



THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

FROM The Registrar, Supreme Court of Appeal
DATE 26 November 2015
STATUS Immediate

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

Breda NO v The Master of the High Court, Kimberley (20537/2014) [2015] ZASCA 166 (26 November 2015)

Media Statement

The SCA dismissed an appeal against the decision of the High Court, refusing an application by the appellant, to review a decision of the Assistant Master, Kimberley. The SCA held that the Assistant Master had correctly admitted a claim in an insolvent estate. It decided that an attorney is not precluded from commissioning an affidavit, submitted in proof of a client's claim. It also decided that a presiding officer at a meeting of creditors, should provisionally admit a claim which ex facie the documents submitted to proof may have prescribed. Whether the running of prescription was delayed or interrupted, should be determined by the trustee.

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