

PERSONALISED LEGAL ASSISTANCE

Professional legal and property consulting

SONNENBERG & ASSOCIATES PROPERTY AND LEGAL ADVICE NEWSLETTER #87

Happy Easter to all my friends, colleagues and clients! I am away next Thursday, 31 March 2016. My next newsletter (on the new proposed punitive visa law) will be on your laptops, desktops and mobile devices on Thursday 7 April 2016. Enjoy (and good luck to all those running The Two Oceans)!

1. Legal Quotes

"A lawyer is one who defends you at the risk of your pocketbook, reputation and life." [Eugene E. Brussell]

"The judicial process is like a cow. The public is impaled on its horns, the government has it by the tail, and all the while the lawyers are milking it." [Proverb]

"A lawyer is a person who writes a 10 000 word document and calls it a "brief." [Franz Kafka]

2. Legal short

A guy walks into a post office one day to see a middle-aged, balding man standing at the counter methodically placing "Love" stamps on bright pink envelopes with hearts all over them. He then takes out a perfume bottle and starts spraying scent all over them.

His curiosity getting the better of him, he goes up to the balding man and asks him what he is doing. The man says "I'm sending out 1000 Valentine cards signed, 'Guess who?'" "But why?" asks the man. "I'm a divorce lawyer," the man replies.

3. Inspiring quotes

"Our greatest fear should not be of failure but of succeeding at things in life that don't really matter." [Francis Chan]

"Try to be a rainbow in someone's cloud." [Maya Angelou]

"Money is numbers and numbers never end. If it takes money (for you) to be happy, your search for happiness will never end." [Robert Nesta Marley]

4. What to do with irritating cold calls from Call Centre agents wanting to sell you something - click on the DMASA "Opt out" website

Where do the call centres get your number? If a call centre agent tells you they got it from the "national consumer database", that's nonsense, as no such list exists. **The Protection of Personal Information Act ("POPI")** holds any entity handling personal information responsible for how that information was obtained.

Certain sections of POPI only came into effect in April 2014 and the office of the Information Regulator (an overseeing body intended to enforce the Act) is yet to be established. This is expected to happen imminently, after which companies will have an 18- to 24-month grace period to be POPI compliant. In the past, data was accumulated by brokers, bankers and insurance companies before there were any laws regulating the access and exchange of that data. This data has been sold and on-sold to various direct marketing companies over time.

The Direct Marketing Association of South Africa ("DMASA"), which controls all direct marketing in South Africa, audits the POPI compliance of brokers (only 13 accredited brokers exist).

You are within your rights to ask the call centre agent if his company is on DMASA's accredited list or is a member of DMASA. Whilst there is no legal obligation to be a member, the association holds members to a Code of Practice, which complies with existing data privacy laws.

Further to this, **a national opt-out database, administered by DMASA, enables you to opt out of all direct marketing communication.**

This is a really **easy one minute process** (I did it myself). After googling DMASA Opt out, you fill in your details and send. You will receive a confirmatory email, which you click on confirming that you wish to opt

out of all direct marketing.

DMASA warrants that you will receive no further direct marketing calls or emails within 5 days of registering on the "opt out" list. If you are still getting calls, contact DMASA on 0861 362 362 or info@dmasa.org.

I am available on 083 2515451 or fritz@sonnenberg.co.za. Please feel free to call me for help with any transfer of property or legal problem.

Sonnenberg Property Services (Pty) Ltd is a registered estate agency.

All newsletters can be obtained on our website: www.sonnenberg.co.za.



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