

FIRM PROFILE



DEDICATION

Polson, is a boutique commercial law firm, offering its' clients extensive experience and skills in the commercial, mining and financial fields of law. We are proud to establish, lasting professional relationships with our clients, associates and staff.

We believe in the application of legal principle, without fear or favour. We cherish our independence and transparent legal practice, when advising our South African and international clients.

ABOUT POLSON

Our philosophy is to render a dedicated legal service to our clients, underpinned by extensive experience in resolving clients' problems dynamically. Our firm believes in:

- Respect for the rights of the individual against the backdrop of the Constitution of the Republic of South Africa;
- Dedication to our duty as officers of the Court;
- The respect for our tradition as lawyers;
- The building of a South African commercial community by creating and upholding the legal matrix which affords every meritorial individual the opportunity of improving themselves by actively participating in the South African and international commercial markets;
- High standards of professionalism; and
- Ethical conduct, in all spheres of life,

The firm is growing from strength to strength, under the guidance and direction of Mr. John Roderick Graeme Polson. Our practitioners, have niche expertise in advising distressed financial institutions, banks, mines, corporates and commercial farmers. Our lawyers, are well-versed in all fields of litigation and dispute resolution, through mediation and arbitration in South Africa and abroad.

PRACTICE AREAS



COMMERCIAL & CORPORATE LAW

The firm assists, clients in an array of services relative to the formation of companies, the establishment of corporate governance systems and compliance with the applicable legal matrix. The firm assists, in the conclusion of shareholders and other commercial agreements, necessary for such a company's field of endeavour.

- Formation and registration of companies,
- Design of corporate governance for the company,
- Conclusion of shareholders agreements,
- Drafting, conclusion and negotiation of agreements.



LITIGATION & ALTERNATIVE DISPUTE RESOLUTION

The firm practises, in all fields of commercial litigation, in particular commercial litigation addressing the recovery of assets for distressed financial institutions and corporate entities.

- Commencing litigation by summons,
- Resolution of dispute by way of mediation;
expedited mediation and arbitration,
- Drafting of applications and supporting affidavits.



INTERNATIONAL BUSINESS LAW

In an emerging economy, such as South Africa and the growing e-commerce market, the practice of international business law is becoming vital for economic integration and development. Polson provides, clients with sound advice on all legal aspects of conducting business within South Africa. We provide international clients, with access to a network of knowledgeable individuals who can advise on the commercial feasibility, to invest, integrate and conduct their business within the South African economy.

- Drafting of international agreements according to international conventions,
- Advice on miscellaneous agreements in respect of international business,
- Advice on financial and tax implication of the agreements,
- Advice on incoming (IFDI) and outgoing (OFDI) Foreign Direct Investment.



THE LAW OF CONTRACT

The law of contract is the foundation of any society and the nucleus of any legal system, since the earliest of times. South African law of contract is equally rooted in Roman Dutch Law. In South Africa, the law of contract has an evolution and history of over three hundred years. Our practitioners are well-skilled in drafting contracts and advising clients throughout the broad spectrum of contract law and alternative dispute resolution arising from contractual relationships.

- Commercial contracts drafted for various commercial purposes,
- Advice regarding the application of contracts in commerce and the identification of the implications of legal, financial and tax risk, affecting these contracts. (Abbreviated version: Legal, tax and financial risk applicable to contracts)



BANKING LAW

Polson advises, on all aspects of Banking Law, such as the relationship between:

- Banks and their clients;
- Banks and the regulatory authority;
- Banks and their international relationships;
- Banks and the payment system; and
- Banks in their role as authorised dealers, in application of the Currency and Exchanges Act and the regulations promulgated thereunder.



PROPERTY LAW AND CONVEYANCING

The development and rezoning of property;

- Registration and transfer of property;
- Rezoning of property;
- Registration of servitudes.

PRACTICE AREAS



CYBERLAW AND E-COMMERCE:

Polson, advises on various aspects, relating to the conclusion of electronic agreements and the dangers prevalent in e-commerce, for example, the establishment of websites and it's indemnities, transactions concluded on social media, possible online defamation and the effective protection of personal information on the internet.

Due consideration must be had, to local and international legislation, such as the "POPI" Act (Protection of Personal Information Act no. 4 of 2013) and the "ECT" Act (The Electronic Communications and Transactions Act no. 25 of 2002) and the effect of cyber crimes thereon.

- Drafting of indemnities suitable for websites,
- Advice with regard to relevant legislation,
- E-commerce transactions,
- Prevention of cyber crimes,
- Crypto currencies,
- Distributed ledger technology.



MINING AND MINERAL LAW

Polson advises, on all aspects of mining law, including the rights of owners of property, which is in conflict with the rights of mineral holders, as well as compliance with the Mineral and Petroleum Law of South Africa.

- Advice with regard to mining, mineral and prospecting rights;
- Mining titles;
- Resolving conflicts and disputes between owner of surface right and owner of mineral rights.



TAX, TRUST ADMINISTRATION AND ESTATE PLANNING

Polson advises, on the applicability of trusts and their functions in estate planning and the tax implications thereof, particularly in regard to farming practices and the use of trusts in compliance with Black Economic Empowerment.

- Legal advice regarding tax;
- Drafting of, and use of trusts in respect of estate planning;
- Estate planning, administration and trust administration;
- Farming trusts with regard to agriculture;
- Use of trusts for black employment equity;
- Estate planning with regard to effective tax management.



EMPLOYEE BENEFITS AND PENSION FUND LAW

Polson, advises pension funds, their trustees and curators on;

- Various aspects, where relevant laws are applicable,
- Relevant laws applicable to the rights of employees and stake holders, as well as, the regulations applicable to pension funds.



CURATORSHIPS

Polson, possesses the necessary knowledge and expertise to advise curators of financial institutions, not only in relation to legal aspects emanating from curatorships, but also advises on legal compliance of these institutions in order to successfully assist in the finalization of these curatorships.

- Legal compliance,
- Assistance to curators.



ENTREPRENEURSHIP HUB

Polson, views itself as an incubator for new entrepreneurs. Starting a new business can be a daunting experience in any business environment.

Polson, advises on numerous legal considerations from starting a new business to the managerial aspects thereof.

New entrepreneurs are advised in a "one-stop" service, on how to get their businesses operating without delay.

We also focus on international entrepreneurs with little knowledge of the South African, local content requirements, to assist these entrepreneurs and medium sized enterprises with their integration into a foreign market. We also advise on complicated, legal tax and business requirements peculiar to South Africa and a suitable level of commitment to the market, from trade to investment.

Our services include:

- Advice on setting up a new business;
- Registration of new companies;
- The various business entities may operate in;
- Drafting of business plans and business rescue plans;

PRACTITIONERS



JOHN RODERICK GRAEME POLSON | Attorney

Qualifications: BA LLB (Stell), LLM (Rau), H Dip Tax (Wits)
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Mr. JRG Polson practises, banking, financial, tax and mining law and has extensive experience in the curatorship of banks, such as Saamboubank, Regional Bank, New Republic Bank, African Bank and various "Ponzi" schemes. He advises, an array of important role players in the South African business arena. He has over forty years of experience in the regulation of professions such as attorneys, doctors, engineers, pharmacists, educators and the medical profession. He has advised these professions and conducted their professional disciplinary enquiries.

Mr. Graeme Polson's wide range of professional preferences include practice areas such as commercial litigation, mining and mineral law, tax law, employee benefits law and international trade law.

Mr. Graeme Polson, obtained his Baccalaureus Artium and Baccalaureus Legum from the University of Stellenbosch in 1968. He became a partner at Rooth & Wessels Inc. in 1973. He continued his formal education at the Rand Afrikaans University (now the University of Johannesburg) and University of the Witwatersrand respectively, where he graduated with postgraduate degrees (Magister Legum Banking and Stock Exchange Law) and a Higher Diploma in Tax Law.

Mr. Graeme Polson, has been practising for the last forty six years. He has been appointed, the curator of a collective investment scheme. He is often requested to act, as Acting Judge of the High Court of South Africa. He has been involved in numerous litigious matters, most notably the attempted takeover of Standard Bank by Nedbank, as well as matters in the Supreme Court of Appeal relating to tax law and ordinary commercial and company law matters. His most recent practice consists and focuses on, mining and mineral law, particularly the conflict between property law and that of the mineral rights holder, as well as the protection of property rights, by application of the Constitution of South Africa. He is an experienced lecturer on contract and international law, particularly letters of credit and international payment systems.

JEAN GRAEME POLSON | Attorney

Qualifications: B Comm (Law) Hons (Economics) (UP), LLB (Unisa)
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Mr. Jean Polson, has an energetic and a hands-on approach to resolving client matters. He specialises in commercial law and litigation, employee benefits law and recently advises, distressed pension funds on rectification of their business. He often advises, entrepreneurs in their endeavours. He is equally passionate in advising small, medium and micro-enterprises on good business practices which minimises their legal risk.

Mr. Jean Polson was admitted as an attorney over ten years ago after completing his Bachelor of Laws degree which resulted in a successful career as a commercial litigation attorney. He also holds an honours degree in economics and majored in financial management and accounting. This complements, his analytic ability, an inevitable skill when it comes to understanding his client's commercial and business activities.

Mr. Jean Polson, has a keen interest in, and often advises on, the law of contract, international business law, entrepreneurial law and e-commerce and cyberlaw



JEANETTE BODEMER | Conveyancer / Notary Public

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Ms. Jeanette Bodemer, is a qualified attorney, conveyancer and notary Public. She was admitted as an attorney in February 2006, as conveyancer and notary Public in 2007 at the Law Society of the Northern Provinces.

Ms. Bodemer, received her Baccalaureus Legum in 2004, at the University of Pretoria. She further received a Diploma in Insolvency Law in 2005. She saw an opportunity in debt counseling under the new Credit Act and completed her studies in this field with success.

Ms. Bodemer, is also an experienced conveyancer. She specialises in property law, she manages, numerous transfers of property on a daily basis.

