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Newsletter | January 2018



### Plot-and-Plan: Great Option, Just Beware the Building Deadline

There are many benefits to the “buy and build” option when you decide to buy a house, but they come with some important cautions.

One of them is that buyers who fail to build on their plots by deadline risk penalty levies and/or buy-back (retransfer) clauses. We discuss a recent SCA case illustrating both the risk to buyers of a buy-back clause, and the need for developers to beware of losing their claims through prescription.

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### TV Cameras in the Courtroom – Media Circus or Public Right? Lessons from the van Breda trial

The Henri van Breda saga is a perfect example of how media broadcasts and livestreaming from a high-profile trial can stoke public interest and engagement.

But what about the rights of witnesses to privacy and security? And the accused person’s right to a fair trial? How should our courts balance these rights against those of the public and the media? An SCA judgment from the early days of the trial sets out clear guidelines...



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### Sellers and Landlords: Using an Unregistered Estate Agent

With media reports suggesting that up to 50,000 agents may be operating without the required Fidelity Fund Certificate, and whilst many former agents have probably just closed up shop, there is a chance that the agent who sold or rented out your house for you is (whether inadvertently or by design) unregistered.



We look at how this affects you, with a note to agents on the importance of renewing your Fidelity Fund Certificates and using your EAAB PrivySeals.

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### When Crime Doesn't Pay: VAT Fraudsters Behind Bars for 25 Years

Honest taxpayers, particularly those struggling to get legitimate refunds out of SARS whilst its fraud prevention systems grind along slowly, will hope that potential tax cheats take fright at the stiff sentences handed down recently to three company directors.

They were convicted of submitting 198 fraudulent VAT returns over a 3 year period, involving a total of R216m, and each director received an effective sentence of 25 years' imprisonment.



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### Your Website of the Month: What Does 2018 Have in Store For Us?

*"Prediction is very difficult, especially if it's about the future" (Niels Bohr, theoretical physicist and Nobel Prize winner)*

The last few years have sprung on us a lot more than their fair share of game-changing surprises. The Brexit vote, Donald Trump's election, the rise and rise of Bitcoin ... the list goes on.

Here's something to help with your strategic planning for 2018...

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***"Have a Healthy, Happy and Successful 2018!"***



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