

Karabo Nemudibisa

Candidate Attorney

About Karabo

News

[Fraud unravels all, including contracts of employment](#)

The insidious effect of fraud permeates the entire legal system. This is because it renders contracts voidable at the instance of the innocent party; is a crime; excludes the effects of an ouster clause in legislation; and nullifies a contractual exemption clause which purports to exclude a party from the consequences of fraudulent conduct. Its effects are therefore far-reaching. This was recently illustrated in *Umgeni Water v Naidoo and Another* (11489/2017P) ZAKZPHC 80 (15 December 2022), in the context of employment relationships.

[Age is nothing but a number: Can an employer fairly dismiss an employee who has reached the agreed retirement age?](#)

In *Motor Industries Staff Association and Another v Great South Autobody CC T/A Great South Panel Beaters* (JA68/2021), the Labour Appeal Court (LAC) considered whether an employer can fairly dismiss an employee based on age, at any time after the employee has reached the agreed upon age of retirement.

[Agreeing to disagree: An analysis of what constitutes termination of a project in respect of a fixed-term contract where such contract's end date is silent](#)

A contract forms the basis of enforceable legal obligations and corresponding rights between two or more contracting parties. Contractual obligations are easier to enforce where a written contract exists.

[Contingent/conditional/damages claims all have locus standi to set aside BR resolution but, once a plan is rejected and no further steps are taken by the BRP, it's over](#)

Business rescue practitioners (BRPs) must tread with caution when they consider who is deemed a creditor in business rescue proceedings. Further care needs to be applied when the question of whether business rescue proceedings have actually been terminated by the rejection of a business rescue plan. These were questions the Pretoria High Court had to answer in the recent case of *Rogal Holdings (Pty) Ltd and Another v Victor Turnkey Projects (Pty) Ltd and Others* (53473/2021) ZAGPPHC.

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Contact Karabo

Location

Johannesburg

Language