

# Jamie Oliver

Associate



Jamie Oliver is an Associate in our Banking, Finance & Projects practice.

## About Jamie

### News

#### Commencement of the Electricity Regulation Amendment Act 38 of 2024

The Electricity Regulation Amendment Act 38 of 2024 (ERA Act) was signed into law by the President of South Africa on 16 August 2024. On 18 December 2024, a governmental proclamation notice (236 of 2024) was published in Government Gazette 51778 in terms of which it was detailed that, in accordance with section 33 of the ERA Act, 1 January 2025 will be the date on which the ERA Act shall come into operation (save for amendments to the definitions of "reticulation" and "distribution power systems" in section 1 of the ERA Act, which will be dealt with by the President in a further proclamation in the Government Gazette in due course).

#### Surviving the impact of the electricity crisis on food production

Persistent loadshedding continues to pose a significant threat to South Africa's food supply chain and agricultural production. Unforeseen power cuts affect irrigation schedules, heating, fruit and wine processing, milling, bakeries, abattoirs, cold chain logistic and exports. Extreme bouts of rotational power cuts and sporadic changes to the loadshedding stages, have in certain instances resulted in farms and processors having to discard their produce, with farmers reporting losses of between 30% to 50%. The frustration within the agricultural sector is driving farmers and agri-processors to find new solutions to mitigate their losses and manage their risk.

#### Two new renewables bid windows signal revised hope for solving South Africa's energy crisis

On 14 December 2023, the Department of Mineral Resources and Energy (DMRE) released a request for qualification and proposals (RFP) under the seventh bid submission phase (Bid Window 7) of the Renewable Energy Independent Power Producers Procurement Programme (REIPPPP), and the DMRE also launched the second bid window (Bid Window 2) for the Battery Energy Storage Independent Power Producers Procurement Programme (BESIPPPP).

## Contact Jamie

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## Expertise

Banking, Finance & Projects

## Location

Cape Town

## Language

English

#### [Dispositions without value: Are monies deposited into attorneys' section 86 trust accounts by clients, invulnerable?](#)

Section 26 of the Insolvency Act 24 of 1936 (Act) acts as a protective barrier for creditors as it regulates dispositions made without value. This barrier found particular importance in the recent case of *Van Wyk Van Heerden Attorneys v Gore NO and Another* (828/2021) ZASCA 128 (30 September 2022) ( *Van Wyk v Gore* ).

#### [Using South African business rescue provisions to argue for the recognition of foreign administration or curatorship orders in South Africa](#)

It is well known in the shipping/maritime sector that it is relatively uncomplicated to arrest foreign vessels when in South African territorial waters. Our admiralty jurisdiction laws are extremely plaintiff and creditor friendly. While there are obvious advantages to this, it has also proved to be a problem over the last two decades in the context of various economic global incidents causing havoc in the commercial shipping industry. Largely due to these global incidents, many shipping companies have been placed in administration or curatorship in various jurisdictions around the world. However, foreign administration or curatorship orders, and the protections afforded under them, are not automatically recognised in South Africa. Despite these orders, it is still possible to arrest a vessel owned by a shipping company under or in administration or curatorship in another country. This has, obviously, had a negative impact on the international commercial shipping industry. Hope was found, however, using South Africa's business rescue provisions.

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