



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: Thursday, 27 September 2007

Status: Immediate

The Supreme Court of Appeal today delivered judgment in the matter of *Van Niekerk v Favel* concerning the interpretation and application of the provisions of the Alienation of Land Act 68 of 1981. The Court held that, in terms of the provisions of s 19 of the Act, a seller, who intends invoking the right to cancel the contract, or to claim full and immediate payment of the balance of the purchase price, or claim damages, or to exercise any other penalty stipulation in the contract, is obliged to give the purchaser prior written notification (as required by s 19(2)(c)) in which the seller makes specific reference to those remedies which he intends enforcing if the breach is not remedied in time.

This notification is purely informative and forms no part of the judgment of the Court.

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