

SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN SUPREME COURT OF APPEAL

FROM: The Registrar, Supreme Court of Appeal
DATE: 30 SEPTEMBER 2010
STATUS: Immediate

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.

ATB CHARTERED ACCOUNTANTS (SA) v EDNA BONFIGLIO

The Supreme Court of Appeal (SCA) today upheld the appeal by the appellants, a firm of chartered accountants (ATB) against the decision of the Pretoria High Court, dismissing its special plea of prescription.

The appellant and respondent entered into an agreement. The appellant was to advise her on the sale of her business to a third party. She duly sold it on the advice of ATB but was not paid the purchase price.

She sued the accountants for damages.

The court found that the claim had arisen more than three years before the summons was issued and the claim had therefore prescribed.