

# Yusuf Omar

Associate



Yusuf Omar is an Associate in our Corporate & Commercial practice. Yusuf assists the team with mergers and acquisitions, renewable energy transactions, drafting and reviewing commercial agreements and due diligence investigations.

## About Yusuf

Yusuf joined Cliffe Dekker Hofmeyr as a Candidate Attorney in 2021 and was appointed as an Associate in 2023.

## Credentials

### Education

- LLB, University of South Africa

## Experience

- Transactional work

Yusuf has experience in renewable energy transactional work, such as drafting transaction documents, conducting legal due diligence investigations, drafting due diligence reports and assisting with company secretarial work, including the drafting of resolutions and other company constitutional documents.

## News

### [The magic wand of reinstatement of a deregistered company](#)

It is a common occurrence to discover after the fact that a company was deregistered (and thus legally did not exist) during a period in which it concluded multiple juristic acts. Section 82(3) of the Companies Act 71 of 2008 (Companies Act) sets out various reasons for which a company may be deregistered, such as a company failing to file an annual return for two or more years in succession – a common oversight – without any satisfactory reasons for such failure, or the Companies and Intellectual Property Commission (CIPC) determining that a company has remained inactive for seven years and no person has shown interest in the company's continued existence.

## Contact Yusuf

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[Yusuf on LinkedIn](#)

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## Expertise

[Corporate & Commercial Law](#)

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## Location

Johannesburg

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## Language

English

#### Non-executive, non-negotiable: Social and ethics committee membership

A recent ruling by the Companies Tribunal (Tribunal) in the matter of Xone Control Room Management (Pty) Ltd, Ex Parte (11 September 2024) has clarified the limits of the Tribunal's jurisdiction regarding the composition of a social and ethics committee (SEC), particularly focusing on the requirement for non-executive directors. The implications of this ruling are sharper given the recent amendments to the Companies Act 71 of 2008 (Companies Act) regarding SECs, which came into force on 27 December 2024.

#### Can the enforcement of an international arbitral award be stayed pending the finalisation of a separate action instituted in court?

The High Court in *Industrius D.O.O v IDS Industry Service and Plant Construction South Africa (Pty) Ltd* JOL 51033 (GJ) recently dealt with this issue.

#### Exemption clauses and liability for damages

Pens are mightier than swords! None more so than the one used to draft exemption clauses, aka "disclaimer clauses". An exemption clause is a contractual modification to the common law rule as to risk; a "shield" if you will, absolving one party, either wholly or partially from an obligation or liability which would or could arise at common law under a contract. Our courts have also demonstrated a willingness to give effect to exemption clauses.

#### POPIA and the disclosure of an employee's vaccination status

The Protection of Personal Information Act 4 of 2013 (POPIA) provides for the protection of personal information processed by public and private bodies. Whilst POPIA defines personal information, it also creates another category termed 'special personal information'.

[All news by Yusuf Omar →](#)