Publication list: Prof KE van der Linde

Articles in peer-reviewed journals (from most recent)


2  “Tax issues arising from the amalgamation or merger procedure in the Companies Act 71 of 2008” 2014 *Stellenbosch Law Review* 471 (Co-author: Joon Chong)

3  “Uncertificated shares: A comparative look at the voting rights of shareholders” (part 2) 2014 *Journal of South African Law (TSAR)* 724 (Co-author: Andrew Henderson)

4  “Uncertificated shares: A comparative look at the voting rights of shareholders” (part 1) 2014 *Journal of South African Law (TSAR)* 496 (Co-author: Andrew Henderson)


7  “Corporate Criminal Liability in South Africa: time for change?” (part 1) 2011 *Journal of South African Law (TSAR)* 452 (Co-author Vicky-Louise Borg-Jorgensen)

8  “The mandatory offer obligation and intermediaries” 2011 *Journal of South African Law (TSAR)* 113 (Co-author: Stephanie Luiz)

9  “Die korporatiewe sluier: is daar lig voor in die wapad?” (The corporate veil: is there light at the end of the tunnel?) 2010 *Journal of South African Law (TSAR)* 644

10 “Share repurchases and the protection of shareholders” 2010 *Journal of South African Law (TSAR)* 288


12 “The regulation of distributions to shareholders in the Companies Act 2008” 2009 *Journal of South African Law (TSAR)* 484


14 “The regulation of share capital and shareholder contributions in the Companies Bill 2008” 2009 *Journal of South African Law (TSAR)* 39


18 “Par-value Shares or No-par-value Shares – Is that the Question?” (2007) 19 *South
African Mercantile Law Journal 473


27 “Damages for Loss of Future Earnings - The implications of a certificate issued in terms of s 43(b) of the MMF Act” (1994) 57 Journal of Contemporary Roman-Dutch Law/THRHR 338

28 “Company Residence and Jurisdiction” (1994) 111 South African Law Journal 780 (with Trix van der Merwe)


30 “Subordination Agreements - Are they worth the paper they are written on?” (1993) 5 South African Mercantile Law Journal 100 (with SM Luiz)


Contributions to international books


Contributions to South African books

1 Hockly’s Insolvency Law 9 ed 2012 Juta by Sharrock et al. (Responsible for chapters 23 to 25.)

2 General Principles of Commercial Law 6 ed 2007 Juta by Havenga et al. (Responsible for chapters 10-13, 27 and 28.)

3 Hockly’s Insolvency Law 8 ed 2006 Juta by Sharrock et al.

4 General Principles of Commercial Law 5 ed 2004 Juta by Havenga et al. (Responsible for chapters 10-13, 16, 27 and 28.)

5 Hockly’s Insolvency Law 7 ed 2002 Juta by Sharrock et al. (Responsible for chapters 2-4, 6, 15-19, 23-25. Also jointly responsible for revising and editing the Afrikaans translation.)

6 General Principles of Commercial Law 4 ed 2000 Juta by Havenga et al. (Responsible for chapters 10-13, 16, 27 and 28.)

7 Hockly’s Insolvency Law Casebook 1999 Juta by Sharrock et al. (Responsible for chapters 15-20 and 22.)

8 General Principles of Commercial Law 3 ed 1997 Juta by Havenga et al. (Responsible for chapters 10-13, 18, 27 and 28.)

9 Hockly’s Insolvency Law 6 ed 1996 Juta by Sharrock et al. (Responsible for chapters 2-6, 17-19; jointly responsible for chapters 15, 16 and 23-25. Also responsible for editing the Afrikaans translation.)

10 General Principles of Commercial Law 2 ed 1995 Juta by Havenga et al. (Responsible for chapters 10-13, 22 and 23.)

11 General Principles of Commercial Law 1992 Juta by Havenga et al. (Responsible for chapters 10-13 and 19.)
Other publications

3. “Capital maintenance is dead - long live solvency and liquidity” (1999) 7 Juta’s Business Law 155
5. “A company’s purchase of its own shares” (1999) 7 Juta’s Business Law 68
9. “Last Month’s Law Reports” 1995 De Rebus January
10. LAWSA Cumulative supplement 1995 Volume 22 Revenue Part 1 (Income Tax); Volume 22 Revenue Part 2 (Estate Duty, Transfer Duty, Stamp Duty, VAT, Customs and Excise) (with Trix van der Merwe)

“Advance Tax Rulings - Can they take the risk out of tax planning?” (1993) 1 Juta’s Business Law 71