

**RECTIFICATION AND PARTY MISDESCRIPTION: TO WHAT EXTENT IS  
RECTIFICATION COMPETENT OR USEFUL?**

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**SUMMARY**

The decision in *Osborne v West Dunes Properties* 176 2013 6 SA 105 (WCC) raises some interesting issues regarding the competence or usefulness of rectifying an incorrect party description in a contract required by law to be in writing and signed. This case note explains and critically analyses the court's reasoning on these issues and suggests that courts should bear in mind certain important principles when dealing with a problem of this nature.

**KEYWORDS:** *Alienation of Land Act* 68 of 1981; principle of certainty; formal agreement; *locus standi*; rectification.

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