

Let us be thankful for the fools. But for them the rest of us could not succeed. - Mark Twain

Van Huyssteens Oratorical Festival 2010: North Gauteng

Definition of Orator: Latin Orator ("speaker") has its origin from Orare ("speaks before a court or assembly"). In ancient Rome, the art of speaking in public was a professional competence especially cultivated by politicians and lawyers. The modern meaning of the word is Public Speaker.

During March 2010 we embarked on a new project which coincides with the firm's well known corporate social investment undertakings.

The Van Huyssteens Oratorical Festival 2010: North Gauteng, which had its inception this year, was held to fill the orator's void that developed over the past few years. Thirty two schools in North Gauteng participated, constituting one thousand one hundred and forty two orators. Grade 8 – 12 learners participated in either English or Afrikaans, individually or in groups of four learners. The fact that various orators selected not to speak in their mother tongue, contributed to the success of the event.

On 24 March 2010 the gala evening was hosted by the firm at Midstream College, after various prelims were held the previous week. Schools such as Waterkloof, Woodhill College, Cornwall College, St Albans & Menlo Park, to mention a few, participated in the glamorous event. A capacity crowd attended where the Grade 11 winners performed during the course of the evening. With the topics chosen and argumentative stances the orators took against current affairs, they demonstrated that public speaking in Pretoria is of a very high standard.

For results of the final and more information regarding the Oratorical Festival for 2011 please visit our website at: www.vanhuysssteens.co.za

Law & Laughter

The trouble with the legal profession is that 98% of its members give the rest a bad name.

Visit us online for the latest news and info on upcoming events!
www.vanhuysssteens.co.za

Serious Risk for Suppliers in the new - Consumer Protection Act ("CPA").

The CPA comes into effect, in its entirety, during October 2010 whilst certain of its sections come into effect as soon as 24 April 2010 and is aimed at reducing exploitation of and/or harm to consumers.

At present, if a consumer wishes to claim for damages, he/she/it would have to prove fault (i.e. will or neglect) on the part of the defendant (usually a supplier or manufacturer). The CPA moves towards a regime of "faultless" liability, in that the consumer no longer has to prove fault, but merely that he/she/it:

1. suffered damages, and
2. such damages were brought about by the products purchased.

Whether the CPA provides for joint and/or several liability of manufacturers, suppliers and distributors, remains a point of debate and unless the act is amended we will probably see court cases on this matter going forward.

The defences available to suppliers include:

- proof that the defect did not exist at the time that the products were supplied;

- proof that it is unreasonable to expect of him/her/it to have discovered the defect;
- proof that the consumer's claim has prescribed due to the fact that three years has passed since the consumer first had a right to claim;
- proof that the defective characteristic of the product is wholly attributable to compliance with a public regulation;

It is clear that the implementation of the CPA will bring about **great challenges and exposure to manufacturers, distributors and suppliers**. It is imperative for all entities, active in the chain of manufacture and supply, to ensure that they implement the necessary mechanisms for protection as soon as possible.

Contact van Huyssteens

T +27 12 349 2306

F +27 12 349-2308

Address:

De Haviland Crescent Nr. 5,
III Villaggio Nr.12, Torino Suite
Persequor Park
Pretoria, South Africa

Van Huyssteens appreciates your feedback:

For information or editorial contributions, please e-mail: commercial@vanhuyssteens.co.za

If you would like to subscribe to this service, please send a blank e-Mail to: commercial@vanhuyssteens.co.za with the word 'subscribe' in the subject line. To unsubscribe send a blank e-Mail to: commercial@vanhuyssteens.co.za with the word 'un-subscribe' in the subject line.

Van Huyssteens Commercial Attorneys disclaims all liability for any loss, damage, injury or expense however caused, arising from the use of, or reliance upon, in any manner or form, the information provided through this newsletter. It does not, in any form or manner, warrant, or purport to warrant, the truth, accuracy and/or completeness of the information provided. Should any of the information provided herein be applicable to (or interest) you, please consult with a legal professional for comprehensive advice and guidance thereon. The publisher's prior written permission is required to reproduce, publish, use and/or display the contents hereof in any form or manner and/or for any reason whatsoever.