Danny van Zyl en Karen Bezuidenhout, ons twee jongste kollegas, is beide in Desember 2016 as aktebesorgers toegelaat en wat nog meer merkwaardig is, is dat die slaagsyfer vir die betrokke eksamen onder 20% was op Provinsiale vlak.

We will endeavour to also include in our newsletter the product of research undertaken by members of our firm on behalf of clients in abstract form which may be of interest to all without of course making any reference to the particular client or matter.

Ons vertrou dat julle hierdie nuusbrieff, wat deur kundiges saamgestel word, sal geniet en ons ontvang graag julle terugvoer hieromtrent. In gepaste gevalle sal ons dit ook oorweeg om daardie terugvoer en verdere kommentaar in 'n daaropvolgende nuusbrieff te publiseer.

Geniet Valentynsmaand!

Regards / Groete



## Buying and Selling Property: Who Pays the Taxman?

Whether you are the buyer or the seller of property, one of you is going to be paying SARS for the privilege, and you risk a very unpleasant and unbudgeted surprise if you don't clarify before you enter into the sale exactly who is liable for what.....

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## Creditors: When Can You Use a Liquidation Application to Collect Debt?

When you are struggling to recover your money from a recalcitrant debtor company, applying for its liquidation can be a very powerful collection tool.

But be warned – this only works with undisputed debt. A recent SCA (Supreme Court of Appeal) case involving a R9.2m claim illustrates .....



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## Voetstoets Clause In Private Sale Agreements

Despite the Consumer Protection Act (CPA), home buyers remain one of the least protected classes of consumers in South Africa. Because the law does not provide practical protection for purchasers of second hand homes from private sellers, the only option is for South African home buyers to protect themselves.

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## When Should A Credit Provider Register Under The National Credit Act 34/2005?

The courts have repeatedly stated that interpreting the National Credit Act (NCA) is often a "trying exercise". The Act has many inconsistencies that create uncertainty among the public in general. One of the questions we are often asked is whether a client still has to register as a credit provider even though the NCA is not applicable to the credit agreement. The Constitutional Court has recently provided clarity on this point.



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**VAN ZYL KRUGER INCORPORATED (REG. NO 2015/174073/21) (VAT NUMBER 413 0273 172)**



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