

Hand, voet en wát?

Rustenburg – In 'n onderhoud met die *Platinum Weekly* koerant die week, 11 September, het 'n aptekerassistente van Dis-Chem Rustenburg bevestig dat vyf gevalle van die Hand-voet-en-mondsiekte (HVMS) gediagnoseer is in die stad.

Hand-foot-and-mouth disease in Rustenburg

Rustenburg – In an interview with the *Platinum Weekly* newspaper this week, 11 September, a pharmacist's assistant of Dis-Chem Rustenburg confirmed that five incidents of the hand-foot-and-mouth disease were diagnosed in the city.

"This disease is common amongst children but may also occur in adults," Benedine Dekker, pharmacist's assistant of Dis-Chem Rustenburg said. "It can occur anytime of the year but is most common in the summer and fall."

What causes hand-foot-and-mouth disease and how is it spread?

Hand-foot-and-mouth disease is caused by a virus called an enterovirus. The virus spreads easily through coughing and sneezing. It can also spread through infected stool, such as when you change a diaper or when a young child gets stool on his or her hands and then touches objects that other children put in their mouths.

It usually takes three to six days for a person to get symptoms of hand-foot-and-mouth disease after being exposed to the virus. This is called the incubation period.

What are the symptoms?

At first your child may feel tired, get a sore throat, or have a high fever of around 38°C to 39°C. Then in a day or two, sores or blisters may appear in or on the mouth and on the hands, feet, and sometimes the buttocks. In some cases a skin rash may appear before the blisters do. The blisters may break open and crust over.

The sores and blisters usually go away in

a week or so. In some cases there are no symptoms, or they are very mild. Parents may get the disease from their children and not even realise it.

How is hand-foot-and-mouth disease diagnosed?

A doctor can tell if your child has hand-foot-and-mouth disease by the symptoms you describe and by looking at the sores and blisters. Tests usually aren't needed. "This is not a serious disease but must be treated," says Hilda Dyanson, clinic sister at Dis-Chem Rustenburg. "The sores are usually very itchy, especially to the young ones."



Is a municipality entitled to claim, from a new owner of property, debts incurred by the previous owner?

This was the question the Constitutional Court (CC) had to answer in the case of *Jordaan and Others v City of Tshwane Metropolitan Municipality and Others* [2017] ZACC 31.

The applicants each complained that the municipality in question suspended municipal services or refused to conclude a consumer services agreement for municipal services until the historical debts relating to the property had been cleared. The applicants were all relatively new owners and in all the cases the debts owed to the municipality were incurred by the previous owners.

The municipalities held that they were entitled to claim the debts from the new owners because of the wording used in section 118(3) of the Local Government: Municipal Systems Act. This section provides that "an amount due for municipal service fees, surcharges on fees, property rates and other municipal taxes, levies and duties is a charge upon the property in connection with which the amount owes and enjoys preference over any mortgage bond registered against the property."

In making its decision the CC took a journey into the origins of the section in South African

statute law, for that history casts light on the section's meaning. The CC held that the section's purpose was to create an embargo, whereby the transferor of property with unpaid municipal debts had to pay up first, before such property could be transferred. This was a preferential claim, which conferred a priority in the debt-collecting process. The preceding statutory history shows no intention that the municipality's claim should survive beyond transfer to a new owner.

The CC held that if the charge in section 118(3) survives transfer, there could be a significant arbitrary deprivation of property in terms of section 25 of the Constitution. Section 25 clearly states that no law may permit arbitrary deprivation of property. Therefore, upon transfer of a property, a new owner is not liable for debts arising before transfer from the charge upon the property under section 118(3) of the Local Government: Municipal Systems Act 32 of 2000.

Janus Olivier

For more information on this, please contact Janus Olivier of Van Velden-Duffey attorneys in Rustenburg on 014-592 1135 or januso@vvd.co.za.



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