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- [Alberts and Others v Minister of Justice and Correctional Services \(404/2021\) \[2022\] ZASCA 25 \(9 March 2022\)](#)
- [Barnard Labuschagne Incorporated v South African Revenue Service and Another \(CCT 60/21\) \[2022\] ZACC 8 \(11 March 2022\)](#)
- [Caxton and CTP Publishers and Printers Limited v Novus Holdings Limited \(219/2021\) \[2022\] ZASCA 24 \(9 March 2022\)](#)
- [Eskom Holdings SOC Limited v Letsemeng Local Municipality and Others \(990/2020\) \[2022\] ZASCA 26 \(9 March 2022\)](#)

Draft Bill

- Older Persons Amendment Bill, 2022

Parliamentary Bill

- [Marine Oil Pollution \(Preparedness, Response and Cooperation\) Bill 10 of 2022](#)

ACCOUNTANTS AND AUDITORS

Government Gazette

Audit Profession Act 26 of 2005

Registry requirements.

BN225 GG 46032 p529 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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ADMINISTRATIVE LAW

Case

Wideopen Platform (Pty) Ltd v City of Cape Town and Others (7973/2020) [2022] ZAWCHC 18 (10 February 2022)

Applicant seeking to enforce its right to access records held by public body, in terms of Promotion of Access to Information Act 2 of 2000 – Approval of outdoor advertising signage – Application for review and setting aside of decisions of internal appeal and order directing respondents to furnish applicant with approval records – Whether information contained in undisclosed records worthy of protection – Whether information is public knowledge – Public interest test – Information requested nothing to do with open governance – Court of view that competitor is attempting to pry and meddle in business of other entities – Dismissed.

<http://www.saflii.org/za/cases/ZAWCHC/2022/18.pdf>

Government Gazette

Preferential Procurement Policy Framework Act 5 of 2000

Draft Preferential Procurement Regulations, 2022. Comments invited by 11 April 2022.

RGN1851 GG 46026 p3 10March2022

https://www.gov.za/sites/default/files/gcis_document/202203/46026reg11403gon1851.pdf or

http://www.gpw.gov.za/Documents/Government/46026_10-03_NatTreasury.pdf

See also following provincial gazette notices:

- [Eastern Cape: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Free State: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Gauteng: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Kwazulu Natal: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Limpopo: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Mpumalanga: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [North West: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Western Cape: Draft Preferential Procurement Regulations dated 10-3-2022](#)
- [Northern Cape: Draft Preferential Procurement Regulations dated 10-3-2022](#)



Law Firm Article

Kamukwamba, Lubumba; Mandlana, Wandisile and Tucker, Claire. Public procurement cast into uncertainty by Constitutional Court judgment.

2022 Mar 8 Bowmans

“It is estimated that the South African Government spends almost ZAR 1 trillion per year through the public procurement system. This system has now been thrown into a state of uncertainty following a Constitutional Court judgment in late February 2022. The judgment in *Minister of Finance v Afribusines NCP* set aside the Preferential Procurement Regulations published under the Preferential Procurement Policy Framework Act (PPPFA), which is the main legislative guideline for the public procurement system. It has been mandatory for all public bodies, including government departments and state owned entities, to follow these Regulations since at least 2012.”

<https://www.bowmanslaw.com/insights/government-contracting-and-public-sector-procurement/south-africa-public-procurement-cast-into-uncertainty-by-constitutional-court-judgment/>

Notice issued by National Treasury

Notice on the Constitutional Court judgment regarding Preferential Procurement Regulations, 2017 - Steps taken by National Treasury. [March 2022]

http://www.treasury.gov.za/comm_media/press/2022/2022031101%20Preferential%20Procurement%20Regulations%202017%20Concourt%20judgment%20Steps%20taken%20by%20NT%2011-3-2022%20R.pdf

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ADVERTISING

Advertising Regulatory Board (Advertising Appeals Committee) Decision

Arries v Clientèle Life Assurance Co Ltd (11 March 2022)

Appeal – Animated advertisement causing emotional distress to appellant’s young daughter – No causal connection established between advertisement and child’s distress – Dismissed.

Ruling available at: <http://www.arb.org.za/2022-rulings.html>

Advertising Regulatory Board (Final Appeal Committee) Decision

Unilever South Africa (Pty) Ltd v Colgate-Palmolive (Pty) Ltd (9 March 2022)

Appeal against Advertising Appeals Committee’s decision overturning Directorate’s decision dismissing competitor complaint – Packaging of hygiene soap – Claims conveying impression that product possessed medicinal properties – Dismissed.

Ruling available at: <http://www.arb.org.za/2022-rulings.html>

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AFRICAN LAW

Journal Articles

Adegbite, Folashade Rose. Rethinking abortion laws in Nigeria: The trauma of rape victims of Boko Haram.

2021 (2) African Human Rights Law Journal p1036

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%202021%20adegbite.pdf

Adeyemo, Deborah D. The rights of victims of core international crimes to reparation in Nigeria.

2021 (2) African Human Rights Law Journal p1058

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%202021%20Adeyemo%20Real.pdf

Amodu, Nojeem. Business and human rights versus corporate social responsibility: Integration for victim remedies.

2021 (2) African Human Rights Law Journal p853

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%202021%20Amadou.pdf

Buzard, David A. Ethnocentric nationality in the Democratic Republic of the Congo: An analysis under international human rights law.

2021 (2) African Human Rights Law Journal p985

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%202021%20Buzard.pdf



Dersso, Solomon. Forty years of the African Charter and the reform issues facing the discourse and practice of human rights.

2021 (2) African Human Rights Law Journal p649

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Dersso.pdf

Durojaye, Ebenezer. An analysis of the contribution of the African human rights system to the understanding of the right to health.

2021 (2) African Human Rights Law Journal p751

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Duroyave.pdf

Kabumba, Busingye. The right to 'unlove': The constitutional case for no-fault divorce in Uganda.

2021 (2) African Human Rights Law Journal p1181

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Kabumba.pdf

Koko, Sadiki. Implementing transitional justice in post-transition Central African Republic: What viable options?

2021 (2) African Human Rights Law Journal p954

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Sadiki.pdf

Makunya, Trésor Muhindo. Recent developments: Decisions of the African Court on Human and Peoples' Rights during 2020: Trends and lessons.

2021 (2) African Human Rights Law Journal p1230

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Makunya.pdf

Mekonnen, Seid Demeke. The right to sustainable development in article 43(3) of the Ethiopian Constitution.

2021 (2) African Human Rights Law Journal p1009

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Mekonnen%20Real.pdf

Mujuzi, Jamil Ddamulira. The right to bail pending trial in Uganda.

2021 34(3) South African Journal of Criminal Justice p461

Murray, Rachel and Long, Debra. Monitoring the implementation of its own decisions: What role for the African Commission on Human and Peoples' Rights?

2021 (2) African Human Rights Law Journal p836

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Murray.pdf

Namwase, Sylvie. Securing legal reforms to the use of force in the context of police militarisation in Uganda: The role of public interest litigation and structural interdict.

2021 (2) African Human Rights Law Journal p1203

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Namwase.pdf

Oamen, Philip E. and Erhagbe, Eunice O. The impact of climate change on economic and social rights realisation in Nigeria: International cooperation and assistance to the rescue?

2021 (2) African Human Rights Law Journal p1080

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Oamen.pdf

Oamen, Philip E. and Ekhatior, Eghosa O. The impact of COVID-19 on the socio-economic rights of older persons in Africa: The urgency of operationalising the Protocol on the Rights of Older Persons.

2021 (2) African Human Rights Law Journal p782

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Oamen%202021.pdf

Okafor, Obiora C. and Dzah, Godwin E.K. The African human rights system as 'norm leader': Three case studies.

2021 (2) African Human Rights Law Journal p669

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Okafor.pdf

Olumese, Olu. Duty without liability: The impact of article 12 of the International Covenant on Economic, Social and Cultural Rights on the right to health care in Nigeria.

2021 (2) African Human Rights Law Journal p1112

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Olumese.pdf

Orao, Beryl. Protecting the right to life during assemblies: Legal and jurisprudential developments in the African human rights system.

2021 (2) African Human Rights Law Journal p728



http://www.ahrli.up.ac.za/images/ahrli/2021/volume_2/AHRLJ%20_2021%20Orao.pdf

Rudman, Annika. The African Charter: Just one treaty among many? The development of the material jurisdiction and interpretive mandate of the African Court on Human and Peoples' Rights.

2021 (2) African Human Rights Law Journal p699

http://www.ahrli.up.ac.za/images/ahrli/2021/volume_2/AHRLJ%20_2021%20Rudman.pdf

Sánchez, Kevin Toro. The right to reparations in the contentious process before the African Court on Human and Peoples' Rights: A comparative analysis on account of the revised Rules of Court.

2021 (2) African Human Rights Law Journal p812

http://www.ahrli.up.ac.za/images/ahrli/2021/volume_2/AHRLJ%20_2021%20Sanchez.pdf

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AGRICULTURE

Government Gazette

Agricultural Products Standards Act 119 of 1990

Inspection fees.

GenN877 GG 46032 p223 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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ANIMALS

Government Gazette

Animal Diseases Act 35 of 1984

Animal Diseases Regulations: Proposed amendment - African swine fever disease management strategy. Comments invited within 60 days of publication.

GN1854 GG 46032 p14 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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AVIATION

Media Release

South African Civil Aviation Authority. Civil Aviation Authority suspends COMAIR air operator certificate. 12 March 2022.

"Today, 12 March 2022, the South African Civil Aviation Authority (SACAA) suspended the Air Operator Certificate of Comair (Pty) Ltd (with its subsidiary Kulula.com). This decision was reached following an investigation into the recent spate of safety incidents at the Operator. This is a precautionary suspension for a period of 24 hours, within which the Operator must demonstrate to the Regulator that the risk and safety management systems are effective in managing potential hazards."

<http://www.caa.co.za/Media%20Statements/2022/SACAA%20suspends%20COMAIR%20Air%20Operator%20Certificate.pdf>

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B-BBEE

Law Firm Article

Kamukwamba, Lubumba; Mandlana, Wandisile and Tucker, Claire. Public procurement cast into uncertainty by Constitutional Court judgment.

2022 Mar 8 Bowmans

"It is estimated that the South African Government spends almost ZAR 1 trillion per year through the public procurement system. This system has now been thrown into a state of uncertainty following a Constitutional Court judgment in late February 2022. The judgment in *Minister of Finance v Afribusines NCP* set aside the Preferential Procurement Regulations published under the Preferential Procurement Policy Framework Act (PPPFA), which is the



main legislative guideline for the public procurement system. It has been mandatory for all public bodies, including government departments and state owned entities, to follow these Regulations since at least 2012.”

<https://www.bowmanslaw.com/insights/government-contracting-and-public-sector-procurement/south-africa-public-procurement-cast-into-uncertainty-by-constitutional-court-judgment/>

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BUSINESS RESCUE

Law Firm Article

Rhodie, Lucinde; Meiring, Kara and Lutuli, Hlonelwa. The role of directors in business rescue proceedings: To not get in their own way.

2022 Mar 9 Cliffe Dekker Hofmeyr

“In the matter between *Ronica Ragavan and Others v Optimum Coal Terminal (Pty) Ltd...*, the Gauteng Local Division of the High Court were asked to resolve the tension that, in the view of the applicants, exists in business rescue proceedings. This tension stems from the BRP assuming full control of the company, while the board of directors is expected to continue performing its functions in terms of the Companies Act.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Sector/Business/Business-Rescue-Restructuring-Insolvency-Newsletter-9-March-The-role-of-directors-in-business-rescue-proceedings-How-to-not-get-in-their-own-way.html>

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CIVIL PROCEDURE

Cases

Alberts and Others v Minister of Justice and Correctional Services (404/2021) [2022] ZASCA 25 (9 March 2022)

Summons – Multiple plaintiffs – Special plea of misjoinder – Test whether issues of fact and law substantially same for each plaintiff – Issues of fact and law substantially same – Convenience and absence of prejudice – Permissible to join in single action – Appeal upheld and special plea dismissed.

<http://www.saflii.org/za/cases/ZASCA/2022/25.pdf>

Caxton and CTP Publishers and Printers Ltd v Novus Holdings Ltd (219/2021) [2022] ZASCA 24 (9 March 2022)

Uniform Rules of Court, Rule 35(12) – Production of documents mentioned in or referred to in other party's affidavit – Obligation on such party to produce documents sought by opponent – No obligation to produce documents sought if such documents irrelevant or not material or protected by privilege or no longer in possession of party required to produce documents concerned.

<http://www.saflii.org/za/cases/ZASCA/2022/24.pdf>

Trustees for Time Being of "Lona Venter Familie Trust-IT" and Others v FirstRand Bank Ltd t/a Wesbank and Another (1490/2022) [2022] ZALMPPHC 15 (3 March 2022)

Urgent application for order suspending execution of orders granted against applicants – Arrears in terms of instalment sale agreement for agricultural equipment – Court may suspend orders with retrospective effect if in interests of justice or doing so will mitigate against real and substantial injustice – Enforcement of default judgment order and warrant of delivery of goods suspended with retrospective effect – Respondent ordered to return equipment.

<http://www.saflii.org/za/cases/ZALMPPHC/2022/15.pdf>

Journal Article

Emmamally, Zeenat. Slapping down SLAPP suits in South Africa: The need for legislative protection and civil society action.

2022 139(1) South African Law Journal p1

“After examining the phenomenon of SLAPP suits in South Africa and the inefficacy of existing protections, this article acknowledges that the enactment of anti-SLAPP legislation is necessary, and considers what this legislation should look like in South Africa. However, since the experience of other jurisdictions reveals that anti-SLAPP laws have occasionally been ineffective or have been subverted to create further injustice, this article recommends a range of civil society initiatives that could be employed concomitantly with legislation to curb SLAPP suits.”

Law Firm Article

Rizvi, Sadia. Virtual commissioning in South Africa.

2022 Mar 7 PPM Attorneys



“The emergence of virtual commissioning has led to South African courts relaxing the rules relating to the commissioning of affidavits required by the Act. Recently, the Gauteng High Court had to decide whether the rules relating to the commissioning of affidavits could be relaxed.”

<https://www.ppmattorneys.co.za/virtual-commissioning-in-south-africa/>

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COMMUNICATION

Government Gazettes

Electronic Communications Act 36 of 2005

- Independent Communications Authority of South Africa (ICASA): Notice regarding the location of the opt-in round for qualified bidders pursuant to the invitation to apply (ITA) on the licensing process for international mobile telecommunications in respect of the provision of mobile broadband wireless access services for urban and rural areas using the complementary bands, IMT700, IMT800, IMT2600 and IMT3500 published in GG 45628 of 10 December 2021.

GenN869 GG 46013 p3 7March2022

https://www.gov.za/sites/default/files/gcis_document/202203/46013gon859.pdf

- Proposed Amendment of Policy on High Demand Spectrum and Policy Direction on the Licensing of a Wireless Open Access Network. Comments invited within 30 days of publication.

GN1853 GG 46031 p3 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46031_11-3_CommDigitalTech.pdf

Law Firm Article

Hajat, Humayra and Dyer, Livia. Number Portability Regulations come into effect.

2022 Mar 8 Bowmans

“On 7 March 2022, the [Number Portability Regulations, 2018](#) published by the Independent Communications Authority of South Africa (ICASA) under the Electronic Communications Act 36 of 2005 came into effect. The Number Portability Regulations repeal the old Number Portability Regulations, 2005.”

<https://www.bowmanslaw.com/insights/technology-media-and-telecommunications/south-africa-number-portability-regulations-come-into-effect/>

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COMPETITION

Competition Tribunal Case

NET 1 Applied Technology and Ovobix (RF) (Pty) Ltd and Luxiano 227 (Pty) Ltd (LM121Nov21) (9 March 2022)

Large merger – Approved subject to conditions.

<https://www.comptrib.co.za/case-detail/19790>

Government Gazette

Competition Act 89 of 1998

Complaint referrals.

GenN878 GG 46032 p243 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Law Firm Articles

Naidu, Lerisha and Nxumalo, Sphehile. Antitrust enforcement and the Bill of Rights – A bridge too far.

2022 Mar 7 Baker McKenzie

“A recent case before the South Africa Competition Tribunal looked at the excessive pricing of breast cancer treatment. This led to the question as to whether a violation of competition law should automatically be considered a violation of the Constitution.”

https://insightplus.bakermckenzie.com/bm/antitrust-competition_1/south-africa-antitrust-enforcement-and-the-bill-of-rights-a-bridge-too-far

Wagacha, Njeri and Muchiri, Brian. Collaboration by African competition regulators with respect to the regulation of digital markets in Africa.

2022 Mar 9 Cliffe Dekker Hofmeyr



“In a joint statement issued by the heads of the competition authorities from Egypt, Kenya, Mauritius, Nigeria and South Africa on 18 February 2022, the regulators appreciated the role that digital markets and services have played in transforming the global economy and acknowledged that these markets present “*considerable challenges for competition law enforcement and policy in terms of the unique competition issues that arise*”.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Practice/Competition/competition-law-alert-Collaboration-by-African-competition-regulators-with-respect-to-the-regulation-of-digital-markets-in-Africa.html>

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CONTRACT LAW

Case

FirstRand Bank Ltd t/a CNH Capital Industrial v Jawiklane (Pty) Ltd (2018/46468) [2022] ZAGPJHC 120 (7 March 2022)

Application for order directing respondent to return agricultural equipment for safekeeping pending outcome of trial proceedings – Alleged breach of payment provisions of instalment sale agreement – Respondent failed to rebut presumption of irreparable harm – Granted.

<http://www.saflii.org/za/cases/ZAGPJHC/2022/120.pdf>

Journal Article

Van Deventer, Sanmarie. Problems relating to the formation of online contracts: A comparative perspective.

2022 139(1) South African Law Journal p32

“This article engages in a comparative evaluation of these arguments, as well as some proposals contained in the American Law Institute’s Draft Restatement of the Law, Consumer Contracts. Ultimately, the aim is to identify whether the principles regarding the formation of contracts in South African law ought to be adapted or supplemented to accommodate online contracts. It is found that both legal systems subscribe to fairly lenient formation requirements.”

Law Firm Article

What happens when a security company fails to protect its client? [[Top Security Systems \(Pty\) Ltd v Samy's Wholesalers CC \(236/2013\) \[2022\] ZANHC 2 \(21 January 2022\)](#)].

2022 Mar 11 Herold Gie

“When a judge in the high court in Kimberley found against Top Security Systems (TSS) and in favour of Samy’s Wholesalers after a major burglary at the cash and carry premises, the security company appealed to three judges of the same court. Now the three judges have given their decision. According to the trial court, TSS had breached the agreement between the two parties. But what would the appeal judges have to say about the dispute?”

<https://heroldgie.com/security-company-fails-to-protect/>

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CORPORATE LAW

Companies Tribunal Decisions

South African Post Office SOC Ltd, Ex Parte (CT00941ADJ2022) (5 March 2022)

Application for extension of period within which to convene annual general meeting (AGM) – Delay in finalization of AGM documents – Good cause shown – Granted.

<https://www.companiestribunal.org.za/wp-content/uploads/2022/03/CT00941ADJ2022.pdf>

Wakefields Real Estate (Pty) Ltd, Ex Parte (CT00958ADJ2022) (3 March 2022)

Application for exemption from requirement to appoint social and ethics committee (SEC) – Public interest score below threshold of 500 points – Applicant not required to appoint SEC.

<https://www.companiestribunal.org.za/wp-content/uploads/2022/03/CT00958ADJ2022.pdf>

Journal Article

Madlela, Vela. Disclosure of corporate political donations and expenditure to shareholders: Why South Africa should follow the United Kingdom’s legislative approach.

2022 139(1) South African Law Journal p114

“Following an examination of key policy considerations relevant to the disclosure of corporate political donations and expenditure to shareholders, and an examination of the legislative approach in the UK, the article argues for the



effective disclosure of corporate political donations and expenditure to shareholders under the Companies Act 71 of 2008. It then makes detailed recommendations on how such disclosure requirements could be introduced and implemented in South Africa.”

Law Firm Articles

Dela, Pooja; Lötter, Bernadette and Mayet, Hoosein. ESG: It's not just business, it's personal.

2022 Mar 8 Webber Wentzel

“At this point, it is not enough for businesses to indicate a willingness to respect, protect and promote human rights. They must take proactive steps to realise these objectives, including by implementing ESG strategies which must incorporate elements such as human rights, due diligences, impact assessments and compliance analyses. Perhaps most importantly, mechanisms must be put in place which empower affected individuals to hold a business to account when it fails in its human rights obligations.”

<https://www.webberwentzel.com/News/Pages/esg-its-not-just-business-its-personal.aspx>

Kitcat, Ryan and Davids, Ezra. *The International Comparative Legal Guide: Mergers and Acquisitions 2022 – Sixteenth edition: South African chapter.*

2022 Mar 7 Bowmans

Contents: Relevant authorities and legislation; Mechanics of acquisition; Friendly or hostile; Information; Stakebuilding; Deal protection; Bidder protection; Target defences; Other useful facts; Updates.

https://www.bowmanslaw.com/wp-content/uploads/2022/03/Mergers-and-Acquisitions-2022_Chapter-34_South-Africa.pdf

Makasi, Thandi. The corporate veil explained.

2022 Mar 5 SchoemanLaw Inc

“The corporate veil is a principle intended to protect authorized company members from being held personally liable for the actions of the company. Despite this protection, the members of a company remain responsible for maintaining a distinct separation between the assets of the company and their own. The failure to do so opens the doors to piercing the corporate veil.”

<https://www.schoemanlaw.co.za/the-corporate-veil-explained/>

Mthabela, Zandile. The removal of directors under the Companies Act.

2022 Mar 7 PPM Attorneys

“Prior to removing a person from directorship, it is imperative to ensure that the company dots the i's and crosses the t's. Likewise, an aggrieved director who brings an application to court for reinstatement, he/she may be ordered to compensate the company, and any other party, for costs incurred in relation to the application, where a court confirms his/her directorship removal.”

<https://www.ppmattorneys.co.za/the-removal-of-directors-under-the-companies-act/>

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COURTS

Directives

Office of the Deputy Judge President. High Court of South Africa, Gauteng Division, Johannesburg). RE : Practice Directive clarification in re Paragrah 20 of the Judge President's Practice Directive 01 of 2021. 7 March 2022.

[https://www.judiciary.org.za/images/Directives/Directives -](https://www.judiciary.org.za/images/Directives/Directives_-_)

[_April_2020/High_Court_of_South_Africa/Gauteng_Division/Gauteng_Local_Division_of_the_High_Court_Deputy_Judge_Presidents_Notice_to_Practitioners.pdf](#)

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COVID-19

Arbitration Award

Dreyden v Duncan Korabie Attorneys. (WECT13114-21, 7 March 2022)

Mandatory vaccination – Refusal to vaccinate – Dismissal substantially fair in circumstances – Applicant incapable of performing duties – No alternative way to accommodate applicant – Respondent fell short in procedural fairness – Level of consultant insufficient – Compensation of one month's pay plus four week's notice.

https://www.linkedin.com/posts/louispodbielski_dreyden-v-duncan-korabie-att-2022-wect13114-activity-6908984437694980096-uNYK



Journal Articles

Agaba, Daphine Kabagambe. Tackling inequality and governance challenges: Insights from the COVID-19 pandemic.

2021 (2) African Human Rights Law Journal p877

“The article addresses inequality and governance in the face of the COVID-19 pandemic. Globally, it highlights ways in which COVID-19 has further exacerbated the already worrying inequality levels. Specifically, it addresses issues such as vaccine nationalism, rising income inequality levels, while the minority become richer, some from the manufacturing and selling of COVID-related products.”

http://www.ahrli.up.ac.za/images/ahrli/2021/volume_2/AHRLJ%202021%20Agaba.pdf

Eloff, Daniël. The rationality test in lockdown litigation in South Africa.

2021 (2) African Human Rights Law Journal p1157

“The three cases discussed dealt with the rationality of decisions made through executive action aimed at protecting the public against the spread of COVID-19 through restrictive measures that limited an array of constitutional rights. The article concludes that the consistent application of the rationality test and, more importantly, the supremacy of the Constitution and its guaranteed rights, do not change with the onset of a pandemic. Moreover, the scrutiny applied over governmental decision making should not waiver.”

http://www.ahrli.up.ac.za/images/ahrli/2021/volume_2/AHRLJ%202021%20Eloff.pdf

Parliamentary Committee Report

Report of the Portfolio Committee on Cooperative Governance and Traditional Affairs on the Disaster Management Amendment Bill [B2-2021] (National Assembly – Section 76), dated 08 March 2022.

2022 Mar 8 Announcements, Tablings and Committee Reports p6

“The majority of Committee members, represented by the ANC and EFF, did not agree with the desirability of the proposed Bill on the basis that the current accountability and oversight mechanisms provided in the Constitution are adequate to address the gaps identified in the Bill....The Portfolio Committee on Cooperative Governance and Traditional Affairs having deliberated on the Disaster Management Amendment Bill [B2-2021] (National Assembly – Section 76), reports that it has decided by majority vote not to proceed with the proposed Bill.”

<https://www.parliament.gov.za/storage/app/media/Docs/atc/00e5a0bd-929d-49a3-95b8-281227ae1f13.pdf>

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CRIMINAL LAW

Case

Re-opened Inquest into Death of Dr Neil Hudson Aggett (445/2019; 139/1985) [2022] ZAGPJHC 110 (4 March 2022)

Dr Aggett (medical practitioner turned trade unionist) died in 1982 whilst being held in custody in terms of Terrorism Act 83 of 1967, s 6(1) – Court, in terms of Inquests Amendment Act 145 of 1992, s 17A(3)(b) read with s 16(2), finds that death was brought about by acts committed by members of Security Branch stationed at John Vorster Square police station.

<http://www.saflii.org/za/cases/ZAGPJHC/2022/110.pdf>

Journal Articles

Hector, Shannon. Recent cases: General principles and specific offences.

2021 34(3) South African Journal of Criminal Justice p482

Private defence; Unlawfulness, religion and culture; Pointing a firearm, reckless endangerment, assault with intent to do grievous bodily harm; Robbery, theft and assault.

Kehrhahn, Ferdinand Heinrich Hermann and De Lange, Jani Charlese. Guilty of being deaf: *Kruse v S* — Paying lip service to the fair-trial rights of hearing-impaired accused persons.

2022 139(1) South African Law Journal p157

“In *Kruse v S* the court acknowledged that the court must treat the deaf accused with judicial sensitivity, vigilance, respect and dignity. This article explores the interconnection between South African law and the rights of the deaf community, specifically in the context of the criminal justice system where courts must negotiate a situation of linguistic and cultural diversity in relation to the accused. It considers whether these rights are enforced effectively, or if lip service is merely being paid to them.”

Meintjes-Van der Walt, Lirieka. Recent cases: Law of evidence.



2021 34(3) South African Journal of Criminal Justice p507

Admissibility of a dying declaration; *Alibi* defence; Incomplete cross-examination as a result of the death of a witness; Proof beyond reasonable doubt – when a court of appeal can interfere with a trial court’s findings of fact and credibility; Section 174 of the Criminal Procedure Act.

Mosaka, Tshepo Bogosi. The Black Flame (part two): Snyman’s Criminal Law.

2021 34(3) South African Journal of Criminal Justice p442

“This is the second of a trilogy of papers... reviewing *Snyman’s Criminal Law*. The decision to commence working on the review was made after encountering the unprecedented section on African customary law in the latest edition of the book. This is a major achievement for this work that promises an exciting change of direction. This paper focuses on four areas in which the book can proceed further into this new direction.”

Visser, Jo-Marí. Independent judicial research of forensic evidence in criminal trials – A South African perspective.

2021 34(3) South African Journal of Criminal Justice p415

“In South Africa, the Constitutional Court in [S v Van der Walt 2020 \(2\) SACR 371 \(CC\)](#) focused on procedural fairness and held that independent judicial research violates accused persons’ right to challenge evidence in terms of s 35(3)(i) of the Constitution. But a blanket prohibition on this type of judicial research excludes many significant advantages that could potentially secure more accurate decisions. This article considers the legal positions on independent judicial research in the USA and South Africa, reviews the pros and cons of such research, and finds that a flexible approach might alleviate some dangers and exploit some advantages.”

Watney, Murdoch. Recent cases: Criminal procedure.

2021 34(3) South African Journal of Criminal Justice p493

Appeal: Reservation of question of law by the state; Title to prosecute; Permanent stay of prosecution; Bail; Arrest; *In camera* proceedings.

Law Firm Articles

Dhever, Sushila and Nthatsi, Thabang. The extension of the protection of the identity of minors criminal hearing in terms of the Criminal Procedure Act 75 of 2008.

2022 Mar 8 Fasken

“The main aim of the amendment is to shield minors from the possible detrimental effects of their names and identities being made public as a result of being embroiled in criminal proceedings.”

<https://www.fasken.com/en/knowledge/2022/03/8-the-extension-of-the-protection-of-the-identity-of-minors-criminal-hearing>

Lekaise, Kelly. My enemies are after me: Are cyber romance crimes punishable by law in South Africa?

2022 Mar 7 PPM Attorneys

“[R]omance scammers use deceptive methods to gain the trust of their victims, and then to pressure them into sending money. Online romantic scams are cybercrimes and must be reported and offenders must be punished in terms of the law.”

<https://www.ppmattorneys.co.za/are-cyber-romance-crimes-punishable-by-law-in-south-africa/>

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DATA PROTECTION

Law Firm Article

Sheik, Shamaa. Trends in data protection litigation around the world.

2022 Mar 9 Michalsons

“Data protection litigation in the EU was quite widespread as data subjects began to lodge claims directly with civil courts (as opposed to their DPA) in respect of GDPR violations by data controllers or processors. Now two years later, we see that the forecast for an increase in data protection litigation was on the money. Litigation has not only increased in Europe, but globally as well. In this post we will help you to understand how litigation might arise by keeping up to date with global trends in data protection litigation. We also look at a few case studies occurring globally and identify some key learnings for South Africa.”

<https://www.michalsons.com/blog/trends-in-data-protection-litigation-around-the-world/56147>

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DISASTER MANAGEMENT

See also: [COVID-19](#)

Parliamentary Committee Report

Report of the Portfolio Committee on Cooperative Governance and Traditional Affairs on the Disaster Management Amendment Bill [B2-2021] (National Assembly – Section 76), dated 08 March 2022.

2022 Mar 8 Announcements, Tablings and Committee Reports p6

“The majority of Committee members, represented by the ANC and EFF, did not agree with the desirability of the proposed Bill on the basis that the current accountability and oversight mechanisms provided in the Constitution are adequate to address the gaps identified in the Bill....The Portfolio Committee on Cooperative Governance and Traditional Affairs having deliberated on the Disaster Management Amendment Bill [B2-2021] (National Assembly – Section 76), reports that it has decided by majority vote not to proceed with the proposed Bill.”

<https://www.parliament.gov.za/storage/app/media/Docs/atc/00e5a0bd-929d-49a3-95b8-281227ae1f13.pdf>

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EDUCATION

Government Gazette

National Qualifications Framework Act 67 of 2008

Quality Council for Trades and Occupations (QCTO): Proposed occupational qualifications for registration on the qualifications sub-framework for trades and occupations. Comments invited within 21 days of publication.

GN1850 GG 46025 p3 10Mar2022

http://www.gpw.gov.za/Documents/Government/46025_10-03_HighEduTraining.pdf or

https://www.gov.za/sites/default/files/gcis_document/202203/46025gon1850.pdf

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EMPLOYMENT

This section of the Attorney Alert contains references to employment-related judgments handed down by the Constitutional Court, Supreme Court of Appeal, the Labour Appeal Court and a selection of High Court decisions as well as practice directions from the Labour Appeal Court and Labour Court, new publications, government gazette notices and Parliamentary Bills.

More comprehensive coverage on employment matters is provided by our weekly publication, the [Employment Law Alert](#). Please contact alert@lexinfo.co.za for further information.

Arbitration Award

Dreyden v Duncan Korabie Attorneys. (WECT13114-21, 7 March 2022)

Mandatory vaccination – Refusal to vaccinate – Dismissal substantially fair in circumstances – Applicant incapable of performing duties – No alternative way to accommodate applicant – Respondent fell short in procedural fairness – Level of consultant insufficient – Compensation of one month’s pay plus four week’s notice.

https://www.linkedin.com/posts/louispodbielski_dreyden-v-duncan-korabie-att-2022-wect13114-activity-6908984437694980096-uNYK

Book Review

Stewart, Andrew *et al* (eds.). *Internships, Employability and the Search for Decent Work Experience*. Edward Elgar Publishing, 2021.

2022 139(1) South African Law Journal p251

“The major concern of the book is the strong tendency for employers right around the world to pay interns low, or even no, wages. This is therefore an important book for South Africa, given its high levels of poverty, unemployment and inequality.”

Government Gazettes

Compensation for Occupational Injuries and Diseases Act 130 of 1993



Documents required to be provided by employers to Compensation Fund to support injury on duty and occupational disease claim.

GenN879 GG 46032 p244 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Labour Relations Act 66 of 1995

Notice in terms of section 62 (7). Demarcation dispute: trade union UAWU contends that the employees of Red Alert Cleaning and Security (Pty) Ltd t/a Cape Town Guarding (the employer) perform work associated with that of security officers whose services and terms and conditions are governed by PSIRA and the National Bargaining Council for the Private Security Sector and as such and that the employer ought to fall under the scope and control of the said Bargaining Council. The employer denied that its employees perform the duties as alleged and contend that they perform a non-security function.

Comments invited within 21 days of publication.

GN1869 GG 46032 p37 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Law Firm Articles

Clark, Angela. Requirements to interdict violent strikers: The case of *CSAAWU and Others v Oak Valley Estates*.

2022 Mar 11 Beech Veltman Inc

“In the recent case of [CSAAWU and Others v Oak Valley Estates \[2022\] ZACC 7](#), the Constitutional Court held that employers who are seeking to interdict employees (who are engaged in a protected strike) from acts of violence, intimidation and damage to property, must, as far as possible, identify the specific employees who are engaged in such unlawful conduct.”

<https://bv-inc.co.za/strikes-interdict/>

Le Roux, Peter. Interdicts against violent strikers: What does the future hold? [[Commercial Stevedoring Agricultural and Allied Workers' Union and Others v Oak Valley Estates \(Pty\) Ltd and Another \(CCT 301/20\) \[2022\] ZACC 7 \(1 March 2022\)](#)].

2022 Mar 7 ENSafrica

“As strike season approaches, a recent decision handed down by South Africa’s Constitutional Court shows why it’s important for employers to identify (as far as possible) specific employees who engage in violent or destructive strike action when looking to obtain an urgent interdict.”

<https://www.ensafrica.com/news/detail/5345/interdicts-against-violent-strikers-what-does-Webinar-recording-discussing-judgment>:

<https://www.ensafrica.com/videos/detail/115/webinar-interdicts-against-violent-strikers-w>.

Loubser, Chloë and Davey, Rosalind. Further regulation of the employment of foreign nationals on the cards.

2022 Mar 9 Bowmans

“The Bill and the Draft Policy were developed, inter alia, to provide the legal foundation and framework within which to regulate the employment of foreigners while at the same time providing for their protection. One of the key takeaways from the Bill and the Draft Policy is that the Department of Employment and Labour will take a more active role in matters relating to the employment of foreigners as well as the emigration of South Africans seeking employment abroad.”

<https://www.bowmanslaw.com/insights/employment/south-africa-further-regulation-of-the-employment-of-foreign-nationals-on-the-cards/>

Lumb, Gillian and Grobler, Claudia. Retirement age and allegations of discrimination.

2022 Mar 7 Cliffe Dekker Hofmeyr

“Section 6 of the Employment Equity Act 55 of 1998 includes, amongst the listed grounds on which an employer may not unfairly discriminate against an employee’s, age. How section 6 impacts on and is to be understood in relation to an employer’s retirement policy or practice was revisited by the Labour Court in [Khan v MMI Holdings Ltd \(2021\) 42 ILJ 1737 \(LC\)](#), a decision handed down in May 2021.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Practice/Employment/employment-law-alert-7-March-2022-Retirement-age-and-allegations-of-discrimination-.html>

Moagi, Sheila. Can the courts set aside collective agreements?

2022 Mar 9 Lawtons Africa

“On 28 February 2022, the Constitutional Court handed down a unanimous judgment dismissing an application to enforce a collective agreement between the State and various trade unions ([National Education Health and Allied Workers Union v Minister of Public Service and Administration and Others \(CCT21/21\) \[2022\] ZACC 6](#)).”

<https://www.lawtonsafrica.com/post/can-the-courts-set-aside-collective-agreements>

Mulligan, Tanya and Danana, Mzamo. The realisation of equality in a non-racial and non-sexist workplace.



2022 Mar 1 Cowan-Harper-Madikizela Attorneys

“In the recent case of *Ekurhuleni Metropolitan Municipality v J Mabetoa and Others* (JA17/2021), the Labour Appeal Court had to determine whether the dismissal of a former employee of the Ekurhuleni Metropolitan Municipality was substantively unfair... In the judgment the LAC deplored the LC’s approach as it had deviated from the constitutional imperatives which have guided the courts in matters of such a nature.”

<https://www.chmlegal.co.za/you-look-you-taste-nice-bed-realisation-equality-non-racial-and-non-sexist-workplace>

Olivier, Johan et al. Strike interdicts: Identify the Oaks, the highest court finds.

2022 Mar 10 Webber Wentzel

“Recently, the Constitutional Court in *Commercial Stevedoring Agricultural and Allied Workers' Union and Others v Oak Valley Estates (Pty) Ltd and Another* (CCT 301/20) [2022] ZACC 7 had to determine whether an employer that is faced with unlawful conduct during a protected strike, can obtain a final interdict against employees participating in strike action. The focus is whether this can be done without linking each employee to the unlawful conduct.”

<https://www.webberwentzel.com/News/Pages/strike-interdicts-identify-the-oaks-the-highest-court-finds.aspx>

Patel, Aadil and Bouchier, Dylan. Reimbursement claims for COVID-19 tests, unpaid leave, and loss of income under section 73A of the BCEA.

2022 Mar 7 Cliffe Dekker Hofmeyr

“In the CCMA matter of *Cousins v Bill Buchanan Association* [2022] 1 BALR 46 (CCMA), the disruptions occasioned by the COVID-19 pandemic and the civil unrest of July 2021 gave rise to questions as to who bears the cost of COVID-19 tests required by an employer, whether an employee who has exhausted leave entitlements may nevertheless claim compensation in respect of deductions for unpaid leave despite failing to report for duty, and whether the provisions of section 73A of the BCEA might lay the foundation for loss of earnings claims for an employee’s private business.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Practice/Employment/employment-law-alert-7-March-2022-Reimbursement-claims-for-COVID-19-tests-unpaid-leave-and-loss-of-income-under-section-73A-of-the-BCEA.html>

Skosana, Hlengiwe. Mandatory vaccinations in the workplace.

2022 Mar 8 Garlicke & Bousfield Inc

“In *Mulderij v Goldrush Group* the employer had, after consultations with unions, specialists and all of its employees, implemented a Mandatory Vaccination Policy with the intention of protecting its employees by creating a safe environment... Similarly the applicant in *Kok v Ndaka Security and Services* refused to comply with the employer’s policy to either be fully vaccinated or take a weekly COVID test. The employer accordingly decided that he should not return to work until he did so.”

<https://www.gb.co.za/news-insights/mandatory-vaccinations-in-the-workplace/>

Van Wyk, Jacques and Plaatjies, Danelle. Continuously raising grievances in the workplace held to be a fair ground for dismissal.

2022 Mar 8 Werksmans Attorneys

“The dismissal of an employee who had continuously raised employment grievances which were often unfounded or had been resolved on previous occasions, was considered to be substantively and procedurally fair. This was the issue considered by the Commission for Conciliation, Mediation and Arbitration in the case of *Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union obo Mokoena / Sasol Chemical Operations (Pty) Ltd* [2022] BALR 105 (NBCC I).”

<https://www.werksmans.com/legal-updates-and-opinions/continuously-raising-grievances-in-the-workplace-held-to-be-a-fair-ground-for-dismissal/>

Van Wyk, Jacques and Plaatjies, Danelle. Dishonesty surrounding the breach of Covid-19 protocols in the workplace is a fair ground for dismissal.

2022 Mar 8 Werksmans Attorneys

“The dismissal of an employee who had colluded to corroborate a false statement of facts in relation to the breach of Covid-19 protocols by a fellow employee, was considered to be substantively and procedurally fair. This was the issue considered by the Commission for Conciliation, Mediation and Arbitration (CCMA) in the case of *Ntini v In2Food Group (Pty) Ltd* [2022] 2 BALR 177 (CCMA).”

<https://www.werksmans.com/legal-updates-and-opinions/dishonesty-surrounding-the-breach-of-covid-19-protocols-in-the-workplace-is-a-fair-ground-for-dismissal/>

Van Wyk, Jacques and Plaatjies, Danelle. Employees signing mutual separation agreements under duress.

2022 Mar 8 Werksmans Attorneys

“The dismissal of an employee was found to be fair in the instance where no signs of duress were proven in obtaining a confession of theft and the signing of a mutual separation agreement. A threat of police action does not amount to duress. This was the issue considered by the Commission for Conciliation, Mediation and Arbitration (CCMA) in the case of *Vena and Others / Sanitech* [2022] 2 BALR 209 (CCMA).”

<https://www.werksmans.com/legal-updates-and-opinions/employees-signing-mutual-separation-agreements-under-duress/>

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ENERGY

Case

Eskom Holdings SOC Ltd v Letsemeng Local Municipality and Others (990/2020) [2022] ZASCA 26 (9 March 2022)

Electricity Regulation Act 4 of 2006 – Interdict and counter-application – Municipality’s obligation to pay for electricity supplied to it by Eskom – Interdict to prevent the interruption of electricity supply for non-payment – Counter-application to compel payment as agreed to by municipality.

<http://www.saflii.org/za/cases/ZASCA/2022/26.pdf>

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ENVIRONMENTAL LAW

Government Gazette

National Environmental Management: Waste Act 59 of 2008

Draft Industry Waste Tyre Management Plan. Comments invited within 30 days of publication.

GN1849 GG 46017 p3 9Mar2022

https://www.gov.za/sites/default/files/gcis_document/202203/46017gon1849.pdf

Law Firm Articles

Bonga, Tendai and Rapson, Garyn. Significant shift in environmental landscape anticipated as NEMLAA4 enters home stretch.

2022 Mar 7 Webber Wentzel

“The long-awaited NEMLAA4 has been sent to the President for signature concluding a 6-year long parliamentary process. NEMLAA4 once signed will introduce higher environmental compliance standards across the board, as well as stricter penalties for environmental transgressions.”

<https://www.webberwentzel.com/News/Pages/significant-shift-in-environmental-landscape-anticipated-as-NEMLAA4-enters-home-stretch.aspx>

Reid, Allan; Werner, Margo-Ann and Ackermann, Anton. Landowner consent for an environmental authorisation for mining activities.

2022 Mar 9 Cliffe Dekker Hofmeyr

“The National Environmental Management Act 107 of 1998 (NEMA), 2014 Environmental Impact Assessment Regulations were subject to a number of amendments which came into effect on 11 June 2021. One significant amendment to the EIA Regulations was the deletion of Regulation 39(2)(b) which exempted an applicant for an Environmental Authorisation for mining activities from having to obtain landowner consent.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Practice/Environmental/environmental-mining-and-minerals-9-march-Landowner-consent-for-an-environmental-authorisation-for-mining-activities.html>

Parliamentary Bill

Marine Oil Pollution (Preparedness, Response and Cooperation) Bill 10 of 2022

“To give effect to the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990; and to provide for matters connected therewith.”

https://pmg.org.za/files/B10-2022_Marine_Oil_Pollution_Preparedness.pdf

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FILMS AND PUBLICATIONS

Law Firm Articles

Collett, Carla and Leibowitz, Cindy. Controversial Films and Publications Amendment Act becomes operational.

2022 Mar 7 Webber Wentzel

“Many commentators are concerned that the recently introduced Films and Publications Amendment Act designed to address the dangers of the online world, raises some internet censorship concerns.”

<https://www.webberwentzel.com/News/Pages/controversial-films-and-publications-amendment-act-becomes-operational.aspx>



Wrench, Jesse-Lee. The Film and Publications Amendment Act is here – Now what?

2022 Mar 10 Michalsons

“The President of South Africa has proclaimed that the Film and Publications Amendment Act commences on 1 March 2022. The Act gives the Film and Publications Board (FPB) more power to enforce the Act. Now that the Film and Publications Amendment Act has commenced, you may have questions like: what does the law mean to me? Who does it impact? How will the FPB perform their mandate?”

<https://www.michalsons.com/blog/alert-the-film-and-publications-amendment-act-is-here-now-what/56248>

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FINANCIAL LAW

Government Gazettes

Currency and Exchanges Act 9 of 1933

Notice and order of forfeiture:

- Ajumobi Kudus Odukoya.
GenN871 GG 46019 p3 9Mar2022
https://www.gov.za/sites/default/files/gcis_document/202203/46019gen871.pdf
- Casen van Int Trading (Pty) Limited.
GenN873 GG 46021 p3 9Mar2022
http://www.gpw.gov.za/Documents/Government/46021_09-03_SARB.pdf
- Mr Isaac Godfrey.
GenN875 GG 46029 p3 11Mar2022
http://www.gpwnline.co.za/Documents/Government/46029_11-03_SARB.pdf
- Mrs Julinda Rosetta Godfrey.
GenN877 GG 46030 p3 11Mar2022
http://www.gpwnline.co.za/Documents/Government/46030_11-03_SARB.pdf
- NN Trading Logistics (Pty) Limited.
GenN868 GG 46012 p3 7Mar2022
https://www.gov.za/sites/default/files/gcis_document/202203/46012gen868.pdf
- Thato Leshaba.
GenN872 GG 46020 9Mar2022
http://www.gpw.gov.za/Documents/Government/46020_09-03_SARB.pdf

Journal Article

Qumba, Mmiselo Freedom. A comparative analysis of the Twin Peaks model of financial regulation in South Africa and the United Kingdom.

2022 139(1) South African Law Journal p78

“This article examines the recent adoption of the Twin Peaks model by the United Kingdom and South Africa... This article warns that, given the potential overlaps and high levels of co-operation required between the different regulatory bodies in South Africa, there could be detrimental consequences if this complicated financial regulation regime is not properly managed.”

Law Firm Article

De Villiers, Dawid *et al.* Financial services regulation – Monthly update: February 2022.

2022 Mar 7 Webber Wentzel

<https://www.webberwentzel.com/News/Pages/financial-services-regulation-monthly-update-february-2022.aspx>

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GAMBLING AND LOTTERIES

Government Gazette

Gauteng Gambling Act, 1995

Application for an amendment of licence: Omega Gaming SA (Pty) Ltd.

GenN882 GG 46032 p253 11Mar2022

http://www.gpwnline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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HOUSING

Government Gazette

Housing Act 107 of 1997

Nominations of persons to serve as members of Ministerial advisory panel.

GN1871 GG 46032 p41 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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INFRASTRUCTURE

Government Gazettes

Critical Infrastructure Protection Act 8 of 2019

Date of commencement of sections 1, 2, 3, 4, 5, 6, 7(1)(b), 7(3), 7 (4), 7(5), 8, 9(1), 9(2), 12, 14(5), 14(6), 14(7), 15, 27(1), 27(5), 27(7) & 27(8): 30 April 2022.

Proc54 GG 46024 p3 10Mar2022

https://www.gov.za/sites/default/files/gcis_document/202203/46024proc54.pdf

Infrastructure Development Act 23 of 2014

South Africa's National Infrastructure Plan 2050: Phase 1.

Correction Notice: This Gazette is replacing [Gazette No. 46028](#) that was Published on the 11th of March 2022 with [Government Notice No. 1852](#)

GN1874 GG 46033 p3 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46033_11-03_PublicWorksInfrastructure.pdf

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INSOLVENCY

Case

Ngcongco and Another v Voltex (Pty) Ltd *In re: Voltex (Pty) Ltd v IEC Contractors CC and Another (9813/2021) [2022] ZAGPJHC 122 (7 March 2022)*

Application for rescission of final liquidation order – Indebtedness for goods sold and delivered – Respondent failed to make out case showing that payment extinguishing indebtedness has been made for relevant period – Dismissed.

<http://www.saflii.org/za/cases/ZAGPJHC/2022/122.pdf>

Law Firm Article

Bester, Eugene; Mabhena, Nomlayo and Zungu, Alpha Mthokozisi. To wind up or not to wind up: The narrow discretion of the courts.

2022 Mar 9 Cliffe Dekker Hofmeyr

"In accordance with the so-called "*Badenhorst Rule*"..., it is trite that winding up (liquidation) proceedings are not to be used to enforce payment of a debt that is disputed on bona fide and reasonable grounds. Where, however, the respondent's indebtedness has been established, the onus is on it to show that this indebtedness is in indeed disputed on bona fide and reasonable grounds. In the recent case of [Afgri Operations Ltd v Hamba Fleet \(Pty\) Ltd 2022 \(1\) SA 91 \(SCA\)](#) the Supreme Court of Appeal (SCA) was called upon to determine whether the existence of a counterclaim constituted sufficient grounds to refuse an order for winding up."

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Sector/Business/Business-Rescue-Restructuring-Insolvency-Newsletter-9-March-To-wind-up-or-not-to-wind-up-The-narrow-discretion-of-the-courts.html>

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INTELLECTUAL PROPERTY

Journal Article

Karjiker, Sadulla. Hyperlinking and copyright.

2022 139(1) South African Law Journal p181



“This article critically considers the legality of hyperlinking to copyright-protected material on the Internet. It considers the position with respect to standard hyperlinks, and attempts to provide a possible approach in light of the proposed introduction of two new exclusive rights, namely (i) the right of communication to the public; and (ii) the making-available right. These new exclusive rights appear to be an attempt to amend the South African Copyright Act in order to give effect to the 1996 WIPO Copyright Treaty, which sought to ‘digitise’ copyright law in light of the digital technology that had developed.”

Law Firm Article

Moodley, Darshan and Bawa, Aniq. The tea on NFT’s, IP and Web 3.

2022 Mar 8 Adams & Adams

“From a copyright perspective, direct infringement of a copyright protected work (e.g. artistic work) can occur when reproduced or adapted into an NFT without authorisation from the copyright owner. Copyright infringement is likely to be as prevalent as trade mark infringement proceedings in the NFT sphere, given that artistic and literary works are among the assets which typically underlie NFTs.”

<https://www.adams.africa/intellectual-property/the-tea-on-nfts-ip-and-web-3/>

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INTERNATIONAL LAW

Journal Articles

Dyani-Mhango, Ntombizok. Revisiting personal immunities for incumbent foreign heads of state in South Africa in light of the *Grace Mugabe* decision.

2021 (2) African Human Rights Law Journal p1135

“In the *Grace Mugabe* decision in which the conclusion was arrived at that Grace Mugabe was not entitled to spousal immunity by virtue of being the wife of the then incumbent foreign head of state, Vally J remarked that the late former President Mugabe would not have been entitled to immunity had he been accused of committing the assault. This article analyses this remark and its potential negative impact on South Africa’s relationship with other African states.”

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Mhango.pdf

Jordaan, Eduard. Worthy of membership? Rwanda and South Africa on the United Nations Human Rights Council.

2021 (2) African Human Rights Law Journal p907

“The election of human rights-abusing states to the human rights bodies of the United Nations has long been a source of dissatisfaction. There have been repeated calls that such states should not be members of the UN Human Rights Council. This article compares the HRC records of Rwanda, an authoritarian state, with that of South Africa, a liberal democracy.”

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Jordaan.pdf

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LAND AND PROPERTY LAW

See also: [Sectional Titles](#)

Cases

Koosimile v Mahomed and Others (2022/6409) [2022] ZAGPJHC 114 (3 March 2022)

Application for spoliation order in terms of Uniform Rules of Court, Rule 6(12)(a) – Applicant (previous owner) seeking restoration of possession of property – Property purchased by respondents at public auction pursuant to warrant of execution – Respondents’ denial that applicant had no permission to be in occupation of property until end of February 2022 not supported by objective facts – Applicant entitled to spoliation order.

<http://www.saflii.org/za/cases/ZAGPJHC/2022/114.pdf>

Mare and Others v Akarana Home Owners Association and Others (10147/2019) [2022] ZAWCHC 20 (28 February 2022)

Application for order for appointment of administrator to control respondents’ affairs – Voting rights – Validity of appointment of certain members as trustees – Whether appointment of administrator rational – *Oudekraal* principle – Inappropriate to appoint administrator for interim period before pending action proceedings – Application and counter-application dismissed.

<http://www.saflii.org/za/cases/ZAWCHC/2022/20.pdf>

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LEGAL AID

Government Gazette

Legal Aid South Africa Act 39 of 2014

Legal Aid Manual: Notice of tabling in Parliament of amendments. The amendments take effect 60 days after publication of this notice.

GenN 870 GG 46018 p3 9March 2022

https://www.gov.za/sites/default/files/gcis_document/202203/46018gen870.pdf

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LEGAL PROFESSIONALS

Pick of the Month from our monthly Practice Management Alert (February 2022)

- **Molatseli, Leah. Data is the new gold, how are you managing your legal department's data?**
2022 Feb 15 Legal Business World
<https://www.legalbusinessworld.com/post/data-is-the-new-gold-how-are-you-managing-your-legal-department-s-data>
- **The Legal Tech to English Dictionary – Above The Law, 2022.**
Download [here](#).

Read more about the Lexinfo Practice Management Alert at <https://www.lexinfo.co.za/lexinfo-practice-management-alert>

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LOCAL GOVERNMENT

Law Firm Article

Moosajee, Aslam and Makan, Vishana. Powers of the Provincial Executive arm of government to intervene and dissolve a municipality [*Premier, Gauteng and Others v Democratic Alliance and Others; All Tshwane Councillors who are Members of the Economic Freedom Fighters and Another v Democratic Alliance and Others; African National Congress v Democratic Alliance and Others* (CCT 82/20; CCT 91/20) [2021] ZACC 34 (4 October 2021)].

2022 Mar 8 ENSafrica

“The South African Constitutional Court dealt with a dispute between organs of state in the provincial and local government spheres, where it considered the powers of a provincial executive to intervene and dissolve a municipality in terms of section 139(1)(c) of the Constitution. Specifically, the matter involved the decision that the City of Tshwane Metropolitan Municipal Council failed or was unable to fulfil its executive obligations in terms of the Constitution and related legislation.”

<https://www.ensafrica.com/news/detail/5348/powers-of-the-provincial-executive-arm-of-gov>

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MARITIME LAW

Government Gazette

Merchant Shipping Act 57 of 1951

Draft Merchant Shipping (Construction and Equipment of Fishing Vessels of 24metres in length and over): Regulations, 2022. Comments invited within 30 days of publication.

GenN883 GG 46032 p254 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Journal Article



Wallis, Malcolm. Where do we belong? The plight of plaintiffs with small maritime claims.

2022 139(1) South African Law Journal p205

“Is a claim falling within the definition of a ‘maritime claim’ in terms of s 1 of the Admiralty Jurisdiction Regulation Act 105 of 1983 and also within s 29(1) of the Magistrates’ Courts Act 32 of 1944 capable of being pursued in the magistrates’ courts? In [World Net Logistics \(Pty\) Ltd v Donsantel 133 CC and Another 2020 \(3\) SA 542 \(KZP\)](#) the full court in KwaZulu-Natal held that such claims must be pursued within the exclusive admiralty jurisdiction of the high court. The article submits that this is incorrect and disregards the history of the Admiralty Jurisdiction Regulation Act, amounts *pro tanto* to an implied repeal of the relevant section of the Magistrates’ Courts Act, and is inconsistent with the principles of statutory interpretation applied by our courts.”

Parliamentary Bill

Marine Oil Pollution (Preparedness, Response and Cooperation) Bill 10 of 2022

“To give effect to the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990; and to provide for matters connected therewith.”

https://pmg.org.za/files/B10-2022_Marine_Oil_Pollution_Preparedness.pdf

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MEDICAL LAW

Government Gazettes

Dental Technicians Act 19 of 1979

Regulations relating to the registration of dental laboratories and related matters: Amendment.

GN1870 GG 46032 p38 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Health Professions Act 56 of 1974

Rules relating to the registration by medical practitioners and dentists of additional qualifications.

BN224 GG 46032 p526 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Medical Schemes Act 131 of 1998

- List of Registered Schemes for 2022.

GenN880 GG 46032 p246 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

- Adjustment to fees Payable to Brokers.

GenN882 GG 46032 p252 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

Journal Articles

Blaauw, D. et al. Introducing an Ethics Framework for health priority-setting in South Africa on the path to universal health coverage.

2022 112(3) Mar South African Medical Journal

“The COVID-19 pandemic demonstrates that having such a framework would have been helpful in making a number of critical decisions, for example in the pricing, procurement and allocation of vaccines, treatments, oxygen and critical care beds for COVID-19, as well as for procurement and allocation of personal protective equipment. In the context of a constrained budget and severe hardship caused by the pandemic, going forward, careful priority-setting using local ethics and values is essential. This Framework will assist this process.”

<http://www.samj.org.za/index.php/samj/article/view/13536/10069>

McQuoid-Mason, D.J. Liability of doctors based on negligence for culpable homicide: No need to change the law concerning medical negligence or to establish special medical malpractice courts – Use mediation and medical assessors instead.

2022 112(3) Mar South African Medical Journal

“Doctors need not fear making admissions during mediation proceedings in civil matters, because legislation provides that such admissions and evidence may not be used in subsequent civil actions. The Chief Justice can also issue a practice directive that all presiding officers must appoint medicolegal experts as assessors in medical malpractice cases. The medical profession can assist the process by arranging a panel of such experts who can be called upon to serve as assessors by the courts.”

<http://www.samj.org.za/index.php/samj/article/view/13491/10022>



Richter, Marlise.; Nokhepeyi, Yanga. and Hassan, Fatima. When secrecy and expert advice collide in a pandemic: Access to information and the National Department of Health's tardy publication of Ministerial Advisory Committee advisories.

2022 112(3) Mar South African Medical Journal

"[I]n May 2020, the media house News24 submitted two Promotion of Access to Information Act... requests to the NDoH for access to the MAC advisories and to the 'detailed Covid-19 data collected'. In July 2020, the MoH stated that the NDoH would not release the advisories as they 'did not represent the government's final position on the issues under discussion and that it was necessary to appreciate government's complex policy formation process.'"

<http://www.samj.org.za/index.php/samj/article/view/13524/10056>

Van Zyl, Gert U.; Dramowski, Angela and Preiser, Wolfgang. Pandemic escape plan: Discontinuing policies that have reached their expiry date.

2022 112(3) Mar South African Medical Journal

"[A]lthough breakthrough infection in previously vaccinated individuals might be beneficial, it could still cause serious disease in those who are poor vaccine responders. Emphasis must therefore be placed on protecting those who are least likely to be protected well through vaccination, rather than preventing SARSCoV-2 transmission in the general population, which is neither feasible nor necessary."

<http://www.samj.org.za/index.php/samj/article/view/13489/10020>

Law Firm Article

Grant, Tyron et al. The Life Sciences Law Review: South Africa.

2022 Feb 23 Spoor & Fisher

"The Medicines Act is administered by the South African Health Products Regulatory Authority (SAHPRA), which took over administration of the Medicines Act from its predecessor, the Medicines Control Council (MCC). The MCC, and later the SAHPRA, have issued a number of guidelines relating to all aspects of approval of medicines."

<https://thelawreviews.co.uk/title/the-life-sciences-law-review/south-africa>

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MINING LAW

Case

Adams and Others v Minister of Mineral Resources and Energy and Others (1306/22) [2022] ZAWCHC 24 (1 March 2022)

Application for order interdicting third, fourth and sixth respondents from commencing, alternatively continuing, their seismic survey along west and south-west coasts of South Africa in terms of reconnaissance permit pending outcome of internal appeal against grant of permit and outcome of part B of this application – Lawfulness of permit granted by Minister in terms of Mineral and Petroleum Resources Development Act 28 of 2002, s 74 – Legality of commencement of survey – Apprehension of irreparable harm related to marine and bird life, food security and applicant's livelihoods and cultural rights – Public interest – Respondents interdicted from continuing seismic survey pending outcome of appeal.

<http://www.saflii.org/za/cases/ZAWCHC/2022/24.pdf>

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PERSONS AND FAMILY LAW

Case

MNB v MMP (9368/2019) [2022] ZAGPJHC 128 (3 March 2022)

Husband and wife – Grounds for divorce – Irretrievable breakdown – Forfeiture of benefits of marriage – Divorce Act 70 of 1979, s 9(1) – Factors to be considered in determining whether to order forfeiture of benefits of marriage in terms of s 9(1) are duration of marriage, circumstances which gave rise to its breakdown and any substantial misconduct on part of either party.

<http://www.saflii.org/za/cases/ZAGPJHC/2022/128.pdf>

Journal Article

Rosenberg, Whitney. Mechanisms adopted in curbing unsafe infant abandonment: A comparison between Namibia and South Africa.

2021 (2) African Human Rights Law Journal p938



“This article looks at the development of ‘baby safe haven’ laws in Namibia as a response to unsafe infant abandonment and examines the lack of similar laws in South Africa to curb this practice. The central question addressed in the article is whether an obligation rests with the South African legislature to prevent unsafe infant abandonment by providing a safe alternative.”

http://www.ahrlj.up.ac.za/images/ahrlj/2021/volume_2/AHRLJ%20_2021%20Rosenberg.pdf

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POPI

Law Firm Articles

Hadebe, Tshepiso. The importance of social media policies in schools.

2022 Mar 7 PPM Attorneys

“While it has significant benefits, the use of social media in the school context without appropriate policies in place carries significant risks. One such risk is the privacy of students’ personal information. As the majority of pupils in South African schools are below the age of 18, this means they fall within the definition of “child” under the Protection of Personal Information Act (POPIA).”

<https://www.ppmattorneys.co.za/the-importance-of-social-media-policies-in-schools/>

Musoni, Melody. POPIA and prior authorisation.

2022 Mar 7 PPM Attorneys

“One of the concerns raised by the chairperson of the Information Regulator was that a lot of Responsible Parties were submitting prior authorisation applications despite not conducting any of the listed activities. Such unnecessary applications has the negative impact on the Information Regulator’s functions in that they waste time and resources going through the submitted applications.”

<https://www.ppmattorneys.co.za/popia-and-prior-authorisation/>

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PRIVACY

Law Firm Articles

Budhram, Shannon. Cookies!

2022 Mar 8 Garlicke & Bousfield Inc

“With the implementation of data privacy legislation all over the world, you can hardly enter any websites without a ‘Cookies Consent’ or ‘Cookies Notice’ popping up. This disclosure is extremely important and aims to help you make an informed decision on whether or not you want to proceed to the website.”

<https://www.gb.co.za/news-insights/cookies/>

Hofmeyr, Anja and Botsane, Omolola. Be careful about what you put out there: Public information is not private.

2022 Mar 8 Cliffe Dekker Hofmeyr

“A recent judgment handed down by the Supreme Court of Appeal (SCA) serves as an important reminder that the right to privacy cannot always be invoked to limit the right to freedom of expression. In the case of [Bool Smuts and Another v Herman Botha \[2022\] ZASCA 3](#), the SCA found that personal information ceases to be private once released to the public by the owner.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Practice/Dispute/dispute-resolution-alert-8-march-be-careful-about-what-you-put-out-there-public-information-is-not-private-.html>

Mankoe, John and Majuru, Christopher. Facebook and the right to privacy.

2022 Jan 20 Andersen

“The Supreme Court of Appeal (SCA) recently dealt with the tension between the right to privacy and the right to freedom of expression in the matter of [Bool Smuts and Another v Herman Botha](#). The SCA made significant findings in this regard, namely that whilst the publication of personal information is generally protected by the right to privacy, in certain instances the right to freedom of expression outweighs the right to privacy. In considering the issues before it the SCA had to make an enquiry, which was whether the publication of personal information in certain Facebook posts was protected by the right to freedom of expression.”

<https://za.andersen.com/news/insights/2022/01/facebook-and-the-right-to-privacy>

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RAILWAYS AND HARBOURS

Law Firm Article

Pike, Andrew and Nichols, Trudie. Ports, transport and logistics sector news round-up 2/2022 (31 January–26 February 2022).

2022 Mar 4 Bowmans

<https://www.bowmanslaw.com/insights/ports-transport-logistics/ports-transport-and-logistics-sector-news-round-up-2-2022-31-january-26-february-2022/>

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REVENUE

Government Gazette

Division of Revenue Act 9 of 2021

Provincial and local government conditional grant frameworks and explanatory memorandum.

GN1847 GG 46014 p3 7Mar2022

https://www.gov.za/sites/default/files/gcis_document/202203/46014gon1847.pdf

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ROADS AND ROAD TRANSPORTATION

Case

Sibuyi v Road Accident Fund (855 / 2021) [2022] ZAMPMBHC 10 (17 February 2022)

Claim for damages arising from injuries sustained in motor vehicle accident – *Locus standi* – Absolution from instance granted to defendant.

<http://www.saflii.org/za/cases/ZAMPMBHC/2022/10.pdf>

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SAFETY AND SECURITY

Government Gazette

Private Security Industry Regulation Act 56 of 2001 and Security Officers Act 92 of 1987

Amendment to Regulations under Security Officers Act 92 of 1987: General Notice - Annual Fee Increase.

GN874 GG 46027 p3 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46027_11-3_CivilianSecPolSer.pdf

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SECTIONAL TITLES

Journal Articles

De Klerk, Ané. Can an owner's insurance excess payable be added to their levy account?

2022 17(2) Feb Paddocks Press

"Recovering money from people can certainly be challenging. It is therefore not surprising that trustees and managing agents alike prefer to add contributions and charges payable by members directly to what we in practice commonly refer to as their "levy account" or "levy statement"."

<https://www.paddocks.co.za/paddocks-press-newsletter/can-an-owners-insurance-excess-payable-be-added-to-their-levy-account/>

Paddock, Graham. A Code of Conduct applicable to managing agents and paid trustees.

2022 17(2) Feb Paddocks Press

"The Property Practitioners Act of 2019 came into effect on 1 February 2022... You might want to start by looking at the Code of Conduct set out in section 34.3 of the Act to see how these apply to the activities of managing agents and paid trustees... Regulation 34.2, under the heading "Code of Conduct", sets out the "Duties Applicable to All Property Practitioners"."

<https://www.paddocks.co.za/paddocks-press-newsletter/a-code-of-conduct-applicable-to-managing-agents-and-paid-trustees/>



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SOCIAL SECURITY

Draft Bill

Older Persons Amendment Bill, 2022

Notice of intention to introduce to Parliament

“To amend the Older Persons Act, 2006, so as to insert new definitions; insert new provisions relating to the monitoring and evaluation of all services to older persons and for the removal of older persons to a temporary safe care without a court order; to tighten up the existing implementation and compliance measures; to effect some textual amendments for greater clarity and to provide for matters connected therewith.”

GN1872 GG 46032 p44 11Mar2022

http://www.gpwnline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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TAXATION

Case

Barnard Labuschagne Inc v South African Revenue Service and Another (CCT 60/21) [2022] ZACC 8 (11 March 2022)

Tax Administration Act 28 of 2011, s 172 and s 174 – Certified statement filed by South African Revenue Service to be treated as civil judgment – Whether susceptible of rescission – Scope of Chapter 9 – Whether dispute about alleged payment of self-assessments within scope.

Judgment: <http://www.saflii.org.za/za/cases/ZACC/2022/8.pdf>. Media summary: <http://www.saflii.org.za/za/cases/ZACC/2022/8media.pdf>.

Government Gazette

Income Tax Act 58 of 1962

Determination of the rate per kilometre in respect of motor vehicles for the purposes of s 8(1)(b)(ii) and (iii). The rate per kilometre determined in terms of this Schedule applies in respect of years of assessment commencing on or after 1 March 2022.

RGN1848 GG 46015 p3 8March2022

<https://www.sars.gov.za/lapd-lsec-it-gn-2022-03-gn1848-gg-46015-vehicle-cost-tables-2022-8-march-2022/> or

https://www.gov.za/sites/default/files/gcis_document/202203/46015gon1848.pdf

Law Firm Articles

Collop, Lance and Carroll, Nicholas. Death, taxes, and remote working.

2022 Mar 10 Cliffe Dekker Hofmeyr

“Whilst it may appear that a semblance of normality is returning, it’s almost as certain as death and taxes, that remote working will be a part of the next normal. South Africa’s recent State of the Nation Address even made mention of a new remote working visa. In light of this, companies with ‘work from home’ policies should be especially mindful of potential tax exposures where ‘home’ is in a foreign country. We deal with some of these potential exposures in more detail below.”

<https://www.cliffedekkerhofmeyr.com/en/news/publications/2022/Practice/Tax/tax-and-exchange-control-alert-10-march-2022-Death-taxes-and-remote-working.html>

Grimm, Wesley and Ritchie, Shirleen. Covid-19 organisations and their donors are in SARS' cross hairs.

2022 Mar 7 Webber Wentzel

“SARS appears to be reviewing the tax deductibility of donations made after 30 September 2021 to organisations set up to provide economic forms of disaster relief for Covid-19.”

<https://www.webberwentzel.com/News/Pages/covid-19-organisations-and-their-donors-are-in-sars-cross-hairs.aspx>

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WATER

Government Gazette

National Water Act 36 of 1998



Proposed water resource classes and resource quality objectives for the Thukela catchment in the Pongola-Mtamvuna Water Management Area. Comments invited within 60 days of publication.

GN1873 GG 46032 p83 11Mar2022

http://www.gpwonline.co.za/Documents/Government/46032_11-3_NationalGovernment.pdf

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