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DECEMBER 2020 NEWSLETTER

Before You Buy or Sell Property this Festive Season...



If you are thinking of buying or selling property during the Festive Season (which is again this year showing signs of living up to its reputation as a particularly busy time for the property market) don't neglect the legal aspects.

There are many pitfalls awaiting the unwary and rushing into anything without taking proper advice upfront is likely to lead to tears.

We list 12 reasons why bringing your attorney into the picture as early as possible in the process is a no-brainer. Use our checklist to ensure that you cover everything important!

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**At Matthews Enslin Inc.
we are ready to assist you with all
your legal issues.**

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What Must You Prove to Remove a Trustee?



It is perhaps inevitable that occasionally disagreements will arise between trustees as to how to administer and manage the trust and its assets under your control. If those disagreements escalate to the extent that trustees can no longer work together, and if attempts at negotiating a peaceful departure fail, an approach to the High Court for a trustee's removal may be unavoidable.

But who can apply to court and what must you prove in order to succeed? We discuss the "determinative test" applied in such matters in the context of a recent Supreme Court of Appeal case which involved substantial assets, accusations of criminal and oppressive conduct, vendettas, conflicts of interest and the like.

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Grandparents – When Must You Pay Maintenance?



How many grandparents are aware of, let alone plan for, their possible legal liability to pay maintenance for grandchildren until they become self-supporting?

It's an important issue – many grandparents are retired or planning to retire and having to support a grandchild, for decades possibly, is a daunting prospect.

So, let's look at when and how you might become liable with reference to a Supreme Court of Appeal decision in which a grandfather's deceased estate was subject to a claim on behalf of his adult granddaughter.

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Cannabis in the Workplace: Can You Dismiss?



It's now two years since the Constitutional Court opened the door to the lawful cultivation, possession and use of cannabis in private, and many employers are no doubt concerned about the ramifications of their employees reporting for duty whilst under the influence. Can you discipline employees guilty of doing so? Is dismissal an appropriate sanction?

Unfortunately, some media coverage of a recent ruling by the CCMA (Commission for Conciliation, Mediation and Arbitration) has given the

false impression that employees now have a free hand in the matter. This is not correct, and as a pointer to how employers should tackle this issue we analyse the reasons for two very different outcomes in CCMA rulings, one in 2018 and the other this year.

[READ MORE](#)

Your Festive Season Websites: Safe Holidays, Dodging the Dangers, and Now For Something Completely Different!



With 2020 (a train smash of a year if ever there was one!) drawing at long last to a close, we all deserve a bit of a break.

Here to help everyone enjoy the Festive Season with the minimum of risk and the maximum of fun is our selection of “end-of-year let’s do a bit of relaxing” websites including “How to go on holiday safely”, an interactive graphic on how the virus spreads (from Spain, a country that has by no choice of its own had to learn a great deal about our common foe), and a miscellany of the quirky and the unusual like SARS’ “Tax can be fun!” (who knew?).

[READ MORE](#)



Thank you for your support in 2020.

Have a Wonderful Festive Season, and a Happy and Prosperous 2021.

Enjoy the Break!



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