

**Fourie NO and others v Newton [2011] 2 All SA 265 (SCA)(29 November 2010)**

Company law - Insolvent company - Action by liquidators against director of company in terms of section 424 of Companies Act 61 of 1973 - Section 424 empowers a court to declare any person, who was knowingly a party to the carrying on of the business of a company recklessly or with intent to defraud creditors, personally responsible for the debts of the company - On proper approach to evidence, court unable to find that respondent conducted the business of the company with an attitude of reckless disregard for the consequences.

**Dlamini v Dlamini Mulangaphuma Mathopo Moshimane Inc and others [2011] 2 All SA 314 (3 November 2010) (GSJ)**

Courts - Court order - Alleged non-compliance - Contempt of court - Crime unlawfully and intentionally to disobey a court order - Test - Whether the breach was committed deliberately and *mala fide* - A deliberate disregard is not enough, since the non-complier may genuinely, albeit mistakenly, believe him or herself entitled to act in the way claimed to constitute the contempt - In such a case, good faith avoids the infraction.