Publications of Prof Kathleen van der Linde

Articles in peer-reviewed journals (from most recent)

1. “Uncertificated shares: A comparative look at the voting rights of shareholders” (part 2) 2014 TSAR 724 (Co-author: Andrew Henderson)

2. “Uncertificated shares: A comparative look at the voting rights of shareholders” (part 1) 2014 TSAR 496 (Co-author: Andrew Henderson)


5. “Corporate Criminal Liability in South Africa: time for change?” (part 1) 2011 TSAR 452 (Co-author: Vicky-Louise Borg-Jorgensen)

6. “The mandatory offer obligation and intermediaries” 2011 TSAR 113 (Co-author: Stephanie Luiz)

7. “Die korporatiewe sluier: is daar lig voor in die wapad?” 2010 TSAR 644


12. “The regulation of share capital and shareholder contributions in the Companies Bill 2008” 2009 TSAR 39


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


18 “‘Practice’ does not Necessarily make Perfect: Needing Calculus to Calculate Estate Duty?” 2001 TSAR 819 (co-author RCD Franzsen)


21 “The Draft Insolvency Bill - an exploration Part 2” 1999 TSAR 38 (with André Boraine)

22 “The Draft Insolvency Bill - an exploration Part 1” 1998 TSAR 621 (with André Boraine)


25 “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

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


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


Contributions to books


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


4 “Priority issues in post-commencement financing – a view from South Africa” in Wessels and Omar (eds) *The Intersection of Insolvency and Company Laws – Papers from the INSOL Europe Academic Forum Annual conference Barcelona, Spain, 1-2 October 2008*

5 *Directors’ Personal Liability for Corporate Fault* 2008 Kluwer Law International Helen Anderson (ed). (Responsible for chapter on South Africa.)

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

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

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

9 *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.)

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

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

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

13 *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.)

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

15 *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
17. “Advance Tax Rulings - Can they take the risk out of tax planning?” (1993) 1 *Juta’s Business Law* 71