

Supreme Court of Appeal of South Africa

**MEDIA SUMMARY – JUDGMENT DELIVERED IN SUPREME
COURT OF APPEAL**

From: The Registrar, Supreme Court of Appeal

Date: ... November 2005

Status: Immediate

**INVENTIVE LABOUR STRUCTURING (PTY) LIMITED v DENNIS
CORFE**

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

Today the Supreme Court of Appeal (the SCA) upheld an appeal by Inventive Labour Structuring (Pty) Limited against an order of the Pietermaritzburg High Court dismissing its application for the rectification of a deed of suretyship and default judgment. Contrary to the intention of the parties and due to an error, the suretyship contract reflected the same names for the surety and the principal debtor.

Before setting the order aside, the SCA considered whether the contract satisfied the requirements of s 6 of the General Law Amendment Act 50 of 1956 regarding the identification of the parties. The court emphasised that a contract of suretyship must comply with the requirements of the section for rectification to be ordered.