



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 11 March 2011
STATUS Immediate

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

Renasa Insurance Company Limited v Watson (32/2014) [2014] ZASCA 13 (11 March 2016)

This appeal has its origin in a fire that erupted during the morning of 10 January 2011 in industrial premises in Elsies River, Cape Town. Pursuant thereto the respondents sought indemnification from their insurer, the appellant, for the loss they suffered as a consequence of the fire. The insurer repudiated the claims and the Western Cape High Court found in favour of the respondents awarding them their respective claims. This finding was upheld by the Supreme Court of Appeal on the basis that the appellant had failed to discharge the onus of proving its defence, namely that the first respondent was the arsonist who had set fire to the premises, alternatively that the respondents are precluded from claiming loss due to a failure to take reasonable steps and precautions to prevent the loss.

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