

Dear Client / Geagte Kliënt

Newsletter

Dit is alreeds Junie maand en die jaar is dus halfpad!

2017 was om die minste te sê tot dusvêr, 'n wispelturige jaar...

In January there was Worldwide controversy after the United States president Donald Trump signed an executive order restricting travel and immigration from Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen.

The United Kingdom invoked Article 50 of the Treaty on European Union, beginning the formal EU withdrawal process, in March of this year.

On Thursday March 30, President Jacob Zuma made 20 changes (10 ministers, including the finance minister and 10 deputy ministers) to his national executive and it was the 11th time he had reshuffled his cabinet since May 2009.

May 12th - Computers around the world are hit by a large-scale ransomware cyberattack, which goes on to affect at least 150 countries.

Come June President Trump was at it again announcing the withdrawal of the United States from the Paris Climate Agreement sending international climate action groups and the scientific fraternity into a frenzy to galvanize their actions to undo his action.

President Jacob Zuma will on Wednesday, 7 June 2017, address the Opening Ceremony of the 69th World News Media Congress which provides a platform for international press to reaffirm its commitment to defend and promote freedom of expression.



In die lig van die bogenoemde is daar juis 'n enorme storm na Suid-Afrika én meer spesifiek die Wes-Kaap oppad, op die 7de Junie, en aangesien dit nie 'n formele naam het nie, na aanleiding van die huidige nuus gebeure asook dan die groot gebeurtenisse van die jaar tot dusvêr, neig die naam in die rigting van zumguptru(zumaguptatrump).

Daar is natuurlik ook 'n slagspreuk wat lei : *Wanneer donker wolke oor 'n land saampak, sorg wyse mense dat hul harte met vrede gevul bly – Horatius.*

Die Kaap is gevolglik nie net die Kaap van Storms nie, maar ook die Kaap van Goeie Hoop en soos gemeld in 'n onlangse artikel in die Financial Mail word dit ook gedoop die Cape of Good Homes.

Laasgenoemde word natuurlik ook ervaar by VZK en alhoewel die eiendomsektor in ons land, maar meer pertinent die Wes-Kaap, die

laaste paar jaar van krag tot krag gaan, was daar 'n merkwaardige positiewe tendens in die eiendomsmark veral oor die laaste 2 maande. Daarby was die aankondiging dat die repo-koers onderveranderd gebly een van die min ander hoogtepunte in die eiendomsektor.

Ons hoop dat julle almal 'n positiewe en genotvolle 2de gedeelte van 2017 sal ervaar!

Groete,
Hennie en Eberhard



Trustbates en huweliksvoorwaardekontrakte

'n Bittere egskedingstryd in die Appèlhof wys weer hoe belangrik dit vir huwelikspartye is om voor die troue, volledig met hul prokureurs of onderskeie prokureurs te konsulteer om 'n gepaste huweliksvoorwaardekontrak te finaliseer. Jou HVK moet volledige besonderhede bevat om toekomstige scenarios aan te spreek.

Hier was miljoene rande ter sprake. Die vrou het aanspraak gemaak op bates in twee trusts. Aldus haar was trustbates nie uitgesluit in die HVK nie; alternatiewelik behoort die bates in elk geval regtens in haar man se boedel. Sy wou dus die trustbates insluit by die berekening. Dan het sy 'n direkte aanspraak daarop as deel van die aanwas.

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The Business Trust

What is a business trust?

In summary, a trust is a contractual arrangement that allows trustees to hold assets (without owning them) for the benefit of the trust beneficiaries.

Most trusts are not "business trusts" – they are just used to hold assets. In the case of "living" trusts (the type of trust most likely to be encountered in this context) assets are initially provided by a "founder", "settlor" or "donor", and then owned, controlled and managed by trustees in their capacities as such (not in their personal capacities), for the benefit of beneficiaries. The trustees can, and usually do, acquire more assets for the trust thereafter, again just to hold, control or manage.



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Die belang van Okkupasiesertifikate

Na die bou van 'n huis, maar voordat jy mag intrek, moet jy 'n Okkupasiesertifikaat van jou plaaslike munisipaliteit verkry. Of jy nou 'n huurder in die huis gaan plaas en of jy self in die woning gaan bly, as eienaar moet jy die sertifikaat verkry. Dit is nodig wanneer daar van nuuts af gebou word, asook wanneer enige "verandering, omskakeling, uitbreiding, herbouing, heroprigting, onderverdeling, byvoeging of herstel van enige deel van die struktuur van die gebou aangebring word".

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Fixtures And Fittings In Sale Agreements

Since the commencement of the Consumer Protection Act, it has become crucial for home sellers and estate agents to be specific, clear and honest when selling property. The Act provides that there should be no ambiguity or uncertainty when goods or services, including property, are advertised or promoted. Considering the abovementioned, attention should specifically be given to the issue of fixtures and fittings.



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