# Introduction

### About Juta Law

Juta Law aims to be the premier provider of legal and regulatory information and learning solutions in southern Africa, meeting needs of law practitioners, students and business professionals.

### Juta Law’s publishing portfolio includes:

- Authored works: Comprehensive, authoritative, reliable and up-to-date legal information for legal practitioners
- Student textbooks: High quality, interactive materials for students and educators in southern Africa
- Law Reports: Recent, relevant judgments for the legal fraternity, academics and students
- Statutes: Integrated legislative products
- Journals: In-depth debate on legal issues comprising articles, notes, cases, case discussions and book reviews on a diversity of subjects.
- Governance, Risk and Legal Compliance: Solutions and services that assist non-traditional users of legal information with the application and implementation of law to ensure compliance, good governance and management of organisational risks.
- LegalEase series: Titles in this series make the law easier to understand without losing its context. Written in plain language, the series fall into three sub-categories, namely:
  - Legal Essentials
  - Legal Essence
  - Legal Elements
- Legalbrief: A range of specialist electronic news services providing topical, consolidated and timeous legal-related news and information for professionals. The Legalbrief publications currently include:
  - Legalbrief Today
  - Legalbrief Africa
  - eLaw & Management
  - Legalbrief Environmental
  - Legalbrief Workplace
  - Legalbrief Forensic

# How to use this catalogue

### This catalogue is divided into the following categories:

- Legal publications, including books and eBooks, loose-leaf subscription services, student textbooks and CD-ROM, DVD-ROM and Internet/Intranet publications, listed alphabetically by practice area
- Journals (print and electronic), listed alphabetically
- Law Reports (print and electronic), listed alphabetically
- Collections of Legislation (print and electronic), listed alphabetically
- Legalbrief electronic newsletters

### Icons indicate formats available in each title

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About this Publication

Administrative Law in South Africa takes full account of South African administrative law with the emphasis on judicial review of administrative action. The second edition has been thoroughly updated with all case law from the end of 2006 to 2011. This edition retains the comprehensiveness, clarity and accessibility of the first edition.

Contents
- Preface
- Table of cases
- Introduction to administrative law
- The control of administrative power
- Judicial review
- Administrative action
- Lawfulness
- Reasonableness
- Procedural fairness
- Reasons
- Standing
- Remedies
- Appendices
- Index

eBOOK: ISBN 978 0 70219 925 7

About this Publication

This book collects the key materials on administrative law in South Africa in a focused and organised manner. It is a comprehensive resource tool that will enable anyone encountering administrative law to access the principles of this field through the primary sources. The reader will find both the leading authorities on particular rules and the best illustrations of their application. Apart from the judgments, the book also contains the relevant statutory provisions such as extracts from the 1993 and 1996 Constitutions and the Promotion of Administrative Justice Act 3 of 2000.

Contents
- Introduction to administrative law
- The sources of administrative law
- Administrative action
- Lawfulness
- Reasonableness
- Procedural fairness
- Reasons
- Control of administrative action


About this Publication

Comparing Administrative Justice across the Commonwealth examines a range of themes relevant to administrative justice. It begins by considering it in a constitutional context, and then proceeds to compare fundamental concepts of administrative law as they have developed in different Commonwealth countries. This is followed by studies of specific countries and a discussion of practical steps that have been taken to enhance the quality of administrative justice. Contributors include eminent lawyers from many Commonwealth jurisdictions. This book provides a unique multifaceted insight into the development of administrative justice and the jurisprudential as well as practical questions to be considered in promoting it.

Contents
- The constitutional context
- Comparative studies
- Country studies
- Practical steps


About this Publication

This volume brings together papers given at a workshop held in Cape Town in March 2008 – a joint venture between the New York University Law School and the Faculty of Law at the University of Cape Town. The papers critically explore the concept of Global Administrative Law in theory and its relevance to developing countries, the efficacy of regulatory regimes focused on international trade and finance, and recent developments in the crucially important area of intellectual property law.

2016/17
State Commercial Activity: A Legal Framework

Author: G Quinot

About this Publication
State Commercial Activity – A Legal Framework analyses the state’s conduct as a market participant from a legal perspective. It focuses on the judicial control of such state conduct and puts forward a legal framework in terms of which to understand state commercial activity.

Contents
Judicial regulation of state commercial activity
The state’s commercial capacity

Arbitration Law

About this Publication
This book explains the processes and skills involved in alternative dispute resolution. Chapters are written by contributors who have been actively involved in pioneering work in his or her field.

Contents
The negotiation process
Mediation
Psychology of mediation
Divorce mediation

Dispute Resolution

About this Publication
In keeping with past editions, the Dispute Resolution Digest 2015 reports on the state of dispute resolution in South Africa, and aims to improve our collective understanding of how well the dispute resolution systems and institutions are working. The book contains the opinions of respected experts and statistical analysis of data in dispute information gathered from the reports and case management records of the Labour Court, CCMA, Bargaining Councils and Tokiso.
Labour Dispute Resolution

Authors: J Brand, C Lötter, T Ngcukaitobi, F Steadman

About this Publication
Labour Dispute Resolution sets out the system provided in our law for resolving labour disputes, either in terms of the Labour Relations Act or by private dispute resolution. It guides employees, employers, trade unions and employers’ organisations (and their representatives) through the various processes to be followed, and sets out the institutions to which particular disputes should be referred. An important addition to the second edition is a section on dispute resolution in the public sector. Useful checklists and flowcharts assist the reader to prepare for the various processes.

Contents
- Conflict, grievances and disputes
- An overview of the dispute system
- The disputes and their processes
- Definitions of dispute resolution processes
- Dispute resolution institutions
- Dispute resolution in the public sector
- Administrative law and public sector employment
- Negotiation
- Conciliation, mediation and con-arb
- Facilitation

Arbitration
- Arbitration by the CCMA
- Arbitration by Bargaining Councils and Statutory Councils
- Private arbitration
- Preparation for arbitration
- The law of evidence
- The award
- Appendices:
  - Arbitration Act 42 of 1965
  - Promotion of Administrative Justice Act 2 of 2000
  - Standard Mediation Agreement
  - Pre-dismissal Arbitration Agreement
  - Relevant CCMA forms

The 2nd edition

2015 > SOFT COVER: ISBN 978 1 48510 752 1 > 140pp

Law of Arbitration, The

Author: P Ramsden

About this Publication
The Law of Arbitration sets out the South African common law, legislation and case law applicable to each stage of the arbitration cycle. A brief overview of alternative dispute resolution approaches and the different forms of arbitration is provided as a contextual introduction. The book draws extensively from the UNCITRAL Model Arbitration Law (MAL) and from international case law. Important local and international arbitration legislation and texts are included as appendices.

Contents
- Approaches to resolving disputes
- Alternative dispute resolution (ADR) methods
- Sources of the law of arbitration
- Matters not subject to arbitration
- Arbitration agreements
- Arbitrators (arbitral tribunals)
- Intervention by the court pending arbitration
- Arbitration proceedings
- The award
- Offences
- Appendices including the text of the UNCITRAL Model Law, the Arbitration Act, the English Arbitration Act and a number of internationally and locally used laws

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2009 > SOFT COVER: ISBN 978 0 70219 944 8

INTERNET: ISBN 978 0 70219 498 6
Civil Procedure

Basic Guide to Civil Procedure in the Magistrates’ Courts, A

Author: E Bascerano

About this Publication

A Basic Guide to Civil Procedure in the Magistrates’ Courts provides essential information about civil procedure in the magistrates’ courts. The book includes examples of the forms that are required for the processes as well as a glossary of legal terms. It is intended for use by anyone who needs to understand the basics of civil procedure.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Essence books shed light, in a practical and contextual way, on the legal issues that candidate attorneys and legal practitioners can expect to encounter in practice. The books set out clear frameworks without losing the intricate details of the law. Written by experts in practice, these books are full of useful tips and helpful hints to equip the reader with knowledge that can be applied in practice.

Contents

Core concepts
General structure of our courts
Initial steps and ad hoc matters
General principles of jurisdiction
Jurisdiction of the magistrates’ court

Civil Procedure Library, Juta’s

Authors: H J Erasmus, D E van Loggerenberg, P Farlam

About this Publication

Juta’s Civil Procedure Library contains the full text of the two principal authorities in this area of the law, Erasmus Superior Court Practice and Jones & Buckle The Civil Practice of the Magistrates’ Courts in South Africa, providing simultaneous searchability across both works. The library includes extensive commentary on the Acts, Rules and related subjects. For a listing of their contents, see the separate entries below.

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Domestic Violence Act 116 of 1998 & Regulations

(Also available as part of a 2-volume set together with the Protection from Harassment Act 17 of 2011 & Regulations – ISBN 978 1 48510 183 3)

Editors: Juta’s Statutes Editors

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Domestic Violence Regulations, 1999
National Instruction 7/1999

Erasmus: Superior Court Practice

(Erasmus Superior Court Practice is also included in Juta’s Civil Procedure Library, together with Jones & Buckle The Civil Practice of the Magistrates’ Courts in South Africa)

Author: D E van Loggerenberg (Constitutional Court parts in Volume 1 revised by E Bertelsmann)

About this Publication

Erasmus Superior Court Practice has over the past 50 years (since the release of its predecessor, Nathan, Barnett and Brink Uniform Rules of Court) established itself as the leading and most indispensable authority in its field.
The Superior Courts Act 10 of 2013 and the Constitution Seventeenth Amendment Act brought profound change to the field of civil practice in the Superior Courts. The second edition of this acclaimed work, available in loose-leaf and electronic format, comprises unrivalled clause-by-clause commentary on the new Superior Courts Act as well as the Constitutional Court, Supreme Court of Appeal and Uniform Court Rules, and interprets provisions with reference to judgments in which they have been considered. It also features extensive discussions of important related subjects.

Erasmus Superior Court Practice is updated bi-annually to incorporate all changes arising from statutory amendments, as well as judgments handed down by the Superior Courts.

**PRINT Contents**

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- Excerpts from the Constitution of the Republic of South Africa, 1996
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- Comparative table of sections and subjects
- Superior Courts Act 10 of 2013
- Description of an area of jurisdiction of a lower or superior court
- Statutory limitations on civil proceedings
- Constitutional Court Rules and Directives
- Supreme Court of Appeal Rules and Directives

**Volume 2**
- Uniform Rules of Court
- Appendices:
  - Timetable - times allowed for various applications
  - Regulations governing the administration of an oath or affirmation

**Volume 3**
- Tariff of allowances payable to witnesses in civil cases
- Costs in general
- Discussions of interdicts, *mandamenten van spolie*, Anton Piller orders and evictions under the PIE Act

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All related Acts and a table of legislation judicially considered
- Hypertext links to the full text of cases and statutes cited in the commentary
- Powerful electronic searching allows for easy and rapid access to information

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**About this Publication**

The *Essential Legal Practitioner Bundle* is a collection of the key publications required by legal practitioners covering law reports, statutes and regulations and Juta’s two iconic civil procedure reference works.

**ELECTRONIC Contents and Features**

- The South African Law Reports (1947 to date)
- Juta’s Statutes and Regulations of South Africa

**Author:** M M Loubser

**About this Publication**

This book examines all aspects of this important area of the law. It provides a holistic examination of extinctive prescription – the theory, the policies and the practical application. It also contains critical analyses of important questions, such as whether prescription brings about the extinction of a debt; the concept of a debt as the subject matter of extinctive prescription, and the relationship between extinctive prescription as governed by the Prescription Act and the other prescription periods or limitation periods. The chapters covering the application periods of extinctive prescription provide the practitioner with a comprehensive and detailed text in which the practicalities – the beginning of prescription as well as its suspension, interruption and waiver – are discussed.

**Contents**

- History, theory and policy of extinctive prescription
- Application of extinctive prescription: The concept of ‘debt’
- Prescription periods provided for in the Prescription Act 68 of 1969
- Beginning of the prescription period
- Suspension and delay of prescription
- Interruption
- Extinctive prescription and counterclaims
- Waiver of extinctive prescription
- Calculation of time
- Extraordinary prescription or limitation periods (vervaltermyne)
- Prescription and the conflict of laws
About this Publication
First published in 1954, this work has become the standard source of reference for every lawyer practising in the High Courts and every scholar interested in the law of civil procedure. The fifth edition is comprehensively revised to incorporate legislation brought into operation and judgments handed down since publication of the previous edition in 1997, most notably those flowing from the 1996 Constitution. This work offers a comprehensive discussion and analysis of civil proceedings in the high courts of South Africa, arranged by topic, from jurisdiction to appeal and review.

PRINT Contents
- The law of civil procedure and the high courts of South Africa
- Jurisdiction
- Attachment of property to found or confirm jurisdiction
- Arrest tamquam suspectus de fuga
- Parties
- Joinder of parties and causes of action, separation of trials, and consolidation of actions
- Demands and statutory notices
- Powers of attorney
- Form of proceedings
- Stay of proceedings
- Service of process
- Edictal citation
- Security for costs
- Applications
- The summons
- Notice of intention to defend
- Summary judgment, eviction and the National Credit Act
- Pleadings and the general provisions applicable to pleadings
- Declaration and particulars of claim
- Plea
- Offer to settle and tender to perform
- Exceptions
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- Special cases, the separate determination of issues and interim damages awards
- Declaration of rights
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- Vexatious proceedings, perpetual silence, the Patents Act and the Designs Act
- Special provisions relating to matrimonial matters
- Appointment of a curator
- Pauper proceedings
- A comprehensive table of statutes and rules of court
- CD-ROM containing a selection of practice directions, court notices, court rules and printable forms, included with the book

ELECTRONIC Additional Contents and Features
- Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

About this Publication
Jones & Buckle has remained the definitive work on civil practice in the lower courts in South Africa for almost a century.

The tenth edition of this work, with the assurance of continuing biannual updates, will meet the profession’s need for current and authoritative commentary in the field of civil practice in the lower courts. Detailed indexes facilitate research.

Contents
Volume I: The Act
- Prefaces to earlier editions of the work, dating back to 1905
- Full text of the Magistrates’ Courts Act 32 of 1944, with commentary
- Substantive separate discussions of recusation; attachment of things; interdicts; mandamenten van spolie; non-joiner and misjoinder
Law and Practice of Interdicts, The

**Author:** C B Prest

**About this Publication**
The Law and Practice of Interdicts is the successor to Interlocutory Interdicts (1993) by the same author. This publication serves as a comprehensive resource book on interdicts. Part I provides an updated version of Interlocutory Interdicts which deals with the nature, history and development of interdictal applications in South Africa, including a useful comparison of the English and South African law on the subject. Part II deals with the practice and procedure of interdicts.

**Contents**
**Part I: The requirements of the law of interdicts**
The nature and scope of the remedy
The final interdict
The interlocutory interdict
A comparative study of English law and South African law

Legal Drafting: Civil Proceedings

**Author:** P van Blerk

**About this Publication**
Legal Drafting: Civil Proceedings has been written to bridge the gap between the academic study of law and its practical application in so far as the preparation of court documents is concerned. Drawing on his experience in coaching pupils at the Bar, the author explains elementary matters and poses useful reminders to more experienced practitioners.

The second edition of Legal Drafting: Civil Proceedings has been updated to address changes in the law. It now includes a section on the preparation of documents for arbitrations as well as an extended chapter on the all-important task of preparing heads of argument.

**Contents**
General approach to drafting
Pleadings generally
Parties
Particulars of claim and declaration
Plea
Replication
Claims in reconvention
Exception and notice to strike out
Annexure to third party notices

**ELECTRONIC Additional Contents and Features**
- Full text of the looseleaf work as set out above
- Legislation judicially considered
- Hyperlinks to the full text of cases cited in the commentary
- Powerful electronic searching allows for easy and rapid access to information
### Magistrates’ Courts Act / Wet op Landdroshowe

**Editors:** Juta’s Statutes Editors

**About this Publication**
This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim. Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

**Contents**
- Periodic Time Chart indicating the periods prescribed by the Act and Rules for various procedures

### Magistrates’ Courts Act 32 of 1944; Small Claims Courts Act 61 of 1984 & Rules

**Editors:** Juta’s Statutes Editors

**About this Publication**
(Also available as part of a 2-volume set together with Superior Courts Act 10 of 2013 & Rules – ISBN 978 1 48510 179 6)

### Maintenance Act 99 of 1998 & Regulations

**Editors:** Juta’s Statutes Editors

**About this Publication**

### Objections in Civil Litigation

**Author:** P van den Heever

**About this Publication**
Objections in Civil Litigation deals in concise terms with the categories of objection raised in court and the leading and most useful authorities for each objection. A synopsis of the nature and content of each objection is included.

- The book equips the busy practitioner confronted with an unruly witness with the tools to formulate a cogent and legally sound argument, at short notice, as to why a particular piece of testimony should be excluded. The opponent will similarly be assisted in dealing with the objection in a helpful and lucid manner.

**Contents**
- Register of cases
- Leading questions
- Relevance
- Similar-fact evidence
- Collateral evidence
- Hearsay evidence
- Previous consistent statements
- Character evidence
- Opinion evidence
- Expert evidence
- The res gestae
- Parol evidence
- Cross-examination
- Re-examination
- Privilege
- The privilege relating to statements without prejudice
Approach to the admissibility of improperly obtained evidence
Failure to object to inadmissible evidence
A synopsis of commonly used objections and cases

An appendix of full headnotes of all cases referred to in the text

Pollak on Jurisdiction

Author: D Pistorius

About this Publication
The second edition includes references to, and a consideration of, case law and statutory amendments since the publication of the first edition in 1937.

Contents
Actions in which a judgment sounding in money is claimed
Attachment to found jurisdiction
Actions in which a judgment relating to property is claimed
Interdicts
Administration of estates and succession
Insolvency and the winding-up, judicial management and dissolution of companies
Matrimonial proceedings
Declaratory orders
Foreign judgments and arbitral awards

Pollak on Jurisdiction

2nd edition

Protection from Harassment Act 17 of 2011 & Regulations

Juta’s Pocket Statutes

(Also available as part of a 2-volume set together with Domestic Violence Act 116 of 1998 & Regulations – ISBN 978 1 48510 183 3)

Editors: Juta’s Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Protection from Harassment Act 17 of 2011
Regulations
– Protection from Harassment Regulations, 2013
– Tariff on compensation payable to electronic communications
– Directives in terms of section 20(3) of the Act
– National instruction on protection from harassment

Pollak on Jurisdiction

2nd edition


Author: Authored on behalf of the South African Board for Sheriffs by Mohamed Paleker

About this Publication
The South African Sheriffs’ Guide: Practice and Procedure is the definitive text on the work and methodology of the Sheriffs’ profession, Commissioned by the South African Board for Sheriffs, the book offers invaluable information to Sheriffs, legal professionals, researchers and members of the public. Care has been taken with the layout and writing style to ensure that as a reference guide it is reader friendly and accessible.

Aside from discussions on law, the text binds the Sheriffs’ profession to constitutional values, good practices and ethics – principles that are critical to the South African Board for Sheriffs.

The South African Sheriffs’ Guide is intended to assist Sheriffs in their quest to serve the profession with distinction.

Contents
Generic job description and professional ethics
The South African Board for Sheriffs
The appointment of sheriffs
Disciplinary measures against a sheriff
The Fidelity Fund, Fidelity Fund certificates and levies to the board
Court processes
Service of process
– General
– Service in the High Court
– Service in the magistrates’ courts
Execution
– Execution in the High Court
– Miscellaneous aspects of the High Court procedure
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– Miscellaneous aspects of the magistrates’ courts procedure
– The Consumer Protection Act and sales in execution
Admiralty jurisdiction
– Arrests in rem
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– The purpose behind arrests in rem and attachments in personam
– The role of the fund following a judicial sale of maritime property
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– Annexure 1
– Sheriffs Act 90 of 1986
– Sheriffs Amendment Act
– Regulations
– Forms in terms of legislation
– Code of conduct for sheriffs
– Description of an area of jurisdiction of a lower or superior court
– Annexure 2
– Returns of service
– Service returns
– Execution returns
Superior Courts Act 10 of 2013 and the Magistrates’ Courts Act 32 of 1944 and Rules

Editors: Juta’s Statutes Editors

About this Publication
This popular handbook is designed as a source of first reference for practitioners and students of civil procedure. It contains the full text of the Acts and Rules (including the Constitutional Court Rules) and is updated annually. Useful aids include tables of cases decided under the legislation, comprehensive subject indexes, and periodic time charts indicating the periods prescribed by the Acts and Rules for various procedures. The 2016 edition reflects the law as at 9 December 2015.

Contents
Part A
Superior Courts Act 10 of 2013
Rules of Court
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  – Rules regulating the conduct of the proceedings of the several Provincial and Local Divisions of the High Court of South Africa
– Other Rules
  – Rules of the Supreme Court of Appeal
  – Circuit Court Rules
  – Eastern Cape, Orange Free State, Natal, Cape, Transvaal, Northern Cape and Venda Rules
  – Constitutional Court Rules, 2003

Part B
– Magistrates’ Courts Act 32 of 1944
  – PENDLEx: Magistrates’ Courts Amendment Act 120 of 1993; Magistrates’ Courts Amendment Act 67 of 1998

Part C
  – Chapter 8 - Courts and Administration of Justice

Part D
– Periodic Time Charts giving quick information as to the periods prescribed by the Acts and Rules for various procedures
  – Superior Courts Act 10 of 2013
  – Magistrates’ Courts Act 32 of 1944
  – Updated tables of cases decided under the Acts and the Rules of Court
  – Comprehensive subject indexes

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Approximately 700pp

Published since 2015 > SOFT COVER: ISBN 978 1 48510 986 0 > 636pp
Superior Courts Act 10 of 2013 & Rules

Juta's Pocket Statutes

(Also available as part of a 2-volume set together with Magistrates’ Courts Act 32 of 1944; Small Claims Courts Act 61 of 1984 & Rules – ISBN 978 1 48510 179 6)

Editors: Juta’s Statutes Editors

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Rules Regulating the Conduct of the Proceedings of the Supreme Court of Appeal of South Africa

Rules Regulating the Conduct of the Proceedings of the Several Provincial and Local Divisions of the High Court of South Africa relating to Circuit Courts
Rules Regulating the Conduct of the Proceedings of the various provincial divisions of the High Court of South Africa
Rules of the Constitutional Court of South Africa
Periodic Time Chart indicating the periods prescribed by the Acts and Rules for various procedures

Taxation of Legal Costs in South Africa

Author: R Francis-Subbiah

About this Publication

Taxation of Legal Costs in South Africa provides clear and practical guidance on taxation of costs, which will assist the legal practitioner, the taxing master, the judicial officer and the lay public to determine reasonable costs in line with the existing legal system. Taxation is about the quantification of legal costs and therein lies the crux of any costs issue. The book explains how the process of taxation exercises control over costs that are legally recovered so that fees and costs are reasonable. Taxation of Legal Costs in South Africa identifies the key aspects of costs and all aspects of taxation. It records and integrates the practices, rules, tariffs and judgments of court to provide a practical resource. The discretion that is applied in taxing bills of costs and the principles relied upon in reviewing taxations are discussed extensively. The book analyses maximum tariffs that legal practitioners may charge, which have a significant impact on both the public and the legal profession. The author also offers practical suggestions for solutions to challenges that arise in practice. Taxation of Legal Costs in South Africa aims to be a practical and complete work on the subject of taxation.

Contents

Table of cases
Table of statutes
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Taxation of claims arising from motor vehicle accidents and debt recovery costs, collection charges or commission
Civil appeals and taxation in the Constitutional Court and Supreme Court of Appeal
Miscellaneous
Precedent bills of costs
Annexures – tariff rules

Clinical Law

Street Law South Africa – Educator’s Manual

Practical Law for South Africa

Authors: D McQuoid-Mason (General Editor); L Lotz, L Coetzee, R Bernard, M Forere

About this Publication

Street Law South Africa Educator’s Manual explains how to conduct the exercises in the Learner’s Manual and provides solutions to the problems. Each part is divided into sections that form major areas of study for the learners.

Contents

Introduction to South African law and the legal system
Criminal law and child justice
Consumer law
Family law
**Juta Law Catalogue**

**Socio-economic rights**
**Employment law**

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**Street Law South Africa – Learner’s Manual**

**Authors:** D McQuoid-Mason (General Editor); L Lotz, L Coetzee, R Bernard, M Forere

**About this Publication**

*Street Law South Africa – Learner’s Manual* is an illustrated everyman’s guide to the law of South Africa. The street law programme is designed to teach law to learners from diverse backgrounds, including law students, school learners, school educators, police and correctional services officers, security officers, trade unions, workers, women’s organisations, children’s organisations, youth groups, NGOs, CBOs and people involved in training such persons and organisations.

The Learner’s Manual provides information about the law and practical advice, as well as problems, case studies, mock trials and other exercises designed to encourage active learner participation.

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**Collected Essays**

**A Man of Principle / ’n Man van Beginsel**

The Life and Legacy of JC de Wet / Die Lewe en Nalatenskap van JC de Wet

**Editors:** J du Plessis, G Lubbe

**About this Publication**

JC de Wet enjoys the reputation of being one of the greatest South African jurists. On the occasion of the centenary of his birth, this collection of essays by prominent members of the judiciary and leading local and international scholars aims to provide new perspectives on De Wet’s life and legacy. These essays address issues that are of fundamental importance in theory and practice, most notably how the contours of key aspects of the modern South African law of contract, criminal law and the law of prescription have been shaped, and especially what role De Wet has played in these developments. The essays are in English and Afrikaans.

**Contents**

- Voorwoord/Preface
- Lys van bydraers/List of contributors
- Inleiding/Introduction - Jeremy Gauntlett
- Biografiesse/Biographical essays
  - JC de Wet: A personal view - Hugh Corder
  - JC de Wet as universiteitsman en Stellenbosse burger - Andreas van Wyk
  - JC de Wet: Genius loci, magister, mentor and friend - a personal reflection - Laurie Ackermann
  - Die regsprofessor in ander gewaad - Peet Nienaber

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**Cowen on Law: Selected Essays**

**Author:** S Cowen

**About this Publication**

Denis Cowen (1917-2007) is renowned for his work on negotiable instruments. *Selected Essays* presents readers with other facets of his life’s work. His seminal essays and articles helped define areas of law such as environmental law and the law of competition.
His work on law of property and statutory interpretation has also proved to be ahead of its time. As a public intellectual in the liberal tradition, he spoke with great timeliness, insight and insistence, during apartheid, about freedom of academe and the press.

_Cowen on Law: Selected Essays_ spans more than 50 years of his lively, contentious and beautifully constructed texts. Leading legal thinkers introduce newly-accessible texts and provide us with a contemporary, evaluative lens. The book reveals to readers a fascinating mind. It also serves as an engrossing reflection on South Africa’s legal past as well as the intersection of law and society.

**Contents**
- Introduction - by Laurie Ackermann
- The challenge of democracy - introduced by Arthur Chaskalson
- Since the law makes the king: Cowen and the constitutional crisis of the 1950s - introduced by Jeremy Gauntlett

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**JUDICIARY IN AFRICA, THE**

**About this Publication**
The Judiciary in Africa is a topical, thought-provoking and often contentious compendium of opinion on the role of the judiciary in Africa, compiled by two eminent judges who occupy leadership positions in the judiciary: the first being President for Africa of the World Jurist Association and the second being the President of the World Association of Judges.

**Contents**
- The judiciary and human rights
- The judiciary and continuing legal education
Labour Law into the Future: Essays in Honour of D'Arcy du Toit

Authors: K Malherbe, J Sloth-Nielsen

About this Publication

Labour Law into the Future is a volume of analytical pieces in honour of Professor D’Arcy du Toit. The contributing authors are internationally recognised and leading researchers in the field of labour law. As a result, Labour Law into the Future offers the latest contributions on some of the most hotly debated issues in labour law, such as unfair discrimination, outsourcing, wage justice and labour brokers.

Contents

Equality in income differentials and wage justice - Graham Giles
Can discrimination ever be fair? - Bob Hepple
The prohibition of discrimination in employment: performance and prognosis in a transformative context - Christoph Garbers
Women and maternity: is there truly equality in the workplace between men and women, and between women themselves? - Elisabh Huysamen

Transnational collective bargaining: the case of the European Union - Achim Selbert
Future of the collective labour agreements system challenged? - Teun Jaspers
Judge-made labour law in Germany - Manfred Weiss
Basic features of dismissal protection in Germany - Bernd Waas
Section 197 of the Labour Relations Act: the next generation - Craig Bosch
To regulate or to ban? Controversies over temporary employment agencies in South Africa and Namibia - Paul Benjamin
Evaluating the future of vicarious liability and risk - Pieter Koornhof
The purpose of labour law: can it turn green? - Rochelle le Roux

Bibliography

2012 > SOFT COVER: ISBN 978 0 70219 423 8 > 300pp

Quest for Justice, The: Essays in Honour of Michael McGregor Corbett

– Chief Justice of the Supreme Court of South Africa

Author: E Kahn

About this Publication

Liberally illustrated with photographs and containing an informative genealogical tree, this handsome volume is a striking reflection of the high regard in which the former Chief Justice was held by his colleagues on the Bench, by legal practitioners and by legal academics.

Contents

Part I: Biographical
Part II: A tribute
Part III: Legal essays


Stella luris: Celebrating 100 years of Teaching Law in Pietermaritzburg

Editors: M Kidd, S Hoctor

About this Publication

This commemorative work marks the hundredth year in which law has been taught at the University in Pietermaritzburg. It details the history of the teaching of law in Pietermaritzburg, and gathers contributions from top academics connected in various ways with the Faculty in Pietermaritzburg. The book includes a diverse range of articles and 19 photographs.

Contents

Salad days - Christopher Forsyth
Speech at the dinner celebrating the 80th anniversary of the School of Law of the University of Natal, Pietermaritzburg, held on 19 October 1990 - Ellison Kahn
The Law Faculty in Pietermaritzburg 1991 to 2010 - Michael Kidd and Shannon Hoctor
On the shoulders of father and son – academic leadership in the Law Faculty of the Natal University College (later University of Natal) in Pietermaritzburg: 1920 to 1982 - Jonathan Burchell
From Chirwa to Gcaba: an administrative lawyer’s view - Cora Hoexter
The exercise of administrative power in the era of human rights protection - Christopher Forsyth

Setting a bad example: the state’s compliance with environmental law in South Africa - Michael Kidd
A centenary offering: the double sale dilemma – time to be laid to rest? - David Carey Miller
Judicial control of unfair contract terms: the implications of the Consumer Protection Act - Robert Sharrock
The future of suretyship - JT Pretorius
Constitutional promises to the accused, arrested and detained: fulfilled or failed? - Pamela-Jane Schwikkard
One hundred years of adultery – re-assessment required? - Marita Carnelley
Administrative Justice in South Africa: a snapshot survey of developments since 1994 - Clive Plasket
Regulating nanotechnology in South Africa - Michael Lupton
Shooting Bambi – Reflections on the Dalai Lama saga and the casualty of the rule of law - Max du Plessis
A millennium overturned: the long history in England and South Africa of laws against hunting with dogs, and recent statutory changes in the province of KwaZulu-Natal - Ed Couzens and Andrew Blackmore

Impetus for rebellion? Self-determination and minority rights in South Africa - Vinodh Jaichand

Amnesia and criminal responsibility - Shannon Hoctor

Commercial Law

Black Economic Empowerment Scorecard Manual, The

Authors: C van Wyk, Dr H Wiggins

Contents

- Background to BEE
- Charters and codes
- The scorecard
- Applying the codes
- Who is black?
- BEE and the law
- Verification
- How to use this manual
- BEE status and recognition levels
- Evidence checklist
- Guidelines for compiling the Generic Scorecard
- Guidelines for compiling the QSE scorecard
- CD-ROM containing a useful Excel spreadsheet calculator

Black Economic Empowerment: Commentary, Legislation and Charters

Authors: P S Benjamin, M Taylor, T N Raditapole

Contents

Commentary

- Empowerment policies and strategies over the last 10 years
- Legislation: Broad-Based Black Economic Empowerment Act 53 of 2003
  - Preferential Procurement Policy Framework Act 5 of 2000
  - Preferential Procurement regulations
  - Regulations in terms of the Public Finance Management Act 1 of 1999: Framework for Supply Chain Management
  - State Tender Board Act 86 of 1968
  - State Tender Board Act 86 of 1968: amendment to regulations in terms of Section 13

Policies and Guidelines

- Strategy for Broad-Based Black Economic Empowerment
- Codes of Good Practice on BEE
  - Public-Private Partnerships
  - Property Sector

- ICT Sector
- Policy Guidelines for the Issuance of a Supply Chain Management Framework in terms of Section 76(4)(c) of the PFMA
- General Procurement Guidelines

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- Mining industry
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- Media, advertising and communication sector
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ELECTRONIC Additional Contents and Features

Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications.

Powerful electronic searching allows for easy and rapid access to information
Botswana Company Law Service

Author: J Kiggundu

About this Publication
The Botswana Company Law Service makes available in one volume all the legislation that the company lawyer or company law student might need to practise and study company law. The second edition brings the Botswana Company Law Service up-to-date. The book now includes the new Securities Act and the new Listings Requirements.

Contents
Botswana Companies Act 2003
Companies (Forms) Regulations 2005
Companies Winding-Up Rules

Broad-Based Black Economic Empowerment Act 53 of 2003 & Related Material

Editors: Juta's Statutes Editors

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  – Codes of Good Practice on Broad-Based Black Economic Empowerment
  – Procedures for the application, administration and allocation of export permits under the trade,
development and co-operation agreement between the European Union and the Republic of South Africa for the year 2015
  – Application for market access permits for agricultural products in terms of the W.T.O Agreement for 2015
  – Broad-Based Black Economic Empowerment Verification Certificates
CD-ROM containing Sector Codes on Broad-Based Black Economic Empowerment

Business Law in Zimbabwe

Author: R H Christie

About this Publication
This comprehensive work covering all areas of business law in Zimbabwe is the standard reference work in the field. Business Law in Zimbabwe covers the Zimbabwean cases and legislation, while the South African, English and other authorities are referred to in the detailed footnotes.

Contents
Historical introduction
Contract
Starting a business
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Insurance
Importing and exporting
Landlord and tenant
Employment
Agency
Companies
Private business
Insolvency corporations
Loans and securities

Business Transactions Law

Author: R Sharrock

About this Publication
This book addresses fundamental questions about business transactions: When is a transaction binding and what is its legal effect? What legal redress does a party have in cases of breach of contract? Are there circumstances in which a party is excused from completing its side of the transaction?
The eighth edition has been substantially revised and updated to include developments up until 1 April 2011. The updates include:

A new chapter on consumer agreements, examining both the Consumer Protection Act and the regulations
Changes to contractual capacity brought about by the Children’s Act 2005 and Companies Act 2008
Important decisions affecting basic principles of common law illegality
Changes to agency introduced by the Companies Act 2008
COMMERCIAL LAW

A more comprehensive discussion of insurance
The chapter on employment has been expanded to include numerous additional case summaries
The chapter on credit agreements includes important cases interpreting the National Credit Act
In the area of security - an issue of huge importance, not yet resolved, is addressed: the mortgagor’s right to immediate execution versus the mortgagor’s constitutional right to have access to adequate housing.
The Consumer Protection Act has affected various areas of commercial law and several chapters have been amended to reflect these developments.

Contents
Introduction
- Formation of the contract
- Effect of the contract
- General
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- Electronic transactions
- Outline of certain aspects of the law of property
- Employment Equity Act, 1998: affirmative action

ELECTRONIC Additional Contents and Features
Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

Casebook on the Law of Partnership, Company Law and Insolvency Law / Vonnisbundel oor die Vennootskapsreg, Maatskappyeer en Insolvensiereg

Author: A Loubser

About this Publication
This bilingual casebook assists undergraduate students in the areas of law dealing with partnerships, companies and insolvency. Generally, cases have been reproduced in their entirety to show students the various sections that make up a reported case. In more complicated cases the relevant facts have been summarised and the most important parts of the judgment reproduced. As a casebook for students, this text concentrates on the basic principles and attempts to make classic case law in these areas available to students.

Contents
Law of partnership
Company law
Duties of a director
Insolvency law

Commentary on the Companies Act

Authors: M Blackman†, R Jooste, G K Everingham, J L Yeats, F H I Cassim, R de la Harpe; with contributions from M Larkin†, C H Rademeyer

About this Publication
This is the most detailed, comprehensive and authoritative work on South African company law available. Comprising a section-by-section commentary on the Companies Act 61 of 1973, it offers a closely argued analysis of every provision, in the context of the Act as a whole, and of its interpretation by our courts. The style is clear and eminently readable. Abundant references to South African and foreign case and statute law, as well as legal literature, are contained in the footnotes. This work will be updated in 2015 to incorporate new commentary on the 2008 Companies Act.

PRINT Contents
- A section-by-section commentary on the Companies Act
- Regulations in terms of the Act
- Practice notes

In the section on the Companies Act:
- Insider Trading Act 135 of 1998
- Index to Companies Act and commentary

ELECTRONIC Additional Contents and Features
- Added relevant legislation
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

Published since 2003

Commercial Mediation: A User’s Guide

Authors: J Brand, F Steadman, C Todd

About this Publication
Commercial Mediation is the first South African publication that guides the reader through the process of mediation in commercial matters.

Mediation is well established in many parts of the world as a speedier, less costly and more effective method of resolving commercial
commercial law

Commercial law is only beginning to emerge as an option in the dispute resolution landscape of South Africa. In November 2011, the South African Rules Board proposed a set of mediation rules. These rules are set out and discussed in this book.

Commercial Mediation sets out and explains the processes that take place before and during commercial mediation. The book analyses the different types of consensus-seeking approaches and the key principles of mediation. The busy practitioner will find the summaries at the end of each chapter especially useful.

The draft mediation rules for court-referred mediation are included in the book, as well as specimen contract clauses for referral to mediation or arbitration. The book also includes a number of specimen agreements to mediate.

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Commercial mediation in South Africa
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Key characteristics of mediation and some related considerations for lawyers
A typical mediation process
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Getting to mediation
Preparing for mediation
In the mediation: the representative’s role
Ethics in the mediation process
Appendices:
– Statutes which make provision for mediation
– Draft mediation rules for court-referred mediation
– Specimen contract clauses
– Specimen agreements to mediate

About this Publication

The Comparative Guide to the Old and New Companies Acts aims to assist the reader in making the transition from the Companies Act 61 of 1973 to the Companies Act 71 of 2008 by providing a variety of reference tables comparing provisions of the old and new Acts. Compiled with the assistance of Prof Richard Jooste, co-author of the acclaimed Commentary on the Companies Act, the comparative guide contains the following:

A comprehensive table containing the full text of all sections and definitions of the old Companies Act in the left-hand column of each page contrasted against the comparable sections of the new Companies Act in the right-hand column. The table allows the reader to use their knowledge of the well-known old Act to find which portions of the new Act now fulfill a similar purpose. Relevant provisions are juxtaposed to allow the reader to quickly assess similarities and differences in the Acts.

A quick guide (containing only section numbers) comparing the old and new Companies Acts and vice versa allowing the reader to quickly and easily establish whether a section of either Act has an analogous provision in the other and where it is to be found.

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Electronic Filing of Company and External Company Annual Returns
Designation of Facsimile Numbers for Public Contact with the Companies and Intellectual Property Commission
Notice of authorised signature for purposes of applications

Quick Finder for Key Topics
Companies Act 61 of 1973
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Companies Regulations, 2011
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Companies Act 71 of 2008
– Chapter XIV of the Companies Act 61 of 1973
– Companies Regulations, 2011
– Forms on CD-ROM

Case annotations: Act 61 of 1973
Companies Act 71 of 2008

2011 > SOFT COVER: ISBN 978 0 70218 614 1 > 1030pp

Juta Law Catalogue
Competition Act 89 of 1998 & Rules

Juta's Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN: 978 1 48510 128 4)

Editors: Juta's Statutes Editors

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– Competition Commission Rules
– Competition Tribunal Rules
– Determination of threshold
– Corporate Leniency Policy
– Determination of merger thresholds and method of calculation
– Guideline on small merger notification
– Guidelines for the Determination of Administrative Penalties for Prohibited Practices

Competition Law

Authors: M Brassey SC, J Campbell, R Legh, C Simkins, D Unterhalter SC, J Wilson

About this Publication

In the Competition Act 89 of 1998, the South African legislature has provided a framework for the development of a modern system of competition law in this country. The challenge is to understand the relation between law and economics, to grasp the economic consequences of decisions taken in terms of the Act, and to develop South African competition law into a coherent body. Competition Law provides a penetrating analysis of its subject and sets out the context in which the 1998 Act is to be interpreted and applied. This book is the leading work in this field.

Contents

Introduction
A history of South African competition law

2002 > SOFT COVER: ISBN 978 0 70215 906 0 > 826pp

Contemporary Company Law

Authors: F H I Cassim (Managing Editor), M F Cassim, R Cassim, R Jooste, J Shev, J Yeats

About this Publication

The second edition of Contemporary Company Law discusses all aspects of the new Companies Act 71 of 2008, including the 2011 amendments and the Companies Regulations, 2011. The common law and relevant legislation are also examined.

All the dominant company law topics are discussed in this work. In addition, insider trading and market manipulation receive detailed treatment although they do not strictly form part of core company law. Common-law precepts and principles which have been preserved by the new Act are also discussed wherever relevant. Comparative foreign law is taken into account as well.

Contents

Preface
Table of cases
Table of statutes
Introduction to the new Companies Act
The legal concept of a company
Types of companies
Formation of companies and the company constitution
Corporate capacity, agency and the Turquand Rule
Groups of companies and related persons
Shares, securities and transfer
Corporate finance
Governance and shareholders
Governance and the board of directors
Corporate governance
The duties and liability of directors
The auditor, financial records and reporting
Public offerings of company securities
Fundamental transactions, takeovers and offers
Shareholder remedies and minority protection
Enforcement and regulatory agencies
Business rescue and compromises
Winding-up
Insider trading and market manipulation
Transitional arrangements
Index

EBOOK: 978 0 70219 934 9 > INTERNET: ISBN 2309 0375
Corporate Governance in South Africa: With International Comparisons

Author: T Wiese

About this Publication
Corporate Governance in South Africa: With International Comparisons addresses the changes in the corporate governance landscape in South Africa brought about by the Companies Act 71 of 2008 and the King Report on Governance for South Africa (King III), both of which have increased the corporate governance responsibilities of boards of directors in South Africa. Since South African companies are becoming increasingly internationalised, the book also places the South African corporate governance framework in an international context.

Corporate Governance in South Africa covers the following areas: the corporate governance framework in South Africa, a comparison with various international corporate governance frameworks, and contemporary governance issues. The book also offers a corporate governance implementation guide. Examples of failed corporate governance practices, both locally and internationally, are provided throughout the book, seeking to illustrate the importance of effective corporate governance practices by companies.

Contents
- Table of cases
- The South African regulatory framework
- Comparing corporate governance frameworks
- The role of shareholders in corporate governance
- The role of the board of directors in corporate governance
- Individual directors and corporate governance
- The duties and liabilities of directors
- Reporting, auditors and risk management
- Corporate social responsibility

2015 > SOFT COVER: ISBN 978 1 48510 709 5 > 254pp

Corporate Library, Juta's

About this Publication
This electronic library enables users to understand matters pertaining to corporate regulatory compliance. Regularly revised and updated the Library includes South African Corporate Business Administration, the handbook endorsed by Chartered Secretaries Southern Africa, the South African arm of the internationally recognised Institute of Chartered Secretaries and Administrators. It provides a thorough exposition on the topics of corporate governance and administration – both growing focus areas in the South African commercial sphere. It also includes article reference material and case law summaries extracted from Walter Geach’s Guide to the Companies Act and topical corporate statutes with regulations.

Contents and Features
South African Corporate Business Administration – the official industry manual of the Institute of Chartered Secretaries of southern Africa (ICSA)
The Institute of Risk Management of South Africa’s Code of Practice
Geoff Everingham and Tom Wixley: Corporate Governance, 2nd edition (included with the permission of Siber Ink)

Jayne Mammatt, David du Plessis and Geoff Everingham: The Company Director’s Handbook (included with the permission of Siber Ink)
Selected text from Walter Geach’s Guide to the Companies Act and Regulations
Relevant commonly referenced corporate statutes and regulations
An alphabetical index to statutes and regulations
Hyperlinks to some of the most important institutions regularly accessed by corporate advisers
Hyperlinks to the Companies Act from the South African Corporate Business Administration commentary
Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1814 0629 > Updated quarterly
INTERNET: ISSN 1814 0629

Current editions
Corporate Pocket Library
Juta’s Pocket Statutes
(These concise pocket-size books, housed in a complimentary slipcase, contain the full text of key legislation for the corporate sector. Available individually, or as a 4-volume set)

Editors: Juta’s Statutes Editors

Contents 4-Volume Set
- Companies Act 71 of 2008 & Regulations
- Competition Act 89 of 1998 & Rules

Consumer Protection Act 68 of 2008 & Rules and Regulations (Includes a CD-ROM containing related material)
Financial Markets Act 19 of 2012 & Rules

CD-ROM/INTRANET: ISSN 1814 0629 > Updated quarterly
INTERNET: ISSN 1814 0629

Soft cover – pocket size: ISBN 978 1 48510 128 4

Juta Law Catalogue
Gambling Laws of South Africa

Authors: H Brand, with Case Digest by M Carmelley

About this Publication
This comprehensive reference work contains the full text of the National Gambling Act and the nine provincial gambling statutes. Each is preceded by an introductory overview and selective commentary. A Case Digest is also included.

Contents
Volume 1
- National Gambling Act, 1996
- Eastern Cape Gambling and Betting Act, 1997
- Free State Gambling and Racing Act, 1996
- Gauteng Gambling Act, 1995, as amended
- KwaZulu-Natal Gambling Act, 1996
- All regulations promulgated under the above Acts

Volume 2
- Mpumalanga Gambling Act, 1995
- The North West Casino, Gaming and Betting Act, 1994

Northern Cape Gambling and Racing Act, 1996
Northern Province Casino and Gaming Act, 1996
Western Cape Gambling and Racing Law, 1996
Lotteries Act, 1997
Case Digest

ELECTRONIC Additional Content and Features
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

Published since 1996 > LOOSE-LEAF in two volumes: ISBN 978 0 70213 849 2 > Approximately 1900pp
INTERNET: ISSN 2313 8041

General Principles of Commercial Law
Algemene Beginsels van Kommersiële Reg

Authors: H Schulze, R Kelbrick, T Manamela, P Stoop, E Manamela, E Hurter, B Masuku, C Stoop

About this Publication
General Principles of Commercial Law, published in separate English and Afrikaans editions, provides non-law students with a succinct exposition of the general principles of commercial law. It contains a wide selection of topics influenced by registration requirements of the Independent Regulatory Board for Auditors.

The 8th edition is updated to include statutory and other developments in commercial law and includes:
- A revised chapter on credit agreements to reflect the effect of the National Credit Amendment Act 19 of 2014.
- A revised and expanded chapter on banking law, including a discussion of the 2012 version of the South African Code of Banking Practice.
- An expanded chapter on methods of payment which includes a discussion of selected modern types of electronic payment.

Contents
- The South African legal system
- Introduction to the science of law
- Introduction to the law of contract
- Consensus
- Capacity to perform juristic acts
- The agreement must be possible
- Formalities
- Terms of the contract
- Interpretation of the contract
- Breach of contract
- Remedies for breach of contract
- Transfer and termination of personal rights
- The contract of sale
- The contract of lease
- The contract of insurance
- Credit agreements
- Labour law
- Intellectual property law and franchising
- Alternative dispute resolution
- Law of agency
- Forms of business enterprise
- Law of competition
- Security
- Banking law: selected topics
- Payment: negotiable instruments
- Payment: other methods
- Law of trusts
- Law of insololvency
- Law of administration of estates
- Consumer protection

SAGTEBAND (Afrikaans): ISBN 978 0 70218 615 1 > 608pp
eBOOK (English): ISBN 978 1 48510 777 4
eBOOK (Afrikaans): ISBN 978 1 48510 784 2

Gibson’s South African Mercantile and Company Law

Authors: C Visser (General Editor), J T Pretorius, R Sharrock, M van Jaarsveld

About this Publication
Over the years Gibson has become something of an institution in South African legal literature. The text, initially intended for students, is now also used as a valuable and trusted source of reference for busy legal practitioners and advisers. The eighth edition includes rewritten chapters on insurance law and labour law.

Contents
- Contract, sale and credit agreements
- Letting and hiring of immovable property
- Commercial agency
- Partnership
- Companies
- Close corporations
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<tr>
<th>Title: Guide to the Close Corporations Act and Regulations</th>
<th>Authors: W D Geach, T Schoeman (Consulting)</th>
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<td><strong>About this Publication</strong></td>
<td>Prescribed forms, draft association agreement, and other specimen documents</td>
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<tr>
<td>The Companies Act 71 of 2008 secures the continued existence of close corporations that were formed prior to the Act’s commencement. This work provides a practical guide to this popular business entity and deals with its functioning and winding-up in light of corporate law reform. It also offers assistance on the conversion of a close corporation into a company.</td>
<td>Commentary</td>
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<td>Introduction to close corporations</td>
<td>Approximately 750pp</td>
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<tr>
<td>The Close Corporations Act Regulations, notices and practice notes</td>
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<tr>
<td>Prescribed forms, draft association agreement, and other specimen documents</td>
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<tr>
<td><strong>Published since 1984 &gt; LOOSE-LEAF</strong>: ISBN 978 0 70211 550 9</td>
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<table>
<thead>
<tr>
<th>Title: Guide to the Companies Act and Regulations</th>
<th>Author: W D Geach</th>
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<tr>
<td><strong>About this Publication</strong></td>
<td>Detailed index, by Company Act sections, to company case law and to articles in periodical publications since 1974</td>
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<tr>
<td>The Guide to the Companies Act and Regulations offers subscribers an updated, accurate source of Company Law. It sets out corporate legal reform and the implementation of the Companies Act 71 of 2008.</td>
<td>Summaries of reported cases since January 1984</td>
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<td>Published since 1973 &gt; LOOSE-LEAF: ISBN 978 0 70210 466 4</td>
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<td>Text of Companies Act of 1973 and Companies Act of 2008</td>
<td>Approximately 1000pp</td>
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<td>Company secretarial practice</td>
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<td>Summaries of reported cases since 1984</td>
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<td>Regulations</td>
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<td>Winding-up forms and winding-up fees</td>
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<tr>
<th>Title: Hahlo’s South African Company Law through the Cases: A Source Book</th>
<th>Authors: J T Pretorius (General Editor), P A Delport, M Havenga, M Vermaas</th>
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<td><strong>About this Publication</strong></td>
<td>Members</td>
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<tr>
<td>This work was first published in 1958 and is now in its sixth edition. Generations of lawyers have relied on Hahlo’s Company Law through the Cases as a source of reference in all areas of company law. The sixth edition offers a systematic overview of company law. Its informed selection of cases and materials covers every aspect of the field. Each topic is dealt with through an introductory text followed first by extracts from a wide-ranging selection of academic writings and then by case extracts. Further explanatory notes accompany the extracts. Case law up to July 1999 has been included. The book is further enhanced by its references to unpublished postgraduate theses and dissertations.</td>
<td>The company in general meeting</td>
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<td>Winding-up; judicial management; corporate delinquents</td>
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<td>The constitution of a company</td>
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<tr>
<td>Birth of a company</td>
<td>eBook: 978 0 70211 542 6</td>
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Hockly’s Insolvency Law
Hockly se Insolvensiereg

Authors: R Sharrock, K van der Linde, A D Smith

About this Publication
The 9th edition of Hockly’s Insolvency Law and the 4th edition of Hockly se Insolvensiereg follow the expanded format of the previous two editions. The basic purpose of the book remains the same: to provide a concise, yet fairly detailed, account of the law of insolvency, winding-up and judicial management. The book aims at a wide readership. For the subject specialist, it provides an update of developments in the law relating to insolvency and winding-up; for students, it is a text for both undergraduate and postgraduate study; and for insolvency practitioners, it may be used as a guide and a quick source of reference.

The appendices contain specimen applications, specimen estate accounts, the Insolvency Act, relevant extracts from the Companies Act and the Close Corporations Act, and the Cross-Border Insolvency Act.

Contents
- Obtaining a sequestration order
- Effects of sequestration
- Collection of the estate assets
- Realisation and distribution of the assets
- Composition and rehabilitation
- Miscellaneous
- Winding-up and rescue of companies and close corporations
- Cross-border insolvency
- Appendices:
  - Specimen applications
  - Estate Accounts
  - Insolvency Act 24 of 1936
  - Extracts from the Companies Act and the Close Corporations Act
  - Cross-Border Insolvency Act

Hockly’s Insolvency Law Casebook

Authors: R Sharrock, L S Steyn, A D Smith, K van der Linde, M Havenga

About this Publication
A student casebook which complements Hockly’s Insolvency Law.

Contents
- Introduction
- Voluntary surrender
- Compulsory sequestration
- The legal position of the insolvent
- The vesting of the assets of the insolvent
- Vesting of the assets of the solvent spouse
- Uncompleted contracts and legal proceedings
- Meeting of creditors and proof of claims
- Preservation of the estate pending the trustee’s appointment
- Election of the trustee
- The duties and powers of the trustee
- Impeachable dispositions
- Interrogation of the insolvent and other witnesses
- Realisation of the estate assets
- Creditors’ claims and their ranking

Journal of Corporate and Commercial Law & Practice, The

Managing Editors: T Mongalo, H Kawadza

About this Publication
The Journal of Corporate and Commercial Law & Practice (JCCLP) is a bi-annual periodical published by Juta for the University of Witwatersrand Law School. This journal covers the area of corporate and commercial law, with specific emphasis on how constitutional law, foreign law and public policy imperatives help improve and develop corporate and commercial law principles.

The JCCLP is supported by an eminent editorial committee and editorial advisory board of thought leaders in academics and practice.
### Law of Business Structures, The

**Authors:** F H I Cassim (Managing Editor), M F Cassim, R Cassim, R Jooste, J Shev, J Yeats

**About this Publication**

The Law of Business Structures provides a comprehensive but simplified treatment of the different types of business structures in South African law. The book examines the law of partnerships, business trusts, close corporations and companies, whether large or small and whether formed for a profit-making or a non-profit-making objective. The chapters on company law provide a detailed discussion and explanation of core company law topics. Discussions of modern corporate governance best practices, insider trading and market manipulation are also included.

Excessive theoretical analysis has been avoided, but important legal concepts and principles are nevertheless carefully explained and analysed. Case law and references to legislation have been kept to a minimum, but discussions of the important cases and relevant legislation are included. A glossary of important terms, intended to provide background and guidance to students, is included, and sample questions are provided for each chapter of the book.

**Contents**

- Table of cases
- Table of statutes
- Glossary
- Introduction and overview
- Partnerships

### Legal Accounting

**LegalEase – Elements series**

**Authors:** S Kalideen, L Sullivan

**About this Publication**

Legal Accounting deals with the fundamentals of accounting, such as debits and credits and how income statements and balance sheets are created. The book also takes you through the transfer journal, bank reconciliations, VAT, correspondent accounts, accounting in conveyancing matters, legislation applying to attorneys’ accounting and partners’ capital accounts. Easy-to-understand examples clearly explain the principles involved.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Elements books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the Elements series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

**Contents**

- Double entry bookkeeping
- Recording accounting transactions
- The transfer journal
- Accounting controls
- Value-added tax
- Protecting the trust account
- Correspondents
- Conveyancing transactions
- Types of legal practice
- Glossary

### Liquor Legislation of South Africa

**Juta Legislation Service**

(Remark to the Collections of Legislation section near the end of this catalogue for a listing of all titles in the Juta Legislation Service series)

**Editors:** Juta’s Statutes Editors

**About this Publication**

This loose-leaf work comprises four components: The Acts (including pending amendments — if applicable); rules / regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.
**Contents**

**Volume I**
- Liquor Act 59 of 2003
- Liquor Products Act 60 of 1989

**Volume II**
- Provincial Liquor Acts (excluding North West, not yet promulgated)

*Indicates published in English only.

Published since 2005 > LOOSE-LEAF in three volumes:
ISBN 978 0 70216 734 8 > Approximately 1300pp

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**Mars: The Law of Insolvency in South Africa**

**Authors:** E Bertelsmann, R G Evans, A Harris, M Kelly-Louw, A Loubser, M Roesto, A Smith, L Stander, L Steyn

**About this Publication**

*Mars: The Law of Insolvency in South Africa* has established itself as a specialist work that has for decades been the guide for insolvency practitioners, members of the Bench, insurance companies and other financial institutions and the Master's office. This work retains the basic structure and encyclopaedic approach of previous editions, retaining references to most of the old landmark cases while taking into account legislative changes. Numerous references to articles in legal journals including critical assessments of new case law mentioned in the text and footnotes.

**Contents**

- A chapter based on the new Land and Agricultural Development Bank Act 15 of 2002
- A chapter on cross-border insolvency dealing not only with the Cross-Border Insolvency Act 42 of 2000 with relevant international instruments.
- Other legislative provisions that affect insolvency including provisions in the National Credit Act 34 of 2005, the Civil Union Act 17 of 2006 and the Long-term Insurance Act 52 of 1998
- The Insolvency Act 24 of 1936 and the developments surrounding it
- Jurisdiction
- Voluntary surrender
- Compulsory sequestration
- Setting aside sequestration order
- Appeals
- Custody and administration of estate
- Pending appointment of trustee

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**Mercantile Law in Botswana: Cases and Materials**

**Author:** J Kiggundu

**About this Publication**

*Mercantile Law in Botswana* is a highly practical reference volume produced primarily for students of commercial law in Botswana. Apart from coverage of six major areas of commercial law this book also includes an accessible digest of the leading cases and the principles they establish, plus related statutory provisions.

**Contents**

- Negotiable instruments
- Provisional sentence
- Banking
- Insurance
- Partnership
- Insolvency

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**Modern Company Law for a Competitive South African Economy**

(First published as Acta Juridica 2010)

**Editor:** T H Mongalo

**About this Publication**

*Modern Company Law for a Competitive South African Economy* presents a progressive discussion of selected corporate law matters brought about by the new Companies Act 71 of 2008. The book covers the areas of corporate formation and corporate finance, corporate governance and mergers and takeovers, business rescue, and the enforcement and regulatory regime.
Perspectives on the Law of Partnerships in South Africa

About this Publication
Perspectives on the Law of Partnership in South Africa examines the most problematic issues in the law of partnership. It investigates specific issues in the area of partnership law, painting a broader picture of all the other relevant areas involved. In following a ‘perspectives’ approach – presenting a historical and a comparative perspective – the book offers a detailed consideration of complex areas of partnership law while at the same time exploring the law in general. Topics discussed range from the history and development of partnership law to perennial classical favourites such as the leonine partnership, the triple contract and universal partnership proper, all three of which contributed to the delineation of the partnership concept.

Aspects of the law in general that are discussed in detail include:
- legal status and its attendant entity and aggregate theories
- representation and mutual mandate

Contents
- History and sources
- Leonine partnership
- Triple contract
- Repeal of twenty-partner limit
- Universal and general partnerships
- Limiting liability
Practitioner's Guide to the Companies Act 71 of 2008, The

About this Publication
Produced by the South African Institute of Professional Accountants (SAIPA) specifically for SAIPA members and other practising accountants, The Practitioner's Guide to the Companies Act 71 of 2008 offers clear guidance to those who have to grapple with and apply the provisions of the new Act. The Companies Act 71 of 2008 is intended to be the modern corporate law for a modern commercial world. The Act introduces many new legal concepts, rules and regulations with which many corporate law practitioners are quite unfamiliar. Written in an easy-to-understand format while demystifying legal jargon, this book is an indispensable reference guide to corporate law.

Contents
Introduction to the new Companies Act
The concept of legal personality
Types of companies
Close corporations
Formation of companies
The company constitution
Governance and directors
The fiduciary and statutory duties of directors
Corporate governance and the King III Code
Corporate finance: shares and distributions
Shareholders' meetings
Shareholders' remedies
Business rescue and compromises
Fundamental transactions
Enforcement of the Companies Act
Transitional arrangements
The Corporate Law Amendment Act of 2006

Student Casebook on Business Entities

Editors: J T Pretorius (General Editor), P A Delport, M Havenga, M Vermaas

About this Publication
This casebook is intended to make it easier for undergraduate law and commerce students to gain a proper appreciation of the principles of business entities as laid down in the cases. The book will provide students who do not have ready access to the law reports with a selection of extracts from the leading English and South African cases on mainly company and partnership law. It is written for use in conjunction with standard text books on the subject.

Contents
Partnership law
Close corporations
Company law
The law of business trusts

Understanding Broad-based Black Economic Empowerment

Authors: E Kalula, A M'Paradzi, N Okorafor

About this Publication
Understanding Broad-based Black Economic Empowerment forms part of the Juta's Pocket Companions, to complement Juta's highly successful Pocket Statute series. Pocket Companions present key legislation explained in non-legalistic language, in an affordable, accessible format. Broad-based black economic empowerment, BEE, is a key element of the socio-economic transformation strategy of the post-1994 democratic dispensation in South Africa. Understanding BEE sets out a comprehensive outline of BEE covering its various aspects, including scorecards, ownership, management and control, employment equity, skills development, preferential procurement, enterprise development, socio-economic development and fronting. The aim of Understanding Broad-based Black Economic Empowerment is to present a technical subject in an accessible way. The key areas of BEE are systematically covered with key point summaries, frequently asked questions (FAQs) and a glossary of terms included.

Contents
Purpose, definitions, regulatory instruments, scope and elements of Black Economic Empowerment
Generic BEE scorecard, Qualifying Small Enterprise scorecard, Contributor Recognition Levels
Ownership
Management and control
Employment equity
Skills development
Preferential procurement
Comparative Law in Africa: Methodologies and Concepts
Comparative Law in Africa Series

Editors: S Mancuso, C M Fombad

About this Publication
The Centre for Comparative Law in Africa held its inaugural methodology workshop from 22 to 24 October 2012. Over 40 scholars from various universities in South Africa, Africa, Europe and the United States of America participated in plenary and panel discussions around comparative law in cultural, interdisciplinary and subject context, Western legal traditions and mixed jurisdictions in African comparative legal studies, traditional and informal law in Africa, religious law in Africa and its comparative implications and the role of African comparative legal studies in the development of law in Africa.

Comparative Law in Africa: Methodologies and Concepts is the outcome of the workshop. Its aim is to contextualise comparative legal studies in the African continent, with the ultimate goal of paving the way for the development of a comparative methodology specifically addressed to Africa. The studies presented in this volume offer different views and perspectives around the main theme of how to methodologically approach comparative legal studies in Africa, and how to properly take into consideration all the different layers composing the African legal systems, in order to give them the proper role and the proper place.

The diverse background of the different contributors to this volume enriches its continental approach and offers a stimulating voice to African comparative legal scholars to continue their research.

Contents
Africanisation of Legal Education Programmes: The Need for Comparative Legal Studies - Charles Manga Fombad
Comparative Law in the African Context - Salvatore Mancuso
Methodological Approaches to Comparative Legal Studies in Africa - Chris Nwachukwu Okeke
Comparative Legal Studies in Africa: A Methodological Way - Kebreab Habte Michael
Researching and Teaching (Comparative) Law in Africa - Ignazio Castellucci
Applying the Tool of Comparative Law to the study of Africa’s Multiple Development Pathways - Ada Ordor

Legal Salmon: Comparative Law and its Role in Africa - Mathilda Twomey
The Role of African Comparative Legal Studies in the Development of Law in Africa, as Illustrated by OHADA in Cameroon - Claire Moore Dickerson
Responding to Zambia’s ‘Mixed’ Legal System: Seeking a ‘Visibly’ Comparative Approach to Law Studies - Mulela Margaret Munalula
The Meeting of Comparative Law and Legal Anthropology in Africa - Thomas W Bennett
The Collection and Codification of Customary Law in Force in the Republic of Guinea-Bissau - Fernando Loureiro Bastos
A New Approach to African Comparative Law in the Field of Business Law: Comparison of Cases from Different Jurisdictions - Mahutodji Jimmy Vital Kodo
Human Rights and Business Law in the African Context - Moussa Samb

Journal of Comparative Law in Africa / Revue de Droit Compare en Afrique

Editor-in-Chief: S Mancuso

About this Publication
The Journal of Comparative Law in Africa is a peer-reviewed academic legal journal published annually by Juta and the Centre for Comparative Law in Africa, at the University of Cape Town (South Africa). The Journal is bilingual (English and French) and addresses legal issues on the African continent.
Kenyan-South African Dialogue on Devolution

Editors: N Steytler, Y Ghai

About this Publication
In a radical break with its past, democratic South Africa established a system of devolution that was confirmed in the 1996 Constitution. In reaction to a system of highly centralised government that had seen the abuse of power, spatial inequality and underdevelopment, Kenya has also opted for devolution. This system was embodied in the 2010 Constitution and implemented with the establishment of 47 counties after the general elections in March 2013.

Devolution lies at the heart of Kenya’s new constitutional dispensation and provides a means of addressing past injustices.

The Kenyan Constitution largely copied the structure, approach and principles of provincial and local government from South Africa. Since the Kenyan system is still in the process of being fully implemented, Kenyan-South African Dialogue on Devolution compares the two systems with reference to their legal provisions. Comparing how the two systems have functioned is more difficult. However, the principal value of this comparison at this stage lies in the lessons that Kenya can learn from South Africa’s 21 years of experience of devolution as Kenya proceeds with establishing its system: what routes to follow and what pitfalls to avoid.

Kenyan-South African Dialogue on Devolution includes South African and Kenyan chapters on the reasons for devolution; the levels, number, size and character of devolution units; the demarcation of devolution units; political structures; powers and functions; finances; metropolitan governance; intergovernmental relations; marginalised groups; and transitional arrangements.

This book is the first to discuss and compare the Kenyan and South African systems at length, and will be of value to other African countries that have embarked on devolution or decentralisation with the aim of curbing the centralised abuse of power and promoting political stability and development.

Contents
Fudging Federalism: Devolution and Peace-making in South Africa’s Transition from Apartheid to a Constitutional Democratic State (1990-1996) - Derek Powell
Devolution in Kenya: Background and Objectives - Yash Pal Ghai
Drawing Non-Racial, Non-Ethnic Boundaries in South Africa - Yonatan Fessha, Jaap de Visser
Number, Size and Character of Counties in Kenya - Abraham Rugo Muru
Devolved Political Structures in South Africa: A Void Waiting to be Filled by Subnational Politics - Yonatan Fessha
Political Structures and Politics of Counties in Kenya - Conrad Mugoya Bosire
The Functions and Powers of South Africa’s Provinces and Municipalities - Jaap de Visser, Annette May
Powers and Functions of County Governments in Kenya - Conrad Mugoya Bosire
South Africa’s Intergovernmental Fiscal Relations System - Bongani Khumalo, Ghalieb Dawood, Jugal Mahabir
Financing Counties in Kenya - Njeru Kirira
Governing Metropolitan Areas in South Africa - Philip van Rynneveld
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Developing the common law of contract in the light of poverty and illiteracy: the challenge of the Constitution - D M Davis
Concluding reflections: legal activism after poverty has been declared unconstitutional - Karl Klare

About this Publication
The 20th anniversary of the OHADA marks the achievements of an initiative dedicated to the economic development of its 17 West and Central African member states. In the course of the past two decades, OHADA has brought together actors from the fields of law, commerce and academia for the purpose of consolidating the region’s many different forms of business law into a set of uniformly applicable policies, practices and procedures. Legal integration lies at the heart of efforts directed towards the economic regeneration not only of sub-Saharan Africa but also of the African continent. The outcome of the event is a set of materials that can only increase the intellectual curiosity of researchers investigating the topic, and that of economic actors, practitioners and professionals looking for decision support tools.

The Comparative Law in Africa Series is a peer-reviewed book series which is coordinated by the Centre for Comparative Law in Africa, at the University of Cape Town (South Africa). The bilingual (English and French) series hosts original monographs, handbooks, conference and workshop proceedings, collection of thematic essays dealing with legal issues on the African continent. The Series has Scientific Committee made up of renowned scholars from Africa and beyond expert in comparative law and the different areas of law in Africa. All scholars and jurists writing in all fields of law in Africa using a comparative approach are welcome to submit their original works for publication in either language.

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- Deuxième partie: aspect économique - OHADA: efficacité et compétitivité (sous la présidence du Pr. Touna Mama)
- Table ronde: les acteurs économiques - artisans de la dynamique du droit OHADA (modérateur: Pr. Dieudonné Bondoma Yokono, Cameroun)
- Le dialogue public-prive au service de l’amélioration du climat des affaires au Cameroun - Pr. Touna Mama
- La gouvernance des entreprises au cœur de la croissance économique des Etats parties de l’OHADA - M. A Fotsa

Pluralism and Development: Studies in Access to Property in Africa

(First published as Acta Juridica 2011)

Editors: H Mostert, T Bennett

About this Publication
This title comprises a collection of papers presented at a conference held at the University of Cape Town in 2010, which consider how development in Africa may best be achieved by concentrating on access to property from a pluralist perspective, with emphasis on land, the most important economic resource.

Contents
Access to property in Africa: an introductory survey - Thomas Bennett and Hanri Mostert
Absolute ownership and legal pluralism in Roman law: two arguments - Helen Scott
Legal pluralism in Africa: the implications of state recognition of customary laws illustrated from the field of land law - Gordon Woodman
Legal pluralism and access to land in Nigeria - Enyinna Nwachukwu
The changing dynamics of customary land tenure: women’s access to and control over land in Botswana - Anne Griffiths
Taking the gap – ‘living land law grabbing’ in the context of customary succession laws in Southern Africa - Chuma Himonga

Securing women’s property inheritance in the context of plurality: negotiations of law and authority in Mbusini customary courts and beyond - Sindiso Mnisi
Lost in translation: family title in Fingo village, Grahamstown, Eastern Cape - Claire Moore Dickerson
Accountability mechanisms - Pr. V Bokalli
Contested power and apartheid tribal boundaries: the implications of ‘living customary law’ for indigenous accountability mechanisms - Aninka Claessens
Modernisation and sécurisation des systems de paiements électroniques au Cameroun - M. L Nana Yomba
Les systèmes de paiements électroniques dans l’espace OHADA: l’exemple de Afriland First Bank - M. C Fogaing

Ubuntu, Good Faith & Equity: Flexible Legal Principles in Developing a Contemporary Jurisprudence

Editor: F Diedrich

About this Publication
This book contains a selection of papers on the topic of ‘Ubuntu, Humanity and Good Faith / Equity as Flexible Principles in Law and Society in Southern Africa’. The papers by international academics provide a comparative viewpoint on how good faith and equity have been used in other jurisdictions as flexible legal principles to achieve equitable outcomes.

Contents
Preface - Frank Diedrich
Ubuntu as a legal principle in an ever-changing world - Yvonne Mokgoro
Ubuntu: an African equity - Tom Bennett
Ubuntu: ethnosophy and core constitutional value(s) - Ilze Keevy
Accountable Government in Africa: Perspectives from Public Law and Political Studies

Editors: D M Chirwa, L Nijzink

About this Publication
In the early 1990s, a wave of democratisation swept the African continent, resulting in a flurry of constitution-making and constitutional revision. Two decades later it is time to take stock and assess to what extent accountable governance has taken root in Africa. Combining insights from a number of leading experts in the fields of public law, political science and democratisation studies, this edited volume looks at various institutions and mechanisms of accountability, their effectiveness and how the institutions themselves are being held accountable.

This book presents new knowledge about legal and political developments in a number of African countries – Ghana, Malawi, Mali, South Africa, Tanzania, Uganda and Zambia, with further references to Mozambique, Kenya and Swaziland – bringing the policy goal of developing and deepening democratic governance: ubuntu and equity as a basis for regulating public functionaries in common-law Africa - Mwiza Jo Nkhata

Ubuntu in the traditional justice mechanisms of South Africa - Inga Svarca

The contribution of ubuntu to the development of constitutional jurisprudence in a democratic South Africa - S F Khunou and Seth Nthai

‘Just say sorry?’ Ubuntu, Africanisation and the child justice system in the Child Justice Act 75 of 2008 - Julia Sloth-Nielsen and Jacqui Gallinetti

Towards constitutionalism and democratic governance: ubuntu and equity as a basis for regulating public functionaries in common-law Africa - Mwiza Jo Nkhata

Judicial review of parliamentary actions in South Africa: a nuanced interpretation of the separation of powers - Hugh Corder

Procurements, politics and the law: the way things are - Philip Stenning

The civilisation of prosecutorial services in Tanzania - Sifuni Mchome

Accountable governance and the role of national human rights institutions: the experience of the Malawi Human Rights Commission - Danwood Chirwa

Balancing independence and accountability: the role of Chapter 9 Institutions in South Africa’s constitutional democracy - Pierre De Vos

Accountability compromised: floor crossing in Malawi and South Africa - Lia Nijzink

Democracy within political parties: the state of affairs in East and Southern Africa - Augustine Magolowondo

Political parties in Malawi: an accountability analysis - Nandini Patel

Family matters: the interplay between formal and informal incentives for accountability in Malawi’s Local Communities - Martin van Vliet

Understanding local forms of accountability: initial findings from Ghana and Malawi - Diana Cammack

External accountability meets accountability assistance with reference to legislative strengthening in Africa - Peter Burnell

Bill of Rights Handbook, The

Authors: J Currie, J de Waal

About this Publication
The Constitution informs every aspect of our legal system and every instance of interpretation and application of that system. The Bill of Rights Handbook’s detailed coverage of all aspects of Bill of Rights jurisprudence and practice has made it the standard reference work for this important area of law, and it has been extensively relied upon and quoted by the judiciary.

The sixth edition of the Handbook is a comprehensive account of over two decades of jurisprudence interpreting and applying the Bill of Rights. The work has been thoroughly revised, in particular to cover developments in the areas of constitutional jurisdiction, remedies and socio-economic rights.

Contents
Table of cases
Introduction to the Constitution and the Bill of Rights
Structure of Bill of Rights litigation
Application of the Bill of Rights
Justiciability
Bill of Rights, of the Constitution of the Republic of South Africa, 1996

Editors: Juta's Statutes Editors

Contents

Climate Talk - Rights, Poverty and Justice

Editors: J Dugard, A L St. Clair, S Gloppen

About this Publication
Climate change is one of the central challenges facing African countries and their people. Unless concerted efforts are made worldwide very soon to reduce emissions, climate change impacts are likely to be devastating. Higher-end temperature scenarios present a dark future jeopardizing basic needs such as water, food, housing and a healthy environment, as well as adding to the stressors on natural resources.

Those who will suffer the most from the challenges posed by climate change have contributed the least to the problem in the first place: the poor and vulnerable, especially in developing countries. To make matters worse, these are the same people who have benefited the least from modernisation and industrialisation and have a relatively small carbon footprint. This is a double injustice.

While climate justice and social justice are difficult to disentangle, neither the legal systems nor the main actors framing the dominant climate change narratives seem sufficiently attentive to the double-edged justice questions posed by the impacts of climate change on poor communities.

This book attempts to fill some of the gaps in climate change scholarship by focusing on the climate narratives emerging in and around South Africa – how they relate to broader issues of social justice and resource allocation, and the role of rights talk and legal strategies in the framing of the problems and solutions. In doing so, the book contributes to developing rights- and justice-based strategies for translating knowledge into action.
Constitution of the Republic of South Africa, 1996*
Grondwet van die Republiek van Suid-Afrika, 1996
(Juta’s Pocket Statutes / Juta se Sakpaswette
(*Also available as part of the 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

About this Publication
The full text of the Constitution, with an entrenched Bill of Rights at its heart, is reproduced in this book. An introduction places the Act in context. Some pertinent facts about the country and its population are supplied, as well as contact details for those wishing to visit Parliament or the Constitutional Court. The Constitution informs every area of our law and of its application and interpretation. It is imperative for every legal practitioner and everyone in governmental and non-governmental organisations to take cognisance of its principles.

Contents
- Quick Finder for Key Topics
- South Africa in Brief
- The Constitution of the Republic of South Africa: An Overview
- Structure and Functions of the South African government
- South African Parliament
- Groundbreaking Judgments of the Constitutional Court
- Key Addresses
- Sessions of the Constitutional Court
- National Anthem of South Africa

Constitutional Comparison: Japan, Germany, Canada, South Africa as Constitutional States

Author: F Venter

About this Publication
In our globalised era it has become impossible to deal effectively with constitutional law and related subjects such as fundamental rights, administrative law and political science without knowledge of foreign systems. Although a wealth of literature is available, the constitutionalist faces a formidable problem: which foreign systems should I explore in order to make relevant comparisons, and how should I go about it? This book addresses the issues of comparability and appropriate comparative methodology.

Contents
- Considerations of comparative methodology
  - Law and state as common denominators of humanity
  - Comparative Law: nature and issues
  - Comparison in the field of constitutional law
  - A matrix for constitutional comparison
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  - Why is the constitution supreme?
  - History and foundations of the predominance of the constitution
  - The impact of the predominance of the constitution
  - Comparative conclusions
- Constitutional rights
  - The classification of constitutional rights
  - Analysis of selected constitutional rights
  - Limiting and balancing interests
  - Constitutional rights in the contemporary constitutional state
- Democracy and the distribution of authority
  - Democracy
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- Democracy and authority in the constitutional state
- Comparing constitutions in 2000
  - Motives for practising comparative constitutional law
  - Limitations of constitutional comparison
  - A method for comparing constitutions

Constitutional Court Review

Editor: S Woolman (Editor-in-Chief)

About this Publication
The Constitutional Court Review (CCR) is an annual double-blind peer-reviewed international journal that tracks the work of the Constitutional Court of South Africa.

All volumes of the Constitutional Court Review can now be read for free on an open access, dedicated website at www.constitutionalcourtreview.co.za. Print versions of Volume V (and all forthcoming issues) can also be purchased directly from Juta Law at www.jutalaw.co.za/products/constitutional-court-review.

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- Articles
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Constitutional Law Casebook, The

Authors: T Ngcukaitobi, J Brickhill, N Stein

About this Publication
This book, by leading constitutional law experts, explains the jurisprudence of the constitutional court. The case analysis is presented in a systematic fashion for easy understanding by law students. Each case is analysed by means of reproducing a short excerpt from the case, followed by the factual and legal background facts, the legal question which was before the courts, the issues decided by the courts, the court order and a summary of the order. Each case discussion includes a key question for discussion.

Contents
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Part III: Principles and structures of government
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The legislature
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Separation of powers
Institutions
Supporting constitutional democracy

Constitutional Law of South Africa

Editors: S Woolman (Editor-in-Chief), M Bishop (Managing Editor)

About this Publication
Constitutional Law of South Africa is the most widely cited treatise on South African constitutional law. The work deals with both local case law and overseas jurisdictions and engages at length in legal theory. It offers complete reconstructions of legal doctrine, alternative readings of constitutional provisions, and appropriate criticism of judgments and legislation.

Constitutional Law of South Africa achieves these ends through comprehensive treatment of the case law and relevant statutes; a thorough review of the secondary literature; and the ability to draw, where appropriate, on relevant foreign and international jurisprudence. Constitutional Law of South Africa fills a unique space in the South African legal academy and the profession.

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Powerful electronic searching allows for easy and rapid access to information

Constitutional Library, Juta’s

About this Publication

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*No longer published by Juta.

ELECTRONIC Additional Contents and Features
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information
Constitutional Litigation

Authors: M du Plessis, G Penfold, J Brickhill

About this Publication
Over the past twenty years, the South African courts, and particularly the Constitutional Court, have developed a rich set of rules and principles applicable to cases that involve constitutional matters. Constitutional Litigation gathers together those rules and principles into a comprehensive, but digestible and easily accessible, book that will be of interest and value not only to the newcomer to constitutional litigation, but also to the more seasoned practitioner.

Constitutional Litigation examines the constitutional jurisdiction of the High Court and the Supreme Court of Appeal (and certain other specialist courts), and considers the various rules peculiar to these courts that are often relevant to constitutional litigation, such as the admission of an amicus curiae, the duty to raise a constitutional matter as early as possible in the proceedings, and the duty to join the relevant organ of state in a case involving a constitutional issue. Ultimately, though, it is the Constitutional Court that is the central focus of the book.

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Appendices
– Rules of the Constitutional Court
– Constitutional Court Practice Directions
– Rules of various courts governing amici curiae

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Constitutional Property Law

Juta’s Property Law Library

Author: A J van der Walt

About this Publication
Part of the Juta’s Property Law Library series, this new edition offers a comprehensive and authoritative discussion of all aspects of property law in South Africa.

The third edition reflects recent developments in case law and literature, and expands extensively on the new comparative sections which include asset forfeiture, constructive expropriation and the public-purpose requirement for expropriation.

Contents
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Appendices
– Chapters 1 and 2 of the Constitution of the Republic of South Africa, 1996
– Property clauses in selected foreign constitutions

2011 > SOFT COVER: ISBN 978 0 70219 419 1 > 682pp
INTERNET: ISSN 2227 2046

Constitutional Rights in Namibia

A Comparative Analysis with International Human Rights

Author: G J Naldi

About this Publication
Namibia’s independence saw the end of a highly controversial and protracted international dispute. In this book, the author presents a critical legal analysis of Namibia’s Constitution of human rights in the light of international and regional human rights standards. He places a special emphasis on the jurisprudence of the Namibian courts.

Contents
Historical background
Features of the Namibian Constitution
Fundamental rights and freedoms – civil and political rights
Economic, social and cultural rights

Equality Law – Reflections from South Africa and Elsewhere
(First published as Acta Juridica 2001)

Authors: S Jagwanth, E Kalula

About this Publication
This volume is an impressive collection of papers on equality law. It examines recent developments in South Africa, looks at international and foreign law, and covers several theoretical and jurisprudential questions in equality law. The overriding theme of the volume is the way in which the law can contribute to the achievement of substantive equality. The contributors are renowned equality experts both nationally and internationally. This volume will make a significant contribution to the debate on substantive equality in South Africa and elsewhere.

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Part 1: Achieving substantive equality in South Africa – the law and theory
Part 2: Achieving substantive equality in the South African employment context
Part 3: Achieving substantive equality in foreign and international law

Falls the Shadow: Between the Promise and the Reality of the South African Constitution

Editors: K Bentley, L Nathan, R Calland

About this Publication
South Africa supposedly has one of the best Constitutions in the world, one which is intended to control and constrain the exercise of power by the state so that it does not threaten the liberty and security of citizens. But, in reality, does the Constitution contribute more to the security of some groups than others? Does it help to ensure certain types of security but not others? And does it have greater impact on some institutions than others?

The book is based on the assumption that the Constitution has a significant impact on the security of South African citizens and communities but that this impact is differential. The book explores what kind of impacts the Constitution has, explains what accounts for the differences, and considers whether there are any general observations and hypotheses that emerge from comparative perspectives.

Contents
Introduction – Mind the Gap! - Dr Laurie Nathan
You can’t eat the Constitution: is democracy for the poor? - Adv Tseliso Thipanyane

Friend or Foe? Dominant Party Systems in Southern Africa:
Insights from the Developing World

Editors: N de Jager, P du Toit

About this Publication
Within southern Africa, there has been a steady increase in the number of dominant party systems – systems where one party dominates over a prolonged period in an ostensibly democratic system with regular elections and multiple parties participating. This party system has replaced the one-party system that dominated Africa’s political landscape after the first wave of liberation in the 1950s and 1960s.

The salient question posed by this book is: Which route are Botswana, Namibia and South Africa taking? It answers by drawing conclusions to determine whether these countries are moving towards liberal democracy, authoritarianism or a road in between.

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Part 1: Theoretical foundations
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Transcending from a dominant party system to multi-party system: The case of South Korea - J Wong
From authoritarianism to nascent democracy in Taiwan: Electoral elements of the Kuomintang-dominant regime - Y Chu and C Wu

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Part 3: Dominant party systems in southern Africa
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- D Sebududu and M Bothomile
The politics and resource endowment of party dominance in Namibia: The past as the present and the future?
- A du Pisani
South Africa: A democracy in the balance - N de Jager

Heroes fall, oppressors rise: Democratic decay and authoritarianism in Zimbabwe - A Britz and J Tshuma
Conclusion: Resources and the politics of dominant party systems - P du Toit and N de Jager

 Fundamental Rights in South Africa: A Brief Introduction

About this Publication
Fundamental Rights in South Africa: A Brief Introduction provides essential information about fundamental rights in South Africa, giving undergraduate law students a sound basis upon which to build their understanding of the South African Bill of Rights. The book seeks to examine every component of the Bill of Rights, referring selectively to current authority.

The book provides practical exercises that will assist students with understanding fundamental rights and that will keep them engaged in the subject.

Contents
Introduction
General rules concerning the Bill of Rights
Interpretation of the Bill of Rights
Classification of fundamental rights
Normative rights
Conventional human rights
Modern social and political rights
Constitutional recognition of pluralism
Socio-economic rights

Human Dignity: Lodestar for Equality in South Africa

About this Publication

The author argues that human dignity is the attributive key that unlocks the constitutional meaning of equality and unfair discrimination. Equality cannot be usefully debated without first asking the vital question ‘Equality of what?’ The answer, it is contended, must be ‘human dignity’. The philosophical and Abrahamic religious roots of these constitutional concepts of dignity and equality are investigated, then further explored and illustrated in the comparative context of South African, German and Canadian constitutional jurisprudence.

Clashes and tensions between rights inevitably occur when the equality and non-discrimination rights of a Bill of Rights are applied horizontally, that is between subjects of the state themselves. The human dignity of the contestants plays a vital role in resolving such tensions and conflicts. Human dignity moreover has a determining function when applying constitutionally mandated restitutionary (compensatory) equality and when determining what the legitimate extent and duration of such restitution is. These issues are also considered in a comparative constitutional context.

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Equality under the Constitution
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Restitutionary or remedial equality

Human Rights under the Malawian Constitution

About this Publication
In 1994, Malawi adopted an unusually progressive Constitution, unprecedented in the country’s political and constitutional history. Human Rights under the Malawian Constitution takes stock of the human rights jurisprudence generated by the new Constitution and the new judiciary in Malawi over the past sixteen years.

The book examines the largely unreported Malawian cases and legislation and systematically analyses them with a view to constructing a coherent corpus of human rights jurisprudence, which is essential to consolidating democracy, establishing the foundation for the rule of law and ushering in an era of accelerated development in Malawi.

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In Search of Equality: Case Studies on Women, Law and Society in Africa

Editors: D Smythe, S Roehrs, A Hsieh

About this Publication
The year 2010 opened the African Women’s Decade. For several African countries it also marked 50 years of independence with a new Constitution. Many of these countries signed international protocols, such as the Protocol on the Rights of Women, which included a promise of gender equality. Now, decades after independence and the establishment of these rights, what has become of that promise? This is the first publication to critically examine women’s rights across several African countries in the light of African constitutional law. It contains the research of ten authors from nine African countries, combining case studies and perspectives from Southern Africa (Namibia, Zimbabwe, Malawi, South Africa), West Africa (Côte d’Ivoire, Nigeria, Cameroon) and East Africa (Rwanda, Uganda) on women’s rights in those nations and on the African continent in general.

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In search of equality: women, law and society in Africa - Dee Smythe and Stefanie Röhrs
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Gender equality in customary marriages in South Africa - Mikateko Joyce Maluleke
Enforcing women’s rights in Malawi - Maureen Kondowe
The justice system and women’s rights in Côte-d’Ivoire - Marie Agathe Bahi
Ending impunity for hate crimes against black lesbians: an opportunity to create feminist jurisprudence - Wendy Isaack
Strategic litigation of women’s constitutional rights in Rwanda’s changing judicial landscape - Eugene Manzi
Associational life and women’s constitutional rights in Africa - Ada Okoye Ordor

Judges in Conversation: Landmark Human Rights Cases of the Twentieth Century

Editors: N Rajab-Budlender, S Budlender

About this Publication
Legal luminaries from around the world met at South Africa’s constitutional court to discuss the Judiciary’s influence in effecting societal change, its relationship with the State and the marginalised and its role in breathing life into the rights to equality, free speech and life.

Seminal human rights court cases, that retain their relevance despite the passage of time, served as catalysts for reflection, recollection and discussion by some of the world’s leading jurists. The first-hand accounts of some of those who had been involved in these cases lend poignantness and provide a unique insight into cases that have become common currency in human rights law.

This book presents a record of fresh and inspiring perspectives on human rights law. Lively, engaging, responsive and open-ended discussions place cases in context while mapping their trajectories in society and across boundaries.

Contents
Foreword - Albie Sachs and Kate O’Regan Equality, with reference to Brown v Board Education (introduced by Jack Greenberg), Attorney General v Dow (introduced by Unity Dow), Bhe (introduced by Dikgang Moseneke), Andrews v Law Society of British Columbia (introduced by Lynn Smith) The Integrity of the State, its Conduct, Officials and Regulation of the Economy, with reference to Liversidge v Anderson (introduced by Sydney Kentridge), detention without trial (introduced by Stephen Sedley), laws immunising public officials (introduced by Valeria Onida) and The Crown v Acres International (introduced by Mahapela Lehohla)
Free speech with reference to New York Times v Sullivan (introduced by Tony Lewis) and Rwandan Genocide Tribunal (introduced by Navi Pillay)
From the margins, with reference to Olga Tellis (introduced by Soli Sorabjee), Grootboom (introduced by Zak Yacoob), Mabo v Queensland (introduced by Bob French)
Reflections on emerging themes by Dieter Grimm and Athalatha Molokome
Case summaries of cases discussed Comprehensive index
# Judiciary in South Africa, The

**Contributing Editors:** C Hoexter, M Olivier

**About this Publication**
While there have been various studies of the South African courts and their performance, *The Judiciary in South Africa* is the first publication to provide a general survey of the judiciary as an institution. This book offers a detailed and expert account of all the most important aspects of the judiciary in this country, both now and in the past.

**Contents**
- List of contributors
- Table of contents
- Table of cases
- Introduction - C Hoexter, M Olivier
- The structure of the courts - C Hoexter
- The judiciary under apartheid - C Forsyth
- Transformation and the judiciary - M Mhango
- Governance and administration of the judicial system - H Ebrahim
- The selection and appointment of judges - M Olivier, C Hoexter
- Judicial accountability - H Corder
- Judicial diversity - C Albertyn
- Non-judicial functions and activities - C Hoexter
- The magistracy - M Olivier
- The Constitutional Court - H Corder, J Brickhill
- The Constitutional Court: a judge's perspective - K O'Regan

2014 > HARD COVER: ISBN 978 1 48510 625 8 > 470pp
2014 > SOFT COVER: ISBN 978 1 48510 171 0 > 470pp
eBOOK: ISBN 978 1 48510 785 9

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# Namibian Constitution

**Juta’s Namibian Pocket Statutes**

**Editors:** Juta’s Statutes Editors

**Contents**
- Key Addresses
- Quick Finder for Key Topics
- Namibian Constitution – PENDLEX: Act 7 of 2010 and Act 8 of 2014

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# New Constitutional and Administrative Law, The

**(Volume I: Constitutional Law)**

**Editors:** I Currie, J de Waal

**About this Publication**
This book contains an introduction to constitutional law and an account of the historical origins of the 1966 Constitution. It deals comprehensively with the structure of government established by the Constitution and with the fundamental principles on which the new constitutional law is based. The book also contains an introduction to the Bill of Rights.

**Contents**
- Introduction to constitutional and administrative law
  - Basic features of the new constitutional order
  - The structure of government under the 1996 constitution
    - Legislative authority
    - Executive authority
    - Judicial authority
  - Introduction to the Bill of Rights
  - The structure of the Bill of Rights
  - Substantive provisions of the Bill of Rights


---

# Private Law and Human Rights

**Editors:** E Reid, D Visser

**About this Publication**
Scotland and South Africa are mixed jurisdictions, combining features of common law and civil law traditions. Over the last decade a shared feature in both Scotland and South Africa has been a new and intense focus on human rights. In Scotland, the European Convention on Human Rights now constitutes an important element in the foundation of all domestic law. Similarly, the Constitution of the Republic of South Africa, adopted in 1996, has as its cornerstone a Bill of Rights which binds not only the legislature, the executive, the judiciary and all organs of state, but also private parties. Of course, the ‘constitutional moments’ from which these documents sprang were very different and the Scottish and South African experience in some aspects could not be more dissimilar. Yet in many respects the parallels are close and compelling. This book, written by experts from both jurisdictions, examines exactly how human-rights provisions influence private law, looking at all branches of the subject. Moreover, it gives a unique perspective by comparing the approach in these kindred legal systems, thus providing a benchmark for both.

**Contents**
- Introduction - Elspeth Reid and Daniel Visser
- Private Law in the Age of Rights - François Du Bois
- Child Law: Respecting the Rights of Children - Elaine E Sutherland
Property Deprivation of an Absentee in Emulation of the Laws of Succession: The Laws of Scotland and South Africa Compared - Roderick R M Paisley
Privacy - F D J Brand
Defamation and Freedom of Expression - Jonathan Burchell
Strict Liability - Max Loubsær
Liability of Public Authorities and Public Officials - John Blackie
Nuisance - Hann Mostert
Contract Law and Human Rights - Peter Webster
Juristc Persons and Fundamental Rights - Ross Gilbert Anderson
Examining the Labour Law & Social Dimension of Human Rights: The UK & South Africa - David Cabrelli

Rights in Security - Andrew J M Steven
Access to credit, the law of suretyship and unfair suretyships - J T Pretorius
The Human Right of Property in Land Law: Comparing South Africa and Scotland - David Carey Miller
The Margin of Appreciation Doctrine of the European Court of Human Rights: Protection of Ownership and the Right to a Home - J M Milo
Environment and Human Rights: The Right to Water in South Africa and Scotland - Loretta Feris and John Gibson


Editors: Juta’s Statutes Editors

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Part B:
- Promotion of Access to Information Act 2 of 2000
  - PENDLEX: Act 4 of 2013
  - Rules & Regulations
    - Regulations regarding the Promotion of Access to Information, 2002
- Designation of Magistrates’ Courts under the definition of ‘court’ in the PAIA, 2004
- Promotion of Access to Information Rules
- Exemptions and Determinations for purposes of Section 22(8)
- Exemption of Certain Private Bodies from Compiling the Manual
Part C:
- Promotion of Administrative Justice Act 3 of 2000
- Rules & Regulations:
  - Regulations on Fair Administrative Procedures, 2002


Author: J C Mubangizi

About this Publication
The updated second edition provides useful information about international human rights norms and their relevance to South Africa. Considering the interplay between international and domestic human rights standards, the book explains and explores how the South African Constitution protects human rights. The material is presented in a coherent and accessible style to facilitate the understanding of the past, present and future of human rights protection in South Africa and beyond.

Contents
Preface to the second edition
Introduction
International protection of human rights
International human rights norms and the South African legal system
The South African Constitution and human rights
The South African Bill of Rights – selected civil and political rights
The South African Bill of Rights – selected social, economic and cultural rights
Transitional justice for the victims of past human rights violations: the global context – by Andreas O’Shea
Transitional justice for past human rights violations in South Africa – by Andreas O’Shea
List of acronyms
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Table of statutes
Selected sources
Rights for All: The South African Bill of Rights in All Official Languages

Editors: Juta’s Statutes Editors

About this Publication
This pocket-size book includes the full text of the South African Bill of Rights, in all 11 South African official languages, and incorporates an introduction - which places it in context – as well as the text of the National Anthem.

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Quick Finder for Key Topics
Overview of the Bill of Rights in English
The National Anthem of South Africa
The Bill of Rights in the eleven South African official languages

Selfless Constitution, The: Experimentalism and Flourishing as Foundations of South Africa’s Basic Law

Author: S Woolman

About this Publication
The Selfless Constitution first challenges you to do something difficult indeed: forget the metaphysics and the politics of ‘free will’ and ‘freedom’. After weaving together recent revelations in neuroscience, empirical philosophy, behavioural psychology and development economics, the book then demonstrates why only a politics that promotes experiments in living and the enhancement of individual capabilities is likely to produce the egalitarian pluralist social order to which our Constitution aspires. Its trenchant analysis of South Africa’s institutions and case law shows us how far we have come – and how far we still have to go.

Contents
The basic structure and the methodology of the argument
Why rethinking the foundations of South African constitutional law is necessary
How rethinking our understanding of the self and the social services a better constitutional theory
A theory of the self: consciousness and radically heterogeneous selves as feedback mechanisms
A theory of the social: constraint, friction and change
A theory of the constitutional: experimental constitutionalism
Experimental constitutionalism in South Africa: institutions and doctrines
Experimental constitutionalism in South Africa: the evolution of law and policy in housing and education
Flourishing and fundamental rights under the South African Constitution
Tweaking doctrine: Constitutional Court cases revisited and revised
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Socio-Economic Rights: Adjudication Under a Transformative Constitution

Author: S Liebenberg

About this Publication
This book features a comprehensive analysis of the socio-economic rights jurisprudence of the newly democratic South Africa, including relevant international and comparative law. It deals with key concepts in socio-economic rights such as separation of powers and reasonableness review, with perspectives from political philosophy and democratic theory as well as the role of socio-economic rights in private law and appropriate remedies for socio-economic rights violations. Further, it proposes how the judicial interpretation and enforcement of socio-economic rights can be developed to be more responsive to the conditions of systemic poverty and inequality characterising South African society.

Contents
Socio-economic rights jurisprudence of the newly democratic South Africa, including relevant international and comparative law
Key concepts in socio-economic rights such as separation of powers and reasonableness
Review with perspectives from political philosophy and democratic theory
The role of socio-economic rights in private law and appropriate remedies for socio-economic rights violations
How the judicial interpretation and enforcement of socio-economic rights can be developed to be more responsive to the conditions of systemic poverty and inequality characterising South African society.
Tables of cases and legislation

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Powerful electronic searching allows for easy and rapid access to information
Transformative Justice, A: Essays in Honour of Pius Langa

(First published as Acta Juridica 2015)

Editors: A Price, M Bishop

Contents
Preface - Alistair Price and Michael Bishop

Part I: Personal tributes
- Personal tribute to former Chief Justice Pius Langa - Dikgang Moseweke
- Tribute to Pius Langa - Albie Sachs
- Tribute to Chief Justice Pius Langa - Marumo Moerane
- Working with Justice Langa on press freedom - Anshal Bodasing

Part II: Reflections on Justice Langa's court and philosophy
- The Langa Court: Its distinctive character and legacy - Theunis Roux
- The people, the court and Langa constitutionalism - James Fowkes
- Humility, dissent and community: Exploring Chief Justice Langa's political and judicial philosophy - David Bilchitz
- The importance of dissent: Two judgments in administrative law - Cora Hoexter
- Transformative constitutionalism – Guiding light or empty slogan? - Jason Brickhill and Yana van Leeve
- Legal transformation and legal education: Congruence or conflict? - Dennis Davis
- Bridging the gap between people and the law: Transformative constitutionalism and the right to constitutional literacy - Tim Fish Hodgson

Part III: Reflections on themes in Justice Langa's judgments
- Customary succession and the development of customary law: The Bhe legacy - Sindiso Mnisi Weeks
- Bhe v Magistrate, Khayelitsha: A cultural conundrum, Fanonian alienation and an elusive constitutional oneness - Sanele Sibanda and Tshepo Bogosi Mosaka
- Contractual obligation and the journey from natural law to constitutional law - François du Bois
- State liability and accountability - Alistair Price
- S v Williams: A springboard for further debate about corporal punishment - Ann Skelton
- Can we discard the doctrine of legal guilt? - Pamela-Jane Schwikkard
- On the reciprocal relationship between the rule of law and civil society - Stu Woolman
- Constitutional protection of the right to privacy: The contribution of Chief Justice Langa to the law of search and seizure - Chucks Okpaluba
- Equality beyond dignity: Multi-dimensional equality and Justice Langa's judgments - Catherine Albertyn and Sandra Fredman
- On the limits of cultural accommodation: KwaZulu-Natal MEC for Education v Pillay - Okyereeba Ampofo-Anti and Michael Bishop

Truth, Reconciliation and the Apartheid Legal Order

Author: D Dyzenhaus

About this Publication
The Truth and Reconciliation Commission (TRC), established in South Africa after the collapse of apartheid, was the bold creation of a people committed to the task of rebuilding a nation and establishing a society founded upon justice, equality and respect for the rule of law. As part of its historic, cathartic mission, the TRC held a special hearing, calling to account the lawyers – judges, academics and members of the bar – who had been crucial participants in the apartheid legal order. This book is an account of those hearings, and an attempt to evaluate, in the light of the theories of adjudication, the historical role of the judiciary and bar in the apartheid years. Written by a well-known commentator on the South African legal system, this book reflects the spectacle of an entire legal system on trial and will appeal to all readers – lawyers and non-lawyers alike – interested in the relationship between law and justice, as it is exposed during a period of transition to democracy.

Contents
Truth, memory and the rule of law
Judicial dilemmas: tales of (dis)empowerment
Memory’s struggle
The politics of the rule of law
Understanding the Constitution of the Republic of South Africa

About this Publication
Understanding the Constitution of the Republic of South Africa forms part of Juta’s Pocket Companions series, which complements Juta’s highly successful Pocket Statutes series. This title is an ideal companion to the Constitution of the Republic of South Africa, 1996.

The provisions of the Constitution are set out in broad and general terms, and one needs to read the provisions together with the relevant constitutional judgments in order to properly understand what they mean. This is not always an easy task, because of the vast number of constitutional judgments that have been handed down, the legalistic language in which they are written, and the technical issues they often address.

The purpose of Understanding the Constitution of the Republic of South Africa, therefore, is to promote a deeper understanding of the Constitution by discussing some of its most important provisions in light of the constitutional judgments handed down by the courts, and especially by the Constitutional Court.

Contents
Introduction and principles of government
- General
- The basic principles
- The principle of co-operative government
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- Introduction
- The National Assembly
- The National Council of Provinces
- Internal procedures, privileges and public participation
- Legislative authority
- Legislative procedures
The President and the National Executive
- Introduction
- The office of the President
- The powers and functions of the President

Building Contract, The: A Commentary on the JBCC Agreements

About this Publication
Since 1991 the JBCC Principal Building Agreement has been used almost exclusively in the building industry for projects in the private sector. Recently the State took the policy decision that it too would use these agreements subject to appropriate modification, and these modifications were incorporated in the March 2005 edition of the JBCC Principal Building Agreement 4.1 Series 2000.

This edition of The Building Contract deals not only with the provisions of the Agreement as they are applied in State projects, but also how the Agreement, and its associated documents, is employed in conventional projects in the private sector. Innovations such as adjudication, the advance payment guarantee, and the Minor Works Agreement, are also discussed. The user is armed with knowledge of the nature of the contractual relationship and an understanding of the way in which the agreements are intended to regulate it.

Contents
Brief survey of the law of contract
The JBCC Principal Building Agreement and associated documents
Entering into the contract
Contract instructions and variations
Risks, insurances and indemnities
Nominated and selected subcontractors
Completion
Interim and final payments
Default and cancellation
Dispute resolution
The JBCC Minor Works Agreement
**About this Publication**

McKenzie’s Law of Building and Engineering Contracts and Arbitration is an essential reference for legal professionals and arbitrators involved in building and engineering disputes and graduate and post-graduate students of building and engineering contract law.

This is the first book to explain the law applicable to the updated Joint Building Contracts Committee (JBCC) Principle Building Agreement (6th edition, 2014) and the Engineering General Conditions of Contract for Construction Works (2nd edition, 2010), which are both annexed to the book and extensively cross-referenced to assist the reader. The book also cross-references the relevant clauses of the FIDIC Contract Agreement (1999). Disputes arising out of building contracts are often referred to arbitration for solution. This work therefore deals with the effect of the Arbitration Act 42 of 1965 and the Association of Arbitrators Standard Procedure Rules, which are also reproduced as annexures in the book.

**Contents**

- The formation of a contract
- The construction or interpretation of a contract
- Rights and liabilities of the parties during building operations
- Excuses for non-performance
- Effect of insolvency, death and forfeiture clauses
- Remedies on breach
- The architect
- The quantity surveyor
- Engineers
- Delictual liability of building and construction professionals for negligent misrepresentation causing pure economic loss
- Sub-contractors, contractors and home builders
- Time of completion, delay and penalty clauses
- Extras and variations
- Prime cost and provisional sums
- Price adjustment clauses
- Approval and certificates
- Defects and retention money
- Payment in terms of the contract and quantum meruit
- Introduction to arbitration
- Arbitration agreements and their effect
- Functions of and proceedings at arbitration tribunals
- The award
- Costs
- Annexures
  - The Association of Arbitrators Standard Procedures Rules
  - Arbitration Act 42 of 1965

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**About this Publication**


The book explains the structure of the ASA and how the Code should be read, gives practical advice and provides useful case studies on specific clauses. Written in a clear and accessible style, Advertising Law: A Guide to the Code of Advertising Practice provides guidance to anyone dealing with the ASA and advertising content.

**Contents**

- Introduction to advertising law
- Putting the ASA in its international context
- The ASA and the Constitution
- The Preface to the Code of Advertising Practice
- Self-regulation
- The structure of the ASA
- Reading the Code of Advertising Practice
- The ASA procedure
- Chapters providing a clear exposition of the Code of Advertising Practice (Sections I – IV and Appendices)
- Summary
CONSUMER LAW

Consumer Protection Act 68 of 2008 & Rules and Regulations

Juta’s Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN 978 1 48510 128 4)

Editors: Juta’s Statutes Editors

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Determination of threshold
National Consumer Commission Rules
Notice to exempt banks from provisions of section 14
Notice to exempt the pension fund industry, the collective investment schemes industry and the security services industry
Regulations for matters relating to the functions of the Tribunal and Rules for the conduct of matters before the National Consumer Tribunal, 2007
Final Enforcement Guidelines
Consumer Product Safety Recall Guidelines
CD-ROM containing related material

Credit Guide, The: Manage your Money with the National Credit Act

Authors: N Campbell, S Logan

About this Publication

The Credit Guide empowers consumers to get optimal value from credit. Using consumer rights as a vantage point, it guides consumers through the life-cycle of credit. The book shows the context in which the National Credit Act operates and with applications, types of credit agreements, credit bureau information, marketing of credit, credit cards, mortgages, asset finance and debt collection in a practical manner. Recourse and tips are set out clearly. Discussing concepts and procedures introduced by the National Credit Act, such as debt counselling and complaints procedures, The Credit Guide is invaluable to credit providers as it is to consumers.

Contents

The credit process in terms of the National Credit Act
Consumer credit information
Consumers’ rights and obligations
Credit agreements

Guide to the Protection of Personal Information Act, A

Authors: E de Stadler, P Esselaar

About this Publication

The Protection of Personal Information Act (POPI) has introduced a comprehensive set of principles which will govern the collection, use, storage, transfer, sharing and destruction of personal information. The reach of the Act is wide as it will apply to all businesses and the State.

A Guide to the Protection of Personal Information Act provides clear and practical advice on how to interpret POPI and how to apply it in any organisation. The book analyses POPI principles, introduces rules of thumb and checklists explaining the practical application of the Act, and answers frequently asked questions. The POPI Act is included in the book for ease of reference.

Contents

Introduction to the Protection of Personal Information Act
Who does the Protection of Personal Information Act apply to?
Collection must have a specified purpose
The notification duty
Minimal collection of personal information
Lawful sourcing of personal information
Responsibilities regarding data quality
Documenting processing activities
Securing personal information
Retention, restriction and destruction of personal information
The outsourcing of personal information processing (operators)
Access to personal information
Special personal information and personal information of children
Transferring personal information across borders
Direct marketing
Prior authorisation from information regulator
The information officer
How will the protection of personal information act be enforced?
Practical strategies for becoming and remaining POPI compliant
Appendices:
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– POPI checklist
Protection of Personal Information Act 4 of 2013
National Credit Act 34 of 2005 & Regulations

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

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- Key Addresses
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  - Prescribed time-frame for free Credit Records, and Determination of Application and Registration fees
  - Annual finance charge rates
  - Debt Counselling Regulations, 2012
- Removal of Adverse Consumer Information and Information relating to paid up Judgments Regulations, 2014
- National Credit Regulations including Affordability Assessment Regulations
- CD-ROM: Rules & Related Material
  - Verification, review and removal of Consumer Credit Information Regulations, and amendments to the National Credit Regulations
  - Regulations for matters relating to the functions of the Tribunal and Rules for the conduct of matters before the National Consumer Tribunal, 2007

National Credit Act and Consumer Protection Act, The:
A Guide for Credit Providers and Suppliers

Author: S Tennant

About this Publication
Two recent pieces of legislation have had a profound impact on South Africa’s consumer industry: the National Credit Act 34 of 2005 and the Consumer Protection Act 68 of 2008. Despite the significance of these two pieces of legislation, many credit providers and suppliers do not know or do not understand how the legislation affects their relationship with consumers. These shortcomings place suppliers and credit providers at a considerable disadvantage since they increase the possibility of non-compliance with the Acts’ requirements.

This book seeks to address this unwanted state of affairs. The author summarises the provisions of the National Credit Act (NCA) and the Consumer Protection Act (CPA) and discusses the role and responsibilities of credit providers and suppliers.

Contents
- Part A: Summary of the National Credit Act 34 of 2005 (With NCA Regulation Forms annexed)
- Part B: Commentary on the Consumer Protection Act 68 of 2008 (with the Suppliers Checklist, List on Retrospective Effect and annexures A–M of the regulations annexed)
- Index

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Protection of Personal Information Act 4 of 2013

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

Contents
- Quick Finder for Key Topics
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Understanding the Consumer Protection Act

Juta’s Pocket Companions

Authors: I Opperman, R Lake

About this Publication
Understanding the Consumer Protection Act forms part of the Pocket Companions series which complements Juta’s highly successful Pocket Statutes series. This title is an ideal companion to the Consumer Protection Act pocket statute.

Understanding the Consumer Protection Act systematically explains the Consumer Protection Act (CPA), one of the most far-reaching pieces of legislation in South African law. The CPA aims to protect consumers from inferior products and services.

This has ramifications for many areas of law including contract, delict, company law and access to information.

The book is written in an accessible, non-legalistic style, using icons and ‘key points’ boxes to further aid understanding of the Act.

Contents
- Definitions
- Business names
Caney’s The Law of Suretyship

Authors: C F Forsyth, J T Pretorius

About this Publication
The 6th edition of this authoritative reference work incorporates significant developments since the last edition in 2002. This latest edition once again ensures that the treatment of its subject matter is most comprehensive, whilst remaining accessible to non-specialists. The Law of Suretyship contains three parts, each dealing with different stages in the life of a contract of surety. Each part contains a detailed discussion of their respective topic. The authors’ treatment of each topic is well researched and supported by a host of authority, and the main text is enhanced by additional information and further discussions in the footnotes.

Contents
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Mode of citation
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The nature of suretyship and the formation and operation of the contract
- The Roman law: foundations of our law of sureties
- Definition and nature of suretyship
- The principal obligation
- The surety
- The formation of the contract of suretyship
- The interpretation of the contract
- The obligations of the surety
- The rights of the surety
- The benefit of excuse
- The benefit of division amongst co-sureties
- The benefit of cession of actions
- The surety’s right of recourse
- The right to contribution by co-sureties
- The release of the surety
- Discharge of the surety

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Cession for Students
LegalEase – Elements series

Author: S Scott

About this Publication
This updated edition of Cession for Students includes a number of new cases and is presented in a more user-friendly format. The book is a useful tool for both students and practitioners in mastering this complicated subject.

Cession for Students is divided into three sections: the substantive law of cession, case study questions and a short introduction to the drafting of cession documents. The first section is for examination purposes, the second to test insight and practical knowledge and the third serves as a practical aid.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Elements books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the Elements series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents
Substantive law of cession
Examples of drafting cession documents
Questions and answers at the end of each section
Case studies

Contract Law Casebook / Kontraktereg Vonnisbundel

Authors: L Hawthorne, C-J Pretorius

About this Publication
Previously authored by Hawthorne and Lotz, this bilingual casebook is an invaluable aid to students learning the law of contract. Extracts from leading cases are supplemented by explanatory notes, promoting a better understanding of decisions of the courts. The book has been updated to include recent cases, and also includes new chapters covering the core ethic
of law; relational contract theory; and fairness, reasonableness and justice in the law of contract.

**Contents**
- The core ethic of contract law
- Basis of a contract
- Offer and acceptance
- Agreement obtained by improper means
- Requirements for the validity or enforceability of contracts

**Contents and operation of contract**
- Fairness, reasonableness and justice in the law of contract
- Relational contract theory
- Remedies for breach of contract
- The transfer of claims and the termination of obligations

2010 > SOFT COVER: ISBN 978 0 70218 542 7 > 448pp

**NEW EDITION FORTHCOMING IN 2016**

**Contract / Kontraktereg**

**General Principles / Algemene Beginsels**

**Authors:** S W van der Merwe, L F van Huyssteen, M F B Reinecke, G F Lubbe

**About this Publication**

*Contract: General Principles and Kontraktereg: Algemene Beginsels* take an analytical approach to the concepts, principles and rules pertaining to contracts, while, at the same time, placing contracts and the law relating to contracts within a wider jurisprudential and social context. The work combines an in-depth exposition and analysis of the theoretical basis and structure of the South African law of contract with a discussion of the application of these principles by the courts.

The fourth edition deals with aspects of the Consumer Protection Act and continues the debate about the path that should be taken in the development of the law of contract in accordance with Constitutional norms. The law is explained in terms that are easily understood.

**Contents**
- Basis of a contract
- Offer and acceptance
- Consensus obtained by improper means
- Formalities
- Possibility of performance
- Legality
- Certainty
- Contents and operation of a contract
- Breach of contract

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**Franchise Relationship under South African Law, The**

**Author:** T Woker

**About this Publication**

*The Franchise Relationship under South African Law* focuses on the unique relationship between a franchisor and its franchisees with particular reference to the applicable laws. Franchisees are now included as consumers under the Consumer Protection Act, 2008. This Act is the first South African statute to refer directly to franchising. It will have a significant impact on the development of the law as it relates to franchising, which is an important form of economic activity in South Africa.

The franchise relationship is often treated as a normal commercial relationship which means that there is huge potential for disputes. Finding appropriate solutions can be difficult. This book helpfully draws together the legal principles which apply to the franchise relationship.

**Contents**
- Introduction
- What is franchising?
- Commercial considerations
- The franchise relationship
- The regulation of franchising
- A Bill of Rights for franchisees
- The franchise contract

Misrepresentation and non-disclosure
- The end of the relationship
- Dispute resolution
- Franchising and intellectual property law
- Know-how: confidential information and trade secrets
- Trademarks
- Copyright
- Franchising and competition law
- The way forward

eBOOK: ISBN 978 0 70219 923 3
A Man of Principle / 'n Man van Beginse
The Life and Legacy of JC de Wet / Die Lewe en Nalatenskap van JC de Wet

Editors: J du Plessis, G Lubbe

About this Publication
JC de Wet enjoys the reputation of being one of the greatest South African jurists. On the occasion of the centenary of his birth, this collection of essays by prominent members of the judiciary and leading local and international scholars aims to provide new perspectives on De Wet’s life and legacy. These essays address issues that are of fundamental importance in theory and practice, most notably how the contours of key aspects of the modern South African law of contract, criminal law and the law of prescription have been shaped, and especially what role De Wet has played in these developments. The essays are in English and Afrikaans.

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- JC de Wet: A personal view - Hugh Corder
- JC de Wet as universiteitsman en Stellenbosse burger - Andreas van Wyk
- JC de Wet: Genius loci, magister, mentor and friend - a personal reflection - Laurie Ackermann
- Die regsprofessor in ander gewaad - Peet Nienaber

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- JC de Wet en die struktuur van die Suid-Afrikaanse kontraktereg - Jacques du Plessis
- JC de Wet’s contribution to the development of the law of mistake in contract - Dale Hutchison
- The history of contracts in favour of third parties: An analysis of the contribution of JC de Wet - Philip Sutherland
- The typology of breach of contract - JC de Wet’s contribution in comparative perspective - Tjakie Naudé
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- Nullum crimen sine lege: ‘Hoe staan dit nou in ons reg?’ - Gerhard Kemp
- Verjaring/Prescription
- JC de Wet and the theory of extinctive prescription - Max Loubser

Bibliografie van JC de Wet se Werke/Bibliography of JC de Wet’s Works

2013 > HARD COVER: ISBN 978 1 48510 075 1 > 478pp

Principles of the Law of Mortgage, Pledge and Lien

Authors: E Kahn (General Editor), K M Kritzinger

About this Publication
Principles of the Law of Mortgage, Pledge & Lien deals with the three important branches of the law relating to security. Within a small compass it analyses in admirably critical detail the governing rules. In particular, it is a practical guide to current practice.

Contents
General principles of mortgage
Mortgage of immovable property
Mortgage and pledge of movables, including notarial bonds

1999 > SOFT COVER: ISBN 978 0 70214 813 2 > 95pp

Principles of the Law of Sale and Lease

Authors: G Bradfield, K Lehmann

About this Publication
Principles of the Law of Sale and Lease sets out concisely the general principles relating to these specific contracts. Written by experts in the field, the third edition will assist practitioners and law students alike to understand and apply the law relating to these specific contracts. The book is organised in two parts, integrating the common-law principles as well as the recently introduced consumer protectionist statutory provisions on sale and lease.

Contents
Sale
- Pre-contractual obligations
- Formalities, content and interpretation
- Seller’s and buyer’s residual and statutory obligations
- Particular contracts of sale

Lease
- Introduction
- Sources of law
- Definition and essentials of a lease
- Duties of the lessor
- Duties of the lessee
- Subletting, cession and assignment
- Transfer of the lessor’s title
- Termination of a lease
- Lessee’s right to compensation for improvements
- Residential lease and the Rental Housing Act 50 of 1999

2016/17
**Student's Guide to the Law of Contract**

**LegalEase: Elements series**

**Authors:** D Bhana, M Nortje, E Bonthuys

**About this Publication**

A proper understanding of the law of contract requires far more than the mere rote learning of principles extracted from cases. Contract law is a practical subject and students will understand it best by applying contractual principles to practical, life-like scenarios.

*Student's Guide to the Law of Contract* fosters such an approach. It is filled with examples, exercises and problem-setting questions that increase gradually in level of complexity. This will facilitate discussion in study groups and during lectures. Spaces for the completion of exercises and summaries of prescribed cases enable students to engage actively with the learning material in one basic source.

*Student's Guide to the Law of Contract* can be used by lecturers as a primary teaching tool for undergraduate students to improve their students’ knowledge and understanding of basic contractual principles, develop their ability to reason and stimulate their interest in the subject. Likewise, students will find it useful as an aid additional to lectures and more advanced contract law textbooks.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. *Legal Elements* books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the *Elements* series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

**Contents**

- Icon key
- List of figures and mind maps
- Introduction to contract law
- Problem solving and the law of contract
- Agreement
- Other requirements of validity for contracts
- Legality
- Contents of contract
- Parties to a contract
- Breach of contract
- Remedies for breach
- MISTAKE
- Improperly obtained consensus
- Transfer and extinction of obligations
- Additional exercises
- Pull out mind map poster, providing an overview of the law of contract

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**Criminal Law and Procedure**

**Applied Law for Police Officials**

Toegepastereg vir Polisiebeamptes

**Editor:** C Joubert

**About this Publication**

This publication addresses the legal aspects specifically relevant to police officials. It states, interprets and applies the most general legal principles in the fields of criminal law and criminal procedure (mainly the pre-trial process), and some basic principles of the law of evidence. There is a clear focus on the implications of these laws for police procedures. The book highlights the importance of effective co-operation between an investigating officer and the victim of crime, other witnesses and the prosecutor, which will greatly improve the chances of a successful criminal prosecution. To exercise their powers lawfully, police officials must also be aware of the social context in which their duties are performed, and of the constitutional principles of human rights, which receive attention throughout this book. With its unique practical approach, addressing legal principles specifically relevant to police officials, this book will aid them in providing effective service to the community.

**Contents**

- Introduction to South African law
- Policing powers and responsibilities
- Criminal prosecution
- General elements of an offence
- Inchoate crimes, participation, strict and vicarious liability
- Crimes against the person
- Property crimes
- Crimes against the administration of justice
- Crimes against the community
- Overview of the criminal justice process
- Initiating the criminal justice process
- Arrest, detention and the use of force
- Bail as a method of release
- General methods of obtaining evidence
- Alternative methods of obtaining evidence and information
- The law of evidence: an introduction
Types of evidence
Privilege
Irrelevant and unreliable evidence
Evaluating evidential material

Relevant sections and schedules to the Criminal Procedure Act 51 of 1977

**Bail: A Practitioner’s Guide**

**Author:** J van der Berg

**About this Publication**

The third edition of *Bail* provides a critical discussion of past and current bail law, including the impact of the Constitution on statutory interpretation and practice.

Where the law remains unclear – often as a result of divergent High Court decisions – the author provides guidelines to the practitioner and the lower courts alike. He makes concrete suggestions, where necessary, on the application of the law in a setting where tension between the liberty of the individual and the troubling crime rate calls for a measured and practical approach.

This edition features extensive quotations from the authorities, with English translations of Afrikaans judgments.

The book also includes an invaluable ‘Quickfinder’ section in which the most important bail procedures are set out in a clear, concise and easily accessible format. Notice of motion templates are also provided.

**Contents**

Introduction, history and sources
The nature and purpose of bail
The presumption of innocence
The right to bail
Bail granted extracurially
The bail hearing
Procedure and onus
The rules of evidence in bail hearings
The issues in bail hearings
Bail conditions
Posting bail or security
Cancellation of bail
Alternatives to bail
Release pending appeal, review and petition
Appeal and review of bail proceedings
Extraordinary provisions, powers and proceedings
Bail and the rights of children
Bail and military tribunals
Bail in extradition proceedings
Appendices
– Criminal Procedure Act 51 of 1977, Schedules 1, 2 (Part III), 5, 6 & 7
– Extradition Act 67 of 1962, ss 9–13
– Quickfinders: Bail application to s 60(1), s 60(11)(a) and s 60(11)(b)
– Quickfinder: Notice of appeal in terms of s 65
– Quickfinder: Bail pending petition and appeal to High Court
– Quickfinder: Bail pending petition and appeal to SCA
– Procedure and onus
Index

**Basic Guide to Criminal Procedure, The**

**A Rights-based Approach**

**LegalEase: Elements series**

**Authors:** D Ally, M T Mokoena

**About this Publication**

The *Basic Guide to Criminal Procedure* explains the law of criminal procedure in understandable language and with reference to the rights in the Constitution of South Africa. Useful discussions of relevant cases are included throughout the book. The important forms used in criminal procedure are also provided as annexures at the back of the book.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Elements books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the Elements series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

**Contents**

Basic concepts in criminal procedure
The pre-trial phase
The plea phase
The trial phase
The sentencing phase
The post-trial phase
Annexures (forms)
– Written notice to appear in court
– Age estimation of child
– Warrant of arrest
– Guilty statement in terms of s 112(2)
– Plea and sentence agreement
– Not-guilty statement in terms of s 115(2)
– Bail receipt
– Application for leave to appeal
Glossary of Latin terms

**Criminal Law and Procedure**

2016/17
Cases and Materials on Criminal Law

Authors: J M Burchell, J R L Milton

About this Publication
Cases and Materials on Criminal Law is an established casebook on criminal law and companion to Principles of Criminal Law, 3rd edition (2005), where the general principles of the South African criminal law and many of the specific crimes are fully analysed.

Substantially revised by Jonathan Burchell, this third edition covers the general principles of specific crimes, including new sections on the reform of sexual offences and organised crime. Over 50 new extracts and a companion CD-ROM containing an additional 17 extracts from cases and legislation have been included in this edition. This book can also be used on its own as it contains substantial extracts from judgments, with succinct explanatory headnotes.

Contents
- Introduction: the principles of legality; punishment; human rights
- General principles of criminal liability: unlawful conduct; defences excluding unlawfulness; capacity; fault; the contemporaneity rule; criminal liability of corporations; participation in crime; anticipatory and incomplete crimes
- Specific crimes: human life; persons; family life; property; community interests; sexual morality; collective welfare; government of the state; administration of justice; organised crime
- Judgments of the High Court and Supreme Court of South Africa up to mid-2007, as well as numerous Constitutional Court cases impacting on criminal law
- CD-ROM containing an additional 17 extracts from cases and legislation

Child Offenders in South African Criminal Justice: Concepts and Process

LegalEase: Essence series

Authors: M G Karels, V Basdeo, M T Mokoena, J P Swanepoel

About this Publication

The book presents the aims and objectives of the Act and then explains the difference between adversarial and inquisitorial criminal procedure, which is relevant to preliminary inquiries. The authors examine the role played in the child justice process by members of the South Africa Police Service, the National Prosecuting Authority, probation officers, the court of preliminary inquiry, the child justice court and correctional services.

Child Offenders in South African Criminal Justice contains a CD with useful diagrams detailing various child justice processes and flow charts of the various stages of the proceedings.

The Forms from the Regulations to the Child Justice Act 75 of 2008 and National Instruction 2 of 2010 are provided for the reader as appendixes to the book.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Elements books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the Elements series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents
- Introduction to South African child justice
- Accusatorial and inquisitorial systems and their relevance to South African child justice
- The role of the South African Police Service in the child justice process
- Probation officers and the child justice process
- The National Prosecuting Authority and the child justice process
- Pre-trial, trial and post-trial child justice process
- Correctional Services and the child justice process

Child Justice Act 75 of 2008 & Regulations

Juta’s Pocket Statutes

(Also available as part of a 8-volume set together with the Children’s Act 38 of 2005 & Regulations – ISBN 978 0 70218 497 0, or as part of the 8-volume Criminal Law Pocket Library – ISBN 978 1 48510 188 8)

Editors: Juta’s Statutes Editors

Contents
- Key Addresses
- Quick Finder for Key Topics

Part A:
- Child Justice Act 75 of 2008
  - Pendlex: Act 14 of 2014

Part B:
- Regulations
  - Regulations relating to Child Justice
  - Directives in terms of section 97(4)
  - Determination of persons or category or class of persons competent to conduct the evaluation of
CRIMINAL LAW AND PROCEDURE

Commentary on the Criminal Procedure Act

Editors: E du Toit, F J de Jager, A Paizes, A St Q Skeen, S van der Merwe (General Editor)

About this Publication

This text provides a section-by-section commentary on the Criminal Procedure Act. It is the most comprehensive and widely cited text on criminal procedure available. Regularly updated to reflect latest developments, it includes extensive analysis of all aspects of criminal procedure by the foremost experts. The three volumes include various related materials indispensable for the practice of criminal procedure.

Contents

Criminal Procedure Act and commentary
Analysis of the latest case law, including unreported and Namibian cases
Discussion of new and pending legislation and mention of all relevant academic writing
Extensive commentary covering the changes brought about by the Child Justice Act 75 of 2008 in pre-trial, trial and post-trial matters, as well as inserts on the age determination and sentencing of children
Appendices

– Commentary on International and Transnational Criminal Procedure covering among others, extradition procedures and the SADC protocol on International Co-operation in Criminal Matters

– The Criminal Law (Sexual Offences and Related Matters) Regulations which includes regulations on HIV testing

National Prosecuting Authority Act

Criminal Justice Review bi-annual electronic newsletter authored by Andrew Paizes and Steph van der Merwe. This newsletter keeps subscribers informed on developments in criminal procedure and criminal law between revision service cut-off dates.

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INTERNET: ISSN 1819 8775

Criminal Justice in a New Society

(First published as Acta Juridica 2003)

Editors: J M Burchell, A Erasmus

About this Publication

The title of this work indicates that the dilemmas of criminal justice under examination are located within a new society. The society reflected is not only a new, democratic South Africa under a Bill of Rights but also a rapidly changing global society. Authors’ contributions to this volume have been chosen for their recognised expertise in criminal justice, and for their ability to place the problems of criminal justice analysed in this volume in a broader global or universal context. The essays cover general and the specific principles of criminal liability; deal with current problems in the law of evidence and criminal procedure in South Africa; focus on international criminal law – specifically the important influence of definitions of domestic criminal law and the disputed definition of aggression; and raise some central issues facing the transnational and international onslaught of organised crime.

Contents

General principles of criminal liability and specific offences
Evidence, criminal process and criminology
Sentencing
International criminal law
Transnational and organised crime

Published since 1993


Criminal Law - Criminal Procedure & Child Justice / Strafreg - Strafproses

Juta Legislation Service

(Refer to the Collections of Legislation section near the end of this catalogue for a listing of all titles in the Juta Legislation Service series)

Editors: Juta’s Statutes Editors

About this Publication

This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules / regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

2016/17
Juta's Statutes Editors provide a free year-round update service in the form of Juta's Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

**Contents**

**Volume I: Criminal Procedure/Strafproses**
- Criminal Procedure Act 56 of 1955 (extant provisions)
- Criminal Procedure Act 51 of 1977 and Regulations
- Related Substantive Acts; Regulations; Table of Cases; Index

**Volume II: *Child Justice**
- *Child Justice Act 75 of 2008 and Regulations
- Related Substantive Acts; Regulations; Table of Cases; Index

* Indicates published in English only.

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- ISBN 978 0 70211 633 9 > 1170pp
- INTERNET: ISSN 2310 6948

### Criminal Law - Sexual Offences / Strafreg – Seksuele Misdrywe

**Editors:** Juta's Statutes Editors

**About this Publication**
This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules / regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta's Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

**Contents**
- Sexual Offences Act 23 of 1957 - extant provisions
- Criminal law (Sexual Offences and Related Matters)
- Amendment Act 32 of 2007 and Regulations
- National Instruction

* Indicates published in English only

Published since 2009 > LOOSE-LEAF; ISBN 978 0 70218 183 2
Approximately 470pp

### Criminal Law Casebook / Strafregsakebundel

**Author:** C R Snyman

**About this Publication**
This criminal law casebook contains excerpts from the most important South African judgments on criminal law. Some shorter judgments are printed in full. Each case is preceded by a brief summary of the facts in the law followed by a note explaining the importance of the judgment. Afrikaans judgments are translated into English. The book also contains an introduction explaining the meanings of important concepts and expressions found in judgments. This is of great value to students who are inexperienced in reading judgments. The four previous editions of this casebook have proven to be an ideal and necessary aid in the study of criminal law.

**Contents**
- Theories of punishment
- Principle of legality
- Requirement of an act
- Omission
- Impossibility
- Causation
- Unlawfulness – general
- Private defence
- Necessity
- Consent
- Obedience to orders
- Liability of corporate bodies
- Intoxication
- Criminal incapacity – general
- Participation
- Accessory after the fact
- Attempt
- Incitement
- Murder
- Assault
- Theft
- Robbery
- Fraud
- Murder

2013 > SOFT COVER; ISBN 978 0 70219 996 7 > 304pp
eBOOK; ISBN 978 0 70219 964 6
Criminal Law of Botswana, The

Authors: K Frimpong, A McCall Smith

About this Publication
A general introduction to the criminal law of Botswana. Books on African criminal law have been few and far between, and this book serves to elucidate the substantive criminal law of Botswana.

Contents
Criminal responsibility
Parties to an offence
Defences
Offences against the person
Inchoate offences
Offences relating to property

Current editions

Criminal Law Pocket Library

Juta's Pocket Statutes

(These concise pocket-size books, housed in a complimentary slipcase, contain the full text of key legislation for criminal law practitioners. Available individually, or as part of a 8-volume set)

Editors: Juta's Statutes Editors

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Criminal Procedure Act 51 of 1977 & Regulations
Drugs and Drug Trafficking Act 140 of 1992; Prevention of and Treatment for Substance Abuse Act 70 of 2008 & Regulations
Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention and Combating of Torture in Persons Act 13 of 2013
Probation Services Act 116 of 1991 & Regulations
Regulations in terms of the Prevention and Combating of Trafficking in Persons Act 7 of 2013
Sexual Offences - Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957

Criminal Law Workbook

Strafreg Werkboek*

LegalEase: Elements series

Author: C R Snyman

About this Publication
The Criminal Law Workbook is a useful tool for students of criminal law. Available in English and Afrikaans, it contains examples of typical questions students may find in examinations or tests as well as model answers to such questions. These questions and answers relate to both the general principles of criminal law and specific crimes. Special attention is given to problem-type questions in which a set of facts is given from which the student must work out whether one of the persons involved has committed a crime and can rely on a specific defence.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Elements books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the Elements series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents
List of figures and tables
Section A: guidelines for students and lecturers
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- Introduction to criminal law
- The act and causation
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- Criminal liability of corporate bodies
- Participation and accessories after the fact
- Attempt, conspiracy and incitement
Section C: certain specific crimes
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Section D: schedules
- Construction of criminal liability
- Defences and their effects
Glossary of Latin terms

2016/17
Criminal Procedure Act 51 of 1977 & Regulations

Juta’s Pocket Statutes

(Also available as part of the 8-volume Criminal Law Pocket Library – ISBN 978 1 48510 188 8)

Editors: Juta’s Statutes Editors

Contents
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– Schedule of commencements relating to magisterial districts

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– Criminal Law Amendment Act 105 of 1997 (excerpt)
  PENDLEX (pending amendments): Act 27 of 2006

Criminal Procedure Casebook / Strafprosesreg Vonnisbundel

Authors: G Kemp, S S Terblanche, M M Watney

About this Publication
This bilingual casebook provides the reader with excerpts of judgments that illustrate the most important aspects and underlying principles of South African criminal procedure. It also contains a section on international and transnational criminal matters. A summary of the facts and important issues precedes each case excerpt. The excerpts are followed by a critical note evaluating and explaining the relevance and importance of the judgment. The method employed by the authors in their selection of cases reflects a principled approach to the subject. All introductory and explanatory notes are in English and Afrikaans and Afrikaans judgments are followed by an English translation.

This book can be used as a companion to the Criminal Procedure Handbook 11th edition and Strafprosesreg Handboek 11de uitgawe by Joubert (ed) et al.

Contents
Prosecuting authority / Vervolgingsgesag
Search and seizure / Deursoeking en beslaglegging
Arrest / Inhegtenisneming
Bail / Borg
Legal assistance / Regsbystand
Indictments and charge-sheets / Aktes van beskuldiging en klagstate

Appendices
– Schedules to the Criminal Procedure Act
– References to the Criminal Procedure Act
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Criminal Procedure Handbook
Strafprosesreg Handboek

Authors: J J Joubert (Editor), T Geldenhuys, P M Bekker, J P Swanepoel, S S Terblanche, S E van der Merwe

About this Publication
While aimed at students, Criminal Procedure Handbook is increasingly being relied on by legal practitioners as a first port of call. Available in English and Afrikaans, the revised and updated eleventh edition introduces readers to the fundamental principles and values underlying this field of law and guides them systematically through the rules of procedure that apply in criminal cases.

Contents
Selected general principles of the law of criminal procedure
The criminal process
  – Pre-trial criminal procedure
  – The trial
  – The sentence
  – Post-verdict and post-sentence remedies

Appendices
– Schedules to the Criminal Procedure Act
– References to the Criminal Procedure Act
– References to the Child Justice Act
– References to the Superior Courts Act
Subject index

Juta Law Catalogue
Criminal Procedure Legislative Guide

Editors: Juta Law Editors

About this Publication
Criminal Procedure Legislative Guide contains a useful collection of legislation which will assist students of criminal procedure with their study and exam preparation as well as in the answering of assignments. The purpose of this Guide is to equip students with the theoretical knowledge and applied skills, aptitudes and competencies necessary to analyse and solve issues and disputes arising from the adjectival process of South African criminal procedure as it applies to adult accused and child offenders. The Guide reflects the law as at 1 October 2015.

Contents
Section A:
– Introductory commentary
– Examples of documentation frequently encountered in the criminal process
– Infographics of the criminal process for an adult accused and child offender
– Survey of the content of the Criminal Procedure Act and Child Justice Act

Section B
– Criminal Procedure Act 51 of 1977

Section C
– Child Justice Act 75 of 2008

Section D
– Constitution of the Republic of South Africa 1996

Criminal Procedure Workbook
Strafprosesreg Werkboek

LegalEase: Elements series

Authors: V Basdeo, M Karels, T Mokoena, J P Swanepoel

About this Publication
Available in English and Afrikaans, this book is designed as an aid in the study of criminal procedure and should be used in conjunction with the prescribed textbook. It is easy to use and facilitates learning through practical, real-life scenarios. In particular, it hones in on the areas where students need assistance when preparing for tests and exams. The practical and straightforward solutions will give students a better understanding of the subject as well as enable them to improve their results.

The authors, lecturers in criminal procedure at the University of South Africa, draw from a wealth of experience in the investigation and prosecution of crime, and in defending the accused – be it as a law enforcement official, an admitted attorney or an advocate – to produce a study aid that should improve the student’s insight.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Elements books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the Elements series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents
Section A: Pre-trial issues
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Securing the attendance of the accused at the trial
Interrogation, interception and establishing the bodily features of a person
Search and seizure
Bail and other forms of release

Section B: The child offender
The child accused – criminal capacity Pre-trial, trial and post-trial aspects and the Child Justice Act 75 of 2008
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Pre-trial and/or trial procedures

Section C: Trial and post-trial issues
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Juta’s Pocket Statutes

(Also available as part of the 8-volume Criminal Law Pocket Library – ISBN 978 1 4851 0188 8)

Editors: Juta’s Statutes Editors

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Quick Addresses
Prevention of and Treatment for Substance Abuse Act 70 of 2008
– Regulations for the Prevention of and Treatment for Substance Abuse, 2013

Guide to Bail Applications, A

LegalEase: Essence series

Author: M T Mokoena

About this Publication

A Guide to Bail Applications introduces the lawyer to the practical side of the bail application. This book describes the effect of bail and the procedures and steps in a successful bail application. Useful discussions of relevant cases are provided as case studies, and relevant forms for the bail application are included.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Legal Essence books shed light, in a practical and contextual way, on the legal issues that candidate attorneys and legal practitioners can expect to encounter in practice. The books set out clear frameworks without losing the intricate details of the law. Written by experts in practice, these books are full of useful tips and helpful hints to equip the reader with knowledge that can be applied in practice.

Contents

Practical considerations
Bail before first appearance in court
The bail application in court
Factors to be taken into account when granting bail

Juveniles
The effect of bail
Cancellation of bail
Bail in the high court
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– Written notice to appear in court
– Prosecutor bail
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– Summons in criminal case
– Bail affidavit
– Notice of appeal
– New facts
– Urgent High Court applications
– Expungement of the record
– Age estimation of child
– Warrant of arrest
– Order for remission of bail
– Inquiry into absence

Mathaeus: De Criminibus (Volume IV)

Editors: M L Hewett, B C Stoop (Research Editor)

About this Publication

The translation and publication of Matthaeus’ De Criminibus, which first appeared in 1644, was undertaken at the request of the South African Law Commission which is responsible for "making common-law authorities more readily available, or at any rate more intelligible" to those with little or no working knowledge of Latin. The original Latin text is now authoritatively translated into English. The original Latin text is reproduced on facing pages in these luxuriously bound collector’s editions.

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Parole in South Africa

Author: J Moses

About this Publication

Parole in South Africa focuses on parole as an integral part of the broader criminal justice system in post-apartheid South Africa. It serves as a guide for everyone in the practice and administration of parole and correctional supervision. It reflects on and analyses the law regarding parole in South Africa in terms of the Correctional Services Act 111 of 1998 and the ever expanding jurisprudence that has emerged under the interim Constitution of 1993 and the current Constitution.
Prevention and Combating of Trafficking in Persons Act 7 of 2013; Prevention and Combating of Torture of Persons Act 13 of 2013

Juta's Pocket Statutes

(Also available as part of the 8-volume Criminal Law Pocket Library – ISBN 978 1 48510 188 8, or as as part of a two-volume set with the Regulations in terms of Prevention and Combating of Trafficking in Persons Act 7 of 2013 – ISBN 978 1 48510 957 0)

Editors: Juta's Statutes Editors

Contents
- Key Addresses
- Quick Finder for Key Topics
- Prevention and Combating of Trafficking in Persons Act 7 of 2013

Prevention and Combating of Trafficking in Persons Act 7 of 2013, Regulations in terms of the

Juta's Pocket Statutes

(Also available as part of the 8-volume Criminal Law Pocket Library – ISBN 978 1 48510 188 8, or as as part of a two-volume set with the Prevention and Combating of Trafficking in Persons Act 7 of 2013; Prevention and Combating of Torture of Persons Act 13 of 2013 – ISBN 978 1 48510 957 0)

Editors: Juta's Statutes Editors

Contents
- Key Addresses
- Quick Finder for Key Topics
- Prevention and Combating of Trafficking in Persons Regulations
  - Regulations under section 43(3) of the Prevention and Combating of Trafficking in Persons Act 7 of 2013


Juta's Pocket Statutes

(Also available as part of the 8-volume Criminal Law Pocket Library – ISBN 978 1 48510 188 8)

Editors: Juta's Statutes Editors

Contents
- Key Addresses
- Quick Finder for Key Topics
- Prevention of Organised Crime Act 121 of 1998
- Prevention of Organised Crime Regulations, 1999
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Register of Tender Defaulters
- Directions by the National Head of the Directorate for Priority Crime Investigation (DPCI) within the South African Police Service in terms of section 34(3)(a) of the Act
Principles of Criminal Law

**Author:** J M Burchell

**About this Publication**
The revised fourth edition of *Principles of Criminal Law*, published in print and e-book form (hyperlinked to the third edition of the companion volume *Cases and Materials on Criminal Law*), includes a reworked section on the principle of legality; a detailed analysis of the diversion of child offenders; a comprehensive examination of the implications of the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007; discussions of s 49 of the Criminal Procedure Act, the defences of consent and provocation, the elements of robbery, criminal defamation, corruption and the civil forfeiture of assets; and a chapter on pathological incapacity which includes references to the Diagnostic and Statistical Manual of Mental Disorders DSM-5 (2013).

**Contents**
- Introduction to criminal justice
- General principles of criminal liability
  - Unlawful conduct
  - Defences excluding unlawfulness
  - Capacity
  - Fault (mens rea)
  - Special forms of liability
  - Participation in crime
  - Incomplete (inchoate) crimes
  - Specific crimes
  - Crimes against human life; the person; family life; property; community interests; sexual morality; the administration of justice
  - Collective welfare
  - Maintenance of the government of the state
  - Organised crime

**Probation Services Act 116 of 1991 & Regulations**

**Editors:** Juta's Statutes Editors

**About this Publication**
This book contains a selection of papers presented at an international conference entitled 'The politics of restorative justice in South Africa and beyond', held near Cape Town in 2006. The conference aimed to foster debate on and about restorative justice, its methodological assumptions, its policy permutations, and the kinds of strategic interventions and practices adopted in its name.

**Contents**
- International trends in restorative justice
- Restorative justice, crime and (in)security in Africa
- Retribution and restoration in critical perspective

**Sexual Offences: Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007; Sexual Offences Act 23 of 1957 & Regulations**

**Editors:** Juta's Statutes Editors

**About this Publication**
This book includes:
- Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007
- Criminal Law (Sexual Offences and Related Matters) Regulations
- National Instruction on Sexual Offences
- National Directives and Instructions on conducting a Forensic Examination on Survivors of Sexual Offence cases in terms of the Act
Sexual Offences Commentary

Editors: B Pithey, D Smythe

About this Publication
The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 consolidates, codifies and amends South Africa’s laws dealing with sexual offences. It has brought the law on sexual offences in line with the Constitution and also created a substantial number of new offences. This section-by-section commentary covers all the new offences and changes to the laws of evidence and procedure introduced by the Act, including those relating to children and people with disabilities. Written and edited by leading scholars and practitioners and reviewed by criminal law and criminal procedure experts, it combines legal analysis with hands-on knowledge of the management of sexual offences within the criminal justice context. The contributors to this commentary provide unique insights into the potential and the challenges as well as the limitations of the new law on sexual offences.

Contents
Section-by-section commentary on the Criminal Law Amendment Act 32 of 2007 (Sexual Offences and Related Matters)

Supplementary material
– Regulations to the Act
– SAPS National Instructions on Sexual Offences
– National Directives and Instructions on Conducting a Forensic Examination on Survivors of Sexual Offence cases in terms of the Act
– Diagrams
Table of cases
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Subject index

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CD-ROM/INTRANET; ISSN 2224 3860 > Updated annually
INTERNET; ISSN 2224 3879

Should We Consent? Rape Law Reform in South Africa

Editors: L Artz, D Smythe

About this Publication
This unique text charts the critical social and legal debates and jurisprudential developments that took place during the rape law reform process from a comparative and international context. It also provides important insights into the engagement of civil society with law reform and includes thoughtful and contemporary discussions on the topics. It highlights the significance of rape law reform inclusion or exclusion at various stages in the process and discusses the strategic decisions made by gender activists and the context in which these decisions were made. The book also emphasises potential implementation challenges and considers how these might be addressed in terms of law and policy.

Contents
Introduction - Lillian Artz and Dee Smythe
The politics of a definition – Nikki Naylor
Rape and HIV/AIDS: who’s protecting whom? - Sarai Chisala
The revision of a few evidence rules - P J Schwikkard

Disclosure of rape complainants personal records - Bronwyn Pithey
The psycho-social impact of rape and its implications for expert evidence in rape trials - Anastasia Maw, Gail Womersley and Michelle O’Sullivan
Children and sexual offences - Jacqui Gallinetti and Daksha Kassan
Half-hearted HIV – related services for victims - Stefanie Roehrs
Policing sexual offences; policies, practices and potential pitfalls - Dee Smythe and Samantha Waterhouse
Sentencing and management of sexual offenders - Yonina Hoffman-Wanderer
Victims’ rights in the Sexual Offences Act - Helène Combrink

2008 > SOFT COVER; ISBN 978 0 70217 938 9 > 300pp

South African Criminal Law and Procedure

Volume I: General Principles of Criminal Law

Author: J M Burchell

About this Publication
The leading, established series published by Juta and entitled South African Criminal Law and Procedure first appeared in 1970. This fourth edition of Volume I: General Principles of Criminal Law contains a substantially revised text and commentary on the general principles of the South African criminal law, including an audit of the first 16 years of Constitutional Court jurisprudence in this field. In particular, the fourth edition incorporates critical evaluations of leading judgments on causation (Tembani), provocation/
criminal law and procedure

Elements and Procedural Aspects.
The third and fourth sections deal with "Essential
consideration of the social context of the crime and a critical
contains the formal de

Contents
Introduction to criminal justice: definition, origins and
fundamental values of criminal justice
General principles of criminal liability

South African Criminal Law and Procedure

Volume II: Common-law Crimes

Author: J R L Milton

About this Publication
This volume, dealing with common-law crimes, takes
cognisance of the constitutional context in which South African
criminal law now operates and the emerging culture of human
rights and freedoms which has begun to generate a significant
shift in perceptions of the boni mores of a new South African
society. Each chapter begins with an introductory section:
"Definition and Place in South African Criminal Law". This
contains the formal definition of the crime and thereafter a
consideration of the social context of the crime and a critical
assessment of the purpose which it serves in modern society.
The second section of each chapter provides a history of the
crime. The third and fourth sections deal with "Essential
Elements" and "Procedural Aspects".

Contents
Crimes against the State and community
in general
– Crimes against the State
– Crimes against public order

South African Criminal Law and Procedure

Volume III: Statutory Offences

Authors: S Hoctor, J R L Milton and M G Cowling

About this Publication
This work records and expounds on the important statutory
offences in our law. Contents are kept up to date with regular
revision services. This work has for many years been the
acknowledged authority on statutory offences in South Africa.
It is unique in offering a comprehensive and detailed discussion
of specific statutory offences, based on the authors’ original
research.

To take cognisance of the continuous creation of new
and amendment of existing statutes by Parliament, and the
offences created thereby, the work is updated and expanded
annually. At present it includes a consideration, under more
than 50 subject categories, of approximately 140 different Acts
of Parliament.

Contents
Part I: Crimes against the State and community
Dignity, prerogatives and safety of the State
Public safety and order
Administration of justice
Public administration
Public morality
Public welfare
Public facilities
Environment and natural resources
Crimes against bodily integrity
Part II: Commerce, trade and industry
Commerce
Property
Labour relations
Industry
Table of cases
Table of statutes
Understanding Money Laundering and Illicit Financial Flows

**Author:** C Goredema

**About this Publication**
Understanding Money Laundering and Illicit Financial Flows provides the reader with an easy entry into this complex subject. The book explains the concepts of money laundering and illicit financial flows, and also outlines strategic responses to deal with them.

Understanding Money Laundering and Illicit Financial Flows explains the forms of money laundering and illicit financial transfers; mechanisms used to launder money; curbing, investigation and monitoring measures; and asset forfeiture. It also considers new strategic approaches to combating this crime.

Understanding Money Laundering and Illicit Financial Flows includes clear illustrations, useful statistical information, explanations of frequently used terms, a comprehensive bibliography of sources and recommended reading for further reference.

**Contents**
- Money laundering and illicit financial flows – concepts and forms
- Mechanisms used in money laundering and illicit financial flows
- Assessing technical risks
- Responses to money laundering and illicit financial flows
- Curbing money laundering – monitoring performance and measuring results
- Investigating money laundering and illicit financial flows
- Asset forfeiture
- Strategic entry points for new approaches

**2015 > SOFT COVER**

**Customary Law**

**Customary Law in South Africa**

**Author:** T W Bennett

**About this Publication**
The position of customary law in the South African legal system has been much improved since the enactment of the new Constitution. As a constitutionally protected cultural heritage, customary law now enjoys a status equal to that of Roman-Dutch law. By drawing on a range of materials, both legal and anthropological, from South Africa and elsewhere in Africa, this book provides a comprehensive account of the major branches of customary law: marriage, divorce, succession, children, courts and procedures, traditional leadership, land tenure and the conflict of laws. Constant reference is made to the tensions generated by conflict between the Bill of Rights and the African legal tradition. The book also explores the complex nature of customary law, which exists in oral traditions, in codes, precedents and academic texts and, above all, in the system of living norms that regulate the everyday lives of the great majority of South Africans.

**Contents**
- Concepts and theory
- Recognition, ascertainment and application
- The right to culture and constitution
- Traditional leaders
- Courts
- Procedure
- The family
- Marriage
- Children
- Consequences of marriage
- Succession
- Land tenure

**2004 > SOFT COVER:**

**Pluralism and Development: Studies in Access to Property in Africa**

*(First published as Acta Juridica 2011)*

**Editors:** H Mostert, T Bennett

**About this Publication**
This title comprises a collection of papers presented at a conference held at the University of Cape Town in 2010, which consider how development in Africa may best be achieved by concentrating on access to property from a pluralist perspective, with emphasis on land, the most important economic resource.
CUSTOMARY LAW

Contents
Access to property in Africa: an introductory survey - Thomas Bennett and Henri Mostert
Absolute ownership and legal pluralism in Roman law: two arguments - Helen Scott
Legal pluralism in Africa: the implications of state recognition of customary laws illustrated from the field of land law - Gordon Woodman
Legal pluralism and access to land in Nigeria - Enyinna Nwache
The changing dynamics of customary land tenure: women’s access to and control over land in Botswana - Anne Griffiths
Taking the gap – ‘living law land grabbing’ in the context of customary succession laws in Southern Africa - Chuma Himonga
Securing women’s property inheritance in the context of plurality: negotiations of law and authority in Mbuluzi customary courts and beyond - Sindiso Mniswi Weeks

Contested power and apartheid tribal boundaries: the implications of ‘living customary law’ for indigenous accountability mechanisms - Aninka Claassens
Lost in translation: family title in Fingo village, Grahamstown, Eastern Cape - Rosalie Kingwill
Land information as a tool for effective land administration and development - Gerrit Pienaar
Legal pluralism – the investor’s view - Johann Schiller
Promises of future performance and informal-sector transfers of personal property: the example of Anglophone Cameroon - Claire Moore Dickerson
Indigenous-law land rights: constitutional imperatives and proprietary paradoxes - Anne Pope

About this Publication

Reform of Customary Marriage, Divorce and Succession in South Africa: Living Customary Law and Social Realities

Authors: C Himonga, E Moore

About this Publication
Reform of Customary Marriage, Divorce and Succession in South Africa: Living Customary Law and Social Realities examines the operation of the Recognition of Customary Marriages Act and the rules of succession formulated in Bhe v Magistrate, Khayelitsha. The book is the outcome of an interdisciplinary research project conducted by the NRF Chair in Customary Law, Indigenous Values and Human Rights, the Department of Sociology at the University of Cape Town, and the National Movement of Rural Women.

More than a decade after the enactment of the Act and the formulation of the Bhe rules, the research project sought to explore how these laws were being implemented in practice, through the eyes of the individuals living according to customary law, a range of state institutions, including the courts and the Department of Home Affairs, and traditional leaders. The fieldwork was conducted across six provinces, over a period of 20 months.

The findings presented in Reform of Customary Marriage, Divorce and Succession in South Africa about the implementation of the Act and the Bhe rules will be of interest to a wide range of individuals, court and state officials, and scholars. The authors provide evidence-based research on the implementation of the laws and they outline what remains to be done to improve the implementation of these laws.

Contents
Table of cases
Introduction
Methodology
Contracting a customary marriage
Registering a customary marriage
The regulation of a polygynous marriage
Equality of spouses in marriage
Dissolution of a customary marriage: Outside the courts
Dissolution of a customary marriage: Inside the courts
Intestate succession
Family dispute resolution
Appendices
Discussion and conclusion
Index

Traditional African Religions in South African Law

Editor: T W Bennett

About this Publication
Traditional African beliefs, together with African cultural traditions, are enjoying a new-found respect in South Africa, due in large part to the advent of the country’s democratic constitution. In fact, a large majority of the South African population adheres to some form of traditional belief, often in combination with observance of other religions. Even so, the traditional faiths are poorly understood and, in spite of constitutional guarantees, receive far from equal treatment, a situation quite at odds with the country’s commitment to equality and religious and cultural diversity. While there are numerous works on the subject of religion in Africa, there are no works on traditional African religions and their legal implications. The issue is nevertheless of serious political and legal concern in South Africa, since it raises diverse questions involving freedom of religion, the equal treatment of religions, traditional healing, witchcraft, animal sacrifice, circumcision, marriage and burial. The overall purpose of the book is to consider whether indigenous African religions, independent African churches and traditional practices deserve constitutional protection and recognition by the state. If recognised, they will then become subject to certain state controls and benefits: the need for registration; the licensing of ministers as marriage officers (with consequences for the validity of customary and other marriages); and significantly, of course, tax exemptions. This book thus explores the legal and constitutional implications of traditional religion and, in particular, the state’s intervention in religious matters.
Ubuntu, Good Faith & Equity: Flexible Legal Principles in Developing a Contemporary Jurisprudence

Editor: F Diedrich

About this Publication
This book contains a selection of papers on the topic of 'Ubuntu, Humanity and Good Faith / Equity as Flexible Principles in Law and Society in Southern Africa'. The papers by international academics provide a comparative viewpoint on how good faith and equity have been used in other jurisdictions as flexible legal principles to achieve equitable outcomes.

Contents
Preface - Frank Diedrich
Ubuntu as a legal principle in an ever-changing world - Yvonne Mokgoro
Ubuntu: an African equity - Tom Bennett
Ubuntu: ethnophilosophy and core constitutional value(s) - Ilze Keevy
The contribution of Ubuntu to the development of constitutional jurisprudence in a democratic South Africa - S F Khunou and Seth Nthai

Ubuntu, the ethics of traditional religion - J Patrick and T Bennett
Towards constitutionalism and democratic governance: ubuntu and equity as a basis for regulating public functionaries in common-law Africa - Mwiza Jo Nkhata
The procedural relationship between state law and customary law in civil and commercial matters - Frank Diedrich
Individualism and the balancing of interests in German civil law - Ulrich Spellenberg

Just say sorry? Ubuntu, Africanisation and the child justice system in the Child Justice Act 75 of 2008 - Julia Sloth-Nielsen and Jacqui Gallinetti

Towards harmony between African traditional religion and environmental law - L Feris and C Moltui

Unveiling the Mind: The Legal Position of Women in Islam

A South African Context

Author: N Moosa

About this Publication
While books on Islamic law abound, there is little information on the legal status of women from a woman’s perspective. Unveiling the Mind is therefore a book about Muslim women written by a Muslim woman, and dedicated to all Muslim women and men, young and old. It is so dedicated because, in order for there to be any real development of women, there has to be the development and commitment of men as well.

The main purpose of this publication is to encourage those women and men, and especially the younger generation, who simply follow what has ‘always’ been thought and taught, to participate in this debate. It is therefore a plea to unveil the Muslim mind. Having access to a readable script will, at the very least, be a step in this direction.

The second edition of Unveiling the Mind investigates the historical origins of Islam and subsequent interpretations by jurists. It also examines the position of Muslim women in the contemporary Islamic world, and considers the dilemmas that Muslim women face. The edition has been extensively updated, with changes having been made to almost every chapter, and a new chapter on Muslim personal law in South Africa.

Contents
Introductory perspectives
Definitions and terminology
Setting out the problem
‘Rights’ of women in pre-Islamic Arabia
Early beginnings of Islam (First and Second Periods)
The rights of women after the advent of Islam
Emergence of a Muslim empire (Third and Fourth Periods)
Emergence of the schools of Jurists and the road to modernity (Fifth and Sixth Periods)
Reform and modernity (Seventh Period: 1800s to date)
Different perspectives on women and Islam
Equality: divorce as a case study
Issues and challenges emerging from the overview of the historical development of Islamic law:
A snapshot of Muslim personal law in South Africa: past to present
Conclusions
Casebook on the Law of Delict / Vonnisbundel oor die Deliktereg

Authors: J Neethling, J M Potgieter, T J Scott

About this Publication
The purpose of the book is to provide students who are commencing their study of the law of delict with a general overview of case law on important principles and forms of delict. This casebook makes a large number of authoritative judgments available in a single source.

Contents
Alphabetical list of cases
List of textbooks cited
130 cases in the following major categories:
- Introduction to the law of delict
- Conduct
- Wrongfulness
- Fault (and contributory fault)
- Causation
- Damage
- Delictual remedies
- Joint wrongdoers
- Specific forms of damnum iniuria datum
- Specific forms of iniuria
- Forms of liability without fault

Developing Delict – Essays in Honour of Robert Feenstra
(First published as Acta Juridica 2000)

Editors: T J Scott, D Visser

About this Publication
This volume of essays celebrates the influence that Robert Feenstra has had on South African law – both directly as result of his work having been cited in numerous judgments of the courts and indirectly through the academic and practical contributions of his students and the many other South African lawyers who have found guidance and inspiration in his work.

Contents
The actio legis aquiliae
The actio ad exhibendum
The actio iniuriarum
Vicarious liability
The interface between delict and the other areas of obligations
Personal tributes

Government Liability: South Africa and the Commonwealth

Authors: C Okpaluba, P Osode

About this Publication
This work analyses in comparative terms the law of government liability and bureaucratic negligence in South Africa, England, Australia, Canada, and New Zealand, drawing extensively upon case law from these courts.

The authors examine the impact of the Constitution on developments in the common law of public authority liability and government vicarious liability in South Africa, and link these developments to the changes that have taken place in Canada and England.

The study also provides a comparative analysis of the correlation between fraud, bad faith and misfeasance in public office as grounds upon which damages can be awarded when constitutional and administrative justice rights are breached by public functionaries.

Contents
Part I: Constitutional dimensions of government liability
- Constitutional and juridical basis for the revolutionary trend
- Constitutional cause of action
- Statutory cause of action
Part II: Liability at common law
- Bureaucratic negligence
- Negligent performance of statutory duty
- Deliberate and dishonest conduct
- Causation, damage and contributory fault
Part III: Limits of public authority liability
- Police investigative duties and public interest immunity
- Police investigative duties: the Canadian approach
- Common-law immunities
- Statutory limitations
Part IV: Government vicarious liability
- The common law of vicarious liability
- Scope and course of employment
- Contemporary comparative developments
Part V: The problem of quantum
- Contemporary perspectives on public law damages
- Constitutional damages
- England, Australia and New Zealand
- Punitive damages and other awards: Canada
- Delictual damages: South Africa
# Law of Damages through the Cases

**Authors:** P J Visser, J M Potgieter

**About this Publication**

*Law of Damages through the Cases* is a compilation of authoritative judgments and legislative provisions illustrating the basic principles of the law of damages. It is intended to provide students and practitioners with easy access to important authorities in the field of damages. The extracts from selected judgments have been arranged systematically and provided with summaries, marginal notes and cross-references. Since this casebook is intended to complement *Law of Damages*, the notes contain cross-references to the discussion and evaluation of the relevant principles in the latter work. There are also references to other academic comment as well as to case law.

**Contents**

- General principles of the law of damages
- Contractual damages
- The quantum of damages for bodily injuries
- Damages on account of the death of a person
- The quantum of damages in certain delictual claims
- Assessment of satisfaction (‘damages’) for *iniuria*

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# Personality Rights and Freedom of Expression: The Modern Actio Injuriarum

**Author:** J M Burchell

**About this Publication**

The modern *actio injuriarum* is critically evaluated in a style that will be attractive to students and practitioners of the law of delict and constitutional law. This work will also be valuable for those in the print or electronic media industries. This is both a textbook and casebook. This work is divided into almost equal extracts comprising text (including comment on case extracts) and actual extracts from decided judgments (including some materials not found in the case law).

**Contents**

- Freedom of expression in comparative, constitutional and cyberspace context
- Reputation and dignity
- Remedies

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# Principles of Delict

**Author:** J M Burchell

**About this Publication**

The law of delict develops to meet the changing needs of a society. The relevance of the law of delict today is enhanced by society’s commitment to the furtherance of fundamental human rights, particularly in the protection of personal integrity and personality. This work places delict in a contemporary setting, with emphasis on recent decisions of the courts and possible future directions.

Sections printed in bold print face facilitate the task of students and practitioners who need a quick refresher on the fundamental principles and decisions in leading cases. Outlines of the major facets of delict precede the more detailed discussions of the principles and so the work can be used at different levels of teaching – introductory courses as well as post-graduate study.

**Contents**

- The modern Aquilian action
  - Elements in outline
  - Aquilian liability in detail
  - Assessment of damages
  - *Actio injuriarum*
  - Defamation
  - Impairment of dignity
  - Injury to person under the *actio injuriarum*
  - Special forms of liability
  - Vicarious liability
  - Dependants’ action
  - Joint wrongdoers
  - Strict (no-fault) liability

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# Product Liability in South Africa

**Authors:** M Loubser, E Reid

**About this Publication**

The Consumer Protection Act 68 of 2008 has introduced a detailed and complex new set of rules and procedures to promote and advance the social and economic welfare of consumers in South Africa. One of the most important innovations found in the Act is its imposition of strict liability on producers, importers, distributors and retailers for damage caused by defective goods. This book attempts to explain some of the theoretical issues surrounding strict liability for products, drawing upon sources not only from South Africa, but also from other jurisdictions with similar regimes, and to provide guidance on the practical problems raised by the application of the Act.
Quantum of Damages in Bodily and Fatal Injury Cases, The

Authors: J M Burchell, J J Gauntlett, M M Corbett, D P Honey

About this Publication
The Quantum of Damages in Bodily and Fatal Injury Cases has earned an envious reputation amongst South African lawyers as the source of first reference in assessing liability and the quantum of claims in cases of bodily injury or death. As a subscription publication, new cases are constantly being added, keeping subscribers abreast of new judicial trends and attitudes to these kinds of claims. The Quantum of Damages in Bodily and Fatal Injury Cases is a set of publications which grows with the addition of new cases and materials.

Contents
General considerations
Damages for bodily injury
Damages for fatal injury or death
Practice and procedure
General principles:
– Volume I: Published in hard cover, this volume provides a succinct and readily accessible statement of the general principles of the law of damages relating to personal injuries.
– Volumes II to VI: The loose-leaf is divided into four chapters, dealing respectively with general considerations in the assessment of damages, the principles governing quantum in bodily injury claims, those governing quantum in fatal injury cases, and relevant issues of practice and procedure.
Classified reports:
– Volume II, III and IV published in cumulative loose-leaf format.
– Volume II and III are by Advocate J Buchanan.
– Volume IV and V, originally by M M Corbett and D P Honey, contains cases reported from 1989 to 2009. The cases are grouped according to the type of injury.
– Volume VI by P Corbett, C Potgieter and J Daffue contains cases reported from 2010, also grouped according to the type of injury.
– Volume VII by P Corbett, C Potgieter and J Daffue contains cases reported from 2014, also grouped according to the type of injury.

ElectRONIC Additional Contents and Features
General principles underlying the determination of the amount of damages suffered
Arbitration awards and judgments pertaining to the quantum of damages, grouped according to type of injury
Updated Consumer Price Indexes to assist with adjusting past awards for inflation
A table of cases listing the awards
A glossary of medical terms frequently encountered by practitioners
Detailed anatomical diagrams
Headnotes and flynotes from the South African Law Reports, the South African Criminal Law Reports and the South African Appellate Division Reports
A consolidated index of all cases for specific injury types
191 cases contained in the original volume I loose-leaf
A combined alphabetical list as well as a listing of awards by category with quantum figures updated annually.

HARD COVER: (Volume I) ISBN 978 0 70213 391 6 > Published since 1993
LOOSE-LEAF: (Volume II) ISBN 978 0 70215 470 6
CD-ROM/INTRANET: ISBN 2072 2923 > Updated annually
INTERNET: ISBN 2072 2931

Quick Guide, The: Quantum conversion tables and medical diagrams

Author: C Potgieter

About this Publication
Part of the Quantum of Damages series, the Quick Guide provides researchers with a compact guide aimed at quickly and easily categorising injuries and determining comparative quantum awards handed down in both the courts and in selected arbitrations. The work features quantum conversion tables, each aimed at assisting the reader to find comparative awards contained in all seven volumes of The Quantum of Damages in Bodily and Fatal Injury Cases.

The Quick Guide includes references to cases contained in the latest revision service to Volume VI of the Quantum of Damages. Awards are listed by category of injury as well as alphabetically, allowing readers to research comparative cases in a variety of ways. All tables use a quick referencing system, pointing the user towards the volume and page of each case, providing quantum figures, updated annually.

Contents
Awards by category (spine and brain, head injuries, neck and back, upper limbs, lower limbs, hip and pelvis, face, internal organs, the senses, multiple injuries, miscellaneous injuries/conditions)
Combined alphabetical list
Alphabetical list by volume
Visser & Potgieter Law of Damages
Visser & Potgieter Skadevergoedingsreg

Authors: J M Potgieter, L Steynberg, T B Floyd

About this Publication
Visser & Potgieter Law of Damages is the only South African textbook to focus on the law relating to damages as it extends across a range of legal fields, beginning with the law of delict and contract, but including other areas of common and statutory law. It provides a comprehensive introduction to the principles of the law of damages. The book’s approach is to maintain a balance between theory and practice, offering a sound exposition of the principles as well as a consideration of how they are applied in practice. Abundant references to decided cases illustrate the views adopted by the courts, and a very extensive bibliography facilitates further research.

Contents

Part I: General concepts and principles of the law of damages
- Definition, nature and scope, object, systematics, sources, history and terminology of the law of damages
- Concept of damage
- Nature, causing and forms of patrimonial loss
- Assessment of patrimonial loss
- Nature and assessment of non-patrimonial loss
- Prospective damage and lucrum cessans
- ‘Once and for all’ rule and causes of action
- Nature, assessment, object and form of damages for patrimonial loss
- Forms, nature and object of damages and satisfaction in the case of non-patrimonial loss
- Collateral source rule and compensating advantages (res inter alios acta)

Part II: Quantum of damages in specific cases of breach of contract

Part III: Quantum of damages and satisfaction in certain forms of delict
- Quantum of damages for patrimonial loss caused by certain forms of delict
- Quantum of damages for patrimonial loss caused by bodily injury, death or infringement of personality rights
- Quantum of damages and satisfaction for non-patrimonial loss (injury to personality)

Part IV: Procedural matters, costs etc, and private international law

Dictionaries and Glossaries

Legal Terminology / Regsterminologie
Criminal Law, Procedure and Evidence / Straf-, Strafproses en Bewysreg

Authors: Centre for Applied Legal Terminology in African Languages (CLTAL)

About this Publication
Legal language, or ‘legalese’ as it is sometimes called, is a language that many people find hard to understand. This is because some of the words and phrases that lawyers and other legal experts use do not form part of regular everyday communication. However, when these experts speak and write using unfamiliar language it is often because they have to: ‘ordinary’ language cannot properly or accurately describe the often complex concepts and issues involved.

This dictionary bridges the gap between the world of everyday language and the world of legal language. Users can access over 20 000 legal words, each of which is explained in plain English for the benefit of people without a legal background, as well as legal practitioners, law students and other members of the legal profession.

The dictionary deals with the areas of criminal law, criminal procedural law and law of evidence, and is aimed at familiarising users with the use of legal language in a number of settings, including the courtroom. A bilingual publication, this

English–Afrikaans / Afrikaans–English dictionary also contains a useful list of Latin terms and phrases, together with explanatory notes, as a centre insert. Synonyms, homonyms and polysemes are identified and explained, and the dictionary provides guidance on the use of abbreviations and how to cross-reference lemmas (headwords).

Contents

Explanatory notes
Part I: English / Afrikaans
Part II: Latin / English / Afrikaans
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Trilingual Legal Dictionary / Drietalige Regswoordeboek

Authors: V G Hiemstra, H L Gonin

About this Publication
First published in 1981, this dictionary is an indispensable reference for all legal practitioners. The third edition of Trilingual Legal Dictionary contains more words than its predecessors, especially words from the commercial sphere. Derivations are grouped under the leading word and appear after the main word, in bold print and alphabetically, as suffixes to the main word with translations. Concessions have been made to anglicisms for the sake of clarity.

Contents
- Part I: English / Afrikaans
- Part II: Latin / Afrikaans / English
- Part III: Afrikaans / English
- Explanatory notes

Education Law and Policy Handbook, Juta’s

Authors: J Deacon, J Merabe

About this Publication
Juta’s Education Law and Policy Handbook is the key to understanding the Acts, regulations and policies affecting school governance as well as educators’ conditions of employment throughout South Africa. The full text of these nationally applicable laws is reproduced, with explanatory notes by specialist authors.

Contents
- National Education Policy Act of 1996
- South African Schools Act 84 of 1996, with regulations
- Employment of Educators Act, 1998, with regulations and Personnel Administration Measures
- South African Council for Educators:
  - Registration procedures
  - Constitution
  - Code of conduct
  - Disciplinary powers and procedures
- Education Labour Relations Council
  - Relevant collective agreements
- Appendices:
  - Extracts from the Labour Relations Act 66 of 1995, as amended

Electronic Additional Contents and Features
Hyperlinks to footnotes, endnotes and cross-chapter referencing, and to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

School Governance / Skoolbeheer

Common issues and how to deal with them / Antwoorde op alle daagse uitdagings

Author: J Deacon

About this Publication
School governance: common issues and how to deal with them and Skoolbeheer: Antwoorde op alle daagse uitdagings is a clear and comprehensive guide to effective school governance. Written by a well-known legal practitioner in the field of education law, School governance: common issues and how to deal with them and Skoolbeheer: Antwoorde op alle daagse uitdagings brings you invaluable, practical advice on what to do about the common, and sometimes difficult, issues faced by anyone involved in school governance, whether at an urban or rural, primary or secondary school.

Members of school governing bodies, principals, deputies, teachers and parents will find the advice in this book and its scenario and solution format to be authoritative, realistic and accessible.

Contents
- Framework for governance
- Functioning of governing bodies
- Risk management and accountability
- The business of governing bodies
- Financial management
- Properties
- Hostels
- Educators
- School governing body staff
- Discipline
- Extra-curricular activities
Schools and the Law

Author: B Barry

About this Publication
Since 1994, a stream of national and provincial education laws and policies has altered the landscape of South African schooling dramatically – replacing the discriminatory and fragmented legal framework under apartheid with a uniform system aimed at making the constitutional right to education a reality for the people of South Africa.

Schools and the Law describes and explains the current legal framework governing our schools. It addresses the key legal and policy instruments affecting schools and covers the growing body of case law on schools and education. The book includes the text of the core laws and policy instruments governing school education.

Contents
- The impact of the Constitution
- School admission policies and practice
- Language use and freedom of religion at schools
- The powers of school governing bodies
- State funding and school fees
- Learner discipline, suspensions and expulsions
- Learner safety, bullying and sexual harassment

2006 > SOFT COVER: ISBN 978 0 70217 311 0 > 484pp

Schools: Law and Governance

Editors: Juta's Statutes Editors

Contents
- Key Addresses
- Quick Finder for Key Topics

Part A:
- South African Schools Act 84 of 1996
- Regulations and Related Material
  - Norms and Standards for Language Policy in Public Schools
  - Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners
  - Regulations for Safety Measures at Public Schools
  - Regulations to Prohibit Initiation Practices in Schools
  - National Guidelines on School Uniforms
  - Regulations for the Exemption of Parents from the Payment of School Fees, 2005
  - Devices to be used and Procedure to be followed for Drug Testing
  - Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure

Part B:
- National Education Policy Act 27 of 1996
- Policies
  - Admission Policy for Ordinary Public Schools
  - National Policy on HIV/AIDS, for Learners and Educators in Public Schools, and Students and Educators in Further Education and Training Institutions
  - National Policy on the Management of Drug Abuse by Learners in Public and Independent Schools and Further Education and Training Institutions
  - National Policy on Religion and Education
  - Policy on Learner Attendance

Part C:
- Employment of Educators Act 76 of 1998
- Related Material
  - Personnel Administration Measures (PAM)

Part D:
- Bill of Rights
  - Sections 7 to 39 of the Constitution of the Republic of South Africa, 1996

> Energy Law

Electricity Law in South Africa

Author: A Klees

About this Publication
The South African electricity sector is changing. An increasing number of independent power producers are involved in the generation sector and a ‘hybrid power market’ has emerged. To respond to the ongoing electricity crisis and to enhance security of supply, the legal and regulatory framework must keep pace with recent developments in the electricity supply industry, address the challenges and attract investment in a sustainable manner.

Electricity Law in South Africa contains a comprehensive analysis of the existing legal and regulatory framework for the country’s electricity supply industry. It is also a contribution to the discussion on electricity sector reform in South Africa.

Contents
- Preface and acknowledgments
- List of acronyms
- List of figures
- Introduction
- Restructuring law
- Regulatory law
- Long-term planning in the electricity sector
- Procurement of new generation capacity
- Authorisation process and land acquisition for electricity infrastructure
- Map of the electric power system in South Africa, Lesotho and Swaziland
- Legislation: South Africa, Europe and Germany
- Table of Cases
Climate Change: Law & Governance in South Africa

Editors: T Humby, L Kotzé, O Rumble, A Gilder

About this Publication
There is increasing consensus that climate change is real and that its causes and impacts must be governed for the purpose of preserving the environment and life on earth. Climate change has many dimensions and root causes, several of which require concerted cross-border and supra-national strategies and action plans. This is evidenced by the burgeoning global climate law and governance regime and associated literature. While climate change has always been perceived as being a global environmental issue, the immediate impacts of climate change are decidedly localised. It is pertinent that national governments must design and implement domestic strategies and action plans to facilitate necessary adaptation measures while simultaneously taking measures towards the mitigation of climate change.

Published in loose-leaf format and updated annually, Climate Change: Law & Governance in South Africa provides a comprehensive analysis of climate change, the relevant laws and policies and their intersection with international governance structures.

Contents
Climate change law and governance: setting the scene
Scientific aspects and their impact in South Africa
Demystifying the global climate change regime
South Africa, climate change negotiations and the United Nations Framework Convention on Climate Change (UNFCC)

Climate Change – Rights, Poverty and Justice

Editors: J Dugard, A L St. Clair, S Gloppen

About this Publication
Climate change is one of the central challenges facing African countries and their people. Unless concerted efforts are made worldwide very soon to reduce emissions, climate change impacts are likely to be devastating. Higher-end temperature scenarios present a dark future jeopardizing secure access to basic needs such as water, food, housing and a healthy environment, as well as adding to the stressors on natural resources.

Those who will suffer the most from the challenges posed by climate change have contributed the least to the problem in the first place: the poor and vulnerable, especially in developing countries. To make matters worse, these are the same people who have benefited the least from modernisation and industrialisation and have a relatively small carbon footprint. This is a double injustice.

While climate justice and social justice are difficult to disentangle, neither the legal systems nor the main actors framing the dominant climate change narratives seem sufficiently attentive to the double-edged justice questions posed by the impacts of climate change on poor communities.

This book fills some of the gaps in climate change scholarship by focusing on the climate narratives emerging in and around South Africa – how they relate to broader issues of social justice and resource allocation, and the role of rights talk and legal strategies in the framing of the problems and solutions. In doing so, the book contributes to developing rights- and justice-based strategies for translating knowledge into action.

Contents
The role of social justice and poverty in South Africa's National Climate Change Response White Paper - Kjersti Fløttum and Øyvind Gjerstad
Situated resilience: Reframing vulnerability and security in the context of climate change - Petra Tschakert and Nancy Tuana
Climate change, poverty and climate justice in South African media: the case of COP17 - Jill Johannessen

Climate Change, Rights, Poverty and Justice

Editors: T Humby, L Kotzé, O Rumble, A Gilder

About this Publication
There is increasing consensus that climate change is real and that its causes and impacts must be governed for the purpose of preserving the environment and life on earth. Climate change has many dimensions and root causes, several of which require concerted cross-border and supra-national strategies and action plans. This is evidenced by the burgeoning global climate law and governance regime and associated literature. While climate change has always been perceived as being a global environmental issue, the immediate impacts of climate change are decidedly localised. It is pertinent that national governments must design and implement domestic strategies and action plans to facilitate necessary adaptation measures while simultaneously taking measures towards the mitigation of climate change.

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Contesting climate injustice during COP17 - Brandon Barclay Derman
Qwasha! Climate justice community dialogues compilation vol. 1: Voices from the streets - Molefi Mafereka Ndlovu
Water rights, commons and advocacy narratives - Patrick Bond
Payment for ecosystem services versus ecological reparations: The ‘green economy’, litigation and a redistributive eco-debt grant - Khadija Sharife and Patrick Bond

Let's work together: Environmental and socio-economic rights in the courts - Jackie Dugard and Anna Alcaro
Red-green lawfare? Climate change narratives in courtrooms - Catalina Vallejo and Siri Gloppen

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Environmental Compliance and Enforcement in South Africa: Legal Perspectives

Editors: A Paterson, L Kotzé; Foreword by Judge Albie Sachs

About this Publication
This is the first text to offer a critical analysis of the implementation of environmental law in South Africa. Leading environmental law practitioners and academics assess the current environmental compliance and enforcement regime and how it can be harnessed to secure ecologically sustainable development.

After discussing the theoretical underpinnings of environmental compliance and enforcement and its position within South Africa’s broad legal framework, the text examines an array of specific issues and regulatory measures of key relevance to its practical realisation.

Contents
Understanding the legal context - Anél du Plessis
Dissecting environmental compliance and enforcement - Frances Craigie, Phil Snijman and Melissa Fourie
Environmental compliance and enforcement institutions - Frances Craigie, Phil Snijman and Melissa Fourie
Environmental governance - Louis J Kotzé
Environmental rights and locus standi - Loretta Feris

Environmental Justice and the Legal Process

(With 1999 Addendum – First published as Acta Juridica 1999)

Authors: J Glazewski, G Bradfield

About this Publication
As this volume shows, the notion of environmental justice takes on a peculiar complexity in South Africa where it is inherently linked to the injustices of the apartheid past. Moreover, South Africa with its abundant natural resources, mixture of first and third world economies and location at the interface of two of the world’s great oceans confronts many of the environmental challenges facing the world community as a whole. Some of the contributions in this volume were presented at a conference held in Cape Town in April 1998 on Environmental Justice and the Legal Process in collaboration with the Environmental Law Centre at the University of Macquarie, Sydney. Others were commissioned for this volume.

Contents
Environmental justice, governance and law, including articles on environmental policy in South Africa, Canada, New Zealand, India and the USA
Natural resource conservation and utilisation, including consideration of topics such as marine resources in South Africa, community based wildlife conservation in southern Africa, water rights and national parks
Waste, pollution, standards and liability

Environmental Justice in South Africa

Author: A McDonald

About this Publication
Environmental Justice in South Africa is an important and comprehensive contribution to the field of environmental studies in South Africa. It is of relevance not only to environmentalists but to scholars in related fields of study outside South Africa. It is a pioneering effort to bring environmental issues into the sphere of human rights at a time when most governments and development agencies in Africa take a predominantly technical and managerial approach to environmental issues.
The fox in the hen-house: mining, communities and the environment

From colonial to community-based conservation: environmental justice and the National Parks of South Africa

Race, place and environmental rights:

Power, poverty and marginalised environments

What is environmental justice?

The roots of environmental racism and the rise of environmental justice in the 1990s

Power, poverty and marginalised environments

Searching for a common agenda: eco-feminism and environmental justice in South Africa

The rule of law: opportunities for environmental justice in the New South African Democratic Legal Order

Doublespeak in Durban: Mondi waste management and environmental struggles in the South Durban Community Environmental alliance

The political economy of dam building and household water supply in South Africa: contesting the effects of the Lesotho Highlands Water Project on Johannesburg township residents

Workplace environmental justice: trade unions and the struggle for an ecological platform in South Africa

The privatisation of municipal services in South African cities

Environmental Law

Author: M Kidd

About this Publication

Environmental Law provides a comprehensive and succinct examination of the entire environmental law landscape in South Africa. The second edition includes a new chapter on climate change, and also examines the following recent developments: the new environmental impact assessment (EIA) regime (2010 regulations); several amendments to the National Environmental Management Act and other environmental legislation; the new National Environmental Management: Waste Act; the new National Environmental Management: Integrated Coastal Management Act; several important developments in delegated legislation; and numerous new cases, including the far-reaching Fuel Retailers decision in the Constitutional Court.

Contents

Introduction

The Constitution and framework

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International environmental law

Water law and the environment

Conservation of biodiversity

Pollution control and waste management

Land use and planning

Implementation and administration of environmental law

Environmental Justice: a South African perspective

South Africa’s position on climate change

Environmental justice: a South African perspective

CD-ROM containing important environmental legislation and leading cases

Environmental Law and Local Government in South Africa

Managing Editor: A du Plessis

About this Publication

Environmental Law and Local Government in South Africa is the first work of its kind to extensively analyse South African environmental law and policy for local government. This book meets an important need in the area of environmental management.

This novel collection of theoretical scholarship and real-life examples presents different features of the interface between local government and environmental law. Each chapter is accessible yet detailed enough to be useful.

In the scope of this comprehensive work, 32 authors collectively answer the question: What is the role of local government in moving South Africa towards a sustainable future, considering the dictates and scope of environmental law?

Contents

Part 1: The local government sustainability interface

- An introduction
- Key elements for municipal action
- Instrumentation for local environmental governance
- Municipal integrated development planning
- Local economic development and pursuit of a green economy

Part 2: The local government environmental law interface - notions and perspectives

- Environmental rights protected in the Constitution of the Republic of South Africa

- The regulation of environmental pollution
- Conservation, sustainable use of natural resources and the notion of public trusteeship
- Environmental law compliance and enforcement
- Municipal service delivery and the environment
- Cooperative government and the intergovernmental division of environmental powers and functions

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- Air quality management
- Solid waste management
- Water services provision and the protection of water resources
- Environmental health and municipal public health services
- Land-use management and planning
- Soil conservation and land management
- Hazardous substances management and control
- Biodiversity
- Urban ecology
- Marine and coastal management
- Heritage resources management
- Disaster risk reduction and climate change adaptation and resilience
- Energy
- Green building
- Green procurement
Part 4: Case study showcasing some of the initiatives of one South Africa’s well-resourced municipal champions: The City of Cape Town

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Environmental Laws of South Africa

Author: P G W Henderson

About this Publication

Environmental Laws of South Africa is a collection of the laws that govern the environment from a disparate and diverse range of legislative sources. This regularly updated loose-leaf work includes commentary placing the legislation in context, bulletins summing up recent initiatives in all areas of environmental legislation and the text of relevant selected acts, regulations and policies. Useful tables of regulations and appendices are also included.

Contents

Volume I

Environmental law and the constitution
The management, use and conservation of natural and cultural resources

Volume II

Land use, planning and development
Protected areas

Volume III

Waste management and pollution control
Provincial environmental laws
Tables of local authorities
Table of cases
Table of international conventions that relate to the environment

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Environmental Library, Juta’s

Editors: Juta’s Statutes Editors

About this Publication

Juta’s Environmental Library covers a wide range of South African environmental legislation and relevant cases. It contains an overview of what may be considered essential environmental measures. The content includes both national and provincial legislation and various White Papers and International Conventions. Also included are the DWAF Minimum Requirements for handling and disposal of waste. Bills are reproduced to alert subscribers to potential legislative changes.

Contents

Environmental Acts
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General policy documents
Guideline documents
White papers
DWAF minimum requirements
Provincial legislation
Legislation judicially considered
Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1813 3096 > Updated quarterly
INTERNET: ISSN 1813 3118

Environmental Management in South Africa, Fuggle & Rabie’s

Editors: H A Strydom, N D King

About this Publication

The second edition of this seminal work is the only book which comprehensively addresses current environmental management in South Africa from an interdisciplinary perspective. Key themes in environmental management including agriculture, air quality, biodiversity, energy, climate change, the coast, freshwater and marine resources, mining, protected areas, rivers, soil, waste management are covered from both scientific and legal perspectives. Legal and scientific aspects of each topic are covered by different authors, who are experts in their field. Environmental Management in South Africa also explains the legal frameworks in regional environmental law, international environmental law and the National Environmental Management Act.

Contents

Covers environmental law from administrative law, domestic, regional and international perspectives
Environmental management
Environmental law
International environmental law
Renewables
Non-renewables
Environmental sustainability
Climate change

ELECTRONIC Additional Content and Features

New chapters dealing with biodiversity, sustainable lending, trade, marine law, amongst others
Sustainable Options: Development Lessons from Applied Environmental Economics

Editors: J Blignaut, M de Wit

About this Publication
This well-researched, important text argues a case for the use of environmental resource economics (ERE) as an analytical framework for the conceptualisation and design of policy options. Sustainable Options integrates economic theories and concepts on the one hand with social and environmental challenges on the other. Applying ERE in a developing context, like that of South Africa, is critical given the country's dependence on natural and environmental assets. The sustainability of the economy and the welfare of the country's people are at stake. Environmental management is, therefore, an economic concern. This is illustrated clearly in the first section of the book which examines a broad range of welfare indicators, thus providing an overview of the macroeconomic performance of the South African economy. The mainstay of the book is a choice selection of ERE case studies done over the last few years and a discussion of the political and ethical contexts of economic development.

Contents
A perspective on the South African economy
Reflecting on economic growth
Capturing the value of environmental services
Economic impacts of climate change of South Africa: a preliminary assessment of unmitigated damage costs
Towards internalising the cost of water pollution
The cost of a decline in air quality
Integrating waste disposal management into energy policy: the case of landfill gas
The cost of noise pollution
Economics in impact assessment: the role of environmental and resource economics
Economics, the natural environment and public policy-making
Towards an economic development ethic
Water Law

About this Publication
This work is intended primarily to reflect the law dealing with water resource management and the provision of water services in South Africa. The law governing water in South Africa was always regarded as a specialised field practised by a small group of lawyers. However, the political and social reform during the last decade of the 20th century, the water-related problems experienced and the prominence given to fundamental human rights and environment-related matters have significantly increased the need for this knowledge by others. South Africa is in the process of developing and implementing a new framework governing water resource management and the provision of water services. This complex and dynamic framework aims to manage absolute water scarcity with significant participation by all interested and affected persons.

The work reflects the framework governing water and the legal position as at 30 November 2004.

Contents
- Foundation of water law
- Constitutional requirements
- Framework for resource management and provision of services
- Water resource management
- Entitlements and related matters
- Regulating entitlements as water uses
- Transfer and trading of entitlements to water
- Water use charges
- Resource management organisations
- Water tribunal to hear appeals and applications
- Catchment management agencies to manage water on a regional basis
- Provision of potable water and sanitation services

Evidence, Law of

Expert Evidence in Clinical Negligence: A Practitioner’s Guide

Authors: P van den Heever, N Lawrenson

About this Publication
Expert medical evidence is often essential and pivotal in support or defence of medical negligence. Such cases invariably involve questions of technical and factual complexity requiring the evaluation of conflicting expert medical testimony. In this book, the first standalone textbook on expert evidence in South Africa, the authors expound and extrapolate the whole process from the initial obtaining of the relevant health records to the eventual testimony of the medical expert witness in court.

The authors offer an instructive guide to busy practitioners to assist them with –
- Identifying the correct expert specialty or sub-speciality
- The construction of a medico-legal opinion
- The status of joint minutes of such experts
- The preparation of an expert’s examination-in-chief
- Cross- and re-examination of an expert

Expert Evidence in Clinical Negligence also discusses the invaluable role of experts in the resolution of medical malpractice disputes by way of mediation. Relevant case law and the applicable Uniform Rules of Court are comprehensively discussed and set out in the footnotes for ease of reference.

Contents
- Health records
- The nature of opinion and expert evidence
- The production of expert evidence
- Obtaining the expert opinion/report
- Preparing the expert to testify
- Qualifying costs of the expert witness and related fees
- Grading the quality of expert evidence and statistical medical evidence
- The role of medical experts in alternative dispute resolution
- Training and accreditation of experts

Templates:
- Request for clinical notes
- Request for access to records (public body)
- Request for access to records (private body)
- Recognition of specialities
- Letter of instruction to expert

Postscript: Oppelt v Head: Health, Department of Health
Provincial Administration: Western Cape

Law of Evidence, The: Cases and Statutes / Bewysreg, Die:
Hofsaak en Wetgewing

Editors: S S Terblanche with D P van der Merwe, B C Naudé, K Moodley

About this Publication
The Law of Evidence: Cases and Statutes / Die Bewysreg: Hofsaak en Wetgewing is a bilingual sourcebook of cases and legislation relevant to the study of the law of evidence. The law of evidence is vital to all legal practitioners and is included in the curriculum of every South African law degree. It is also compulsory in certain degrees not strictly confined to legal subjects, such as the B-Pol degree.

Contents
- The admissibility of evidence
- The presentation of evidence
- The assessment of evidence
- Statutes
Presumption of Innocence

About this Publication
The presumption of innocence is widely accepted as a fundamental principle of criminal justice. In some countries (like South Africa and Canada) it has been elevated to a constitutionally guaranteed right, subject to a general limitations clause. The presumption of innocence is also found in international instruments and there is much laudatory rhetoric in support of this presumption. There is, however, very little consensus regarding the exact content and scope of the presumption of innocence. This lack of consensus creates considerable confusion concerning the practical application of the presumption. This book strives to secure consensus, and to present some constructive solutions to the various theoretical and practical problems which exist in respect of the presumption of innocence.

Contents
A brief history of the presumption of innocence
The rationale for the presumption of innocence
Basic concepts
Towards the definition of the presumption of innocence
The scope of the presumption of innocence
Identifying infringements of the presumption of innocence
Justifiable limitations

Financial Services

Accounting Standards
Rekeningkundige Standaarde

(Solutions available at www.jutaacademic.co.za)

About this Publication
The sixteenth edition of Accounting Standards introduces students to the principles of the International Financial Reporting Standards. Changes brought about by new and revised standards have once again been incorporated in this latest edition, mainly relating to the new hedge accounting section in IFRS 9, as well as IFRS 15 on revenue. The accounting principles are illustrated through questions that gradually increase in their degree of difficulty. This approach facilitates the students’ understanding of these principles and allows them to get to grips with financial statements in a practical manner. This edition of Accounting Standards is intended to satisfy the students’ requirements while at the same time reducing the lecturers’ workload.

Contents
Conceptual framework for financial reporting
IAS 1 presentation of financial statements
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IAS 8 accounting policies, changes in accounting estimates and errors
IAS 10 events after the reporting period
IAS 12 income taxes
IAS 16 property, plant and equipment
IAS 17 leases
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IAS 20 accounting for government grants and disclosure of government assistance
IAS 21 the effects of changes in foreign exchange rates
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IFRS 11 joint arrangements
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IFRS 13 fair value measurement
IFRS 15 revenue from contracts with customers

Financial Advisory and Intermediary Services Act 37 of 2002

Juta’s Pocket Statutes

(Also available as part of a 2-volume set together with the Financial Intelligence Centre Act 38 of 2001 & Regulations – ISBN 978 1 48510 137 6)

Editors: Juta’s Statutes Editors

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- Key Addresses
- Quick Finder for Key Topics
- Financial Advisory and Intermediary Services Act 37 of 2002

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- Selected Codes of Conduct
- Selected Exemptions
- Selected Determinations
- CD-ROM containing Ombud Rules and Related Material

Financial Advisory and Intermediary Services Manual

Author: F van Zyl

About this Publication
This work provides a comprehensive guide to the Financial Advisory and Intermediary Services Act 37 of 2002 or FAIS as it is commonly referred to. This Act regulates providers of a large range of financial products through codes of conduct and enforcement measures and it controls dealings of financial service providers with their clients.

The Act requires providers of financial services to be licensed with a registrar – the executive officer of the Financial Services Board. This publication contains the Act, subordinate measures promulgated thereunder, detailed commentary explaining the Act, authored summaries of FAIS Ombud determinations and Appeals Board decisions as well as a user-friendly index all of which are essential tools that assist stakeholders in the financial industry in ensuring compliance, maintaining best practice and keeping up to date with developments in the law.

The author of this guide is a renowned expert in the field and as a main drafter of this legislation, Franso is well placed to provide expert content complementing the Act, its objectives and application when conducting business every day.

Contents
- Fit and proper requirements for licensees
- Licence application forms
- Codes of conduct
- Regulations
- Particulars as regards compliance officers and their reports
- Particulars on proceedings before the Ombud for Financial Services Providers
- Fees and levies payable to the Financial Services Board
- Explanatory summaries of FAIS Ombud determinations
- CD-ROM containing additional selected notices

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INTERNET: ISSN 2411 4847
Financial Intelligence Centre Act 38 of 2001 & Regulations

Juta’s Pocket Statutes

(Also available as part of a 2-volume set together with the Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations – ISBN 978 1 48510 137 6)

Editors: Juta’s Statutes Editors

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Financial Markets Act 19 of 2012 & Rules

Juta’s Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN 978 1 48510 128 4)

Editors: Juta’s Statutes Editors

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– Conditions applicable to the demutualisation of an exchange, central securities depository or independent clearing house, 2013
– Conditions applicable to the inclusion by an exchange of securities issued by it in its own list, 2013
– Accounting records to be maintained by a regulated person, 2013
– Determination of fit and proper requirements for market infrastructures, 2013
– Prescribed fees, 2013
– Penalties to be imposed by the registrar, 2013
– Matters to be reported on by auditor of a regulated person, 2013
– Report by a market infrastructure to the registrar, 2013
– Reporting of transactions in listed securities, 2013
– Conditions applicable to the amalgamation, merger, transfer or disposal of market infrastructures, 2013
– Requirements applicable to the granting of a market infrastructure licence, 2013
– Directive and Guideline 1 of 2014: Directive and Guideline regarding infrastructures provided by companies facilitating trading in their own securities
– Notice regarding conflicts of interest

Financial Management

(Solutions available at www.jutaacademic.co.za)

Authors: C Correia, D Flynn, E Uliana, M Wormald, J Dillon

About this Publication
Financial Management is the leading text on the theory and application of corporate finance in Southern Africa. The text makes reference to real world applications and financial decisions undertaken by South African companies.

The principles and requirements of SAICA’s SA Competency Framework have been adhered to, as far as it relates to financial management. The book also incorporates all the current developments and relevant legislation that affect corporate finance, corporate governance, capital markets and tax legislation, namely the Companies Act of 2008, King III and International Financial Reporting Standards (IFRS), and official guidelines on corporate valuations and integrated reporting.

The 8th edition further expands on corporate strategy and financial risk management.

The 8th edition includes a ‘wrap-up and guidance’ feature at the end of key chapters, showing further insight and guidance on the fundamental issues and concepts of key chapters.

Contents
Overview & corporate strategy
The time value of money

Risk and return
Portfolio management
Financial statement analysis and integrated reporting
Valuations
The cost of capital
Capital budgeting
Further issues in capital budgeting
Risk analysis and capital budgeting
Working capital
Current asset management and short-term financing
Sources of finance
Capital structure
Leasing
Dividends and share buy-backs
Mergers, acquisitions, corporate restructuring & business rescue
Risk management and derivatives
International financial management
Business planning, strategy & financial modelling

GRAP Handbook: Standards of Generally Recognised Accounting Practice

Author: Accounting Standards Board

About this Publication
The Accounting Standards Board (ASB) develops Standards of Generally Recognised Accounting Practice (GRAP). The ASB gives effect to the constitutional requirement that uniform standards should be developed to ensure the achievement of consistent and comparable financial information across all spheres of government.

The adoption of Standards of GRAP by all reporting entities in the public sector in South Africa will improve the quality and comparability of financial information reported and enable those charged with governance to hold entities to account for the resources entrusted to them by citizens, taxpayers and ratepayers.

Contents
Framework of Standards of GRAP
Standards of GRAP
Standards of GRAP and IGRAP approved but not yet effective
Interpretations of the Standards of GRAP
Guidelines
Directives

Handbook of the Banking Ombudsman

Author: Ombudsman for Banking Services

About this Publication
The Ombudsman for Banking Services (OBS) provides a dispute resolution service to bank customers who are unhappy with the services and products provided by their bank.

This practical guide explains the procedures, processes, jurisdiction and functions of the OBS, while exploring the steps followed to resolve complaints in the context of prevailing legislation.

Contents
The Office of the Ombudsman for Banking Services (OBS)
  – History of the OBS
  – Structure
  – Role
  – Powers
  – Jurisdiction
  – Procedures
  – Reviews
  – Legal implications of lodging a complaint

Internal Auditing – An Integrated Approach

Author: R Cascarino

About this Publication
Internal Auditing – An Integrated Approach 3rd edition covers the basic concepts, philosophy and principles underlying the practice of Internal Auditing, and the relationships between the internal auditor, management and the external auditor. This updated edition is recommended for students of Internal Auditing preparing for BCom, BCom Hons and BTech examinations and for the professional CIA examination of the Institute of Internal Auditors Inc.

It is also suitable for internal and external auditors employed in internal departments or professional practices providing outsourced internal audit or management assurance services, as well as senior financial personnel responsible for corporate governance, risk management and internal controls.

It will also be of interest to Chartered Accountants with a specialist interest in governance and control issues.

Some new information in this edition includes:
  – The changing role of Internal Audit in today’s business environment
  – The Free Market and the Marxist critique of the free market system
  – Corporate Morality and Ethical Management
  – The “Cube” approach to risk assessment
  – ERM and Internal Audit
  – Auditing Business Process Cycles
  – Auditing Business Environments
  – Current and emerging technology issues for internal auditors.

Contents
The Emerging Role of Internal Auditing
The IIA’s Standards for the Professional Practice of Internal Auditing
Internal Audit Quality
Ethics Theory and Practice in the Modern World
The Performance Objectives of Organizations
Risk Assessment
Control Frameworks

FINANCIAL SERVICES
Audit Evidence
Communication
Strategic Management
Global Business Environments
Organisational Behaviour
Management Skills
Auditing Business Process Cycles
Negotiation Skills
Types of Internal Audit
The Internal Audit Process and Documentation
Control and Performance Evaluation
Engagement Planning
Audit Reporting and Follow-up
Audit Engagement Tools, Statistics and Quantitative Methods
Corporate Governance
Financial Accounting and Finance
Cost and Managerial Accounting

The Legal and Regulatory Environment
Auditing Information Technology
Auditing General and Application Controls
Auditing Systems under Development
The Use of CAATs in Auditing Computerized Systems
Auditing Security and Privacy
Disaster Recovery and Business Continuity Planning
Auditing e-Commerce and the Internet
Current and Emerging Technology Issues for Internal Auditors
Fraud Auditing
Forensic Evidence
Conducting Fraud Investigations
IT Fraud Investigation

Public Audit Act 25 of 2004 & Regulations

Editors: Juta's Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Public Audit Act 25 of 2004
  – PENDLEX: Act 22 of 2014
  – Regulations
    • Auditing of Local Government in terms of the Municipal Finance Management Act 56 of 2003 (MFMA)
    • Directive issued in terms of the Public Audit Act, 2004

Public Finance Management Act 1 of 1999 & Regulations

Editors: Juta's Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Public Finance Management Act 1 of 1999
Regulations
  – Treasury Regulations
  – Standards of Generally Recognised Accounting Practice (GRAP)
  – Rate of Interest on Government Loans
  – Regulations Prescribing Standards of Generally Recognised Accounting Practice

South African Banking Legislation

Authors: F R Malan, A N Oelofse, J T Pretorius

About this Publication
This publication collects the most important legislation pertaining to banking in one comprehensive volume. Relevant regulations are also included.

Contents
Banks Act 94 of 1990
South African Reserve Bank Act 90 of 1989
Inspection of Financial Institutions Act 80 of 1998
Financial Institutions (Protection of Funds) Act 28 of 2001
Currency and Exchanges Act 9 of 1933
Bills of Exchange Act 34 of 1964
Mutual Banks Act 124 of 1993
National Payment System Act 78 of 1998
Securities Services Act 36 of 2004

Financial Intelligence Centre Act 38 of 2001
Exchange Control Amnesty and Amendment of Taxation Laws Act 12 of 2003
Financial Advisory and Intermediary Services Act 37 of 2002
Co-operative Banks Act 40 of 2007
Code of Banking Practice

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Understanding Banking Law in Zambia: Commentary and Legislation

Juta's Pocket Companions

Editor: G M Kanja

About this Publication
Understanding Banking Law in Zambia is the first text to explain and analyse banking law in Zambia. The book introduces the reader to, inter alia, bank regulation, central banking, duties of banks, confidentiality, cheques, security for bank loans, financial crimes and money laundering. The Bank of Zambia Act and the Banking and Financial Services Act are included in the book as appendices for ease of reference.

Contents
What is a bank?
Introduction to bank regulation
Organisation and administration of banks and financial institutions
Central banking
Banks and their customers
Bank’s duty of confidentiality
Types of accounts
Opening of accounts and termination of relationships
Cheques
Banks and finance
Security for bank loans
Other types of securities for bank loans
Money laundering and financial crime and banks
Insolvency, dissolution and liquidation of banks and financial institutions
Appendices
– The Bank of Zambia Act 43 of 1996
– The Bank of Zambia Foreign Currency Regulations
– The Bank of Zambia (Minimum Liquidity Ratios and Reserve Requirements) Notice
– The Bank of Zambia Credit Guarantee Scheme Regulations

Understanding Securities Law and Regulation in Zambia

Juta's Pocket Companions

Editor: K K Mwenda

About this Publication
Understanding Securities Law and Regulation in Zambia contains commentary on and analysis of securities law in Zambia. The book examines the fiduciary duties of financial intermediaries, the legal and regulatory framework for collective investment schemes, takeovers, mergers and insider dealing.

Contents
Competent authority for securities regulation
Market structure for public distribution of securities
Registration and listing of securities
Disclosure requirements
Collective investment schemes
Prohibition of market abuses
Mergers and takeovers
Conduct of securities business
Conclusion
Securities Act 13 of 1994
Rules
Regulations

Forensic Law

Crime Scene Investigation

LegalEase: Essence series

Authors: H Lochner, R Zinn

About this Publication
Crime Scene Investigation is a practical book dealing with the management, investigation, and control and processing of crime scenes, or scenes of incident, as they are now called. The book explains the important principles of continuity of possession and the importance of preventing contamination of the scene and evidence. It also focuses on the roles of experts and aids who can help investigating officers to solve complex and varied crimes.

The book pays particular attention to the administrative process involved in the handling of evidence. This includes the responsibilities of the investigating officer who has to deal with the incident the various ways in which a scene of incident can be documented the handling of people who may be present at the scene the proper identification, collection, packaging and dispatch of evidence.

Two of the unique features of the book is the introduction and explanation of a new investigation principle, namely the Lochner principle, and a new search method, namely the Lochner/Zinn search method.
DNA in the Courtroom: Principles and Practice

About this Publication
DNA in the Courtroom is the first step-by-step guide to this crucial new tool for the successful investigation and prosecution of crime. It introduces readers to the biological principles of DNA and emphasises the importance of the chain of custody and pre-trial disclosure. It also looks at the process that a DNA-sample must undergo before a DNA test result can be produced, as well as an explanation of test result interpretation. The meaning of a DNA match and aspects of population genetics, statistical calculations and DNA databases is explained. The book is user-friendly and can be used by prosecutors, defence counsel and presiding officers with equal success.

Contents
- Biological principles of DNA
- The importance of the chain of custody and pre-trial disclosure.
- Electropherogram production processes and interpretation of an electropherogram

Forensic Investigation: Legislative Principles and Scientific Practice

About this Publication
The field of forensic investigation has grown significantly in South Africa over the past few years, which is mostly due to the fact that investigations are now also undertaken by private and corporate bodies, and by government institutions other than the South African Police Service. It has moved from being the sole domain of the police to including other role-players. The latest developments in the forensic investigation discipline are a result of the fact that forensic investigation is a continually evolving science. The new democratic dispensation also requires that all investigations must be conducted within the ambit of the Constitution.

Forensic Investigation: Legislative Principles and Investigative Practice aims to meet the needs of this field by examining how forensic investigations should be conducted in South Africa, with reference to local legislative principles and scientific processes.

Forensic Investigation: Legislative Principles and Investigative Practice commences by covering aspects such as the constitutional basis for public and private policing, the investigation process, and the characteristics of a good investigator. The book highlights the basic concepts of investigation and then proceeds to examine more sophisticated specialised aspects, such as medicolegal evidence, DNA, and policing in a cyber-world. The work also features more recent developments in the field, such as analysing the behaviour of offenders and the choices they make during the commission of crimes. These aspects are dealt with in relation to forensic geography and offender profiling.
**Taking Effective Witness Statements**  
Afneem van Doeltreffende Getuieverklarings  
LegalEase: Essence series

**Author:** H Lochner

**About this Publication**  
Witness statements play a vital role in all forms of criminal investigation, particularly crime scene investigation (CSI) and forensics. Legal practitioners on both sides – prosecution and defence – cannot hope to succeed at trial unless they have properly drafted and executed witness statements. The author of Taking Effective Witness Statements / Afneem van Doeltreffende Getuieverklarings provides in-depth coverage of every stage of the statement-taking process, from preparing the witness before a statement is taken, through observing the body language of the witness during the interview, to compiling a post-interview report.

Taking Effective Witness Statements / Afneem van Doeltreffende Getuieverklarings focuses on different forms of witness statements and provides expert practical guidance on such matters as:

- understanding the requirements of an effective witness statement
- recognising the characteristics of an effective witness statement
- how to format the statement correctly
- what language to use when writing the statement
- common mistakes made in statement taking (and how to avoid them)
- professional qualities of investigators.

Titles in the Legal-Ease series make the law easier to understand without losing the context in which it operates. Legal Essence books shed light, in a practical and contextual way, on the legal issues that candidate attorneys and legal practitioners can expect to encounter in practice. The books set out clear frameworks without losing the intricate details of the law. Written by experts in practice, these books are full of useful tips and helpful hints to equip the reader with knowledge that can be applied in practice.

**Contents**

- The Investigation of crime
- Interviewing witnesses to obtain statements
- Witness statements
- An effective sworn witness statement
- References
- Glossary
- Annexures:
  - Statement by a private investigator
  - Justices of the Peace and Commissioners of Oaths Act 16 of 1963
  - Regulations governing the administering of an oath or affirmation
  - Articles 21, 50 and 250 of the Criminal Procedure Act
  - Statement regarding interview with a suspect

**Gender Law**

**Advancing Women's Rights**  
(First published as Acta Juridica 2005)

**Editors:** C Murray, M O'Sullivan

**About this Publication**  
Gender equality is both a significant right and founding value in South Africa's Constitution. This volume of essays explores the meaning and implications of gender equality in South Africa today. It includes studies on issues central to the transformation of gender relations in post apartheid South Africa: violence against women, family law, land rights, customary law, the right to equality, and institutions to advance gender equality.

**Contents**

- Women's rights in South Africa's first decade of democracy - Michelle O'Sullivan and Christina Murray
- Women, customary law and discrimination: the impact of the Communal Land Rights Act - Aninka Claassens
- Expanding equality - Saras Jagwanth
- The reform of the customary law of marriage and succession - Chuma Himonga
- Domestic partnership and marital status discrimination - Craig Lind
- Denial of the means of subsistence as an equality violation - Gwen Brodsky and Shelagh Day
- The dark side of the rainbow: violence against women in South Africa after ten years of democracy - Helène Combrinck
- Bridges and barriers: a five year retrospective on the Domestic Violence Act - Lillian Artz and Dee Smythe
- Removing the prescription blindfold in cases of childhood sexual abuse - Nikki Naylor
- South Africa's National Gender Machinery - Rashida Manjoo
- The Women's Legal Centre during its first five years - Ruth B Cowen

2016/17
Gender, Law and Justice

Editors: E Bonthuys, C Albertyn

About this Publication
Feminist lawyers have long been engaged in critiquing the gendered nature of South African law. This project has increased in importance and scope as a result of the centrality of gender equality, as a value and a substantive right, in the South African Constitution. Gender, Law and Justice provides both theoretical and practical tools to enable academic and practising lawyers to apply concepts of gender equality to the law. It introduces readers to basic feminist concepts and arguments, and to a wealth of local, comparative and international material on gender and the law. It also illustrates how the law may be shaped to transform the social, cultural and economic conditions of women’s lives in South Africa, at the same time as it acknowledges the limits of legal strategies for change.

Gender, Law and Justice has three main objectives. The first is to identify the different positions of women in South Africa and to examine the disparate impact of the legal system on their lives. Secondly, it aims to expose the gender bias in legal concepts and in the content and application of legal rules. Thirdly, it suggests changes to the law, and evaluates those changes that have already occurred, with a view to developing the law so that it is better able to ensure justice and meet the diverse needs of women in South Africa.

Contents
Introduction
Feminist theories and concepts
Constitutional and international law context
Equality
Gender and sexual orientation
Culture and religion
Gender and family law
Gender and work
Women’s freedom and security of the person
Women and the state

Marriage, Land & Custom: Essays on Law and Social Change in South Africa

(First published as Acta Juridica 2013)

Editors: A Claassens, D Smythe

About this Publication
In Marriage, Land & Custom, the contributors consider how the far reaching processes of change and adaptation that are currently underway in relation to marriage and the land rights of single women living in ‘communal’ areas in South Africa relate to one another, and to the broader economic and political developments in South African society. The book also examines the impact of the legislation of the Recognition of Customary Marriages Act in this volatile arena.

The focus in Marriage, Land & Custom is on the insights and experiences of academics and practitioners from different disciplinary frameworks, who address the complex interface between poverty, HIV, declining employment rates and the increasing number of social grants and their relationship to changing options for women, law reform and the shifting balance of power at local level.

Contents
Marriage, land and custom: what’s law got to do with it?
- Aninka Claassens and Dee Smythe
Women, marriage and land: findings from a three-site survey - Debbie Budlender
Securing women’s customary rights in land: the fallacy of institutional recognition - Wilmien Wicomb
Women’s land rights and social change in rural South Africa: the case of Msinga, KwaZulu-Natal - Ben Cousins
Contesting customary law in the Eastern Cape: gender, place and land tenure - Tara Weinberg
Women’s eviction in Msinga: the uncertainties of seeking justice - Sindiso Mnisi Weeks
Women, marriage and domestic arrangements in rural KwaZulu-Natal, South Africa - Victoria Hosegood
Changing patterns of marriage and cohabitation in South Africa - Dorrit Posel and Stephanie Rudwick
Declining rates of marriage in South Africa: what do the numbers and analysts say? - Christine Mhongo and Debbie Budlender

How social security becomes social insecurity: fluid households, crisis talk and the value of grants in a KwaZulu-Natal village - Bernard Dubbeld
Renegotiating intimate relationships with men: how HIV shapes attitudes and experiences of marriage for South African women living with HIV: ‘Now in my life, everything I do, looking at my health’ - Diana Cooper, Elena Moore and Joanne Mantell

When non-registration becomes non-recognition: examining the law and practice of customary marriage registration in South Africa - Monica de Souza
Twelve years later: how the Recognition of Customary Marriages Act of 1998 is failing women in South Africa - Roxanne Kovacs, Sibongile Ndashe and Jennifer Williams
Form over function? The practical application of the Recognition of Customary Marriages Act 1998 in South Africa - Lea Mwambene and Helen Kruuse
Mayelane v Ngwenyama and Minister for Home Affairs: a reflection on wider implications - Chuma Himonga and Anne Pope
‘Today it would be called rape’: a historical and contextual examination of forced marriage and violence in the Eastern Cape - Nyasha Karimakwenda

Reflections on the recognition of African customary marriages in South Africa: seeking insights for the recognition of Muslim marriages - Waheeda Amien
Rethinking marriage and its privileges - Denise Meyerson
GOVERNANCE, RISK AND COMPLIANCE

GOVERNANCE, RISK AND COMPLIANCE

101 Questions and Answers About: The Protection of Personal Information Act

Authors: D Taylor, F Cronjé

About this Publication
The Protection of Personal Information Act (POPI) has far reaching implications for organisations and individuals who must comply with it. Those impacted by this all-encompassing Act will have many questions. This book lists 101 of these questions and provides possible answers.

It also contains the full text of the Act for easy reference. The new legislation affects organisations and individuals in different ways and across a wide spectrum of roles, from CEO to junior IT staff. The marketing department of an organisation, for instance, may need to know more about the appropriate processing of personal information for promotional purposes, while a multinational organisation may want to learn about how the Act relates to trans border information flows. This user friendly book makes the legislation accessible to people from the vantage point of their interests.

Contents
Section A: What will this book say about the Protection of Personal Information (POPI) Act?
Section B: What is personal information?
Section C: Some key elements to understand when processing personal information
Section D: Certain do’s and don’ts
Section E: Initiating compliance with the POPI Act
Section F: Implications, fines, penalties and possible remediation
Section G: What are employers’ responsibilities?
Section H: The transfer of personal information across borders
Section I: Some other important questions
Full text of the Protection of Personal Information Act 4 of 2013


Authors: L Rossini, J Maree

About this Publication
This much anticipated book by the authors of the best-selling Business management for financial planners: A guide to creating a sustainable service-based financial planning business, demonstrates how, by understanding your client and using financial advice and planning as real products, you can build a best-in-class service-based business that delivers on your client’s goals and dreams.

Today’s financial advisers need to build a framework and infrastructure that will support the on-going delivery of their service proposition. They need to develop client experiences that are meaningful and relationships that last. The Business of Financial Advice: A Guide for Financial Advisers to Building a Service-based Business shows how putting your clients first is good for them and for you.

Contents
Part I: The fundamentals of a financial advice business
– The financial adviser
– Understanding the client
– The business of financial advice
– Compliance and the future regulatory environment

Part II: Building a sustainable financial advice business
– The foundations of a service business
– Identifying the right target market
– Developing a service model
– Service delivery
– Employing the right staff
– Marketing the business
– The financial aspects of a business
– Risk and business continuity planning
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– Other important issues
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Company Secretarial Practice

Editors: M Havenga (Managing Editor), D P Mahony (Chief Technical Consultant)

About this Publication
Company secretaries are at the heart of the company, providing the enterprise and its directors with the right legal, compliance, accounting and governance support and advice at the right time. Company secretaries also serve as the link between the Board and the rest of the company, its shareholders and the public.

In recognition of the dynamic and strategic role played by company secretaries today, Juta is proud to launch Company Secretarial Practice, which replaces its well-loved successor, South African Business Administration, in order to provide a new, up-to-date and definitive reference work for all company secretaries.
Compliance: Protecting your Licence to Operate

Authors: P. Chilwane, L. Vilakazi

About this Publication
Former US Deputy Attorney General Paul McNulty once said: 'If you think compliance is expensive, try non-compliance!' The impact of non-compliance has serious consequences that extend beyond Rands and cents. In a fast evolving legislative and governance landscape, many executives are faced with the challenge of setting up compliance divisions within their organisations. The increased demand for legal compliance within organisations has placed industry leaders in a position where they have to evolve and restructure their business strategies to focus more on ensuring compliance within a legislative framework.

Compliance: Protecting your Licence to Operate presents a strong business case for the establishment of a compliance function within their organisation, with the aim of enabling an enterprise-wide compliance management programme to protect their licence to operate.

Contents

Chapter 1
- Corporate compliance in modern day business
- New corporate order
- Defining compliance
- Defining statutory and regulatory compliance
- What is corporate compliance?
- The evolution of compliance
- The external environment
- External pressures on the organisation to comply
- Response to the pressure
- Industry footprint
- Influence of geography
- Compliance trends

Chapter 2
- Corporate immune system
- Global trends
- Widening risk exposure
- The relevance and theoretical foundations
- The need to converge

Part E: Transparency and disclosure
Company records
External auditors and statutory audits

Part F: Significant and fundamental company actions
Public offering of securities
Fundamental transactions
Takeovers and offers
Business rescue and compromises (to be issued with first revision service)
Insolvency and deregistration (to be issued with first revision service)

Part G: Governance of information
Governance of information (to be issued with first revision service)

Part H: Governance of state-owned institutions
Governance of state-owned institutions (to be issued with first revision service)

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GOVERNANCE, RISK AND COMPLIANCE

Corporate Governance Handbook: Principles and Practice

Authors: J W Hendrikse, L Hefer-Hendrikse

About this Publication
In today’s competitive markets and in an environment that
is focused firmly on customers, it is the quality of the service
provided that often makes the difference between success and
failure. An essential skill, needed by individuals in all types
of organisations and at all levels, is being able to ensure that
all potential or occasional customers are turned into loyal
long-term customers or positive external advocates for the
organisation. This informative text will provide the reader with
the critical skills needed to achieve superior levels of customer
service, to ensure that customers become and/or remain loyal
to your organisation.

Contents
- Corporate Power
- Corporate and Business Performance
- Business Environment
- Corporate Control
- Business Survival and Success
- Business Opportunities
- Governance Legislation and Regulations
- Corporate Misconduct and Malpractice
- Governance Codes
- Corporate Governance Framework
- Corporate Governance Principles
- Shareholder Engagement and Activism
- Ethics of Business
- Companies Act 2008 and Corporate Governance
- King III Report and Code

Corporate Governance: Practical Risk Management

Author: D P Mahony

About this Publication
Risk management is not a new concept. However, with the
advent of numerous corporate governance codes in countries
throughout the world risk management is receiving much
greater prominence and emphasis than ever before.

Against this backdrop one cannot ignore the four pillars of
corporate governance: fairness, accountability, responsibility
and transparency towards all stakeholders. In achieving these
objectives, the enterprise will have to move away from a short-
term focus to a longer-term horizon. The target is sustainability
and risk management in order to thrive. Risk is inevitable
but one needs to know what to do. Who takes responsibility
and who is accountable? The old adage ‘the buck stops here’
provides the answer.

Responsibility and accountability
lie with everyone seated at the board-
room table. It is for this reason that Corporate Governance:
Practical Risk Management has been written to give guidance
on how to navigate through the tricky minefields of enterprise-
wide risk management, especially for newly appointed or
inexperienced directors. Other members of senior man-
agement will also benefit by the book’s clear and practical
approach to risk management, which deals with relevant
issues in bite-sized chunks for ease of understanding.

Titles in the LegalEase series make the law easier to
understand without losing the context in which it operates. Essentials titles provide A-Z instruction on how to comply with
the law and achieve best practice within an organisation. These

Chapter 5
- Return on investment (“ROI”)
- Measuring value add
- Transparency
- Board oversight
- Talent planning and recruitment
- Ensuring a high-performance culture
- Prioritising leadership behaviours that matter
- Developing employees

- Talent reviews and succession planning
- Networking and collaboration
- Continued separation of the compliance function and the
  Legal Department
- Increased board supervision
- Technology – a focus on compliance analytics and tools
- Increased focus on ethical leadership
- Chief Compliance Officers as rising stars
- Whistle-blowers
- Compliance professionals as monitors
- Due diligence and monitoring
books are definitive reference works to ensure compliance, good governance and the management of organisational risks. Titles in the Essentials series provide clear and concise explanations of the law and detailed help for specific compliance-related tasks. Written for practical use, these titles show readers how to apply the law efficiently in day-to-day operations.

**Contents**

Introduction
The nature of risk
Why focus on risks?
Corporate governance recommendations
An overview of the process of risk management
Example of a risk management policy

The process of risk management
Sharing the risk interventions and the ‘Top 20’
Responding to risk incidents
The role of the board in a nutshell
Insurance
Risk management reporting
Emergency preparedness plan
Thinking out of the box
Some last thoughts
Index

**Corporate Report, The: Facilitating Business in South Africa**

**Editors:** M King, A van Wyk, M Kuper

**About this Publication**

The company today operates in an ever changing environment. There is a plethora of new legislation impacting on companies in South Africa, as well as new corporate reporting requirements and increasing stakeholder expectations. In the broader context, companies operate in the ‘new economy’ where more must be made with less and where governance, strategy and sustainability are inseparable. Today’s business leaders must indeed steer their ships well.

The Corporate Report offers business leaders topical, relevant articles written by experts in their fields. It aims to assist business and governance leaders make more informed decisions about corporate and governance issues, business judgement calls, and corporate reporting. It also sets out to provide information that is relevant for today’s company operating in a new economy created by the crises of global finance, climate change and ecological overshoot.

**Contents**

The effect of the new Companies Act
The judiciary and its role in regulating the business environment
Arbitration as an alternative dispute resolution option in business
Anti-competitive behaviour and the laws that seek to prevent it
Workplace law
Intellectual property and its role in enhancing competitiveness and business excellence
Governance issues in information technology
Business viability and preservation of the environment
Consumer protection and the legislation that governs it

**Corporate Reporting**

**Authors:** G K Everingham, S P Kana, Z Wadee

**About this Publication**

The 9th edition of this comprehensive work, which has set the standard for quality financial reporting since 1986, reflects major changes since the 8th edition. It incorporates the numerous developments that have taken place in the content of financial reporting standards, the bedrock of reporting under the new Companies Act. All new and changed International Financial Reporting Standards (IFRS) are incorporated in the book. Even more importantly, it caters for three further, fundamental developments:

- The new standard for reporting by small and medium enterprises, IFRS for SMEs, which many companies will now be able to apply in preference to the more comprehensive IFRS
- The recommendations of the King III report contained in an expanded section on corporate governance and including matters such as the remuneration report and report of the audit committee
- The emergence of integrated reporting as the new basis underlying preparation of annual reports globally and with particular needs to cater for the South African environment

Corporate Reporting is a complete and essential aid for preparers of financial statements. The extension of the King III recommendations to all corporate and the recent issue of the new Companies Act present many challenges. This up-to-date text with detailed specimen financial statements and illustrative reports meets these challenges and will make the task of preparers of financial statements considerably lighter.

**Contents**

Corporate reporting
Presentation of financial statements
Financial statements of a public company prepared using IFRS
Illustrative consolidated financial statements IFRS for SMEs
Summarised integrated report and corporate governance
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Appendices: Disclosure checklists
- IFRSs
- IFRS for SMEs
- The Companies Act 2008
- King III
- Interim, provisional, preliminary and abridged reports
- JSE Listing requirements

**Corporate Report, The: Facilitating Business in South Africa**

**About this Publication**

The company today operates in an ever changing environment. There is a plethora of new legislation impacting on companies in South Africa, as well as new corporate reporting requirements and increasing stakeholder expectations. In the broader context, companies operate in the ‘new economy’ where more must be made with less and where governance, strategy and sustainability are inseparable. Today’s business leaders must indeed steer their ships well.

The Corporate Report offers business leaders topical, relevant articles written by experts in their fields. It aims to assist business and governance leaders make more informed decisions about corporate and governance issues, business judgement calls, and corporate reporting. It also sets out to provide information that is relevant for today’s company operating in a new economy created by the crises of global finance, climate change and ecological overshoot.

**Contents**

The effect of the new Companies Act
The judiciary and its role in regulating the business environment
Arbitration as an alternative dispute resolution option in business
Anti-competitive behaviour and the laws that seek to prevent it
Workplace law
Intellectual property and its role in enhancing competitiveness and business excellence
Governance issues in information technology
Business viability and preservation of the environment
Consumer protection and the legislation that governs it

**Corporate Reporting**

**Authors:** G K Everingham, S P Kana, Z Wadee

**About this Publication**

The 9th edition of this comprehensive work, which has set the standard for quality financial reporting since 1986, reflects major changes since the 8th edition. It incorporates the numerous developments that have taken place in the content of financial reporting standards, the bedrock of reporting under the new Companies Act. All new and changed International Financial Reporting Standards (IFRS) are incorporated in the book. Even more importantly, it caters for three further, fundamental developments:

- The new standard for reporting by small and medium enterprises, IFRS for SMEs, which many companies will now be able to apply in preference to the more comprehensive IFRS
- The recommendations of the King III report contained in an expanded section on corporate governance and including matters such as the remuneration report and report of the audit committee
- The emergence of integrated reporting as the new basis underlying preparation of annual reports globally and with particular needs to cater for the South African environment

Corporate Reporting is a complete and essential aid for preparers of financial statements. The extension of the King III recommendations to all corporate and the recent issue of the new Companies Act present many challenges. This up-to-date text with detailed specimen financial statements and illustrative reports meets these challenges and will make the task of preparers of financial statements considerably lighter.

**Contents**

Corporate reporting
Presentation of financial statements
Financial statements of a public company prepared using IFRS
Illustrative consolidated financial statements IFRS for SMEs
Summarised integrated report and corporate governance
Interim consolidated financial statements
Close corporations
Appendices: Disclosure checklists
- IFRSs
- IFRS for SMEs
- The Companies Act 2008
- King III
- Interim, provisional, preliminary and abridged reports
- JSE Listing requirements
The Credit Guide empowers consumers to get optimal value from credit. Using consumer rights as a vantage point, it guides consumers through the life-cycle of credit. The book shows the context in which the National Credit Act operates and with applications, types of credit agreements, credit bureau information, marketing of credit, credit cards, mortgages, asset finance and debt collection in a practical manner. Recourse and tips are set out clearly. Discussing concepts and procedures introduced by the National Credit Act, such as debt counselling and complaints procedures, The Credit Guide is invaluable to credit providers as it is to consumers.

Contents
The credit process in terms of the National Credit Act
Consumer credit information
Consumers’ rights and obligations

Financial Reporting for Directors in South Africa

About this Publication
In terms of South African legislation, company directors are responsible for ensuring that financial statements comply with the relevant legal requirements. Financial Reporting for Directors in South Africa covers the most important areas that busy directors should consider when approving financial reports.

Financial Reporting for Directors in South Africa offers company directors, members of audit committees, company secretaries, financial managers and other interested parties a practical and comprehensive understanding of the drive for financial reporting requirements in South Africa, and the legal and Stock Exchange requirements for financial reporting. This book is destined to become an indispensable guide to the major issues and debates around financial reporting in South Africa. It provides clear and lucid explanations of directors’ legal responsibilities in terms of financial reporting, as well as those areas on which they should focus in respect of accounting standards. It also discusses the various types of financial reports companies may be required to produce, and, since financial statements are often required to be audited, it looks at what an audit is, when an audit is necessary, how to prepare for an audit and what to expect of auditors.

Contents
Preface
The responsibility of directors for financial reporting
The requirements for financial reporting
Types of financial reports
Accounting frameworks used in preparing financial reports
Financial reporting requirements not contained in accounting standards
Audits and auditors
Non-compliance with requirements
Areas of judgement in applying accounting standards
Improving the quality of financial reports
Appendix – commonly used abbreviations and terms in financial reporting

Green II: Why corporate leaders need to embrace sustainability to ensure future profitability

About this Publication
The second edition of Green focuses on sustainability as a business imperative, with the inter-related issues of business performance and financial and integrated reporting being discussed against the backdrop of King III. It highlights the challenges facing corporate, leaders and businessmen in embracing sustainability.

Contents
Part I
The business case for sustainability: opportunities and limits - Jonathan Hanks
Sustainable issues - James Brice
The impact of sustainability issues on business - Jayne Mammatt

Part II
Responsible leadership and the changing social contract - Willem Fourie, Eben le Roux, John North and Professor Derick de Jongh
Perspectives on responsible investment - Corli le Roux
Broad-based black economic empowerment - Graham Terry
Sustainability development and the responsibility of government - Wessel Pretorius
Global initiatives to address sustainability - Peter Oldacre

How are companies doing? - Jennifer Orr
The importance of sustainability issues for small and medium sized businesses - Nicky van Hille
Financial reporting - Linda de Beer
Sustainability reporting - Graham Terry
Sustainability reporting - Graham Terry
Integrated reporting - Leigh Roberts
Insights into King III and the code for responsible investing in South Africa - Ansie Ramalho

Part III
The implications of assurance on sustainability reports - Kelly Gilman
Management accounting implications - Dewald Joubert and Jonathan Streng

Energy and carbon markets - Rohitesh Dhawan and Marijke Vermaak
Using technology to enhance reporting - Gavin Marais
How to embed sustainability practices into an organisation - Nick Rockey
The future of sustainability - Nicola Robins

Guide to Meetings A-Z
LegalEase: Essentials series

Author: D P Mahony

About this Publication
Many arguments arise at meetings because of perceived errors as well as lack of knowledge on how to deal with procedural and substantive issues. Little has been written to assist the chairman and company secretaries with key knowledge of the common law principles and the new Companies Act; Guide to Meetings A-Z seeks to fill the gap. The book has been written in an easy-to-follow alphabetical format to facilitate the location of answers without wasting time.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Essentials titles provide A-Z instruction on how to comply with the law and achieve best practice within an organisation. These books are definitive reference works to ensure compliance, good governance and the management of organisational risks. Titles in the Essentials series provide clear and concise explanations of the law and detailed help for specific compliance-related tasks. Written for practical use, these titles show readers how to apply the law efficiently in day-to-day operations.

Contents
Index
Guide to meetings
Contents
Preface
Adjournment
Agenda
Amendments
Annual General Meeting (AGM)
Apologies
Attendance of non-members
Attendance register
Business of a meeting
Chairman’s casting vote
Chairman’s election
Chairman’s powers and duties
Chairman and his role
Class meetings
Committees
Conflict of interest
Constitution
Counter motion

How to do Board Evaluations
LegalEase: Essentials series

Author: D P Mahony

About this Publication
How to do Board Evaluations provides directors with practical step-by-step guidance on structured board assessments – from where to start, to potential pitfalls and the post-assessment actions required. The book goes beyond compliance with the recommended best practice – it also focuses on assessments for addressing weaknesses and achieving an overall improvement in the way individuals, committees, boards and especially their leaders perform.

Court orders
Directors
Dissolution of meetings
Dropped motions
Executive powers
Expulsion from meetings
Formal motions
Matters arising from minutes
Meeting
Members
Minutes
Motions
Motions to review and rescind
Non-members
Notices of meetings
Office bearers
Point of order
Polls
Postponement
Preparation for meetings
Preservation of order
Privileged occasions
Proposer
Proxies – companies
Proxies – bodies other than companies
Question before the meeting
Quorum
Record date
Representation of meetings
Requisitioned meetings
Resolutions – ordinary
Resolutions – special

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INTERNET: ISSN 2308 376X
eBOOK: ISBN 978 1 48510 054 6
How to do Director Inductions

**LegalEase: Essentials series**

**About this Publication**

In terms of the King Code of Corporate Governance (King III), the company secretary is expected to play a pivotal role in a company. This role includes attending to the induction and ongoing training and development of directors. New directors, especially those who have no previous experience in this role, often struggle to get acquainted with the provisions of the Companies Act 71 of 2008 and the recommendations of King III.

*How to do Director Inductions* explains the need to do director inductions, offers alternative approaches to director inductions, and explains the preparation of the director's file and the additional statutory, regulatory and administrative actions that should be taken when a new director is appointed.

The bulk of the book is dedicated to the contents of the director's file. Company secretaries and new directors will find the suggested alphabetical list of 45 topics a useful and informative tool. A three-point format is used to explain each topic: a brief description; what is expected of directors; and additional details, which usually include a reference to King III, the Companies Act, or other relevant literature.

Titles in the *LegalEase* series are devoted to practical use, these titles show readers how to comply with the law efficiently in day-to-day operations.

**Contents**

- Introduction to board evaluations
- Why should boards be evaluated?
- Why is the board there at all?
- The process of conducting board evaluations
- The objectives of a board evaluation
- The methodology of doing board evaluations
- Evaluation performed by the chairman
- Evaluation performed by an independent service provider
- What will be evaluated?
- How will the evaluation be done?
- When will the evaluation be done?
- How will the results be collated?
- Follow-up action
- Designing the questionnaire
- Sample questions relating to board evaluations
- Interpersonal relationships
- Keep it simple
- The problem of overcommitment
- The questionnaire template
- Red flags
- Annexure

**ELECTRONIC Additional Content and Features**

Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications. Powerful electronic searching allows for easy and rapid access to information.

**Integrate: Doing Business in the 21st Century**

**About this Publication**

*Integrate* is an easy read guide for people in business about the new way of thinking in running a company today. Businesses, large and small, have the same issues to contend with: greater expectations of their stakeholders, rising consumer power in the digital information age, environmental constraints, economic uncertainty in the aftermath of the global financial crisis, and social uncertainty on rising income inequality. Doing business today is quite different from the past. Different corporate tools are needed.

One of the four corporate tools for today’s business is integrated thinking. This extends strategy and daily management beyond the pure financial to encompass the social and environmental factors that deeply affect a company’s future viability in the 21st century. Integrated thinking leads to another tool – the integrated report. This tells the company’s story of how it creates value and how it can create value in the future. The global financial crisis showed that a more understandable and holistic form of company reporting is crucially needed. This book offers practical guidance on integrated thinking and the integrated report. Directors, managers, accountants and aspiring managers should read this book.
GOVERNANCE, RISK AND COMPLIANCE

Contents
- The evolution of corporate reporting
- Quality corporate governance
- Business in the 21st century is not the same as in the past
- Stakeholder relationships with their needs, interests and expectations
- Integrated thinking: how a company creates value, short, medium and long term
- The integrated report: accountability which is understandable
- Integrated reporting influences behaviour and decision making

Practical exercises and case studies of four companies revealing their integrated reporting journey

IoDSA Pocket Library
(Incorporating the King III Report, King Code and Companies
Act 71 of 2008 and Regulations in terms of the Act)

Authors: The Institute of Directors in Southern Africa, Juta's Statutes Editors

About this Publication
Published by Juta in collaboration with The Institute of Directors in Southern Africa (IoDSA), this four volume set comprises the King III Report and King Code, along with the Companies Act 71 of 2008 and Regulations in terms of the Act in a pocket size mini-library.

Contents
King III Report
- Introduction and background
- Ethical leadership and corporate citizenship
- Boards and directors
- Audit committees
- The governance of risk
- The governance of information technology
- Compliance with laws, rules, codes and standards
- Internal audit
- Governing stakeholder relationships
- Integrated reporting and disclosure
- The principles at a glance
- Glossary of terms
- Research references
- The King Committee

King Code
- Introduction and background
- Code of Governance Principles

Companies Act
- Quick Finder for Key Topics
- Companies Act 71 of 2008

Regulations
- Regulations in terms of the Companies Act 71 of 2008
- Guidance Notes terms of the Companies Act 71 of 2008
- Practice Notes terms of the Companies Act 71 of 2008
- Companies Regulations 2011, Forms on CD

National Credit Act and Consumer Protection Act, The
A Guide for Credit Providers and Suppliers

Author: S Tennant

About this Publication
Two pieces of legislation have had a profound impact on South Africa’s consumer industry: the National Credit Act 34 of 2005 and the Consumer Protection Act 68 of 2008. Despite the significance of these two pieces of legislation, many credit providers and suppliers do not know or do not understand how the legislation affects their relationship with consumers. These shortcomings place suppliers and credit providers at a considerable disadvantage since they increase the possibility of non-compliance with the Acts’ requirements.

This book seeks to address this unwanted state of affairs. The author summarises the provisions of the National Credit Act (NCA) and the Consumer Protection Act (CPA) and discusses the role and responsibilities of credit providers and suppliers.

Contents
- Part A: Summary of the National Credit Act 34 of 2005 (With NCA Regulation Forms annexed)
- Part B: Commentary on the Consumer Protection Act 68 of 2008 (with the Suppliers Checklist, List on Retrospective

Effect and annexures A–M of the regulations annexed)
- Index

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INTERNET: ISSN 2308 3786
eBOOK: ISBN 978 1 48510 055 3

2013 > SOFT COVER: ISBN 978 1 48510 091 1 > 150pp
eBOOK: ISBN > 978 1 48510 111 6
Practical Governance – Retirement Funds
LegalEase: Essentials series

About this Publication
Practical Governance: Retirement Funds aims to provide trustees of pension and retirement funds with a solid understanding of the business of retirement funds.

When faced with thick law books and files of practice notes, many trustees are uncertain where to start in tackling the daunting task that lies ahead of them. This guide offers an easy-to-understand approach that breaks issues down in bite-sized chunks.

The book includes recent changes to the Pension Funds Act, the requirements of the Financial Services Laws General Amendment Act 45 of 2013 and relevant recommendations of the King Code.

Titles in the LegalEase series make the law easier to understand without losing the context in which it operates. Essentials titles provide A-Z instruction on how to comply with the law and achieve best practice within an organisation. These books are definitive reference works to ensure compliance, good governance and the management of organisational risks. Titles in the Essentials series provide clear and concise explanations of the law and detailed help for specific compliance-related tasks. Written for practical use, these titles show readers how to apply the law efficiently in day-to-day operations.

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Bargaining Council funds
Beneficiary nomination form
Beneficiary funds/trusts
Benefit statement
Board of trustees
Board minutes and resolutions
Chairman
Certificate of existence
Code of Conduct
Combined funds
Committees
Commutation
Complaints procedure
Corporate governance
Custodian
Deferred pensioner
Defined benefit fund (DB)
Defined contribution Fund (DC)
Dependants
Disability insurance
Disclosure and transparency
Early retirement
Evidence of health
Expression of wish
Financial planners and consultants
Financial Services Board (FSB)
Free cover limit
Fund interest declaration
Fund rules
Fund objectives
Funds not in sound financial position
Group life assurance
Housing loans
Insured personal risks
Investing in participating employers’ equity
Investments
Late retirement
Liability of trustees
Lump sum allocations to dependants
Lump sums on withdrawal
Member enquiry – do I have enough?
Non contributory fund
Normal retirement date (NRD)
Participating employer
Pensionable salary
Pension funds
Pension Funds Adjudicator
Policies and procedures
Preservation funds
Principal officer
Promotion of access to information
Provident funds
Registered office
Risk management
Service level agreements
Spouses and orphans pension
Spouses cover
Stakeholders
Surpluses
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Trustees
Umbrella funds
Unitised portfolio
Untraceable ex-members
Valuator
Vesting
Voluntary contributions
Whistleblowing
SAICA Companies Act 71 of 2008 and SAICA Regulations to the Companies Act 71 of 2008
(2-volume pocket set)

(Also available as part of the SAICA Guide to the Companies Act 71 of 2008 launch edition bundle together with the loose-leaf Guide & DVD)

Compiled and edited by: Juta’s Statutes Editors, The South African Institute of Chartered Accountants (SAICA)

About this Publication
The 2nd edition of these pocket-sized titles are available as a 2-volume set, and also form part of the SAICA Guide to the Companies Act Launch Edition bundle.

The SAICA Companies Act 71 of 2008 (2nd edition) includes updates and amendments up to and including 13 June 2014. The 2nd edition of the SAICA Regulations to the Companies Act 71 of 2008 includes regulations issued since the 1st edition of the SAICA Companies Act pocket, published in August 2012, as well as Practice Notes and Guidance Notes, which were previously not included, updated JSE Listings Requirements and a new Guide on Section 90.

Contents
SAICA Companies Act 71 of 2008
Companies Act 71 of 2008
– Arrangement of sections
– Interpretation, purpose and application
– Enhanced accountability and transparency
– Public offerings of company securities
– Fundamental transactions, takeovers and offers
– Business rescue and compromise with creditors
– Remedies and enforcement
– Regulatory agencies and administration of Act
– Offences, miscellaneous matters and general provisions
– Provisions concerning non-profit companies
– Conversion of close corporations to companies
– Amendment of laws
– Legislation to be enforced by Commission
– Transitional arrangements
– Chapter XIV of the Companies Act 61 of 1973
– Winding-up of companies

SAICA Regulations to the Companies Act 71 of 2008
Companies Regulations, 2011
Forms – on CD-ROM
[NEW] Guidance Notes
[NEW] Practice Notes
SAICA material – annexures:
– Alterable provisions
– JSE Listings Requirements
– Comparisons of forms (old and new Acts)
– [NEW] List of special resolutions required


SAICA Guide to the Companies Act 71 of 2008, The:
(Launch edition bundle comprising the loose-leaf Guide, DVD, Companies Act and Regulations pocket books)

Authors: The South African Institute of Chartered Accountants (SAICA)

About this Publication
The SAICA Guide to the Companies Act 71 of 2008 is based on selected sections from the Companies Act 71 of 2008 and includes information on matters which are practical and relevant to SAICA members and other individuals in business who engage with company law. The aim of the Guide is to summarise certain provisions of the Act and to refer to applicable regulations.

The launch edition also includes the Companies Act and Companies Regulations pocket books (2nd edition) and a DVD, The Companies Act Made Simple. Users can refer to read the Guide in conjunction with the pocket statutes, and view the accompanying DVD for interesting discussions and debates relating to this definitive Act.

Contents
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Accounting, company records, financial statements and auditing

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Governance of companies
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Business rescue
Whistle blowers
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– Alterable provisions
– Considerations relating to MOI
– Decision tree on audit or review
– Audit, review and reporting standards
– JSE Listings Requirements
– UN Global Compact
– Comparison of forms (old and new Acts)
– List of new prescribed forms not replacing other forms
– List of special resolutions required

Complimentary with the launch edition bundle:
The Companies Act 71 of 2008 (2nd edition, reflecting the law as at 13 June 2014) – soft cover: pocket size
Hospitality Law

**Hospitality Industry Handbook on Legal Requirements for Hospitality Businesses, The**

**Authors:** L Gordon-Davis, P Cumberlege

**About this Publication**
This updated and revised book provides the latest information on basic legal principles, specific laws in South Africa, business law that pertains to running a legal business, specific laws that affect hospitality operational aspects of the hospitality industry and employment law. The book is aimed primarily at students studying for a career in the hotel, restaurant or catering sectors of the hospitality industry. It will also provide hospitality managers with easily understandable and applicable information regarding their legal obligations and rights pertaining to business, staff and operations so that they can comply with the numerous legal requirements.

**Contents**
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- Promotion of Access to Information Act
- Establishing a hospitality business
- Liquor legislation
- Food hygiene legislation
- Tobacco legislation
- Gambling legislation
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- Labour legislation
- Key labour enactments
- Hospitality employment legislation
- Workplace safety and compensation
- Equal opportunity and anti-discrimination
- Skills development legislation

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Insurance Law

**Digest of Cases on South African Insurance Law (1828–1909)**

**Author:** J P van Niekerk

**About this Publication**
This Digest unlocks material that was previously accessed with great difficulty. Set out according to subject matter, it lucidly presents facts, decisions, ratio decidendi and obiter dicta of South African cases dealing with insurance matters heard from 1828 to 1909.

**Contents**
- Alphabetical index of cases heard between 1828 and 1909
- Subject Index of cases heard between 1828 and 1909
- Digest of cases on South African Insurance Law 1828 to 1909

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**Law of Insurance Intermediaries, The**

**Author:** P Havenga

**About this Publication**
The Law of Insurance Intermediaries is the only text in South African law which comprehensively discusses the legal position of the various insurance intermediaries doing business in the local market. Three main types of intermediaries are identified, namely insurance brokers, insurance agents and Lloyd’s intermediaries. The rights and duties of these intermediaries are analysed and the effect of the Long- and Short-term Insurance Acts on these duties is explained. Local and foreign case law is considered to illustrate the relevant legal principles and to provide solutions to problems which may occur in South African law. This book is essential reading for lawyers operating in the field of insurance, as well as insurance companies and agents.

**Contents**
- The law of agency and trade usages
- The different types of insurance intermediaries
- Insurance brokers: the brokerage agreement
- Breaching the brokerage agreement
Insurance Law

Regulates intermediaries and advisors for
Acts regulate insurers and insurance products, the latter Act
Intermediary Services Act 37 of 2002. While the former two
term Insurance Act 53 of 1998, and the Financial Advisory and
Acts: the Long-term Insurance Act 52 of 1998, the Short-
The statutory framework for insurance law consists of three
complicated legal framework within which insurance operates.
principles of insurance law in plain language, given the
that many aspects of insurance are still regulated by common law.
which insurance is an important part. An added complication is
full of useful tips and helpful hints to equip the reader with
understand without losing the context in which it operates.
practitioners can expect to encounter in practice. The books
way, on the legal issues that candidate attorneys and legal
publication is also an excellent resource for intermediaries
and practitioners alike in navigating this terrain. The

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Introduction to and history and sources of insurance law
Basis of insurance
Object of insurance: Insurable interest

Modern Insurance Law in South Africa

LegalEase: Essence series

Author: D Millard

About this Publication

Modern Insurance Law in South Africa explains the basic
principles of insurance law in plain language, given the
complicated legal framework within which insurance operates.
The statutory framework for insurance law consists of three
Acts: the Long-term Insurance Act 52 of 1998, the Short-
term Insurance Act 53 of 1998, and the Financial Advisory and
Intermediary Services Act 37 of 2002. While the former two
Acts regulate insurers and insurance products, the latter Act
regulates intermediaries and advisors for financial products, of
which insurance is an important part. An added complication is
that many aspects of insurance are still regulated by common law.
Modern Insurance Law in South Africa will assist students
and practitioners alike in navigating this terrain. The publication
is also an excellent resource for intermediaries
and representatives who have to prepare for their regulatory
examinations.

Titles in the LegalEase series make the law easier to
understand without losing the context in which it operates.
Legal Essence books shed light, in a practical and contextual
way, on the legal issues that candidate attorneys and legal
practitioners can expect to encounter in practice. The books
set out clear frameworks without losing the intricate details of
the law. Written by experts in practice, these books are
full of useful tips and helpful hints to equip the reader with
knowledge that can be applied in practice.

Contents

Introduction to and history and sources of insurance law
Basis of insurance
Object of insurance: Insurable interest

Long-term Insurance Act 52 of 1998 & Regulations

Juta’s Pocket Statutes

(Also available as part of a 2-volume set together with the Short-term Insurance Act 53

Editors: Juta’s Statutes Editors

Contents

Key Addresses
Quick Finder for Key Topics
Long-term Insurance Act 52 of 1998
– Pendlex: Act 27 of 2008; Act 45 of 2013
Regulations under the Long-term Insurance Act, 1998
– Procedure for the imposition of penalties by the Registrar
of Long-term Insurance in terms of section 68(2)
– Policyholder Protection Rules (Long-term Insurance), 2004
– Documents which a person may inspect or obtain a copy
of or an extract from in terms of section 3(4) of the Act
– Prescribing of Transnet Pension Funds as ‘funds’ for
purposes of the Act
– Maximum amount of benefit to be provided by a ‘friendly
society’, as envisaged in section 7(2)(b)

– Notice on the Prescribed Requirements for the
Calculation of the Value of Assets, Liabilities and Capital
Adequacy Requirement of Long-term Insurers, 2010
– Prescribed Long-term Insurance Fees
– Maximum amount contemplated in the definition of
‘assistance policy’
CD-ROM: Related Material
– Requirements imposed by the Financial Services Board
for nominees to operate in South Africa, 2007
– Returns by long-term insurers to Registrar
Short-term Insurance Act 53 of 1998 & Regulations

Juta’s Pocket Statutes

(Also available as part of a 2-volume set together with the Long-term Insurance Act 52 of 1998 & Regulations – ISBN 978 070219 507 5)

Editors: Juta’s Statutes Editors

Contents

Key Addresses
Quick Finder for Key Topics
Short-term Insurance Act 53 of 1998
– PENDLEX: Act 27 of 2008; Act 45 of 2013
Regulations under the Short-term Insurance Act, 1998
– Procedure for the imposition of penalties by the Registrar of Short-term Insurance in terms of section 66(2)
– Policyholder Protection Rules (Short-term Insurance), 2004
– Documents which a person may inspect or obtain a copy of or an extract from in terms of section 3(4) of the Act
– Maximum amount of benefit to be provided by a ‘friendly society’, as envisaged in section 7(2)(b)
– Return by independent intermediary
– Notice on the Prescribed Requirements for the minimum amount of the security to be provided by or on behalf of a Lloyd’s underwriter, 2010
– Prescribed Short-term Insurance Fees
CD-ROM: Related Material
– Requirements imposed by the Financial Services Board for nominees to operate in South Africa, 2007
– Returns by short-term insurers to Registrar

Access to Knowledge in Africa: The role of copyright

Editors: C Armstrong, J de Beer, D Kawooya, A Prabhala, T Schonwetter, J D Sinclair

About this Publication
The emergence of the Internet and the digital world has changed the way people access, produce and share information and knowledge. Yet people in Africa face challenges in accessing scholarly publications, journals and learning materials in general. At the heart of these challenges, and solutions to them, is copyright, the branch of intellectual property rights that covers written and related works. This book gives the reader an understanding of the legal and practical issues posed by copyright for access to learning materials in Africa, and identifies the relevant lessons, best policies and best practices that would broaden and deepen this access. This book is based on the work of the African Copyright and Access to Knowledge (ACA2K) research network, launched in late 2007 as a network of researchers committed to probing the relationship between copyright and learning materials access in eight African countries: Egypt, Ghana, Kenya, Morocco, Mozambique, Senegal, South Africa and Uganda.

Contents

Introduction
Background, doctrinal and qualitative analysis and conclusions and recommendations for:
– Egypt
– Ghana
– Kenya
– Morocco
– Mozambique
– Senegal
– South Africa
– Uganda
Summary and conclusions

Guide to Intellectual Property Law

Author: P Ramsden

About this Publication
Guide to Intellectual Property Law covers the most commonly encountered forms of intellectual property law, namely copyright, trademarks, patents and the delict of unfair competition. The book closely follows the relevant legislation and contains explanations of the most important South African cases. The book also introduces the relatively new IP subjects of the internet, biodiversity and traditional knowledge and also includes a chapter on international IP law in which the main treaties are summarised.

While the layout of this book is aimed particularly at students and young professionals in that it includes questions and logic diagrams, more senior lawyers should find it useful as a consolidated quick reference handbook.

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Introduction to IP law
Copyright
Trademarks
Offences & remedies in terms of the Counterfeit Goods Act 37 of 1997
Patents
Unlawful competition
IP and the internet
Biodiversity and traditional knowledge
Comprehensive subject index for easy reference
Easy-to-follow flow diagrams illustrate IP law processes
Sections follow the same sequence as the legislation and regulations, illustrated by the latest relevant case law
Informal mechanisms

Development is scarce, particularly in Africa. This book examines how existing or potential IP systems can be harnessed in a manner that measures IP protection influences innovation, creativity and socioeconomic development. Written by a leading academic and commentator, Handbook of South African Copyright Law is a rare marriage of practical experience and meticulous scholarship.

The publication is regularly updated to reflect the latest developments in copyright law.

Contents

Synopsis of the law of copyright and ancillary matters
Digest of South African authorities

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A consideration of communal trademarks for Nigerian leather and textile products - Adebambo Adegwopa, Helen Chuma-Okoro and Adejoke Oyenwumi

Traditional knowledge commons

The policy context for commons-based approaches to traditional knowledge in Kenya - Marisella Ouma

Consideration of a legal "trust" model for the kukula healers' T K commons in South Africa - Gino Cicchiaro, Johan Lorenzen, Bernard Maister and Britta Rutert

Copyright Creativity

From ad hoc commons to digital commons in Egypt's independent music industry - Nagla Rizk

Reflections on open scholarship modalities and the copyright environment in Kenya - Ben Sihanya

Patent Policy and Practice

African patent offices not fit for purpose - Ikechi Mgbegoji

The state of biofuel innovation in Mozambique - Fernando dos Santos and Simão Pelembe

Seeking bioenergy innovation in Egypt - Bassem Awad and Perihan Abou Zeid

Ownership of Publicly Funded Outputs

Effects of South African IP regime on generating value from publicly funded research: an exploratory study of two universities - Caroline Ncube, Luci Abrahams and Britta Rutert

Towards university-industry innovation linkages in Ethiopia - Wondwossen Belete

Perspectives on intellectual property from Botswana's publicly funded researchers - Njoku Ama

The current realities of collaborative intellectual property in Africa - Jeremy de Beer, Chris Armstrong, Chidi Oguamanam and Tobias Schonwetter

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2011 > SOFT COVER: ISBN 978 0 72118 552 6 > 486pp
INTERNET: ISBN 2305 2066
eBOOK: ISBN 978 0 70219 895 3

Published since 1987 > LOOSE-LEAF: ISBN 978 0 72111 907 1
Approximately 650pp
INTERNET: ISBN 2313 3120

Juta Law Catalogue
Intellectual Property Law

Editors: Juta’s Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Part A:
- Trade Marks Act 194 of 1993
  - PENDLEX: Act 28 of 2013
- Trade Mark Regulations, 1995
  Notice in terms of regulation 4(3)
Part B:
- Copyright Act 98 of 1978
  - PENDLEX: Act 28 of 2013
- Copyright Regulations, 1978
  Regulations on the establishment of collecting societies in the music industry
Part C:
- Designs Act 195 of 1993
  - PENDLEX: Act 28 of 2013
- Designs Regulations, 1999
Part D:
- Counterfeit Goods Act 37 of 1997
  Related Material: Appointment certificate

Patents Act 57 of 1978 & Regulations

Editors: Juta’s Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Patents Act 57 of 1978
  - Pendlex: Pending amendments
Regulations
  - Patent Regulations, 1962
  - Patent Regulations, 1978
  - The Patents Examination Regulations


Editors: L Tong, C Ncube

About this Publication
The IPLJ strives to be the journal of choice for academics, practitioners and students of IP law. The IPLJ includes articles on recent developments in legislation, policy and case law to keep IP practitioners up to date with the law.

Contents
Articles
Notes and updates
Book reviews

INTERNATIONAL LAW

International Law: A South African Perspective

Author: J Dugard

About this Publication
This book addresses international law from a South African perspective. The book refers to international and South African sources in order to provide a study of both international law and international law as it is applied in South Africa.

Contents
The nature and history of international law
South Africa and international law: a historical introduction
Sources of international law
The place of international law in South African municipal law
States (including recognition and non-recognition)
## Introduction to International Law

**Authors:** T W Bennett, J Strug

*About this Publication*
Over the last half century, the scope of international law has expanded enormously. Sources, such as treaties and cases, have proliferated, as well as reports, commentaries, textbooks and articles. *Introduction to International Law*, written primarily with the South African reader in mind, is intended to provide a conceptual overview and analysis of this body of materials.

The topics addressed in this book include a history of international law, its sources, subjects and objects, the relationship between international law and municipal law, human rights, economic law, international organizations, international criminal and humanitarian law, peaceful settlement of disputes and the use of force.

### Contents
- **Case index**
- **Journal titles: abbreviations**
- **Index of treaties**
- **Sources of international law**
- **Relationship between international law and municipal law**
- **Sovereignty and jurisdiction**
- **Subjects of international law**
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- **Treaties**
- **Sovereign immunity**
- **Diplomatic privileges and immunity**
- **Treatment of aliens**
- **Rights of humans, peoples and minorities**
- **Economic law**
- **State succession**
- **State responsibility**
- **International organisations**
- **Peaceful settlement of disputes**
- **Use of force**
- **International criminal law**
- **International humanitarian law**
- **Table of country information**
- **Index**

**eBOOK: ISBN 978 0 70219 886 1**

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## Private International Law

**Author:** C F Forsyth

*About this Publication*
*Private International Law* has become the standard work on South African private international law. The fifth edition takes account of developments and ground-breaking judgments affecting the law, and suggests how the law may develop in the future.

### Contents
- **Table of statutes**
- **Table of cases**
- **Glossary**
- **Introduction**
- **An essay in history and theory**
- **Conceptual problems in choice of law**
- **The ascertainment of the content of foreign laws and the exclusion in appropriate cases of the otherwise applicable law**
- **The law of domicile**
- **The jurisdiction of the high courts**
- **The family and choice of law**
- **Choice of law in cases involving legal obligations**
- **Choice of law in cases involving property**
- **The recognition and enforcement of foreign judgments**

**2012 > SOFT COVER: ISBN 978 0 70219 422 1 > 554pp**
**eBOOK: ISBN 978 0 70219 886 1**

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## Refugee Law in South Africa

**Editors:** F Khan, T Schreier

*About this Publication*
*Refugee Law in South Africa* outlines the existing law relating to refugees as reflected in South African legislation and its growing body of refugee law jurisprudence as at 2013, while also paying heed to relevant international law, which remains central to today's regime of international refugee protection and international jurisprudence.

**2011 > SOFT COVER: ISBN 978 0 70218 646 2**
**eBOOK: ISBN 978 0 70219 886 1**
Contents

Preface
Table of cases
Table of conventions

Part I: Analysing the refugee definition in South African law
- The principle of non-refoulement
- ‘Outside the country of nationality’: a territorial limitation
- Well-founded fear
- Persecution
- Section 3(b) of the Refugees Act: the OAU Convention’s definition of ‘refugee’
- Exclusion from refugee status
- Cessation of refugee status

Part II: Application for asylum in South Africa
- Application for asylum: reception
- Refugee status determination
- Reviews and appeals

Part III: Rights of refugees in South Africa
- The civil and political rights of refugees and asylum seekers in South Africa
- The socio-economic rights of refugees and asylum seekers in South Africa

Part IV: Reconciling the immigration and refugee law of South Africa
- Reconciling the immigration and refugee law of South Africa
- Supplementary CD containing appendices: legislation, conventions and other useful resources

2014 > SOFT COVER: ISBN 978 1 48510 123 9 > 320pp

South African Yearbook of International Law, The

Managing Editor: C Waschefort

About this Publication
The South African Yearbook of International Law is the only South African journal devoted solely to international law. Published annually since 1975 by the VerLoren Van Themaat Centre for Public Law Studies at Unisa, issues from 2014 onwards will be published by Juta. The South African Yearbook of International Law is a well-received, peer-reviewed journal, with an outstanding group of Editors and Editorial Board. Accredited by the Department of Higher Education and Training, The South African Yearbook of International Law is the leading reference source on the development of international law in South Africa, and covers a wide variety of current topics in international law.

Contents – 2014 ISSUE
- Articles
- Judicial Decisions
- A feature part on Boko Haram
- Southern African events of international significance
- Treaties

eBOOK (English): ISBN 978 0 70219 538 9

Introduction to Law

Beginner’s Guide for Law Students
Beginnersgids vir Regstudente
(Lecturer support material available)

Authors: D Kleyn, F Viljoen

About this Publication
Beginner’s Guide for Law Students and Beginnersgids vir Regstudente is aimed at students who are exposed to the law for the first time. They provide a broad, user-friendly view of the law written in simple language and elucidated by examples and diagrams. Practical skills which are necessary for studying law, for making use of the sources of law and for conducting legal research are emphasised. A critical approach to the law is cultivated.

Contents
- The law
- History and sources of South African law
- Classification of the law
- Aspects of private law
- Law of civil procedure
- Aspects of criminal law
- Law of criminal procedure
- Law and the business world
- Law of evidence
- Courts and alternative dispute resolution
- The legal profession
- The constitution
- Human rights
- Legal comparison
- Language and the law
- Legal argument and logic
- HIV/AIDS and the law
- Perspectives on the law
- Legal research
- CD-ROM providing additional study material and guidance to students
- CD-ROM with answers to exercises available for lecturers. Contact a Juta Law Academic Consultant.

eBOOK (English): ISBN 978 0 70219 538 9
English for Law Students

Authors: C van der Walt, A Nienaber

About this Publication

*English for Law Students* is written by experts in communication and aims at encouraging dialogue and interaction between lecturer and student. The methodology used is not only useful to law students but also to those lecturers who do not have a legal background.

Contents

- Divisions and subjects in the study of law
- Reading the judgment in a South African court case
- Dealing with textbooks
- Reading complex texts
- Structuring academic writing
- Reading a criminal law Act
- Reading Acts
- Expressing and evaluating opinions
- Formal correspondence
- Advanced research in law subjects
- Audio CD-ROM
- A companion podcast link containing lecturers support material is available at http://player.iono.fm/juta-law/ isbn9780702182174.


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Introduction to Law, An Inleiding tot die Reg

Author: L M du Plessis

About this Publication

*An Introduction to Law*, published in separate English and Afrikaans editions, is a handbook for beginners and the uninitiated. It deals with the basic concepts of the law in a logical and comprehensive way and offers a concise explanation of how the law operates and of the administration of justice. The book has some unique features. There are practical exercises at the end of each chapter to help the student develop the ability to analyse information and apply knowledge. It also contains appendices in which step-by-step explanations are given of how to research and apply primary sources of the law such as statutes and decisions in court. The third edition became necessary mainly as a result of the adoption of the Constitution of the Republic of South Africa, 1996. The text was reworked in order to make some changes in response to readers’ comments on the first two editions.

Contents

- The law in theory and at university
- South African law in historical and comparative perspective
- The law and social organisation: the administration of justice
- The law in a subjective sense: subjective rights and human rights
- The law in action: juristic facts
- Classification of the law
- The attorney’s office
- Legal courts and procedures
- Debt collections
- Administration of estates
- Legal instruments
- Notarial documents
- Conveyancing
- Annexures: Practical examples of the various forms required for different processes

SAGTEBAND (Afrikaans): ISBN 978 0 70214 918 4 > 315bl

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Practical Guide for Legal Support Staff, A LegalEase: Essence series

Author: C Womack

About this Publication

*A Practical Guide for Legal Support Staff* provides basic information about the issues that legal secretaries, legal support staff, paralegals and candidate attorneys will encounter when carrying out their duties in a law firm or similar environment. The book is a user-friendly textbook, with the emphasis placed on acquiring the necessary practice management skills. *A Practical Guide for Legal Support Staff* includes practical examples of the various forms required for different processes.

Contents

- The legal profession
- The attorney’s office
- Communication
- Accounts
- The South African judiciary
- Civil court documents and procedures
- Debt collections
- Administration of estates
- Legal instruments
- Notarial documents
- Conveyancing
- Annexures: Practical examples of the various forms required for different processes

2013 > SOFT COVER: ISBN 978 0 70219 528 0 > 375pp
Skills Workbook for Law Students
Vaardighedewerkboek vir Regstudente
(Lecturer support material available)

Authors: A Kok, F Viljoen, A Nienaber

About this Publication
Written as a companion to Kleyn & Viljoen’s Beginner’s Guide for Law Students, this exciting new work takes students through the range of skills they will require throughout their studies and in practice. The material is presented in the same easy-to-use, fun and accessible manner that was used so successfully in the Beginner’s Guide. Throughout, the authors use clear, simple language while never compromising on standards and accuracy. This book is available in English and Afrikaans versions.

Contents
Study skills
Numeric skills
Research skills
Reading skills
Writing skills
Interviewing skills
Oral advocacy skills
CD-ROM containing exercises
CD-ROM containing answers to exercises available for lecturers. Contact a Juta Law Academic Consultant.

Wille’s Principles of South African Law

Editor: F du Bois

About this Publication
The aim of this work is to set out the basic principles of South African private law systematically, in clear unmistakeable language, and as comprehensively as is possible in a single volume.

The ninth edition has been extensively updated order to take account of major changes in the law in the 15 years since the previous edition. Many of these changes were necessitated or inspired by the Constitution, and were incorporated to improve and modernise the treatment of a topic. Where applicable the older, original authority for a proposition is cited alongside contemporary sources.

Contents
Part 1 – General
Law
Sources of law: overview and Constitution, legislation, common law and precedent and customary law and other sources
The legal system
Part II – Persons and family
Introduction
Birth, name, domicile and death
Unborn persons
Females
Children (minors)
Extra-marital children
Marriage
Life partnerships
Mentally incapacitated persons
Insolvent persons
Convicted persons
Artificial persons
Part III – Property
The law of property, the concept of property and real rights
Possession
Ownership
Co-ownership, sectional ownership and other forms of title
Servitudes and other real rights
Real security
Succession
Part IV – Obligations
Contracts
Unjustified enrichment
Delict

Dignity, Freedom and the Post-Apartheid Legal Order:
The Critical Jurisprudence of Laurie Ackermann
(First published as Acta Juridica 2008)

Editors: J Barnard-Naudé, D Cornell, F du Bois

About this Publication
This volume pays tribute to the constitutional jurisprudence of Justice Laurie Ackermann, now retired from the Constitutional Court of South Africa, and takes an in-depth look at fundamental jurisprudential questions in the new South Africa and internationally.

The South African Constitution pushes against the limits of some of the great jurisprudential traditions of both the West and Africa, and has been assigned such a crucial transformational role that it has been at the forefront of attempts to connect law to the pursuit of emancipation. Justice Ackermann has played a leading role in the development of a suitable jurisprudence.
In focusing specifically on the relationship between dignity and freedom in the post-apartheid legal order, the essays collected here not only provide a critical perspective on a central theme in South Africa’s developing constitutional law, but also bring into view emerging answers to fundamental jurisprudential questions of growing international prominence.

Contents

From form to substance: the Constitutional jurisprudence of Laurie Ackermann - Catherine O’Regan
Bridging the span toward justice: Laurie Ackermann and the ongoing architectonic of dignity jurisprudence - Drucilla Cornell
Human dignity, right and the realm of ends - Allen Wood
The dignity of groups - Jeremy Waldron
Freedom by any other name? A comparative note on losing battles while winning wars - Frank I Michelman
Freedom and the dignity of citizens - François Du Bois
The value of freedom in interpreting socio-economic rights - Sandra Liebenberg
Dignity and the political right to freedom - Anton Fagan
The dignity of comparative constitutional law - Theunis Roux

Revolutionary constitutionalism: some thoughts on Laurie Ackermann’s jurisprudence - Roger Berkowitz
Judge Ackermann and the jurisprudence of mourning - Dennis M Davis
Toward a relational constitutionalism - Peggy Cooper Davis
Beyond the brother: radical freedom - A J Barnard-Naudé

About this Publication

Jurisprudence is a comprehensive treatment of the subject by many of the legal theorists in South Africa. Each of the major schools of jurisprudence, as well as a number of the major issues in jurisprudence, are discussed in a sophisticated yet accessible style. Each of the schools is assessed for its relevance to South Africa and South African law. Further, Jurisprudence provides the reader with an introduction that contains a metatheoretical approach and set of tools for systematically evaluating the many and various theoretical claims found within the book and in the subject more generally.

Contents

Mapping jurisprudential terrain in search for truth in law
Natural law theories
Legal positivism
Third path theorists: between positivism and natural law
Historical jurisprudence
Marxism and the law
Legal realism
Law and economics
Interpretative approaches to legal theory
Critical legal studies

Critical race theory
Feminism and the law
Gay and lesbian legal theory
Post modernism and the law
Justice and the law: liberals, redistribution, capitalists and their critics
Communitarian and civic republican theories
‘Traditional’ African jurisprudence
Islamic jurisprudence
Traditional Chinese jurisprudence and its relevance to South African legal thought
The duty to obey the law
Legal punishment
Law in context of globalisation: the demands of justice
Transitional/transformative jurisprudence: law in a changing society

About this Publication

The “other law” refers to those domains of ordering in society which are organised outside of the state. This book describes and analyses a range of case studies during South Africa’s transition to democracy and in the post-apartheid era.

They fall into two main categories: first, non-state dispute resolution (traditional justice, street committees, religious courts, makgotla in rural areas, alternative dispute resolution structures) and, second, non-state policing/crime prevention (anti-crime committees, self-defence units, marshals and monitors, private security). This book is a valuable addition to the literature on alternative justice, the informal sector, legal anthropology, ADR, policing, political transitions, governance and religious studies.

Contents

On the ‘notion of law’
Popular justice/community justice
Religious and customary law
Alternative policing and private ordering
**Practise of Integrity, The: Reflections on Ronald Dworkin and South African Law**

*(First published as Acta Juridica 2004)*

**Authors:** F du Bois, A Fagan, J Glazewski, E Kalula, K Lehmann, P J Schwikkard; F du Bois (Editor)

**About this Publication**
The essays collected here explore Dworkin’s notion of ‘Law as Integrity’ in the light of South African legal experience and current practice. The scene is set by Dworkin himself, whose address to the conference that gave rise to this book explains the key themes of his work, especially the links between its methodological commitments and substantive arguments, as well as between law and democracy. Written by an international group of scholars and judges, the remaining chapters reflect critically on these themes, using the particular to illuminate the universal and interrogating the role and impact of law when ‘integrity’ is put into practice.

**Contents**
The role of moral equality in legal argument
Ronald Dworkin and the power of ideas
‘End of History’ jurisprudence; Dworkin in South Africa

The three Rs of the Constitution: responsibility, respect and rights
Dworkin: a viable theory of adjudication for the South African constitutional community?
Section 39(2) and political integrity
*Does the Constitutional Court of South Africa take rights seriously? The case of S v Jordan*
Rights trumped? Balancing in constitutional adjudication

**Labour Law**

**Alcohol, Drugs and Employment**

**Authors:** M McCann, N Harker-Burnham, C Albertyn, U Bhoola

**About this Publication**
*Alcohol, Drugs & Employment* is the new edition of the popular *Alcohol, Employment & Fair Labour Practice*. Like its predecessor, this book is a practical guide for labour lawyers, employers, trade unions, HR managers and occupational health professionals who must grapple with the problems of substance abuse in the workplace. *Alcohol, Drugs & Employment* explains the case law on substance abuse in South Africa and provides a useful international comparison by also briefly setting out the position in Canadian law. The book recommends procedures for identifying, controlling and treating substance abuse. It includes templates and procedural guidelines for pre-employment testing, employee testing and fair disciplinary action. *Alcohol, Drugs & Employment* also sets out the procedure for introducing and implementing a comprehensive substance-abuse policy in the workplace.

**Contents**
A framework for analysing alcohol problems in the workplace
The extent of the problem – alcohol
Drugs and drug abuse – an introduction
Extent of the problem – drugs
Causes of the problem – psychosocial, environmental and cultural
The risk assessment approach: managing alcohol and drug misuse within the organisation
The effects of alcohol on the individual
The effects of drugs
Objective ways of identifying trends of substance abuse problems in the workplace
Legal obligations of employees, employers & trade unions
Testing – identifying alcohol and drug problems and intoxication in the individual employee
Legal aspects of pre-employment screening
Legal aspects of testing employees

Fair discipline
The role of the occupational health professional
Treatment – the employee patient
Treatment of the organization
Treatment – employee assistance programmes
The workplace as a setting for substance abuse prevention initiatives
Introducing new alcohol and drug procedures and rules
Proposed substance abuse policy and procedural agreement

Appendices:
- Protocol for breathalyser testing
- Protocol for blood testing
- Questionnaires to screen for alcohol/drug misuse
- Protocol for urine testing
- Units and formulae
- Example of letter introducing new policy
- Glossary of medical terms
- Strategy for managing alcohol and drug problems
- Verification of alcohol intoxication form
- Verification of drug intoxication form
- Alternative Alcohol and drug policy
- Table of symptoms and signs of alcohol/drug problems
Annual Labour Law Update 2015, Juta's

Authors: J Grogan, A Govindjee, P Maserumule

About this Publication
An essential and comprehensive review of labour and employment law developments for 2015. This workbook, a companion to Juta's Annual Labour Law Seminar 2015, contains an authoritative survey and analysis of legal developments for the year under review. Up-to-date and practical, with emphasis on key cases, it is a useful reference for dealing with issues in the workplace, or litigating in the CCMA or the courts. Topics are introduced in a user-friendly format.

Contents
Jurisdiction, contract and basic conditions - John Grogan
Disciplinary procedure – John Grogan
Was there a dismissal? – John Grogan
Dismissal for misconduct and incapacity – John Grogan
Unfair labour practices and remedies – John Grogan
Retrenchments and transfer of business - Puke Maserumule
Discrimination and employment equity – John Grogan
Collective bargaining, strikes and lockouts, collective agreements - Puke Maserumule
Practical matters – John Grogan
The 2015 amendments – John Grogan, Avinash Govindjee
Labour-related legislation - Daphne Burger

Bargaining Council for the Civil Engineering Industry
Collective Agreements

Editors: Juta's Statutes Editors

About this Publication
Available in a compact pocket size or online, this industry agreement compilation is an indispensable source of reference for the civil engineering industry. It provides a consolidated text of all Bargaining Council Agreements for the civil engineering industry.

The print version reflects the agreements until 28 February 2019. The online version is updated monthly.

Contents
Conditions of Employment Collective Agreement
Wage and Task Grade Collective Agreement
Dispute Resolution Collective Agreement
Registration and Administration Expenses Collective Agreement
CIRBF Collective Agreement (Construction Industry Retirement Benefit Fund)
NB: National Exemptions Policy (included in every agreement)
NB: Independent Exemptions Appeal Board Policy (included in every agreement)
Key Addresses – Comprehensive contact details, key aspects and addresses

Basic Conditions of Employment Act 75 of 1997 & Regulations

(Also available as part of the 8-volume Juta's Labour Mini-Library – ISBN 978 1 48510 775 0)

Editors: Juta's Statutes Editors

Contents
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Basic Conditions of Employment Act 75 of 1997 Regulations
– General Administrative Regulations
– Code of Good Practice on the Arrangement of Working Time
– Code of Good Practice on the Protection of Employees during Pregnancy and after the Birth of a Child
– Calculation of Employee’s Remuneration in terms of section 35(5)
– Code of Good Practice for the Employment of Children in the Performance of Advertising, Artistic or Cultural Activities
– BCEA Regulations on Hazardous Work by Children
– Code of Good Practice for Employment and Conditions of Work for Expanded Public Works Programmes
Basic Conditions of Employment Act 75 of 1997, Summary of the
Juta's Posters

Authors: Juta's Statutes Editors

About this Publication
Section 30 of the Basic Conditions of Employment Act requires an employer to display the employees' rights in the prescribed form, at the workplace, in the official languages spoken at the workplace.

Contents
Form BCEA 1A of General Regulation 2 of the BCEA, the summary of the Act, in English.

eBOOK: ISBN 978 0 70219 880 9

Collective Bargaining in South Africa: Past, Present and Future?

Authors: S Godfrey, J Maree, D du Toit, J Theron

About this Publication
This book provides a thorough analysis of the state of collective bargaining in South Africa today and historically. It considers empirical data and initiatives developed by trade unions and employers worldwide and raises policy options for the changing, globalising marketplace.

Contents
Collective bargaining in perspective
The historical foundation for South Africa’s system of collective bargaining: 1924 to 1994

The Labour Relations Act of 1995: a workable compromise?
The bargaining council system in action: an in-depth analysis
Impact of bargaining councils on wages, benefits and unemployment
Bargaining outside of bargaining councils
What is the future for collective bargaining?

eBOOK: ISBN 978 0 70219 880 9

Collective Bargaining in the Workplace

Authors: M S Anstey, J Grogan, T Ngcukaitobi

About this Publication
This book written by some of South Africa’s leading labour negotiators and alternative dispute-resolution experts, offers the first comprehensive and inclusive guide for aspirant and experienced labour practitioners alike on the topics of understanding conflict in the South African workplace, alternative dispute-handling process, negotiations and collective bargaining.

Contents
Understanding conflict in the workplace
Overview of the dispute system in South Africa
Collective bargaining
Negotiation
Persuasive communication – the basic skill
Alternative dispute resolution techniques


Collective Labour Law

Author: J Grogan

About this Publication
Collective Labour Law deals with all the issues that arise in the relationship between organised labour and employers. Beginning with a description of the main players in the field – trade unions and employers’ organisations – the book undertakes a systematic exploration of the available bargaining forums, the collective bargaining process, the conclusion of collective agreements, the legal requirements covering strikes and lockouts, and the consequences of unlawful industrial action. This edition has been revised and updated to incorporate the latest case law and amendments to the LRA, EEA and BCEA.

Collective Labour Law forms part of a 4-volume series, and can where necessary be read with its companion volumes – Employment Rights, Dismissal and Labour Litigation and Dispute Resolution.

Contents
Abbreviations
Introduction, background and overview
The legal framework
Freedom of association
Bargaining agents
Organisational rights
Bargaining forums
The bargaining process
Collective agreements
Collective bargaining and industrial action
Primary strikes
The requirements for protected strikes
Secondary strikes
Protest action
The extent of protection
Unprotected strikes
Picketing
Lock-outs
Compensation for Occupational Injuries and Diseases Act 130 of 1993

Part 1 - Sections 1 to 48; Part 2 - Sections 49 to 101

Author: Juta’s Statutes Editors

About this Publication
This set of two posters can be displayed at the workplace to create awareness of employees’ rights to compensation for occupational injuries and diseases and to inform both employees and employers of the procedure and deadlines for claiming. The posters reflect the law as at 23 October 2015.

Contents
Compensation for Occupational Injuries and Diseases Act 130 of 1993: Part 1 – Sections 1 – 48
Compensation for Occupational Injuries and Diseases Act 130 of 1993: Part 2 – Sections 49 – 101

Dismissal

Author: J Grogan

About this Publication
Dismissal is the most thorough and comprehensive work available on a problem that confronts employers, lawyers, judges and arbitrators every working day – when is it fair to terminate the relationship with employees, for whatever reason this regrettable step may be deemed necessary? This work deals with all the circumstances in which dismissals arise and are challenged – from dismissals for misconduct and incapacity, through retrenchments, automatically unfair dismissals, dismissals of protected and unprotected strikers, to the procedures required before such dismissals can lawfully be effected and challenged. Written in a clear and readable style, the exposition of each principle is illustrated with examples drawn from the case law. This second edition adds many judgments handed down since the first edition was published four years ago, and incorporates the 2014 amendments to labour legislation relevant to the topic.

Dismissal forms part of a 4-volume series, and can where necessary be read with its companion volumes – Employment Rights, Collective Labour Law and Labour Litigation and Dispute Resolution.

Contents
What is a dismissal?
Who may be dismissed?
Was there a dismissal?
When did the dismissal occur?
Unfair dismissals
Automatically unfair dismissals
Dismissal for misconduct
Specific forms of misconduct
Procedural fairness in misconduct cases
Group misconduct
Misconduct outside working hours and criminal conduct
Discipline and shop stewards
Dismissal for poor work performance
Incapacity arising from illness or injury
Dismissal for operational requirements: fair reason

 ELECTRONIC Additional Content and Features
Hyperlinks allow for easy navigation to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information
Dispute Resolution

Authors: P J Pretorius (Editor); Contributors: M Anstey, C D Nupen, E J Radford, P F Glaser, C H Cohen, J W D Brand, C Albertyn, F J Steadman, R Lyster, D M Antrobus, R T Sutherland, E Finsen

About this Publication
This book explains the processes and skills involved in alternative dispute resolution. Chapters are written by contributors who have been actively involved in pioneering work in his or her field.

Contents
The negotiation process
Mediation
Psychology of mediation
Divorce mediation
The arbitration process
Specialised arbitration and mediation
Disputes
Environmental dispute resolution
ADR techniques in commercial disputes
Arbitration and mediation in the construction industry
Directory of organisations in the dispute resolution field

Dispute Resolution Digest 2015, The: The Tokiso Report on the State of Labour Dispute Resolution in South Africa

Author: Tokiso (Pty) Ltd

About this Publication
In keeping with past editions, the Dispute Resolution Digest 2015 reports on the state of dispute resolution in South Africa, and aims to improve our collective understanding of how well the dispute resolution systems and institutions are working. The book contains the opinions of respected experts and statistical analysis of data in dispute information gathered from the reports and case management records of the Labour Court, CCMA, Bargaining Councils and Tokiso.

Contents
Context
– Overview of the state of labour relations - Patrick Deale
– Time for Reality Check – Stop playing marbles while Rome is burning - Victor van Vuuren
– The war before the war? Cosatu at the end of 2014 - Steven Friedman
Labour Court
– The rule of law, fairness and labour law - Johan C Froneman
– Speedy justice: streamlining Labour Court processes - Andre van Niekerk

Employment and the Law: A Practical Guide for the Workplace

Authors: H Landis, L Grossett

About this Publication
Employment and the Law: A Practical Guide for the Workplace is a comprehensive yet practical guide to the application of labour law in the workplace. The third edition provides a unique reference guide comprising relevant statutes, case summaries, principles established through cases and awards, recommended processes, blueprints and pro forma documentation, and guidelines, including practice and procedure.

Employment and the Law allows for quick and easy access to the information required to manage the employment relationship effectively. The book will prove useful in both preventing and resolving labour disputes.

Contents
Table of cases
Glossary of terms
Employee relations
Employment equity
Recruitment
Contract of service
Conduct management
Capacity management
Retrenchment
Collective relationships
Industrial action
Dispute resolution
Skills development
Social security
Promotion of access to information
Employment Rights

Author: J Grogan

About this Publication

Employment Rights is the most thorough and comprehensive work available on the issues that may arise between employers and employees during the employment relationship. Covering every phase from recruitment through promotions to retirement, this book deals extensively with the contract of employment, and the various statutes which have drastically altered the common law of employment – in particular the Basic Conditions of Employment Act 75 of 1997, Labour Relations Act 66 of 1995 and the Employment Equity Act 55 of 1998. The book provides detailed discussion of unfair labour practices, the law of unfair discrimination and affirmative action. Written in the clear and readable style, the exposition of each topic is illustrated with examples drawn from the case law. This second edition adds many judgments handed down since the first edition was published four years ago, and incorporates the far-reaching amendments to labour legislation promulgated in 2014.

Contents

Introduction, background and overview
The scope of the labour statutes
The contract of employment
Basic conditions of employment
What is an unfair labour practice?
Specific forms of unfair labour practice
Non-statutory unfair labour practices

Unfair discrimination
Prohibited grounds
Specific discriminatory practices
Remedies
Affirmative action
Victimisation
Employment injuries and illness
Unemployment benefits
Skills development

ELECTRONIC Additional Content and Features

Hyperlinks allow for easy navigation within the product to referenced legislation and case law for subscribers to the relevant online publications
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eBOOK: ISBN 978 1 48510 686 9
INTERNET: ISBN 2410 9509
Employment Services Act 4 of 2014


Equality in the Workplace: Reflections from South Africa and Beyond

About this Publication

This collection of essays evaluates the efficacy in achieving the goals stated by the Employment Equity Act against the background of South Africa and comparative experiences in India, Canada, the United Kingdom, Germany and the European Union.

It covers the general principles and grounds of discrimination, analyses the success or otherwise of affirmative action measures in South Africa and evaluates employment equity for the disabled, migrant workers, those with family responsibilities, women and the aged. Contributions are by eminent international and local experts.

Contents

- Substantive equality: comparative and critical perspectives
  The aims and limits of equality laws - Bob Hepple
  Facing the future: substantive equality under the spotlight - Sandra Fredman

- The Supreme Court of Canada, substantive equality and inequality at work - Judy Fudge
  Unfair discrimination law – developments at European level (with specific reference to the new German Act on Equal Treatment) - Manfred Weiss
  Constitutional equality in South Africa - Catherine Albertyn
  Different routes to equality and empowerment - Paul Benjamin
  Plus ça change: re-inventing inequality in the post-apartheid workplace - Jan Theron
  General principles and grounds of discrimination
  The prohibition of unfair discrimination: applying s 3(d) of the Employment Equity Act 55 of 1998 - Darcy du Toit
  Age discrimination in South African labour law: a critical assessment of the law on ‘retiring’ older workers - Craig Bosch
The New Disability Convention: implications for disability equality norms in the South African workplace - Charles Ngwena
Flexible working arrangements for employees with family responsibilities – The failings of the Employment Equity Act - Tamara Cohen and Lisa Dancaster
Gender discrimination in labour law and social security: perspectives from SADC - Marius Olivier
Migrant workers and non-discrimination in the workplace: an international law perspective - Annette Lansink

Affirmative action
Towards inclusion and diversity: India's experience with affirmative action - Kamala Sankaran
The beneficiaries of affirmative action - Ockert Dupper
Transformative failure: the adjudication of affirmative action appointment disputes - Alan Rycroft

eBOOK: ISBN 978 0 70219 938 7

Essential Employment Discrimination Law
Editors: O C Dupper, C Garbers, A A Landman, M Christianson, A C Basson, E M L Strydom

About this Publication
Essential Employment Discrimination Law provides an in-depth account of current employment discrimination law. The book is divided into four parts. In Part One the current legislative framework regulating employment equity, namely the Constitution and the Employment Equity Act, is examined. Part Two of the book focuses on the general principles of employment discrimination law. It examines the concept of "unfair discrimination", the distinction between "direct" and "indirect" discrimination and "listed" and "unlisted" grounds of discrimination. This part also deals with the statutory defences against an allegation of unfair discrimination. Part Three examines issues such as dismissal on discriminatory grounds including race, sex, disability and HIV/AIDS; the principle of equal pay for work of equal value; discrimination against persons with disabilities; employment testing; sexual harassment; and affirmative action. Part Four of the book deals with the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA) to the extent that it impacts on the workplace.

Contents
Preliminary remarks
The current legislative framework
The prohibition of unfair discrimination
Justifying discrimination
Resolution of discrimination disputes
Discriminatory dismissal
Equal pay for equal work or work of equal value
Disability discrimination in the workplace
Employment testing
Harassment in the workplace
Affirmative action
Unfair discrimination in terms of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA)

2004 > SOFT COVER: ISBN 978 0 70216 548 1 > 360pp

Industrial Law Journal (ILJ)
(Incorporating the Industrial Law Reports. Also available electronically as part of Juta's Labour Library)
Editors: C Cooper, C Vosloo, L Williams-de Beer

About this Publication
For over thirty years the ILJ has remained the premier South African labour law reporter. This seminal monthly journal covers judgments and awards handed down by the Labour Court, Labour Appeals Court, the CCMA, Bargaining Councils and private arbitration bodies. Also included are labour-related judgments from the Constitutional Court, the Supreme Court of Appeal, the Land Claims Court and the Pension Funds Adjudicator. The ILJ is the only labour series to publish relevant judgments of neighbouring states. Every fourth issue includes insightful and thought-provoking articles and case notes, written by local and international experts.

Contents
Judgments and determinations from all forums where labour law matters are decided: the Labour Court and Labour Appeal Court, the High Court and the Supreme Court of Appeal and Constitutional Court
Selected important awards of the CCMA Peer-reviewed articles
Index and case annotations

ELECTRONIC Additional Content and Features
Hyperlinks to referenced case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

Editor: C Vosloo

About this Publication
This consolidated index provides easy reference to all subjects discussed in cases and articles in the Industrial Law Journal (incorporating the Industrial Law Reports) for the period 1980 to 2010. It provides the key to unlocking 27 years of labour law. The Index facilitates optimal usage of the Industrial Law Journal.
Labour Dispute Resolution

Authors: F Steadman, J Brand, T Ngcukaitobi, C Lötter

About this Publication
Labour Dispute Resolution sets out the system provided in our law for resolving labour disputes, either in terms of the Labour Relations Act or by private dispute resolution. It guides employees, employers, trade unions and employers' organisations (and their representatives) through the various processes to be followed, and sets out the institutions to which particular disputes should be referred. An important addition to the second edition is a new section on dispute resolution in the public sector. Handy checklists and flowcharts assist the reader to prepare for the various processes.

Contents
Conflict, grievances and disputes
An overview of the dispute system
The disputes and their processes
Definitions of dispute resolution processes
Dispute resolution institutions
Dispute resolution in the public service
Administrative law and public sector employment
Negotiation
Conciliation, mediation and con-arb
Facilitation
Arbitration
Arbitration by the CCMA
Arbitration by Bargaining Councils and Statutory Councils
Private arbitration
Preparation for arbitration
The law of evidence
The award
Appendices
- Arbitration Act 42 of 1965
- Promotion of Administrative Justice Act 2 of 2000
- Standard Mediation Agreement
- Pre-dismissal Arbitration Agreement
- Relevant CCMA forms

Table of cases

HARD COVER in 2 volumes: ISBN 978 0 70217 894 8 > 3284pp

Labour Law – Sectoral Determinations

(Refer to the Collections of Legislation section near the end of this catalogue for a listing of all titles in the Juta Legislation Service series)

Editors: Juta’s Statutes Editors

About this Publication
This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

Contents
*Only Sectoral and Ministerial Determinations
Table of cases

*Indicates published in English only.

Published since 2009 > LOOSE-LEAF: ISBN 978 0 70218 199 3
Approximately 416pp

Labour Law into the Future: Essays in Honour of D’Arcy du Toit

Authors: K Malherbe, J Sloth-Nielsen

About this Publication
Labour Law into the Future is a volume of analytical pieces in honour of Professor D’Arcy du Toit. The contributing authors are internationally recognised and leading researchers in the field of labour law. As a result, Labour Law into the Future offers the latest contributions on some of the most hotly debated issues in labour law, such as unfair discrimination, outsourcing, wage justice and labour brokers.

Contents
Equality in income differentials and wage justice - Graham Giles
Can discrimination ever be fair? - Bob Hepple
LABOUR LAW

Labour Litigation and Dispute Resolution

About this Publication
Labour Litigation and Dispute Resolution is a comprehensive exposition of practice and procedure in the various forums charged with the responsibility of resolving employment and labour disputes in South Africa. More than a practice manual, the book provides an overview of the nature, powers and jurisdiction of the CCMA, bargaining councils and the Labour Court, expertly guiding the reader through the jurisdictional and procedural maze. The rules of the several forums are discussed, and there are useful tips for all role players in labour litigation, arbitration, and other forms of dispute resolution. There are also separate chapters on private arbitration and alternative dispute resolution. This edition has been revised and updated to incorporate the latest case law and amendments to the LRA, EEA and BCEA.

Contents
Introduction, background and overview
Employment and labour disputes
Processing labour disputes
Forums
Choosing forums
Conciliation

Statutory arbitration
Private arbitration
Special forms: Interest, advisory and pre-dismissal arbitration
Litigation in the Labour Court: referrals
Litigation in the Labour Court: applications
Litigation in the Labour Court: particular applications
Review of statutory arbitrations
Review of private arbitrations
Appeals

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Powerful electronic searching allows for easy and rapid access to information

The prohibition of discrimination in employment: performance and prognosis in a transformative context
- Christoph Garbers
Women and maternity: is there truly equality in the workplace between men and women, and between women themselves? - Elsabé Huysamen
Transnational collective bargaining: the case of the European Union - Achim Seifert
Future of the collective labour agreements system challenged? - Teun Jaspers
Judge-made labour law in Germany - Manfred Weiss
Basic features of dismissal protection in Germany - Bernd Waas
Section 197 of the Labour Relations Act: the next generation - Craig Bosch
To regulate or to ban? controversies over temporary employment agencies in South Africa and Namibia - Paul Benjamin

Evaluating the future of vicarious liability and risk - Pieter Koornhof
The purpose of labour law: can it turn green? - Rochelle le Roux

Bibliography

2012 > SOFT COVER: ISBN 978 0 70219 423 8 > 300pp

Labour Mini-Library

Juta’s Pocket Statutes
(These concise pocket-size books, housed in a complimentary slipcase, contain the full text of key labour legislation, including Acts, rules, regulations and codes of good practice. Titles in this set are also available individually)

Editors: Juta’s Statutes Editors

Contents 8-volume set
Basic Conditions of Employment Act 75 of 1997 & Regulations
Employment Equity Act 55 of 1998 & Regulations
Employment Services Act 4 of 2014

Labour Relations Act 66 of 1995 & CCMA Related Material
Occupational Health and Safety Act 85 of 1993 & Regulations
Regulations in terms of Occupational Health and Safety Act 85 of 1993 (continued)
Regulations in terms of the Labour Relations Act 66 of 1995

2014 > SOFT COVER: ISBN 978 1 48510 700 2 > 571pp
eBOOK: ISBN 978 1 48510 700 2 INTERNET: ISSN 2410 9525
Labour Library, Juta’s

(Workplace Law and the Industrial Law Journal is also available separately online)

About this Publication
Juta’s Labour Library is a complete repository of up-to-date labour legislation, Rules of the CCMA and Labour Courts, forms, contact details of bargaining councils and trade unions, sectoral determinations and codes of good practice. Expertly edited labour judgments and articles in the Industrial Law Journal from 1980 to date are included in the library. The electronic version of John Grogan’s Workplace Law, updated quarterly, is also included in the library.

Contents
John Grogan’s Workplace Law, updated quarterly
The Industrial Law Journal, incorporating the Industrial Law Reports (1980 to date)

Labour Legislation and Sundry Materials:
– Peer-reviewed articles
– Rules of court
– Codes of Good Practice
– Labour legislation
– Regulations
Rules, forms and notices
Hyperlinks between tables of cases, index entries and the full text, and to referenced legislation and case law for subscribers to the relevant online publications
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CD-ROM/INTRANET: ISSN 1022 8349
INTERNET: ISSN 1682 0738

Labour Relations Act 66 of 1995 & CCMA Related Material

Juta’s Pocket Statutes

(Also available as part of the 8-volume Juta’s Labour Mini-Library – ISBN 978 1 48510 775 0)

Editors: Juta’s Statutes Editors

Contents
Key Addresses
Quick finder to Key Topics
Part A: Labour Relations Act 66 of 1995
Part B: CCMA Related Material
– Code of Good Practice on Picketing
– Code of Good Practice on the Handling of Sexual Harassment Cases
– Code of Good Practice on Dismissal Based on Operational Requirements
– Guidelines for the Registration of Trade Unions and Employers’ Organisations
– Fines that may be imposed by Arbitrators
– Facilitation Regulations
– Code of Good Practice: Who is an Employee?
– Bargaining Councils accredited by the CCMA
– Bargaining Councils and Statutory Councils accredited by the CCMA
– Bargaining Councils accredited by the CCMA for Conciliation and Arbitration
– Bargaining Councils accredited by the CCMA for Conciliation and/or Arbitration and/or pre-dismissal Arbitration
– Private Agencies accredited by the CCMA for Conciliation and/or Arbitration and/or pre-dismissal Arbitrations
– List of Bargaining Councils that have been accredited by the CCMA
– List of Private Agencies that have been accredited by the CCMA
– Code of Conduct for Commissioners
– Rules for the conduct of proceedings before the Commission for Conciliation Mediation and Arbitration
– CCMA Guidelines: Misconduct Arbitrations
– Tariff of Fees: Commission for Conciliation, Mediation and Arbitration

Labour Relations Handbook, The

Authors: A Pons, P Deale

About this Publication
The Labour Relations Handbook is a comprehensive guide to managing for productive labour relations in a rapidly changing South Africa. First published in 1989 and regularly revised, this publication has proved invaluable to managers, human resources and labour relations practitioners, trade unions, attorneys and students. Each section provides clear explanations of legal principles, practical answers, guidelines and policies / procedures to facilitate organisational growth through empowering people.

Contents
Key labour relations areas
Handling counselling and discipline effectively
Conflict management
Implementation of workplace forums and meaningful participation
Recruitment and selection
Trade unions, organisational rights and collective agreements
Broad-based Black Economic Empowerment
Managing industrial action
Dealing with retrenchments
Managing safety in the workplace
Establishing conditions of employment
Private dispute settlement
Statutory dispute resolution
Labour legislation – a guide
Dealing with HIV/AIDS in the workplace
Managing absenteeism effectively
Information disclosure and collective bargaining
Employment equity challenges, FAQs and practical guidelines
Skills development strategies
Labour Relations: A Southern African Perspective

About this Publication
Labour Relations: a southern African perspective is a practical and comprehensive guide to labour relations in the southern African context. Newly renamed and updated to include relevant and industry-specific terminology, the text builds on the insights provided by its predecessor, Industrial Relations in South Africa. Offering both theoretical and practical perspectives it is a valuable resource for students and practitioners alike.

The book uses the labour ‘relationship’ as its starting point, guiding readers through the establishment of the labour relations systems, the key participants and interactions involved and the legislation governing these interactions, all within the southern African context. Using detailed practical examples, explanations and real-life cases where applicable, Labour Relations: a southern African perspective is an ideal reference at any level of proficiency.

Contents
The Employment Relationship – a Conceptual analysis
The Labour Relations system

Law of Arbitration, The

About this Publication
The Law of Arbitration sets out the South African common law, legislation and case law applicable to each stage of the arbitration cycle. A brief overview of alternative dispute resolution approaches and the different forms of arbitration is provided as a contextual introduction. The book draws extensively from the UNCITRAL Model Arbitration Law (MAL) and from international case law. Important local and international arbitration legislation and texts are included as appendices.

Contents
Approaches to resolving disputes
Alternative dispute resolution (ADR) methods
Sources of the law of arbitration
Matters not subject to arbitration
Arbitration agreements
Arbitrators (arbitral tribunals)

Managing Change: Negotiating Conflict

About this Publication
Managing change is about managing conflicting views and competing interests. Trading partners seek protectionism, even as they demand a levelling of the playing fields under tariff agreements. Consumers want quality goods at cheaper prices, while shareholders seek better returns on their investments. Nations want to expand their territories, whilst reclaiming historical losses or achieving greater regional security. People living under authoritarian regimes want their human rights and an end to oppression. Everywhere there are pushes to realign relations within and between nations, communities and organisations. Everywhere there are associated tensions.
The third edition of *Managing Change: Negotiating Conflict* examines the causes and characteristics of conflict and provides insights and skills to those who seek to manage such situations through negotiation, joint problem solving and mediation. Case studies, drawn from as far afield as Rwanda and Burundi, Iraq, Israel as well as from South Africa, explore the application of these conflict management skills in a variety of scenarios, including political transitions and civil demonstrations, and the transformation of organisations, in both the private and public sectors.

**Contents**

**Part 1 - Understanding conflict**
- Conflict and change
- Conflict profiles

**Part 2 - Conflict management skills**
- The nature of negotiation
- Competitive negotiation
- Creative alternatives to competitive negotiation
- Persuasive communication – the basic skill
- Mediation

**Part 3 - Applications**
- Managing political transitions through negotiation
- Managing civil protest to avoid violence
- Managing the transformation of organisations
- Relationship-building interventions (rbi) in troubled organisations

**Part 4 - Appendices**
- Universal Declaration of Human Rights
- The Millennium Development Goals of the United Nations (September 2000)
Motor Industry Bargaining Council Consolidated Agreements (MIBCO)

Editors: Juta's Statutes Editors

About this Publication
This loose-leaf industry manual provides easy access to the legal provisions applicable to the motor trade ensuring members and employers of the industry remain compliant with all the requirements of the Labour Relations Act, which requires employers to keep copies of collective agreements on their premises and to make them available to employees. It combines in one publication the Agreements, Wage Determinations and Conditions of Service applicable in the motor industry, incorporating all amendments.

Contents
The Main Agreement, including wages and conditions of employment
The Administrative Agreement
Motor Industry Sick, Accident and Maternity Pay Fund Agreement

Namibian Labour Act 11 of 2007 & Regulations

Editors: Juta’s Namibian Pocket Statutes

Contents
Key Addresses
Quick Finder for Key Topics
Labour Act 11 of 2007
Labour General Regulations
Rules relating to the Conduct of Conciliation and Arbitration before the Labour Commissioner

Occupational Health & Safety Act 85 of 1993

Editors: Juta's Statutes Editors

About this Publication
The Occupational Health & Safety Act 85 of 1993 provides for the health and safety of persons at the workplace.

Contents
This poster contains the key legislative provisions relating to occupational hazards, health and safety which employers and employees should be aware of.

Occupational Health and Safety Act 85 of 1993 & Regulations

(Also available as part of the 8-volume Juta’s Labour Mini-Library – ISBN 978 1 48510 775 0)

Editors: Juta’s Statutes Editors

About this Publication

Contents
Key Addresses
Quick Finder for Key Topics
Occupational Health and Safety Act 85 of 1993 Regulations
– General Administrative Regulations, 2003
– General Safety Regulations
 Regulations in terms of the Occupational Health and Safety Act 85 of 1993 (continued)

Juta’s Pocket Statutes

(Also available as part of the 8-volume Juta’s Labour Mini-Library – ISBN 978 1 48510 775 0)

Editors: Juta’s Statutes Editors

About this Publication

Contents
Regulations in terms of the Occupational Health and Safety Act (Continued)

– Driven Machinery Regulations, 2015
  – Incorporation of Safety Standards (GN R296 of 1988)
  – Incorporation of Safety Standards (GN R542 of 2015)
  – Exemption regarding users of goods hoists
  – Exemption regarding Load Testing
  – Exemption regarding Approved Lifting Machinery entities
  – Exemption regarding submission of application forms, 2007
  – Exemption regarding submission of application forms, 2008
  – National Code of Practice for the Training Providers of Lifting Machine Operators
  – General Machinery Regulations, 1988

– Electrical Machinery Regulations, 2011
  – Incorporation of Health and Safety Standards
  – Regulations concerning the Certificate of Competency, 1990
  – Lift, Escalator and Passenger Conveyor Regulations, 2010
  – Incorporation of Safety Standards
  – Guideline for Lift, Escalator and Passenger Conveyor Regulations, 2009
  – Occupational exposure limit for silica in Table 1-silica dust data collection guiding document and silica exposure compliance tool
  – Amendment of the submission period of the crystalline silica dust air monitoring reports
  – Diving Regulations, 2009
  – Asbestos Regulations, 2001
  – Lead Regulations, 2001
  – Electrical Installation Regulations, 2009
  – Explanatory Notes
    – Incorporation of Safety Standards
    – Pressure Equipment Regulations, 2009
    – Incorporation of Health and Safety Standards
    – Incorporation of Health and Safety Standards and Guidance Notes
    – Guidance Notes to the Pressure Equipment Regulations, 2009

Occupational Health and Safety Act and Compensation for Occupational Injuries and Diseases Act: Text and Commentary

(An extract from South African Labour Law)

Author: P Benjamin

About this Publication
This loose-leaf work contains the Occupational Health and Safety and the Compensation for Occupational Injuries and Diseases Acts, with up-to-date commentary, in one useful compendium. It provides guidance on occupational injuries, health and safety policies, the reporting of incidents and formal inquiries into workplace injuries. The publication also features a discussion on work-related post-traumatic stress disorder and compensation.

Contents
Occupational Health and Safety Act 85 of 1993 and commentary
Introduction
Scope and definitions
The Advisory Council on Occupational Health and Safety
Duties under the Act and Regulations
Safety representatives and safety committees
The inspectorate
Incidents: reporting, investigations and inquiries
Employee protections
Criminal offences
Regulations
Compensation for Occupational Injuries and Diseases Act 130 of 1993 and commentary
Introduction
Administration of the Act
Employer’s obligations
Key definitions
The claims process
Occupational diseases
Post-traumatic stress disorder

Benefits
Claims involving negligence
Legal proceedings

Published since 2000 > LOOSE-LEAF: ISBN 978 0 70218 157 3
Approximately 420pp

Occupational Health and Safety Handbook
(An extract from South African Labour Law)

Authors: P S Benjamin, B Barry

About this Publication
This regularly updated work contains the Occupational Health and Safety Act, 1993, with explanatory commentary and regulations.

Contents
The Occupational Health and Safety Act, 1993
Commentary
Regulations

Published since 2000 > LOOSE-LEAF: ISBN 978 0 70213 265 0
Approximately 450pp

Occupational Health and Safety Library, Juta’s

About this Publication
This publication provides the full text of the Occupational Health and Safety Act as well as commentary, Regulations in terms of MOSA/OHSA, schedules and indexes. Also included is the Constitution of the Republic of South Africa 108 of 1996 and relevant South African cases.

Contents
Occupational Health and Safety Act, 1993
Commentary, regulations and schedules
Constitution of the Republic of South Africa

Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1024 2511 > Updated quarterly
INTERNET: ISSN 1682 0738

Practical Guide to Disciplinary Hearings, A

Author: M Opperman

About this Publication
A Practical Guide to Disciplinary Hearings sets out all the practical aspects of the disciplinary hearing for the chairman and the defendant employee. The logical layout of this book allows for easy use during the hearing. The author has devised a helpful matrix for calculating awards and reaching fair results.

A Practical Guide to Disciplinary Hearings contains templates for hearings on the different types of offence. From the perspective of the person chairing the hearing, practical guidelines on the process, advice on the sanction, the deliberation, the evidence permitted and the most common anomalies which arise in hearings, make this book a compulsory guide. The book assists human resource managers in drafting charge sheets, the presentation of the facts, examination, cross-examination and leading evidence.

Contents
The basics
Fairness
Offence categories
Incapacity
Processing evidence

Published since 2011 > SOFT COVER: ISBN 978 0 70218 631 8 > 296pp
eBOOK: ISBN 978 0 70219 924 0
Regulations in terms of the Labour Relations Act 66 of 1995

(Also available as part of the 8-volume Juta’s Labour Mini-Library – ISBN 978 1 48510 775 0)

Editors: Juta’s Statutes Editors

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– Labour Relations Regulations, 2014
– Essential Service Committee Regulations, 2014
– Essential Service Committee Regulations, 1996

Reinventing Labour Law: Reflecting on the first 15 years of the Labour Relations Act and future challenges

(first published as Acta Juridica 2012)

Authors: R le Roux, A Rycroft

About this Publication

Since the passing of the Labour Relations Act 66 of 1995 the dynamics of the labour market in South Africa and elsewhere have changed dramatically, and many of the assumptions on which the Act was founded no longer apply. Reinventing Labour Law is devoted to a critical review of the first 15 years of the 1995 Act, but it also asks whether the Act is capable of responding to the demands of, and the processes associated with, the modern workplace. Thus, while in many ways this volume reflects on the past, it also tracks the future of labour market regulation in South Africa.

The contributing authors include those who were present when the 1995 Act was first negotiated, as well as members of the emerging generation of labour law intellectuals.

Contents

Is South African labour law fit for the global economy?
- Bob Hepple
Labour law beyond employment - Paul Benjamin
The new unfair labour practice - Rochelle le Roux
Prisoners of a paradigm: labour broking, the ‘new services’ and non-standard employment - Jan Theron
The relational contract of employment - Tamara Cohen
Dismissal for misconduct – ghosts of justice past, present and future - André van Niekerk
Labour dispute resolution under the 1995 LRA: problems, pitfalls and potential - Anton Steenkamp and Craig Bosch
Precedent, separation of powers and the Constitutional Court - Tembeka Ngcukaitobi
Refining review - Emma Fergus and Alan Rycroft
The necessary evolution of strike law - Darcy du Toit and Roger Ronnie
The state of centralised bargaining and possible future trends - Shane Godfrey and Pamhidzai Bamu
The prohibition of unfair discrimination and the pursuit of affirmative action in the South African workplace - Ockert Dupper and Christoph Garbers
The evolving relationship between labour law and social security - L G Mpedi
People with disabilities inside (and outside) the South African workplace: the current status of the constitutional and statutory promises - Marylyn Christianson
Changing the role of the corporation: a journey away from adversarialism - Dennis Davis and Michelle le Roux
Linking trade to labour standards: a promising synergy or a double-edged sword? - Debbie Collier and Pamhidzai Bamu
Reception of international labour standards in common-law legal systems - Halton Cheadle

Schedule C to the General Machinery Regulations in terms of the Occupational Health and Safety Act 85 of 1993

Editors: Juta’s Statutes Editors

About this Publication

Regulation 9(2) of the General Machinery Regulations to the Act requires employers with boilers on the premises to display a copy of Schedule C in a legible form in a conspicuous place at the premises.

Contents

Schedule C of the General Machinery Regulations of the Occupational Health & Safety Act 85 of 1993

Schedule D to the General Machinery Regulations in terms of the Occupational Health and Safety Act 85 of 1993

Editors: Juta’s Statutes Editors

About this Publication
Regulation 9(2) of the General Machinery Regulations to the Act requires employers with machinery other than a boiler to display a copy of Schedule D in a legible form in a conspicuous place at the premises.

Contents
Schedule C of the General Machinery Regulations of the Occupational Health & Safety Act 85 of 1993


Skills Development Act 97 of 1998, Summary of the

Editors: Juta’s Statutes Editors

About this Publication
The aim of this Act is to develop the skills of the South African workforce and to encourage employers to use the workplace as an active learning environment. This poster contains the most important provisions for employers, workers and SETAs.

Contents
Summary of the Skills Development Act 97 of 1998


Skills Development Handbook
(An extract from South African Labour Law)

Authors: P S Benjamin, B Barry

About this Publication
This handbook is directed at those who deal with work-based education and training.

Contents
The National Skills Development Strategy
Extracts from the Income Tax Act relevant for calculating the skills levy
Extracts from the Public Finance Management Act relevant to the administration of SETAs
The South African Qualifications Authority Act and its regulations relevant to the education and training quality assurance functions of SETAs.

Published since 2002 > LOOSE-LEAF: ISBN 978 0 70216 076 9
Approximately 220pp

Social Media and Employment Law

Author: M Potgieter

About this Publication
Social Media and Employment Law thoroughly analyses the intersection between social media and workplace law.

The rapid growth of social media has led to the development of legal issues that have not arisen in the workplace before. Judges, CCMA commissioners, human resource practitioners and lawyers now have to grapple with novel concepts and conundrums.

Social Media and Employment Law provides real-life examples, useful templates and guidelines on social media in the workplace for HR practitioners. For employers and trade unionists, there are also clear guidelines and examples. For CCMA commissioners and bargaining council panelists, there is a wealth of case law, gathered from various jurisdictions and discussed simply and clearly, to guide them through this new territory.

Contents
Confidentiality
Local and international cases
Privacy
Interception of communication
Restraint of trade
Soliciting employees, customers and clients
Defamation
Recruitment
Bullying and harassment
What are employees saying about you and where are they saying it?
Developing a social media strategy
Developing a good management approach
Policies and disciplinary codes

eBOOK: ISBN 978 1 48510 897 9
South African Human Resource Management
– Theory and Practice
(Support material available at www.jutaacademic.co.za)

Authors: B J Swanepoel (Editor), B J Erasmus, H W Schenk

About this Publication
This revised 5th edition of South African Human Resource Management is geared towards meeting the ever-growing demand for an HR compendium specific to South Africa. Written by South Africans, for South Africans, the book emphasizes the need to contextualise HRM within the wider African context.

South African Human Resource Management is comprehensive in scope, making it an ideal resource for both undergraduate and postgraduate studies. It contains cutting-edge information for complete streams of HRM-studies, including topics such as human resource development and labour relations. Now updated to include numerous public sector examples and connections, the 5th edition continues to be a useful tool for those practising (or aspiring to practise) HRM in public sector organisations. Broadening the HRM ‘agenda’ is emphasized, helping the reader to practise HRM that adds value to working people, to organisations and to society.

Throughout the book recent theoretical and practical developments are blended, sustainability connections are shown and readers are encouraged to apply analytical and critical thinking. A companion website is provided that contains a wealth of relevant support material, including resources, case studies as well as short questions and practical challenges to stimulate thinking and learning for individual users, as well as healthy dialogue and debate when used in groups.

Contents
- Setting the HRM agenda: conceptual and contextual perspectives
- Preparatory HRM work: strategising, designing and planning
- Sourcing, developing and retaining talent
- The challenge of people empowerment
- Meeting the reward and care challenge
- Handling labour and employee relations challenges
- Championing change and transformation in organisations and society
- Managing HRM-related information, including reporting on HRM and sustainability
- Additional challenges, issues and perspectives

South African Labour Law

Authors: C Thompson, P S Benjamin

About this Publication
Staying abreast of legislative changes is of crucial importance to labour law practitioners. This work is thus an absolute necessity for anyone interested in labour law. It contains the text of all the important Acts and regulations together with full introductory commentary. Housed in three loose-leaf binders, it has been acclaimed as the authoritative work on our labour laws in South Africa.

Contents

Volume I
- NEDLAC Act and constitution
- Bill of Rights
- 1995 Labour Relations Act, with commentary
- LRA regulations
- Rules of the Labour Court and the Labour Appeal Court
- Basic Conditions of Employment Act, with commentary
- Public Holidays Act

Volume II
- Employment Equity Act, with commentary
- New commentary on affirmative action
- Skills Development Act, with commentary
- Commentary on the common law contract of employment
- Key conventions and recommendations of the International Labour Organisation

Volume III
- Occupational Health and Safety Act, with commentary and complete regulations
- Compensation for Occupational Injuries and Diseases Act, with commentary, rules and forms

Unemployment Insurance Act, with commentary and regulations
Mine Health and Safety Act, with selected regulations

ELECTRONIC Additional Contents and Features
Ongoing content updates reflect developments in labour law
Hyperlinks to the quarterly updates on labour law in Juta’s Quarterly Review dating back to the first half of 2010 and updated quarterly thereafter
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information
Understanding Sectoral Determination 6: Private Security

Juta’s Pocket Companions

**Author:** D Keith

**About this Publication**

*Understanding Sectoral Determination 6: Private Security* forms part of the Juta’s Pocket Companions series. This book presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa as security officers, including wage tables. The key provisions of the sectoral determination are explained in a systematic manner, with key point summaries at the end of each section. *Understanding Sectoral Determination 6: Private Security* also contains the text of the legislation.

Section 29 of the sectoral determination states that every employer who employs or provides work to private security officers must keep a copy of the sectoral determination available in the workplace at all times.

**Contents**

- Areas and scope of application
- Definitions of key terms and words
- Remuneration
- Payment of remuneration
- Ordinary hours of work, overtime and payment of overtime
- Annual bonus
- Public holidays
- Compensation for work on a Sunday
- Leave and other benefits
- Written particulars of employment and record keeping
- Miscellaneous general provisions
- Termination of contract of employment
- Private Security Sector Provident Fund
- Text of Sectoral Determination 6

2010 > *SOFT COVER* > pocket size: ISBN 978 0 70218 491 8 > 228pp

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Understanding Sectoral Determination 9: Wholesale & Retail

Juta’s Pocket Companions

**Author:** D Keith

**About this Publication**

*Understanding Sectoral Determination 9: The Wholesale & Retail Sector* forms part of the Juta’s Pocket Companions series, to complement Juta’s highly successful Pocket Statutes Series.

The only book of its kind, it presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa in this sector. The key provisions of the sectoral determination are covered in a systematic manner, with Key Point summaries at the end of each section. *Understanding Sectoral Determination 9* also contains the text of the legislation for easy reference.

All employers in this sector are required, in terms of s36 of the determination, to have a copy of the determination available at the workplace. This book fulfils that requirement, as well as providing an explanation of the law.

**Contents**

- Application of Sectoral Determination 9
- Wages
- Particulars of employment
- Hours of work
- Leave
- Prohibition of child and forced labour
- Termination of employment
- General provisions
- Key terms and definitions
- Text of Sectoral Determination 9
- Legislation and wage tables

2010 > *SOFT COVER* > pocket size: ISBN 978 0 70218 520 5 > 166pp

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Understanding the Basic Conditions of Employment Act

Juta’s Pocket Companions

**Authors:** E Kalula, B Jordaan, E Strydom

**About this Publication**

This book contains a systematic, accessible commentary on the BCEA. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. The BCEA prescribes the minimum or floor of terms and conditions of employment including those relating to leave, working hours, sick leave, maternity leave, overtime. Protection of children, domestic workers, farm workers is also provided by the BCEA.

**Contents**

- Code of Good Practice on the Protection of Employees during Pregnancy and after the Birth of a Child
- Calculation of Employee’s Remuneration in terms of section 35 (5)
- Code of Good Practice for the Employment of Children in the Performance of Advertising, Artistic or Cultural Activities
- BCEA Regulations on Hazardous Work by Children
- Code of Good Practice for Employment and Conditions of Work for Expanded Public Works Programmes

2009 > *SOFT COVER* > pocket size: ISBN 978 0 70218 162 7 > 220pp
Understanding the CCMA Rules & Procedure

About this Publication

Understanding the CCMA Rules & Procedure is an explanation of the Rules for the Conduct of Proceedings before the CCMA, and an invaluable guide to the various CCMA processes and proceedings.

Understanding the CCMA Rules & Procedure will assist the reader in understanding a sometimes complicated and confusing set of rules. Each CCMA rule is explained and summarised. In cases where a rule has been interpreted by the CCMA or Labour Courts, the relevant award or judgment is brought to the reader’s attention.

Understanding the CCMA Rules & Procedure also contains:
- the text of the rules for easy reference
- a useful matrix of CCMA forms and their uses
- templates for rescission and condonation applications
- the CCMA guidelines on misconduct arbitration
- the code of conduct for CCMA commissioners

Contents

Part 1: Serving and filing of documents
Part 2: Conciliation of disputes
Part 3: Con-arb in terms of section 191(5A)
Part 4: Arbitrations
Part 5: Rules that apply to conciliations, arbitrations and con-arbs
Part 6: Applications
Part 7: Section 188A inquiry
Part 8: General

Annexures
- Rules for the Conduct of Proceedings before the CCMA
- CCMA Tariff of Fees
- Index of Forms for use in the CCMA
- Application for Condonation
- Application for Rescission
- CCMA Guidelines on Misconduct Arbitration
- Code of Conduct for Commissioners

Understanding the Employment Equity Act

About this Publication

Understanding the Employment Equity Act deals with one of the most innovative instruments of post-apartheid labour market regulation, the Employment Equity Act, 1998 (EEA). The implicit aim of the EEA is not only to redress the imbalances created by apartheid, but also to combat unfair discrimination and provide a framework for equal opportunity in employment.

This book contains a systematic, accessible commentary on the EEA. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. Important areas such as definitions, purposes, interpretation, application, unfair discrimination, affirmative action, monitoring and enforcement are covered. It also systematically sets out key provisions and leading cases.

Contents

Definitions, purpose, interpretation and application of the Employment Equity Act 55 of 1998 (EEA)
Prohibition of unfair discrimination
Affirmative action
Monitoring and enforcement of duties under the EEA

Understanding the Labour Relations Act

About this Publication

This book contains an accessible, non-legalistic commentary on the Labour Relations Act. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. The LRA is the main pillar of the South African labour relations system. It aims to promote collective bargaining and the peaceful resolution of employment related disputes. This it does by establishing a framework for collective bargaining, creating institutions for social dialogue and dispute resolution, and by giving effect to certain fundamental rights, including the right to freedom of association, the right to strike and the right to fair labour practices.

Contents

Purpose, application and interpretation of the Labour Relations Act 66 of 1995 (LRA)
Freedom of association and general protections
Collective bargaining
- Organisational rights
- Collective agreements
- Bargaining councils
- Bargaining councils in the public service
- Statutory councils
Right to strike and recourse to lock-out
Workplace forums
Trade Unions and Employer Organisations
- Registration and regulation of trade unions and employers’ organisations
Understanding the Occupational Health and Safety Act and the Compensation for Occupational Injuries and Diseases Act

Juta's Pocket Companions

Author: P S Benjamin

About this Publication
This work provides an up-to-date, accessible commentary on the Occupational Health and Safety Act and the Compensation for Occupational Injuries and Diseases Act. It provides guidance on occupational injuries, health and safety policies, the role of safety representatives and committees and the reporting of incidents and formal inquiries into workplace injuries. Understanding the OHSA and COIDA also features a discussion on work-related post-traumatic stress disorder, compensation and the claims process. It explains the claims process, benefits, negligence claims and legal proceedings in terms of COIDA.


Contents

- Occupational Health & Safety Act 85 of 1993
  - Introduction
  - Scope and definitions
  - The advisory council on occupational health and safety
  - Duties under the act and regulations
  - Safety representatives and safety committees
  - The inspectorate

- Compensation for Occupational Injuries & Diseases Act 130 of 1993
  - Introduction
  - The administration of the act
  - Key definitions
  - The claims process
  - Occupational diseases
  - Post-traumatic stress disorder
  - Benefits
  - Claims involving negligence
  - Legal proceedings
  - Conclusion

Understanding the Skills Development Act

Juta's Pocket Companions

Author: S Hammond

About this Publication
Understanding the Skills Development Act contains an accessible, non-legalistic commentary on the Skills Development Act, which promotes the advancement of the skills of the South African workforce. The Act is systematically covered with FAQs and Key Point Summaries to aid understanding.

The 2nd edition includes:
- explanations of the major re-alignments of the legislation including extensions to the SETA landscape and National Skills Development Strategy (NSDS) III;
- analysis of the current SETA Regulations on mandatory and discretionary grants;
- the structures created by the National Qualifications Framework Act: SAQA, Quality Council for Trade & Occupations and National Artisan Moderation Body;
- an explanation of the National Skills Authority role and potential developments to the SETA landscape and NSDS post March 2018.

Contents

- Definitions, purpose and application of SDA (ss 1–3)
- National Skills Authority (ss 4–8)
- Sector Education and Training Authorities (ss 9–15)
- Learnerships (ss 16–19)
- Skills programmes (ss 20–21)
- Institutions in Department of Labour and Employment Services (ss 22–23)
- Artisan development (ss 26A–26D)
- Quality Council for Trades and Occupations (ss 26F–26J)
- Repealed
- Financing skills development (ss 27–30A)
- General (ss 30B–39)
- Schedules 1, 2, 2A, 3 and 4
- Key regulations in terms of the SDA
Unfair Discrimination in the Workplace

**Authors:** D du Toit, M Potgieter

**About this Publication**

Unfair Discrimination in the Workplace cogently explains the meaning of unfair discrimination and the law on harassment and medical, HIV and psychological testing. The book analyses employer liability for employee discrimination, dispute resolution, prevention of unfair discrimination, the legal defences to a claim of unfair discrimination, and gives examples of dispute resolution procedures. Each chapter sets out the labour law, constitutional law and international codes for every topic covered in the book.

The reader is provided with extracts from case law, conventions and codes of good practice grouped with each type of unfair discrimination.

Unfair Discrimination in the Workplace also contains relevant case studies which illustrate commonly encountered discrimination problems and their practical solutions. The amendments to the EEA are taken into account. An extract from the February 2014 draft regulations to the EEA is provided as an Appendix to the book.

**Contents**

- Table of cases
- The meaning of ‘unfair discrimination’
- Harassment
- Medical, HIV and psychological testing

Workplace Law

(Also available with quarterly updates on CD-ROM and the Internet as part of Juta’s Labour Library)

**Author:** J Grogan

**About this Publication**

First published in 1996, Workplace Law has become one of the most widely used and frequently quoted text books on South African labour law. This 11th edition has been revised and supplemented to incorporate the latest case law, as well as the 2014 amendments to labour legislation. Workplace Law provides a complete overview of issues that have arisen and are likely to arise on the shop floor, in court and in arbitration proceedings – from unfair labour practices, through employment equity, dismissal and collective bargaining, to strikes. This updated, comprehensive and reliable work is a convenient and indispensable guide to a complex and fascinating area of law.

**Contents**

- The individual employment relationship
  - The parties to the employment relationship
  - The individual contract of employment
  - The duties of employers and employees
  - Basic conditions of employment
- Unfair labour practices and employment equity
  - Unfair labour practices
  - Unfair discrimination
  - Affirmative action
- Discipline and dismissal
  - Workplace discipline
  - Forms of dismissal
  - Dismissal under the Labour Relations Act 66 of 1995
  - Automatically unfair dismissals
  - Dismissal for misconduct: fair reason; fair procedure
  - Dismissal for poor work performance, incompatibility and incapacity
  - Dismissal for operational requirements
  - Closures, mergers and sales of businesses
- Collective labour law
  - Bargaining agents
  - Bargaining forums
  - The bargaining process
  - Collective agreements
  - Industrial action
  - Strikes and ‘protest action’
  - Dismissal of unprotected strikers
  - Lock-outs
  - Forms and procedures
  - Dispute resolution
### Guide to Legislative Drafting in South Africa, A

**Author:** A J Burger

**About this Publication**

*A Guide to Legislative Drafting in South Africa* identifies the key aspects of legislative drafting, providing a clear and practical guide to the subject. It unravels the mysteries and complexities of statutory writing, presenting it to the reader in a structured and understandable manner.

**Contents**

- Communicating in legal language
- The legislative process in South Africa
- Legal research
- Legal interpretation
- The structure of a Bill
- Principles of drafting
- Drafting in plain English (including a section on the use of correct English)
- Legal punctuation
- Miscellaneous provisions
- Appendices: Bill of Rights; Interpretation Act 1957

**5th edition**

2002 > **SOFT COVER:** ISBN 968 0 70215 729 5 > 168pp

**eBOOK:** ISBN: 978 0 70219 874 8

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### Statutory Interpretation: An Introduction for Students

**Wetsuitleg: ‘n Inleiding vir Studente**

**Author:** C Botha

**About this Publication**

The fifth edition of *Statutory Interpretation: An Introduction for Students and Wetsuitleg: ‘n Inleiding vir Studente* is a user-friendly introduction to the basic principles of statutory interpretation. It is aimed mainly at undergraduate students, but practitioners will also find it useful. The rules and principles of statutory interpretation are explained using hypothetical situations and practical examples from case law and legislation. A supplementary CD containing the full text of the Constitution of the Republic of South Africa, 1996 and the Interpretation Act 33 of 1957 is included.

**Contents**

- Part 1: Statute law
  - General introduction
  - The term ‘legislation’
  - Is it in force? The commencement of legislation
  - Is it still in force? Changes to and the demise of legislation
- Part 2: How legislation is interpreted
  - Theoretical foundations
- Part 3: Some practical issues and tricks of the trade – Judicial law-making during interpretation, and peremptory and directory provisions
- Part 4: Constitutional interpretation

2012 > **SOFT COVER** *(English)*: ISBN 978 0 70219 858 8 > 250pp

**SAGTEBAND** *(Afrikaans)*: ISBN 978 0 70219 869 4 > 266bl

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### Fundamental Principles of Effective Trial Advocacy, The

**Author:** W H Gravett

**About this Publication**

*The Fundamental Principles of Effective Trial Advocacy* guides the trial lawyer in developing a winning theory and using it throughout every phase of the trial. The text focuses in depth on each phase of the trial from opening statement to examination-in-chief, cross-examination and final argument. The book also examines the characteristics of effective trial lawyers, the rhetorical techniques that enhance the persuasive force of advocacy and the basic principles of formulating effective questions. Practical and engaging examples distill the fundamental principles and strategies that lead to success in the courtroom.

**Contents**

- The characteristics of effective trial lawyers
- The tools of persuasion
- Asking questions
- Opening statements
- Examination-in-chief
- Cross-examination
- Final argument

2009 > **SOFT COVER:** ISBN 978 0 70218 211 2 > 192pp
## Legal Aid Guide 2014

**Author:** The Legal Aid South Africa

### About this Publication

The *Legal Aid Guide* sets out in detail the Legal Aid policy and procedures as well as the work of Legal Aid South Africa. It is written in plain language and aimed at legal practitioners representing legal aid clients, paralegals, unions and NGOs advising people in getting legal aid and individuals needing legal representation and assistance.

### Contents

- The Legal Aid Board’s mandate, structure, vision and outcomes
- Administration of legal aid and Justice Centres
- Explanations of useful words

**2014 > SOFT COVER:** ISBN 978 1 48510 618 0 > 422pp

## Legal Practice Act 28 of 2014

**Editors:** Juta’s Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Legal Practice Act 28 of 2014

**2010 > SOFT COVER:** ISBN 978 0 70218 458 1 > 448pp
  **eBOOK:** ISBN 978 0 70219 954 7

## Morris: Technique in Litigation

**Authors:** J Mullins, C da Silva

### About this Publication

The sixth edition of *Technique in Litigation* has been substantially revised and updated. The book is concerned with litigation in both the High Courts and the magistrates’ courts, and provides useful, practical guidance on all aspects of litigation. It will be of value not only to young practitioners still learning the technique of litigation, but also to more experienced practitioners seeking to verify and enhance their courtroom techniques.

### Contents

- The law and the practitioner
- Preparing for practice, and aspects of practising
- How to approach cases: probabilities, and extracting the essence
- The technique of pleading
- Pre-trial procedure
- Advice on evidence

**2010 > SOFT COVER:** ISBN 978 0 70218 279 5 > 384pp
  **eBOOK:** ISBN 978 0 70219 954 7

## Practical Guide for Legal Support Staff, A

**Author:** C Womack

### About this Publication

A *Practical Guide for Legal Support Staff* provides basic information about the issues that legal secretaries, legal support staff, paralegals and candidate attorneys will encounter when carrying out their duties in a law firm or similar environment. The book is a user-friendly textbook, with the emphasis placed on acquiring the necessary practice management skills. A *Practical Guide for Legal Support Staff* includes practical examples of the various forms required for different processes.

Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Legal Essence* books shed light, in a practical and contextual way, on the legal issues that candidate attorneys and legal practitioners can expect to encounter in practice. The books set out clear frameworks without losing the intricate details of the law. Written by experts in practice, these books are full of useful tips and helpful hints to equip the reader with knowledge that can be applied in practice.
Contents
The legal profession
The attorney’s office
Communication
Accounts
The South African judiciary
Civil court documents and procedures
Debt collections
Administration of estates
Legal instruments
Notarial documents
Conveyancing

Pre-Litigation Drafting: Opinions & Letters of Demand
LegalEase: Essence series

Author: G Searle

About this Publication
Pre-litigation Drafting is the only up-to-date book on drafting letters of demand and legal opinions for the South African lawyer. The book advises on effective legal writing and clearly explains the essential fundamentals of pre-action drafting. The drafting is explained with a view to clearly setting out the claim and possibly even avoiding litigation. Should the matter be litigated, correct drafting will stand up to scrutiny in court.

Contents
Preparing to write a letter of demand
Guidelines for the effective use of language in written legal texts
Punctuation with a purpose
Analysis of legislative provisions: A letter of demand in plain language
Advice on quantum of damages: A claim against a state institution

Survivor’s Guide for Candidate Attorneys, The

Authors: B Hansjee, F Kader

About this Publication
The Survivor’s Guide for Candidate Attorneys provides candidate attorneys with the practical information that they need during articles. While the book is premised on litigation practices predominantly from the KwaZulu-Natal division, it contains information that will be useful to candidate attorneys across the country. The information in this guide bridges the gap between the university environment, where the emphasis is on theoretical knowledge, and the candidate attorney’s new working environment, where the emphasis is on the practical, hands-on application of this knowledge, and learning fast!

The book also contains very useful checklists for court work and a directory comprising over 100 pages of useful contacts: including the High Courts, Regional Courts and Magistrates’ Courts, bargaining councils, sheriffs and sheriff service areas.

The second edition of The Survivor’s Guide for Candidate Attorneys has been thoroughly revised and updated to include information on the Regional Courts, some new practical pointers on how to deal with litigation matters, and a motivational call to candidate attorneys to become more aware of the (sometimes harsh) reality of legal practice and the working world. The directory has also been updated.

Contents
Calling all law students, graduates and candidate attorneys
Getting through the doors: your first days in a law firm
What will you be doing, Grasshopper?
You and your principal
Registering and ceding articles
You and your clients
You and counsel
Issuing, serving and filing
Applications and actions, practically speaking
Indexing and paginating demystified
The courts: what to do, where to go, and to whom you should speak
After Judgment
Ethics, etiquette and administrative issues
Being admitted as an attorney
Checklists
Disaster Management Act 57 of 2002 & Regulations

Juta’s Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

Contents
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Division of Revenue Act 1 of 2015

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(Also available as part of the 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

Contents
Key Addresses
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Division of Revenue Act 1 of 2015

Environmental Law and Local Government in South Africa

Author: A du Plessis

About this Publication
Environmental Law and Local Government in South Africa is the first work of its kind to extensively analyse South African environmental law and policy for local government. This book meets an important need in the area of environmental management.

This novel collection of theoretical scholarship and real-life examples presents different features of the interface between local government and environmental law. Each chapter is accessible yet detailed enough to be useful.

In the scope of this comprehensive work, 32 authors collectively answer the question: What is the role of local government in moving South Africa towards a sustainable future, considering the dictates and scope of environmental law?

Contents
Part A: The intersection between local government and sustainability: An introduction
– Key elements for municipal action
– Instrumentation for local environmental governance
– Integrated development planning
– Local economic development and the green economy
Part B: The links between local government and environmental law
– Constitutional rights
– Environmental pollution
– Conservation, sustainable use of natural resources and the notion of public trusteeship
– Compliance and enforcement
– Municipal service delivery and the environment
– Division of environmental powers and functions
Part C: Sector-based perspectives
– Air quality management
– Solid waste management
– Water services provision and the protection of water resources
– Environmental health services
– Land-use management and planning
– Soil conservation and land management
– Hazardous substances management and control
– Biodiversity
– Urban ecology
– Marine and coastal management
– Heritage resources management
– Disaster risk reduction and climate change adaptation and resilience
– Energy
– Green building
– Green procurement
– Case study showcasing some of the initiatives of one South Africa’s well-resourced municipal champions: the City of Cape Town

2015 > SOFT COVER: ISBN 978 1 48510 050 8 • 1066pp
Failure of Decentralisation in South African Local Government, The: Complexity and unanticipated consequences

(Visit www.uctpress.co.za to view the e-publication)

Authors: A Siddle, T Koelble

About this Publication
This book examines the design of the local government framework and its contributing role in the crisis. Through empirical research conducted at 37 municipalities across the country, it finds that municipalities are frequently incapable of meeting the demands imposed upon them by a highly complex model of local government.

The aim of this book is to promote an understanding of the difficulties that confront local government in South Africa and the causes of its failure. It does not presume to provide the answers to the crisis; instead, it encourages debate by posing a number of questions about the future design for local government and suggests that a far simpler model which imposes less complex demands needs to be considered.

Contents
Decentralisation – the concept and its emergence
Decentralisation – objectives, design, preconditions and obstacles
Dimensions of decentralisation
The local government framework in South Africa
Constitutional security, size, democratic process and intergovernmental relations
Executive structure and administrative authority

Institutional capacity
Public participation and information mechanisms
Jurisdictional scope and legislative authority
Fiscal dimensions
Creating the ‘perfect storm’ – good intentions and unanticipated consequences
Government’s response to the crisis in local government

Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material

Juta’s Pocket Statutes
(Also available as part of Juta’s 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

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Intergovernmental Fiscal Relations Act 97 of 1997
Intergovernmental Relations Framework Act 13 of 2005
Intergovernmental dispute prevention and settlement
– Practice guide: guidelines for effective conflict management

Implementation protocol guidelines and guidelines for managing joint programmes

Local Government Library – Basic Set

Juta’s Pocket Statutes
(These concise pocket-sized books contain the full text of essential legislation for local government, housed in a complimentary slipcase. Available individually or as 4-volume set)

Authors: Juta’s Statutes Editors

Contents 4-Volume Set
Local Government: Municipal Systems Act 32 of 2000 & Regulations
Local Government: Municipal Finance Management Act 56 of 2003 & Regulations
Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations

SOFT COVER – pocket size: BASIC LOCAL GOV LIB
Local Government Library – Comprehensive Set

Juta’s Pocket Statutes

(These concise pocket-sized books contain the full text of legislation for local government, housed in a complimentary slipcase. Available individually or as an 11-volume set)

Editors: Juta’s Statutes Editors

Contents 11-Volume Set

Disaster Management Act 57 of 2002 & Regulations
Division of Revenue Act 1 of 2015
Intergovernmental Fiscal Relations Act 97 of 1997;
Intergovernmental Relations Framework Act 13 of 2005 &
Related Material
Local Government: Municipal Electoral Act 27 of 2000;
Electoral Act 73 of 1998; Electoral Commission Act 51
of 1996 & Regulations
Local Government: Municipal Finance Management Act 56
of 2003 & Regulations (incl. CD containing the Municipal
Budget and Reporting Regulations, 2008)
Local Government: Municipal Property Rates Act 6 of 2004;
Municipal Fiscal Powers and Functions Act 12 of 2007 &
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Local Government: Municipal Structures Act 117 of 1998;
 Preferential Procurement Policy Framework Act 5 of 2000;
& Regulations
Local Government: Municipal Systems Act 32 of 2000 &
Regulations
Traditional Leadership and Governance Framework Act 41
of 2003 & Regulations
White Paper on Local Government

SOFT COVER – pocket size: COMP LOCAL GOV LIB


Juta’s Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

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○ Regulations on the Accreditation of Voter Education Providers, 1998
○ Regulations on the Accreditation of Observers, 1999
○ Election Regulations, 2004
○ Regulations concerning the submission of Lists of Candidates, 2004
Part C: Electoral Commission Act 51 of 1996
– Pendlex: Act 22 of 2014
– Regulations
○ Regulations on Party Liaison Committees, 1998
○ Rules regulating the conduct of the proceedings of the Electoral Court
○ Rules regulating electoral disputes and complaints about infringements of the electoral code of conduct in Schedule 2 of the Electoral Act, 1998 (Act 73 of 1998) and determination of courts having jurisdiction
○ Regulations on the conditions of service, remuneration, allowances and other benefits of the Chief Electoral Officer and other administration staff
○ Regulations for the Registration of Political Parties, 2004
○ Regulations relating to activities permissible outside voting stations on voting day

Local Government: Municipal Finance Management Act 56 of 2003 & Regulations

Juta’s Pocket Statutes


Editors: Juta’s Statutes Editors

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– Delay of Implementation of Provisions of the Act and Exemptions
– Municipal Investment Regulations
– Municipal Public-Private Partnership Regulations
### Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations

**Juta’s Pocket Statutes**


#### Editors: Juta’s Statutes Editors

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**Juta’s Pocket Statutes**


#### Editors: Juta’s Statutes Editors

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Local Government: Municipal Systems Act 32 of 2000 & Regulations

Juta’s Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library
- ISBN: COMP LOCAL GOV LIB and the Basic 4-volume Local Government Library
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Contents

- Regulations regarding Participation of Municipal Staff Members in Elections, 2011
- Local Government: Disciplinary Regulations for Senior Managers
- Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers
- Upper limit of total remuneration package payable to municipal managers and managere directly accountable to municipal managers

Municipal Management: Serving the People

Authors: G van der Waldt, A Venter (Editor), C van der Walt, K Phutiagae, T Khalo, D van Niekerk, E Nealer

About this Publication

Municipal Management: Serving the People explores the multifaceted nature of municipal management in South Africa and focuses the reader’s attention on selected key strategic issues including local economic development, local democracy and disaster risk reduction. Written in easily understandable language, it provides a theoretical and practical overview of municipalities in the new dispensation and is an invaluable resource for political representatives, municipal officials and learners in the field.

Contents

- Municipal management: An orientation
- Fostering local democracy
- The statutory and regulatory framework for local government
- Municipal structures

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Provincial Legislation Service, Juta’s

Eastern Cape Provincial Legislation / Western Cape Provincial Legislation

Editors: Juta’s Statutes Editors

About this Publication

Under South Africa’s new Constitution, the nine provinces have significantly increased powers. This has resulted in much legislative activity. The Eastern and Western Cape Provincial Legislation Service is a comprehensive consolidated collection of the Ordinances and new Provincial Acts and regulations available in printed form. It is published in English and Afrikaans, according to the language of promulgation of the provincial legislation.

Contents

- Alphabetic and chronological indexes
- The Acts of the provincial legislature
- The Regulations published in terms of these Provincial Acts
- Provincial Ordinances (including a few selected regulations in terms of Ordinances)

Assigned National legislation
- Index of Ordinances not produced (including details of repeal, if applicable)
- Acts or extracts from Acts of Parliament assigned to the individual provinces for administration
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- Key Addresses
- Quick Finder for Key Topics
- Traditional Leadership and Governance Framework Act 41 of 2003
- Recognition of Kingships and Kings in the Republic of South Africa
- Guidelines for determination of number of members of traditional councils

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- Key Addresses
- Quick Finder for Key Topics
- White Paper on Local Government

Maritime Law

Admiralty Jurisdiction: Law and Practice in South Africa

*Author: G Hofmeyr*

**2nd edition**

**About this Publication**
This work is a comprehensive discussion of the law of admiralty jurisdiction in South Africa. There are extensive references to case law, which is critically analysed. Reference is frequently made to the law in comparative jurisdictions. The second edition provides greater coverage in general than the first edition and updates the law as at the end of November 2011.

**Contents**
- Law reports cited with mode of citation
- Principal authorities cited with mode of citation
- Table of statutes
- Table of rules
- Table of cases
- International conventions cited
- Reports cited
- Historical outline
- Admiralty jurisdiction
- The law applicable to the matters in respect of which admiralty jurisdiction exists
- The action in rem
For the first time in South Africa, the Act specifically introduces a regime of economic regulation in ports. The Handbook will publish in full all directives issued by the Ports Regulator including procedural requirements for lodging an appeal or submitting a complaint.

The Act is expected to have a far-reaching impact on the management and operation of South Africa's ports. It paves the way for a dynamic restructuring of relationships between the NPA, the maritime industry, ports users and all enterprises that use or depend on the efficient performance of our ports. Overall, the Act is expected to contribute to the rapid development of a previously neglected branch of our law.

Contents
- A commentary on the NPA Act
- Full text of the NPA Act and current Ports Regulations
- Full text of Ministerial notices, NPA notices and directives of the Ports Regulator
- Forms and tribunal decisions

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Medical Law

Aspects of Forensic Medicine: An Introduction for Healthcare Professionals

Editor: K Joyner

About this Publication
This book provides the latest, most accurate information about forensic documentation to take the uncertainty out of dealing with legal issues. It explains how to identify and treat survivors of intimate partner violence comprehensively and compassionately discusses the legal obligations on healthcare professionals relating to child abuse and provides understanding of relevant legal responsibilities.

Contents
- The expert witness and the J88 in criminal proceedings
- Forensic care in sexual offences
- Forensic care in child sexual abuse
- Forensic care in non-accidental injury of the child
- How to provide comprehensive, appropriate care for survivors of intimate partner violence
- Forensic wound identification
- The role of forensic healthcare professionals in the investigation of death
- The Death Notification Form

Legislation

Published since 2010 > SOFT COVER: ISBN 978 0 70218 658 5 > 160pp

A-Z of Medical Law

Authors: D Mcquoid-Mason, M Dada

About this Publication
This text equips medical practitioners to deal with the legal issues they encounter in daily practice. Informative, relevant and up to date, the A-Z of Medical Law covers all recent changes to the law and legislation affecting the medical professions. As the only local book of this nature, it is sure to become an invaluable resource for practising medical and other healthcare professionals. Undergraduate and postgraduate medical students will also find it useful.

Key Features
- Comprehensive – addresses more than 650 topics
- Presents topics alphabetically for ease of access
- Explains exactly what the law is and its implications for medical practice
- Highlights aspects that require caution
- Applies to both the professional and private life of the medical practitioner
- Topics arranged alphabetically from Abandonment of patient to Zulu law

Published since 2011 > SOFT COVER: ISBN 978 0 70218 666 0 > 520pp

A-Z of Nursing Law

Authors: D Mcquoid-Mason, M Dada, N Geyer

About this Publication
This text equips nurses and other health-care professionals to deal with the legal issues they encounter in daily practice. Informatively, relevant and up to date, the A-Z of Nursing Law covers all recent changes to the law and legislation that affects the nursing profession.

Key Features
- Unique - only local text of this nature – over 400 topics addressed.
- Alphabetically arranged and easily accessible using key words to find answers to different legal issues
- The book not only explains what the law is but also the nursing implications.
- The book draws the nurses to certain aspects of the law that require caution.
- The user will have a complete A-Z of important aspects of the law relevant to nurses.

Published since 2011 > SOFT COVER: ISBN 978 0 70218 898 5 > 480pp
Bioethics, Human Rights and Health Law: Principles and Practice

Editors: A Dhai, D Mcquoid-Mason

About this Publication
This book provides healthcare and legal practitioners and students at all levels with the theory and practical application necessary to understand and apply bioethics, human rights and health law to their present and future work.

Contents
Part 1: Introduction to bioethics, human rights and health law
– background
Ethical theories, principles and concepts
International codes of healthcare ethics
Health and human rights
Health law: the basics
Part 2: Specific topics
– The health practitioner: patient relationship
Consent
Confidentiality
Medical malpractice and professional negligence
Reproductive medicine
Genetics
Use of human tissue
Death and dying
HIV and AIDS
Resource allocation
Business ethics: the healthcare context
Human health and the environment
Part 3: The ethics of research
Historical perspective
The ethical and regulatory environment: local and international
The ethics review process
Scientific misconduct and researcher integrity

Expert Evidence in Clinical Negligence: A Practitioners Guide

Authors: P van den Heever, N Lawrenson

About this Publication
Expert medical evidence is often essential and pivotal in support or defence of medical negligence. Such cases invariably involve questions of technical and factual complexity requiring the evaluation of conflicting expert medical testimony.

In this book, the first standalone textbook on expert evidence in South Africa, the authors expound and extrapolate the whole process from the initial obtaining of the relevant health records to the eventual testimony of the medical expert witness in court. The authors offer an instructive guide to busy practitioners to assist them with – identifying the correct expert specialty or sub-specialty
the construction of a medico-legal opinion
the status of joint minutes of such experts
the preparation of an expert’s examination-in-chief
 cross- and re-examination of an expert

Expert Evidence in Clinical Negligence also discusses the invaluable role of experts in the resolution of medical malpractice disputes by way of mediation.Relevant case law and the applicable Uniform Rules of Court are comprehensively discussed and set out in the footnotes for ease of reference.

Contents
– Health records
– The nature of opinion and expert evidence
– The production of expert evidence
– Obtaining the expert opinion/report
– Preparing the expert to testify
– Qualifying costs of the expert witness and related fees
– Grading the quality of expert evidence and statistical medical evidence
– The role of medical experts in alternative dispute resolution
– Training and accreditation of experts
– Templates:
  – Request for clinical notes
  – Request for access to records (public body)
  – Request for access to records (private body)
  – Recognition of specialties
  – Letter of instruction to expert
Postscript: Oppelt v Head: Health, Department of Health Provincial Administration: Western Cape

Law of Medical Schemes in South Africa, The

Author: D Pearmain

About this Publication
The Law of Medical Schemes in South Africa sets out the law applicable to medical schemes in a thorough and practical manner. This regularly updated loose-leaf work guides medical scheme trustees, boards and administrators on compliance, their fiduciary responsibilities and good governance.

The discussion, by a foremost expert in this field, is firmly rooted in the context of South African health care, noting considerations of policy and corporate governance. Explanatory summaries of cases provide readers with hands-on guidance on the application of laws such as the Medical Schemes Act 131 of 1998.
Practitioner’s Guide to the Mental Health Care Act, A

About this Publication
A Practitioner’s Guide to the Mental Health Care Act explains how the South African mental health system functions for those who implement, administer and are affected by the Act.

The book outlines and explains how the Mental Health Care Act and its regulations are applied to or administered by assisted users, involuntary users, State patients, the intellectually disabled and mentally ill prisoners.

Contents
Part A: Introduction
– Mental health care and the Mental Health Care Act
– Mental health and intellectual disability care – a medical concept
– An introduction to law and international treaties
– The rights of mental health care users and the duties of mental health care providers and practitioners

Part B: Administration of the Act
– Administrators of the Mental Health Care Act

Part C: Care, treatment and rehabilitation
– Health establishments, users and mental health care providers
– Emergency treatment or admission without consent
– Voluntary users
– Assisted users
– Involuntary users
– Severely or profoundly intellectually disabled users

Part D: Forensic users: Observation, state patients and mentally ill sentenced prisoners
– Observation of persons accused of committing crime
– State patients
– Mentally ill prisoners

Part E: Institutions providing protection and redress
– Mental health review boards
– Judicial oversight

Part F: Assistance and support of other state departments
– Assistance and intervention of the South African Police Service
– Departments of correctional services, justice, education, public service and administration, social development and finance

Part G: Property of a user and miscellaneous
– Care and administration of property of mentally ill persons or persons with severe or profound intellectual disabilities
– Miscellaneous

Appendices:
– Mental Health Care Act 17 of 2002
– Mental Health Care Amendment Act 12 of 2014
– Mental Health Care Act 17 of 2002: general regulations
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– Hyperlinks allow for easy navigation within the product
– Powerful electronic searching allows for easy and rapid access to information

Psychology and Law

About this Publication
Psychology and Law are disciplines and professions that seem to be, at first glance, quite distinct and separate – but in reality their congruences are many and varied: psychologists frequently appear in court as expert witnesses; and they often actively research topics that are directly related to law and legal practice. Similarly, lawyers and other legal professionals often face questions in their professional practice that are inherently psychological in nature. This well researched, comprehensive and accessible text introduces the reader to some of the intersections of psychology and law. Each chapter includes learning objectives, exercises and a detailed reference section.

Contents
Psychological assessment in forensic settings
Crime and policing

Child custody assessment
The detection of deception and truthfulness
Eyewitness testimony and identification
The role and treatment of child witnesses in legal proceedings
Assessing dangerousness and the risk of violence
The psychologist as expert witness
Investigative psychology and psychological profiling
Psychology and human rights
Insanity and diminished capacity defences
Res Ipsa Loquitur & Medical Negligence: A Comparative Survey

Authors: P van den Heever, P Carstens

About this Publication

Res Ipsa Loquitur and Medical Negligence: A Comparative Survey analyses the application of the doctrine of res ipsa loquitur ("it speaks for itself") to medical negligence cases. The book aims to establish conclusively that the approach of the South African courts, that the doctrine should never find application in medical negligence cases, is untenable and out of touch with modern approaches adopted in other countries. Constitutional principles such as procedural equality, access to courts, access to health care, access to information, post-constitutional legislation, medical ethics and policy considerations are also discussed. The book further provides a theoretical and practical legal framework for the application of the doctrine to medical negligence cases in South Africa in future. The authors argue for the application of the doctrine, not only in medical negligence cases, but also to related legal procedures that follow a medical accident such as medical inquests, criminal prosecutions and disciplinary inquiries instituted by the Health Professions Council of South Africa. Res Ipsa Loquitur and Medical Negligence includes a comprehensive comparison of the practical application of the doctrine to medical negligence cases in South Africa, England and the United States of America.

Contents

- Origin and development of the doctrine in SA, England & the USA
- The application of res ipsa loquitur to medical negligence in South Africa
- Requirements for invocation of the doctrine
- The procedural requirements of the doctrine
- Pleading res ipsa loquitur medical negligence cases
- The nature of the defendant's explanation in rebuttal
- Onus of proof
- Case law
- Constitutional imperatives for application of the doctrine in South Africa

Published since 2011 > SOFT COVER: ISBN 978 0 70218 597 7 > 224pp

> Mining & Minerals Law

Commentary on the Mine Health and Safety Act and Regulations

Authors: P Masilo, G Rautenbach

About this Publication

The Commentary is informed by the authors' involvement in high-profile inspections and inquests. It offers clarity to all functionaries on how this vital piece of legislation works. Diagrams and chapter overviews set provisions in context. A section-by-section analysis of the Act brings details to the fore.

Contents

- Detailed analysis
- The full text of the Mine Health and Safety Act 29 of 1996 (as amended)
- Regulations in terms of the Mine Health and Safety Act and the Minerals Act
- A glossary of legal terms
- Index

ELECTRONIC Additional Contents and Features

Hyperlinks allow for easy navigation within the product, and to referenced legislation and case law for subscribers to the relevant online publications. Powerful electronic searching allows for easy and rapid access to information.

Published since 2008 > LOOSE-LEAF: ISBN 978 0 70217 904 4
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Diamond Law: Change, Trade and Policy in Context

Author: P F Ndlovu

About this Publication

Diamond Law: Change, Trade and Policy in Context provides commentary and guidance on the state of the law relating to diamonds. It is useful from both an historical and economic perspective and provides excellent reference to important case law. This book also deals with the actual business of diamond trade, specifically looking at aspects of international commerce such as sales and all ancillary aspects of such commercial activity within the diamond trade law. Diamond Law: Change, Trade and Policy in Context considers how the economic history of South Africa has affected the development of laws regulating diamond trade and also looks at constitutional aspects of the South African diamond trade.

Contents

- Abbreviations
- Definitions
- Table of statutes and cases
- Further sources
- The South African economy and early diamond law
- Modern diamond mining and trade law
- The Diamonds Act and blood diamonds
Appendices:
- KPCS Certificate
- Invoice with a System of Warranties Statement
- UNGA Resolution 55/56
- UNGA Resolution 56/263
- Mining Licence ML 3/2003

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- Diamond sales and the regulated industry
- De Beers and humane diamond law
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- Documentary credit and diamond sales
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- International agency law and the diamond industry
- Insolvency and international diamond trade
- Anti-corruption laws and diamond trade
- Trade unions, ITAC, SACU, DTI and the diamond industry
- The future of the diamond trade

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- UNGA Resolution 55/56
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- Mining Licence ML 3/2003

 eBOOK: ISBN 978 0 70219 936 3

 Mine Health and Safety Act 29 of 1996 & Regulations

 Editors: Juta’s Statutes Editors

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 - Declaration of underground mines, excluding coal mines, to be scheduled mines
 - Notice in terms of section 98(9)
 - Regulations relating to the payment of levies by mines on the basis of health and safety risk
 CD-ROM
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 - Mine Health and Safety Regulations – 2006 Occupational Exposure Limits for Airborne Pollutants
 - Mine Health and Safety Regulations (Minerals Act) – Chapter 34 Forms
 - Guideline for the compilation of a mandatory code of practice for the safe use of conveyor belt installations for the transportation of mineral, material or personnel
 - Guideline for the compilation of a mandatory code of practice for risk-based fatigue management at mines
 - Guideline for the compilation of a mandatory code of practice on the provision of personal protective equipment for women in the South African Mining Industry
 - Guideline for the compilation of a mandatory code of practice for trackless mobile machines
 - Guideline for the compilation of a mandatory code of practice for cyanide management
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 Mineral and Petroleum Law of South Africa:
 A Commentary and Statutes (Main and Supplementary Volume)

 Authors: P J Badenhorst, H Mostert

 About this Publication

 This publication assists the reader in understanding the past and present mineral and petroleum regulatory frameworks as well as the future dispensation.

 Contents

 An historical overview of the development of this area of law
 An introduction to the administration of the mineral and petroleum statutes
 The old order (in terms of the Minerals Act 50 of 1991) with an emphasis on its continued relevance for purposes of the transitional measures
 Transitional measures
 The new order brought about by the Mineral and Petroleum Resources Development Act 28 of 2002
 Black Economic Empowerment provisions
 Environmental and administrative law provisions

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    for the South African Mining and Minerals Industry
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Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008
CD-ROM: Related Material
  - Mineral and Petroleum Resources Development Act 28 of 2002
  - Mineral and Petroleum Resources Development Regulations
  - Housing and Living Conditions Standard for the Minerals Industry
  - Moratorium under section 49(1) of the Act on Receiving New Applications for Reconnaissance Permit, Technical Co-operation Permit, Exploration Rights and Production Rights

Mineral Law: Principles and Policies in Perspective

Author: H Mostert

About this Publication
Mineral Law: Principles and Policies in Perspective provides a unique look at the context of current mineral law. It examines the system introduced by the Mineral and Petroleum Resources Act 28 of 2002 by juxtaposing it with preceding generations of mineral law. It deals with the regulatory and proprietary aspects of mineral law, the constitutionality of the transitional provisions introducing the new mineral law order, its continuity with former generations of mineral law.

This book meets the need of scholars and practitioners for an accessible text that provides a broader view of the origins, roles and functions of current legislation on mineral resources.

Contents
Foundations of mineral law
Piecemeal regulation in the Colonial and Union eras
(ca 1860 to 1964)
Regulation of mineral resources from 1964 to 1991: ‘Conferral’
The ‘Custodianship’ model (regulation in mineral law since 2004)
Implications of the systemic change in mineral law
Lessons from the past for the present
Figures outlining the key mineral events in South Africa
Maps showing mineral deposit areas in South Africa both past and present

Mining Library, Juta’s
(Incorporating Badenhorst and Mostert’s Mineral and Petroleum Law of South Africa)

About this Publication
This valuable industry resource contains a collection of relevant, South African legal material. Juta’s Mining Library is an ideal reference work containing all related Acts and selected ordinances and regulations. Also included is a comprehensive table of cases and relevant legislation judicially considered. This publication is an excellent reference for all those interested and involved in South African mining and minerals industries. Badenhorst and Mostert’s Mineral and Petroleum Law of South Africa forms the backbone of the library.

Contents
Badenhorst and Mostert’s Mineral and Petroleum Law of South Africa
Sea-Shore Act 21 of 1935
Explosives Act 26 of 1956 and Regulations
Mines and Works Act 27 of 1956
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Atmospheric Pollution Prevention Act 45 of 1965 and Regulations
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Mining Rights Act 20 of 1967
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Environment Conservation Act 73 of 1989 and Regulations
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Occupational Health and Safety Act 85 of 1993 and Regulations
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Understanding the Mine Health and Safety Act

**Authors:** P Masilo, G Rautenbach

**Contents**
- Objects of the Act
- Health and safety at mines
- Health and safety representatives and committees
- Tripartite institutions
- Inspectorate of Mine Health and Safety
- Minister’s powers
- Legal proceedings and offences
- General provisions sections 96–106

Motor Law

**Author:** S Hector

**About this Publication**
This work provides a section-by-section commentary on road traffic legislation in South Africa, preceded by a comprehensive survey of the history, purpose and scope of the legislation. Provisions of the Act are interspersed with commentary, making for easy cross-reference between Act and commentary. In addition, it covers a number of matters governed by other Acts and by the common law. Provisions of the Road Traffic Act 29 of 1989 that are still in force are discussed separately. The work includes a chapter on medico-legal issues focusing on the measurement of blood alcohol levels of drivers of motor vehicles, and the evidentiary value of the results obtained.

**Contents**
- History, purpose and scope of legislation
- Commentary on Act 93 of 1996
  - Interpretation of National Road Traffic Act 93 of 1996
  - Application of Act, appointment of registering authorities and minimum requirements
  - Registration and licensing of motor vehicles and registration of manufacturers, builders, importers and manufacturers of number plates
- Fitness of drivers
- Fitness of vehicles
- Operator fitness
- Road safety
- Dangerous goods
- Road traffic signs and general speed limit
- Accidents and accident reports
- Offences
- Presumptions and legal procedure
- Registers and records
- General provisions
- Other offences
- Culpable homicide
- Road Traffic Act 29 of 1989
- Commentary on the Rules of the Road and matters relating thereto
- Commentary on the Administrative Adjudication of Road Traffic Offences Act 46 of 1998
- Commentary on medico-legal aspects of motor law

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Hypermics allow for easy navigation within the product, and to referenced legislation and case law for subscribers to the relevant online publications. Powerful electronic searching allows for easy and rapid access to information.
Road Traffic and Transport Library, Juta’s

Editors: Juta’s Statutes Editors

About this Publication
This publication comprises a library of legislation including the full English and Afrikaans (as published) text of the Road Traffic Act, with reference to amending Acts. Juta’s Road Traffic and Transport Library includes comparative tables, consolidated Regulations with all their Schedules, a comprehensive index to the Act and Regulations and the full text of all relevant South African decided cases.

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Financial Supervision of the Road Accident Fund Act 8 of 1993
Road Accident Fund Act 56 of 1996
National Road Traffic Act 93 of 1996

Cross-border Road Transport Act 4 of 1998
Transport Appeal Tribunal Act 39 of 1998
National Land Transport Interim Arrangements Act 45 of 1998
Administrative Adjudication of Road Traffic Offences Act 46 of 1998

Road Traffic Law Rationalisation Act 47 of 1998
Road Accident Fund Commission Act 71 of 1998
Road Traffic Fund Management Corporation Act 20 of 1999
National Land Transport Act 5 of 2009

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INTERNET: ISSN 1682 1746

Road Traffic Legislation / Padverkeerswetgewing

Editors: Juta’s Statutes Editors

About this Publication
This bilingual loose-leaf work comprises the National and Provincial Road Traffic legislation, with a table of cases and an index.

Contents
National Road Traffic Act 93 of 1996
Extant provisions of Act 29 of 1989
National Road Traffic Regulations, 2000
Provincial Road Traffic Acts and Regulations

Administrative Adjudication of Road Traffic Offences Act 46 of 1998 and Regulations
Table of cases

Published since 1990 > LOOSE-LEAF in 3 volumes:
ISBN 978 0 70212 430 3 > Approximately 1600pp
Updated bi-annually online

Pension Fund Law

Pension Funds Act 24 of 1956 & Regulations;
General Pensions Act 29 of 1979; Government Employees Pension Law, 1996 (Proclamation 21 of 1996)

Editors: Juta’s Pocket Statutes

Contents
Key Addresses
Quick Finder for Key Topics
Part A: Pension Funds Act 24 of 1956
– Regulations
○ Pension Funds Regulations
○ Statistical information
○ Recognition of Foreign Exchanges
○ Conditions of Exemption of Pension Funds
○ Conditions of Authorization of Liquidators to make payments to Members and Beneficiaries before submission of Final Accounts and Reports
○ Services for which Remuneration shall be payable to Liquidators of Pension Funds, and tariffs
○ Conditions for administration of Pension Funds, 2002
○ Conditions for Schemes for Apportionment of Actuarial Surpluses of Umbrella Funds, 2003
○ Methods of Apportionment deemed to be Equitable, 2003
○ Requirements imposed by the FSB for nominees to operate in SA, 2007
○ Regulatory reporting requirements for retirement funds
○ Rate of interest payable on amounts and values in terms of section 13A(7)
○ Notice on report by a valuator in relation to a Statutory Actuarial Valuation, 2010
○ Rate of interest for purposes of s. 19(5)(b)(ii)
Child Law in South Africa

Editor: T Boezaart

About this Publication
Child Law in South Africa is the updated and greatly expanded successor to Introduction to Child Law in South Africa (2000). In recent years child law has developed into a well-defined field, both in legal practice and in research. Child Law in South Africa, with its eighteen new and seven entirely updated chapters, is intended as a source of first reference for all legal questions pertaining to children.

This publication is aimed at addressing some of the burning issues that are frequently dealt with in a multi-disciplinary way. It provides insight into the profound influence of recent legislation - e.g. the Children’s Act 38 of 2005, the Child Justice Act 75 of 2008 and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 - and comments on ground-breaking case law and the latest research findings in the field.

Contents
Part I: Aspects of private law pertaining to children
Child law, the child and South African private law
Maintenance for children
Parental responsibilities and rights
Legal representation of children
Child-focused mediation
Adoption of children
The child in need of care and protection
Special child protective measures in the Children’s Act
Upholding the best interests of the child in South African customary law
The theory of children’s rights

Part II: Constitutional and international protection of children’s rights
Constitutional protection of children’s rights
Children’s socio-economic rights
The United Nations Convention on the rights of the child: maintaining its value in international and South African child law

Part III: Education law
Education rights
The impact of constitutional rights on education
Law, education and the learner
The South African Schools Act
School discipline

Part IV: Justice for children as victims and as offenders
Sexual offences against children
Children as victims and witnesses
Medico-legal aspects pertaining to children
Child justice in South Africa: the realisation of the rights of children accused of crime

Children’s Act 38 of 2005 & Regulations

(Also available as part of a two volume set together with the Child Justice Act 75 of 2008 & Regulations – ISBN 978 0 70218 497 0)

Editors: Juta’s Statutes Editors

Contents
Quick Finder for Key Topics
Part A:
– Children’s Act 38 of 2005

Part B:
– Regulations
  o General Regulations regarding Children, 2010
  o Regulations relating to Children’s Courts and International Child Abduction, 2010
Commentary on the Children’s Act

Editors: C J Davel, A Skelton

About this Publication
Written by a team of experts who were actively involved in drafting and commenting on the Bill, Commentary on the Children’s Act is the first section-by-section guide to the Children’s Act 38 of 2005. Every section of the Act is discussed within the context of the Act and its origin, giving practical guidance on its interpretation and application. The Commentary includes the full text of and commentary on the Children’s Amendment Act and regulations. The publication will continue to be expanded into a ‘one-stop reference’ for child law.

Contents
Interpretation, objects, application and implementation of the Children’s Act - Ann Skelton and Paula Proudlock
General principles - Trynie Davel
Parental responsibilities and rights - Jacqueline Heaton
The children’s courts - Jacqui Gallinetti
Partial care - Prinsleaan Makery
Early childhood development - Carina du Toit and Buyi Mbambo
Protection of children - Julia Sloth-Nielsen
Prevention and early intervention - Cheryl Frank
Children in need of care and protection - Carmel Matthias and Noel Zaal
Contribution order - Carmel Matthias and Noel Zaal
Alternative care - Noel Zaal and Carmel Matthias

Foster care - Jacqui Gallinetti and Jackie Loffell
Child and youth care centres - Ann Skelton
Drop-in centres - Ann Skelton
Adoption - Tshepo Mosikatansana and Jackie Loffell
Inter-country adoption - Sonia Human
Child abduction - Christopher Woodrow and Carina du Toit
Trafficking in children - Daksha Kassan
Surrogate motherhood - Anne Louw
Relevant international charters and conventions
Regulations

ELECTRONIC Additional Contents and Features
Relevant legislation
Repealed legislation which was in operation prior to the new Children’s Act
International instruments
An extensive bibliography for further reading
Hyperlinks to head and fly-notes of child law cases and additional material, and to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

Published since 2007 > LOOSE-LEAF: ISBN 978 0 70217 883 2
CD-ROM/INTRANET: ISSN 2071 9051 > Updated quarterly
INTERNET: ISSN 2071 9043
Familiereg: Volume II – Huwelike en Verbintenisse, Dele A & B

Juta Legislation Service

(Refer to the Legislation Collections of Legislation section near the end of this catalogue for a listing of all titles in the Juta Legislation Service series)

Editors: Juta’s Statutes Editors

About this Publication
This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

Contents
Marriages & Unions
Divorce
Maintenance
Births & Deaths
Family, Domestic Violence & Harassment

*Legislative collections mentioned only as the contents is too voluminous.
†Indicates published in English only.

Published since 1990 > LOOSE-LEAF: ISBN 978 0 70212 343 6
Approximately 820pp

Fate of the Child, The: Legal Decisions on Children in the New South Africa

Authors: S Burman (Editor), C Matthias, J Sloth-Nielsen, N Zaal

About this Publication
Decisions that radically affect children’s futures – whether custody decisions on divorce, fostering, children’s home, or adoption placements, or juvenile court decisions – have lifelong consequences. However, there is little hard evidence of what is influencing such decisions in practice, nor how decision-making for South African children can be improved. This book is the result of an attempt to remedy some of these gaps. It presents the evidence from an inter-disciplinary collaborative project set up to research how legal decisions on children are being made in the new South Africa, and how children’s rights are faring in practice in a variety of relevant settings.

Contents
Beyond the rights of the child - Sandra Burman, Carmel Matthias, Julia Sloth-Nielsen and Noel Zaal
Questions on fostering: an anthropologist’s perspective - Patricia Henderson
Shadows of apartheid lingering? Cross-cultural work with children in need of care - Carmel Matthias
Isolo bantwana (eye on the children) - community volunteers, social work and surveillance in processes of child protection - Patricia Henderson

Children and criminal accountability:
questions from the Bench - Julia Sloth-Nielsen and Victoria Mayer
Custody on divorce: assessing the role of the family advocates - Nichola Glasser
Criteria used by family counsellors in child custody cases: a psychological viewpoint - Adelene Africa, Andy Dawes, Leslie Swartz and René Brandt
‘The best interest of the child’: where is the child’s voice?
- Amanda Barratt
Hearing the voices of children in court: a field study and evaluation - Noel Zaal

ELECTRONIC Additional Contents and Features
Hyperlinks allow for easy navigation within the product
Powerful electronic searching allows for easy and rapid access to information

2015 > SOFT COVER: ISBN 978 1 48510 734 7 > 800pp
INTERNET: ISSN

Law of Divorce and Dissolution of Life Partnerships in South Africa, The

Editor: J Heaton

About this Publication
The Law of Divorce and Dissolution of Life Partnerships in South Africa deals with every aspect of the law relating to civil unions and various types of marriages. Written by a team of subject experts, each chapter of this specialist work addresses a different topic and there are chapters on, among other subjects, the grounds for divorce, the financial consequences of divorce, the use of alternative dispute resolution methods in divorce proceedings, and the impact of divorce on children. As well as dealing with those types of marriages that are fully recognised by South African law (civil marriages and customary marriages), the book also considers two types of religious marriages that are not afforded the same recognition: Hindu marriages and Muslim marriages. The dissolution of life partnerships also receives attention in the book since this form of intimate family relationship is a common feature in South Africa today.

Contents
Part 1: The dissolution of a civil marriage or civil union by divorce
- The grounds for divorce - J A Robinson
- The personal consequences of divorce - J C Sonnekus
- The proprietary consequences of divorce - J Heaton

Published since 1990 > LOOSE-LEAF: ISBN 978 1 48510 732 0
Approximately 520pp
About this Publication
This work challenges the efficacy of the traditional definition of marriage and goes on to explain the law of engagement, capacity to marry, the wedding ceremony, minors' marriages, nullity and the invariable consequence of marriage, including a full discussion of household necessaries and the duty of support.

Contents
- The state, marriage and women: families in transition under a new constitution
- The definition and formation of marriage
- The invariable consequences of marriage
- Matrimonial property law
- Dissolution of marriage

About this Publication
The 5th edition of this bilingual sourcebook contains the most revolutionary changes to this area of the law. It addresses
- Domicile
- Effect of age on status
- Children of unmarried parents
- Diverse factors which influence status
- Termination of legal subjectivity
- Table of cases and statutes reflecting the law as at beginning July 2010

Contents
- Definition of concepts
- Beginning of legal subjectivity
- Children's Act which has introduced revolutionary changes to this area of the law.
- The law of persons and constitutional reform
- Beginning of legal subjectivity
- Domicile
- Effect of age on status
- Children of unmarried parents
- Diverse factors which influence status
- Termination of legal subjectivity

About this Publication
The 5th edition of this bilingual sourcebook contains the most important decisions in the law of persons, providing an analysis of the decisions pertaining to this subject as well as judgments which illustrate the application of the substantive legal rules in a practical manner. It has been thoroughly reviewed and rewritten so that it can be used in conjunction with the Law of Persons and Personereg.

Contents
- Post-divorce maintenance for a spouse or civil union - M de Jong and J Heaton
- The position of minor and dependent children of divorcing and divorced spouses or civil union partners - T Boezaart
- The dissolution of a customary marriage by divorce - Chuma Himonga
- The dissolution of a muslim marriage or a hindu marriage by divorce - H Moosa and C Rautenbach
- The dissolution of a life or domestic partnership - B Smith
- Part 5: Issues of general application to divorce and the dissolution of a life or domestic partnership
  - Domestic violence - E Bonthuys
  - Jurisdiction, procedure and costs - A Catto
  - Mediation and other appropriate forms of alternative dispute resolution upon divorce - M de Jong
  - Conflict of laws - C Schulze

2010 > 5th edition > SOFT COVER: (English) ISBN 978 0 70218 513 7 > 248pp
SAGTEBAND: (Afrikaans) ISBN 978 0 70218 513 7 > 260bl
eBOOK: (English): ISBN 978 0 70219 889 2

2011 > SOFT COVER: ISBN 978 0 70219 513 7 > 540pp
eBOOK: ISBN 978 0 70219 960 4
PERSONS AND THE FAMILY

Marriages Act 25 of 1961; Recognition of Customary Marriages Act 120 of 1998; Civil Union Act 17 of 2006; Matrimonial Affairs Act 37 of 1953; Matrimonial Property Act 88 of 1984; Marriage Act, Extension Act 50 of 1997 & Regulations

Editors: Juta's Statutes Editors

Contents
Marriages Act 25 of 1961
Recognition of Customary Marriages Act 120 of 1998
Civil Union Act 17 of 2006
Matrimonial Affairs Act 37 of 1953
Matrimonial Property Act 88 of 1984
Marriage Act, Extension Act 50 of 1997 & Regulations

Older Persons Act 13 of 2006 & Regulations

Editors: Juta's Statutes Editors

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Key Addresses
Quick Finder for Key Topics
Older Persons Act 13 of 2006
Regulations regarding Older Persons, 2010

Refugees Act 130 of 1998 & Rules and Regulations

Editors: Juta's Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Refugee Regulations (Forms and Procedure), 2000
Refugee Appeal Board Rules, 2003
Legislation Alert: Refugee Appeal Board Rules, 2013 included

Trials & Tribulations, Trends & Triumphs: Developments in International, African and South African Child and Family Law

Authors: J Sloth-Nielsen, Z du Toit

About this Publication
This collection of papers, selected from successive Miller du Toit Cloete Inc/University of the Western Cape child and family law conferences since 2001, reflects the spectrum of issues that have concerned practitioners, law reformers and academics during this exciting period of development. Some papers focus on international and regional developments in comparative context, while others deal with practical concerns around mediation, specialisation in child and family law services, and courts. The book also contains papers on contemporary law reform and related challenges, for instance in relation to Islamic marriages, the publication of divorce proceedings, the Children's Act 38 of 2005, and domestic partnerships.

Contents
Introduction - Zenobia du Toit, Prof. Julia Sloth-Nielsen and Judy Cloete
The state of the nation's child and family law and their institutions for the administration of justice - Prof. Julia Sloth-Nielsen
Globalisation of child and family law - Dr Willie McCarney
Recognising relationships: The new role of the state - Madame Justice Claire L'Heureux-Dube
The co-ordination of European child and family law and the revised Brussels II Regulation - Henry Setright QC
Regional developments and the Hague Children’s Conventions, and the draft Convention on the International Recovery of Child Support and other forms of Family Maintenance - Prof. William Duncan
The case for judicial activism - The Rt. Hon Lord Justice Thorpe
Law reform - the emerging protection of children in Botswana? - Monica Tabengwa,Awuah Khan & Partners
The Lesotho Child Protection and Welfare Bill 2004: Why the delays in enacting the children's law? - Dr Itumeleng Kimane
The child law reform process in Southern Sudan - Akur Magot
Muslim personal law: An update - Judge M S Navsa
Making rights real: Facing the challenges of recognising Muslim marriages in South Africa - Rashida Manjoo
Still out in the cold? The Domestic Partnership Bill and the (non)protection of marginalised woman - Prof. Pierre de Vos
Mediation in the Children's Act 38 of 2005, and in family law - Craig Schneider
Revolutionary changes to the parent-child relationship in South Africa - Dr Amanda Boniface

The increased jurisdiction of the children’s courts and implications for family law practice in light of the new mechanisms that promote alternative dispute resolution - Denni Leppan and Dr Jacqui Galinetti

Family group conferencing in the proposed Child Justice Bill: Implications for the child care system - Dr Ann Skelton

Maintenance as a child’s rights issue - an analysis of recent decisions that give substance to the ‘best interests of the child standard’ - Pat Moodley

From Kramer versus Kramer to Batman and Robin - the concept of parental responsibility: A comparison of the Children's Act 1989 with the South Africa Children's Act 2005 - Her Hon. Judge Kharin Cox

Adoption of children - how we got there and current developments - Henry Setright QC

Special assignment: Interpreting the right to legal representation in terms of section 28(1)(h) of the Constitution of South Africa - Dr Ann Skelton

Children’s right to legal representation in divorce proceedings: Proposed guidelines concerning when a section (28(1)(h) legal practitioner might be deemed necessary or appropriate - Daksha Kassan

Practical implementation of representation for children - Upkaar Munzar

The role of the liaison judge under the Hague convention - Judge Ben Griesel

Increasing visibility and protection for children in conflict with the law: presentation on the manual for the measurement of juvenile justice indicators - Seamus MacRobbin

The development of family / divorce mediation in South Africa - Adv. Praveena Sukhraj-Ely

Information pertaining to divorce proceedings - Ananda Louw
Property Law

ABC of Conveyancing

Authors: L Kilbourn (Founding Author), M Botha

About this Publication
This updatable loose-leaf publication deals with all aspects of conveyancing without presupposing any previous knowledge of conveyancing. The author, who runs a training institute for conveyancing secretaries, carefully explains all concepts and provides a step by step explanation through the conveyancing process. Apart from numerous examples, each chapter provides an overview of the learning outcome as well as a 'test yourself' section. All steps in the conveyancing process are illustrated with samples of documents, forms and precedents.

Contents
What conveyancing is about
Immovable property, ownership and real rights
The different faces of property ownership: freehold, leasehold, sectional titles, and others
The South African Deeds Registration System
The law relating to conveyancing
Role-players in the transfer process
Receiving and processing the transfer instruction
Agreements: Terminology, legal principles and practice
Common clauses in a property sale agreement
Deeds office print-outs and deeds searches
The FICA and its implications for conveyancing transactions
Communicating with the role-players at the outset of the transfer

Compulsory Acquisition of Rights, The: By Expropriation, Way of Necessity, Prescription, Labour Tenancy and Restitution

Author: M Southwood

About this Publication
The law of expropriation has been changed by the Constitution in important respects, including the circumstances in which expropriation may be used for land reform, and the measure of compensation. It will feature prominently in South Africa's land reform programme, and is considered in the third edition extensively on the new comparative sections which include asset forfeiture, constructive expropriation and the public-purpose requirement for expropriation.

Contents
Compulsory acquisition of rights: the Constitution
Expropriation: powers of expropriators, property, procedure and compensation
Ways of necessity
Acquisitive prescription
Labour tenants: who are, rights to occupy and use, obligations, and acquisition of land
Restitution of land rights: the entitlement, processing the claim
The Land Claims Court and its orders
Expropriation Act 63 of 1975
Extracts from the Prescription Act 18 of 1969
The Land Reform (Labour Tenants) Act 3 of 1996
Restitution of Land Rights Act 22 of 1994
Restitution of land rights administration rules

Constitutional Property Law

Author: A J van der Walt

About this Publication
Part of the Juta’s Property Law Library series, this new edition offers a comprehensive and authoritative discussion of all aspects of property law in South Africa.

The third edition reflects recent developments in case law and literature, and expands extensively on the new comparative sections which include asset forfeiture, constructive expropriation and the public-purpose requirement for expropriation.
Deeds Practice Manuals: The Consolidated Practice Manuals of the Deeds Office of South Africa

Authors: The Deeds Office of South Africa

About this Publication
Deeds Practice Manuals provide an extensive and modern survey of the entire field of deeds registration, practice and procedure. Written over a period of more than a decade, and endorsed by the Deeds Office, it is a uniform practical guide that serves as an invaluable tool for anyone involved in conveyancing. While the underlying legal principles are addressed, the focus is on specific procedures, with numerous examples of endorsements and other specimen documents accompanied by the guidelines for deeds examiners.

Contents
Conventional deeds
Sectional titles
Notarial practice
Diverse legislation
Township development
Useful tables containing easy references to:
- Case law
- Legislation
- Chief Registrar's Circulars
- Registrars' Conference Resolutions

ELECTRONIC Additional Contents and Features
The Deeds Practice Manuals
Text of the main Acts relevant to deeds registry, extracts from other Acts

Regulations in terms of the main Acts
Flynotes and headnotes of reported judgments referred to in the Manuals
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

Deeds Registries Act / Registrasie van Aktes Wet

Juta Legislation Service

(Refer to the Collections of Legislation section near the end of this catalogue for a listing of all titles in the Juta Legislation Service series)

Editors: Juta's Statutes Editors

About this Publication
This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments - if applicable); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta's Statutes Editors provide a free year-round update service in the form of Juta's Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

Contents
Deeds Registries Act 47 of 1937 and Regulations

Published since 2007 > LOOSE-LEAF in 2 volumes: ISBN 978 0 70217 416 2 > Approximately 1800pp
CD-ROM/INTRANET: ISSN 1993 3126 > Updated quarterly
INTERNET: ISSN 1993 3126

Published since 1985 > LOOSE-LEAF: ISBN 978 0 70211 642 1 Approximately 454pp

Editors: Juta's Statutes Editors

About this Publication
This book contains the Acts and regulations in one bilingual volume. It reflects the law as at 25 September 2015.

Contents
Quick Finder for Key Topics / Blitsgids vir Sleutelonderwerpe
Deeds Registries Act 47 of 1937 / Registrasie van Aktes Wet 47 van 1937
  - Registration of Deeds Regulations / Registrasie van Aktes Regulasies

Introduction to the Law of Property
Inleiding tot die Sakereg

Juta's Property Law Library

Authors: A J van der Walt, G J Pienaar

About this Publication
The reworked and updated new edition of this widely-prescribed bestseller has been written specifically for second year students following a first course on the subject. Extensive use is made of examples and references to case law and the authors take cognisance of and accommodate the varying needs and teaching approaches at different universities. Available in English and Afrikaans, the 7th edition of this textbook endeavours to provide a picture of property law in the new constitutional system, and therefore a few chapters on the constitutional property clause and land reform have been included.

This title now forms part of the Juta’s Property Law Library, which is aimed as a series at illustrating the interplay between the common law, the Constitution and legal reform in a constitutional system.

This book should be used with the eighth edition of Van der Walt’s bilingual Law of Property Casebook for Students.

Contents
Part I: Introduction to the law of property
Part II: Ownership
Part III: Possession and holdsethip
Part IV: Limited right in property
Part V: Constitutional property law
Cases
Legislation

Jones’ Conveyancing in South Africa

Author: H S Nel

About this Publication
This edition remains a practical guide for the student conveyancer and candidate attorney and is not intended as or claimed to be a legal treatise. Because of the enormous amount of information that exists around this field and the changes in conveyancing practice and procedure, this text restricts itself to the factors salient for the purposes of the conveyancing examination. Examples are given in conjunction with the relevant subject matter to facilitate reference.

This text includes aspects of conveyancing law for use by students for the conveyancing examination.

Contents
Examination, execution and registration of deeds
Title deeds to land
Deeds and documents: identification of persons, marital status
Sequence of transfer of land and cession of real rights therein
Land Reform

**About this Publication**
Part of the *Juta’s Property Law Library* series, *Land Reform* offers comprehensive coverage of every aspect of land reform in South Africa. Recent developments in land reform, together with the policy and constitutional issues relating to this complex subject are explored, all within the context of South African property law. The book also provides an in-depth evaluation of the three sub-programmes forming part of the land reform agenda: land redistribution, land restitution, and land tenure reform, as well as relevant statutory and case law developments.

**Contents**
Part I
- Introduction
- Land Reform in context
- Historical excursion

Part II
- Land reform as a temporal process
- Land reform embedded into the Constitution
- Policy dimension to land reform
- Broadening access to land & redistribution
- Tenure reform
- Restitution programme
- Unlawful occupation & eviction

Part III
- Reflecting on land reform: characteristics, dichotomies and tensions

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Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
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2014 > SOFT COVER: ISBN 978 1 48510 142 0 > 960pp
INTERNET: ISSN 2413 8789

Land Tenure Law

**About this Publication**
This updatable loose-leaf publication explains key definitions in the relevant laws and provides useful, practical guidelines on land rights disputes for government officials, legal practitioners (including conveyancers), paralegals and NGOs in the land rights sector.

Relevant case law is explained in an accessible, non-legalistic and user-friendly manner. The work sets out the nature and scope of legal protection available to occupiers and labour tenants living in rural and peri-urban areas. It also contains a section on access to the courts, including the Land Claims Court.

**Contents**
- Tenure reform in a constitutional context
- Tenure security in South African law
- Resources on the topic
- Extension of Security of Tenure Act 62 of 1997

Published since 2010 > LOOSE-LEAF: ISBN 978 0 70218 213 6
Approximately 220pp

Land Title in South Africa

**Editors:** D L Carey Miller, A Pope

**About this Publication**
*Land Title in South Africa* is concerned with the land reform programme which is a central aspect of the political and social reform agenda of democratic South Africa. After a concise general survey of the history of discriminatory landholding, comprehensive chapters on registration, prescription and alternative forms of title establish the relevant property law context. Chapters giving details of the precursor 1991 reforms and, most importantly, explaining the controlling constitutional provisions, set the scene of the reform developments.

The ANC Government’s principal land reform laws of the first democratic parliament (1994–1999) are dealt with in chapters on restitution, redistribution and tenure reform – a breakdown reflecting the conceptual basis of the reform programme. The book ends with a general chapter identifying the overall impact of the reforms in the existing property context.

**Contents**
Part I: Background
- The Development of discriminatory landholding

Part II: Context
- Registration
- Prescription
- Alternative forms of title

Part III: Reform developments
- The 1991 land law reforms
- The Constitutional basis of the reform agenda
- Restitution
Land, Power and Custom: Controversies generated by South Africa's Communal Land Rights Act

Editors: A Claassens, B Cousins

About this Publication
Land is a burning issue in South Africa, as in Africa more widely. One particularly controversial aspect is reform of land tenure in the former homelands. The legislation governing the redistribution and restitution of jointly owned land is the Communal Land Rights Act of 2004.

Land, Power and Custom is written from research generated in the course of preparing a legal challenge to the constitutionality of the Act. It combines chapters written by experts in the fields of land tenure, customary law, history and land reform, and detailed case studies collected from rural communities. They explain the impact that provisions of the Act will have on current problems, and how it is likely to exacerbate them and introduce new forms of conflict and instability. Many of the chapters argue that the Act entrenches key distortions that derive from colonialism and apartheid.

Contents
Part I – Introduction
Situating the CLRA case and the articles in the context of broader policies and theoretical debates - Ben Cousins
Summary and analysis of the Act - Henk Smith
Tagging the Bill, gagging the provinces: the Communal Land Rights Act in Parliament - Prof Christina Murray and Richard Stacey

Part II: Land rights and customary law – Land in indigenous law in Africa - Prof Hastings Okoth-Ogendo
The nature of land rights in communal areas in contemporary South Africa - Prof Ben Cousins
Women, land and power: the impact of the Communal Land Rights Act - Aninka Claassens and Sizani Ngubane

Part III: Traditional leaders, land administration and power
The changing nature of chiefly power and land rights - Prof Peter Delius
Current political developments in relation to chiefly power - Prof Lungisile Ntzebeza
Land rights, power and customary law: the Communal Land Rights Act - Aninka Claassens

Part IV: Case studies
Kalkfontein - Aninka Claassens and Durkje Gillilan
Makuleke - Aninka Claassens and Moray Hathorn
Makgobistad - Aninka Claassens and Henk Smith
Rabula and Fingo Village - Rosalie Kingwill
Conclusion - Aninka Claassens

Table of cases

The Law of Neighbours, The

Author: A J van der Walt

About this Publication
The Law of Neighbours provides a substantive analysis of this area of law. It covers traditional areas of neighbour law, such as party walls and fences, lateral support, encroachment, interference with the natural flow of water, nuisance, and dangers caused by neighbours as well as chapters on neighbour conflicts caused by building, the influence of the new Constitution and the notion of living together as neighbours in the new democracy.

The book aims to establish the current state of the law seen against the context of its historical development in South Africa and in the perspective of foreign law. It is also determines whether and how the current position is consistent with the Constitution.

Contents
Living together as neighbours
Mutual boundaries, party walls and fences
Lateral support
Encroachment
Natural flow of water
Nuisance
Dangers and threats posed by neighbours

Neighbour disputes about building
Future development
Bibliography
Legislation
Case law

Electronic Additional Contents and Features
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information
The purpose of this casebook is to provide an elementary reader of case law and materials for a first course in property law. The layout and structure of case reports and legislation are discussed and explained, and students are provided with practical hints and advice regarding the reading of cases and legislation. One case is reproduced in full and used as an example of how cases should be analysed and read. Other cases are reproduced selectively to allow students to develop and exercise their skills in the analysis and reading of cases. The 8th edition has been updated with new cases until July 2015. The inclusion of cases on constitutional law illustrates the interplay between the common law, constitutional law and legal reform.

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jurisdiction. They also, in a number of areas, reveal an emerging and distinctive jurisprudence of mixed systems, and thus suggest viable answers to some of the great questions which must be answered on the path towards a European private law.

Contents

- Contract
- Delict and other obligations by law
- Property

About this Publication

Now part of the Juta’s Property Law Library series, the 2nd edition provides a comprehensive discussion of the core aspects of South African planning law.

This edition has been revised and entirely reworked to reflect the major changes in planning law. It not only focuses on values and equity, but also on the development of an entirely new vision and structure for planning in all three spheres of government. It gives detailed attention to spatial planning, land use management and land development management. The effect of the new constitutional dispensation is discussed, as well as landmark Constitutional Court decisions that were handed down in early 2012. The foreword concisely explains the new Spatial Planning and Land Use Management Bill 2012 and refers to the relevant chapters where it is discussed at length. The book also deals with related administrative, environmental, local government, housing and informal settlement issues. It introduces some basic principles, addresses the roots of planning law in South Africa as well as some of the results of its apartheid history.

About this Publication

Most planning degrees at South African universities include a compulsory course in planning law. This is usually the first time that planning students encounter law as a discipline. Planning students therefore need to familiarise themselves with sources such as the Constitution, legislation and court decisions. The Planning Law Casebook seeks to assist students in this regard.

Understanding how to use, interpret and apply case law is perhaps the most difficult aspect of planning law. Part I of the Planning Law Casebook describes the different parts of a typical court case. Part II briefly explains how the Casebook should be used. Part III contains discussions and analyses of 18 key planning law cases, which reflect the different components of current planning law. Part IV is a glossary in which the relevant legal concepts and terminology are defined. Part V includes extracts from applicable legislation. Part VI provides examples of typical planning documents, such as a deed of transfer, a notice of the removal of a restrictive condition or rezoning, and a part of a schedule to a town planning scheme indicating one of the zoning categories.

About this Publication

Planning Law in Namibia focuses on the emerging discipline of town planning in terms of law and practice in a Namibian context. The book unveils the interdisciplinary nature of town planning with its links to land-use planning, urban design, transport and infrastructure planning, the environment, policy making and implementation.

Contents

- Situational analysis
- Definition, sources and history of planning law
- Town planning
- Township establishment and subdivision of land
- Amendment or removal of restrictive conditions
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– Town Planning Ordinance 18 of 1954
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– Regulations relating to Fees Charged
Regulation of town and regional planners

About this Publication
South Africa’s property law teachers have been convening annually since 1985 to exchange ideas, subject their work to peer scrutiny and build a collegial network. Over time, the agendas of the annual meetings became snapshots of the development of a discipline.

In celebration of the 25th anniversary of this meeting, the Property Law Teachers’ Colloquium was expanded into an International Property Law Conference, giving South African property law teachers an opportunity to exchange their ideas on a much broader platform, with some of the world’s best property law scholars and teachers.

Property Law Under Scrutiny brings together pieces that give an overview of property law twenty-five years after the establishment of the South African Property Law Teachers’ Colloquium. A recurrent theme in all the contributions at the conference, and the ones included in this publication, is the tension between well-established principles of property law and the policies that drive legal development in the field.

The topics addressed are organised into four themes, as follows:
The first cluster relates to an age-old issue in conventional property law: the accession of movables to immovables. The second cluster concerns the centrality of the real agreement in transfers and in the real security context. A third cluster deals with questions about the public law aspects of property. The fourth cluster captures some of the dilemmas and challenges concerning the abandonment and neglect of property. It ties together the underlying concerns aired in debates about the conventional property rules and issues surfacing in the crossover between private and public law, and the role of property law principles.

In capturing the interaction between South African and international scholarship, Property Law Under Scrutiny serves to introduce a new era in this developing discipline. Teachers and practitioners of property law, locally and internationally, will find this to be an invaluable resource.

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Chapter 1: The role of subjective intention in the case of building as original form of acquisition of ownership - Lex Mpati
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Chapter 3: The purpose and coherence of the rules on good faith acquisition and acquisitiv
Chapter 4: The recognition of the real agreement in the context of an abstract system in South African case law - Flip Schutte
Chapter 5: Real security rights: Time for Cinderella to go to the ball? - Andrew JM Steven
Chapter 6: The legal position of a pledgee of a document of title like a bill of lading under Dutch law - Richard Zwitser
Chapter 7: The gradual erosion of the distinction between deprivation and regulation of ownership - Vincent Sagaert
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Editors: Juta’s Statutes Editors

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Extension of Security of Tenure Act 62 of 1997
– Regulations under Extension of Security of Tenure, 1998
Rethinking Expropriation Law I: Public Interest in Expropriation

Editors: B Hoops, E J Marais, H Mostert, J A M A Sluysmans, L C A Verstappen

About this Publication
This book is the first of a series in which experts engage critically with identified aspects of expropriation law. The internationally diverse group of contributing authors offer valuable insight into the treatment of public purpose/interest related issues as they are canvassed in jurisdictions around the world. Some of these include:

- the public purpose/interest requirement and the definition of the object of expropriation;
- the role of public purpose/interest in distinguishing between expropriation and regulation of property;
- public interest and the classification of expropriatory actions as administrative, statutory or constructive;
- categorising of the notions of public interest and public purpose;
- justifiability of expropriation without compensation;
- consequences of a change in purpose after expropriation has been effected;
- whether an expropriation can be challenged on the basis that less invasive means were available for the state to realise the specific purpose;
- whether the public interest could legitimately entail transfer of expropriated property to a party other than the state.

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Rethinking Public Interest in Expropriation Law:
Introductory Observations - Leon Verstappen
Public Interest in Takings Cases in Italy and France: The Constitutional and Human Rights Dimension - Sabrina Praduroux
The Poverty of Precedent on Public Purpose/Interest: An Analysis of Pre-Constitutional and Post-Apartheid Jurisprudence in South Africa - Hanri Mostert

"Somewhat at Sea": Public Use and
Third-Party Transfer Limits in Two US States - John A. Lovett
Reviewing Expropriations: Looking beyond Constitutional Property Clauses - Rachael Walsh
In the Shadow of Zimbabwe: Public Interest, Land Reform, and the Transfer of Property in South Africa - Heinz Klug
Reclaiming Property: Changes of Purpose or Non-Realization of Public Purpose after Expropriation - Jacques Sluysmans, Nikky van Triet
Exactions and the Rule of Law - Eduardo M. Pefalver
The Public Purpose for the Expropriation of Land: A Framework for Assessing Its Democratic Legitimacy - Björn Hoops
The 'Land Assembly Districts' Solution to Third-Party Transfers - Michael Heller, Rick Hills
Fundamental Premises of Land Expropriation in Poland - Magdalena Habdas
Expropriatory Compensation, Distributive Justice, and the Rule of Law - Hanoch Dagan
The Public Purpose Requirement in the Calculation of Just and Equitable Compensation - Elmien (WJ) du Plessis
When Does State Action Amount to Expropriation? Recent Australian Developments - Brendan Edgeworth

Rethinking Expropriation Law II: Context, Criteria, and Consequences of Expropriation

Editors: B Hoops, E J Marais, H Mostert, J A M A Sluysmans, L C A Verstappen

About this Publication
This book is the second of a series in which experts engage critically with the context, criteria and consequences of expropriation. The State, in the shape of monarchies, dictators, or democracies, has been using expropriation to implement its policies since the times of ancient Rome. This book therefore contains contributions on the historical context of expropriation. Despite its age, however, expropriation law is constantly evolving at the national and international level. The contributors show how European human rights law and international soft law instruments shape national criteria and international diversity in expropriation. Lastly, the contributors examine the consequences of expropriation for residential communities.

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Towards a Paradigm Shift in the Application of Expropriation Law in Flanders - Stijn Verbist
Hidden Expropriation in Globalization and Soft Law Protection of Communal Property Rights - Ting Xu

Part 2: Criteria
The Public Use Requirement and the Character of CONSEQUENTIALIST Reasoning - Gregory S. Alexander
More Safeguards instead of a Ban of Economic Development Takings: The Kelo Case from a German Perspective - Björn Hoops
'Regulatory Expropriation' under German Constitutional Law and in International Investment Law – The Case of Vattenfall - Carola Glinski
Sectional Titles Act / Wet op Deeltitels

Juta Legislation Service

(Refer to the Collections of Legislation section near the end of this catalogue for a listing of all titles in the Juta Legislation Service series)

Editors: Juta’s Statutes Editors

About this Publication
This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation gazetted each week. Register for this service at www.jutalaw.co.za.

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*Indicates published in English only.

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Sectional Titles Act 95 of 1986 & Regulations

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

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Sectional Titles Act 95 of 1986
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Sectional Titles Regulations

Sectional Titles and Other Fragmented Property Schemes

Juta’s Property Law Library

Author: G J Pienaar

About this Publication
Social and economic developments in South Africa have contributed to the increasing need for fragmented property holding, especially in urban areas. With the advent of the wider interpretation of property in terms of the new constitutional dispensation this need has been strengthened. The idea that individualised landownership forms the basis of the South African property concept has been gradually transformed by the reality that sectional titles, share blocks, property time-sharing and retirement schemes are essential forms of urban property holding.

This book provides an exposition of the idea of urban fragmented property holding in South Africa, with reference to the different forms of urban fragmented property schemes introduced by legislation. The functioning of the management bodies of these schemes and the nature and effect of management and conduct rules are emphasised to illustrate to what extent the idea of urban fragmented property holding has changed the property concept in the new constitutional dispensation in South Africa.

Relevant case law and new legislative developments are discussed comprehensively to indicate how fragmented property schemes are governed and how disputes regarding use rights of individual sections and the common property of such schemes are solved.

Contents
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Sectional titles
Sectional title ownership
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Management of a sectional title scheme
Rights and obligations of owners and other right-holders
Share blocks
Share block schemes
Management of a share block scheme
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Time-sharing schemes
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Legislation

2010

SOFT COVER: ISBN 978 0 70218 553 3 > 582pp

INTERNET: ISSN 2226 3438

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Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

**Author:** H J Delport

**About this Publication**
This volume is an indispensable reference work with excellent, up-to-date material on areas such as sectional title, share blocks and the like. It provides the property lawyer, estate agent and student with an in-depth exposition of all aspects of property and the law. The work includes an extensive commentary on the Estate Agents Act, updated regularly by comprehensive revision services, as well as useful guidelines on the legal aspects of immovable property. An entire section is devoted to setting learning objectives for candidates preparing to write the Estate Agents Board Examination.

**Contents**
- Immovable property and interests in immovable property
- Sectional titles, share blocks and time-share
- Statutory control over property
- Contracts
- Estate agents and statutory control over estate agents
- Estate Agents Affairs Act 112 of 1976 with commentary

Published since 1987

**LOOSE-LEAF:** ISBN 978 0 70211 899 9
Approximately 1140pp

Understanding Land Tenure Law: Commentary & Legislation

**Authors:** A Mahomed et al

**About this Publication**
*Understanding Land Tenure Law* (an extract from *Land Tenure Law* loose-leaf) contains a commentary on land tenure law in South Africa together with the three key pieces of legislation: the Labour Tenants Act, the Extension of Security of Tenure Act and the Prevention of Illegal Eviction Act. The text explains key definitions in the law and provides useful, practical guidelines on land rights disputes. The relevant case law is explained in an accessible, non-legalistic manner. *Understanding Land Tenure Law* also sets out the nature and scope of legal protection available to occupiers of land and labour tenants, with a section on access to the courts, including the Land Claims Court.

**Contents**
- Tenure reform in a constitutional context
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- The scope of the Extension of Security of Tenure Act
- Type of land
- Type of occupier
- Jurisdictional issues
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- Eviction of labour tenants
- Jurisdiction of the Land Claims Court
- Compensation
- Relocation
- Arbitration
- The Land Claims Court
- Government assistance

2009

**SOFT COVER** > pocket size: ISBN 978 0 70218 164 1 > 263pp

Tobacco Products Control Act 83 of 1993

**Editors:** Juta’s Statutes Editors

**About this Publication**
This poster contains the key legislative provisions relating to: the prohibition and restrictions on smoking in public places, including businesses; the regulation of the sale and advertising of tobacco products; required packaging and signage; cigarette vending machine rules; and offences and penalties. It reflects the law as at 30 September 2015.

**Contents**
- Definitions
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- Standards for manufacturing, importing and export of tobacco products
- Prohibitions on smoking in public places
- Restrictions on use of vending machines
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2015

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Public Service Law

Public Service Act, 1994 (Proclamation 103 of 1994)
& Regulations

Juta's Pocket Statutes

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- Certificate of Service form Z17
- Administration and operations – Municipal Infrastructure
  Support Agent (MISA)
- Establishment of the National Intellectual Property
  Management Office as specialised service delivery unit
  within the Department of Science and Technology

Public Service Law Handbook

Editors: Juta Law Editors

About this Publication
Compiled in collaboration with the Public Service Co-ordinating
Bargaining Council, this publication contains the laws applicable
to public servants generally, at national as well as provincial
level. Both the Public Service Act of 1994 and the regulations
promulgated thereunder have been amended repeatedly. This
volume provides a consolidated text, and its loose-leaf format
provides for continuing updates to ensure that the information
remains current. The volume also contains the Public Service
Co-ordinating Bargaining Council Resolutions, which regulate
vital areas such as discipline, incapacity and dispute resolution.
This work should be widely available and accessible to the
workforce that is governed by the legislation and resolutions.

Contents
Public Service Act, 1994
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- Election of full time shop stewards
- Agreement on senior management
- Disciplinary code and procedures
- Remunerative allowances and benefits
- Incapacity codes and procedures
- Incapacity codes and procedures in respect of ill health
- Sectoral bargaining structures
- Improvements in the conditions of service of public
  service employees for 2000 / 2001 financial year

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Correctionsal Services Act 111 of 1998 & Regulations and Related Material

**Editors:** Juta's Statutes Editors

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- Correctionsal Services Act 8 of 1959 (extant provisions)

Disaster Management Act 57 of 2002 & Regulations

**Authors:** Juta's Statutes Editors

**Contents**
- Key Addresses
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  - Disaster Management Volunteer Regulations, 2010

Understanding Sectoral Determination 6: Private Security

**Author:** D Keith

**About this Publication**
*Understanding Sectoral Determination 6: Private Security* forms part of the Juta's Pocket Companions series. This book presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa as security officers, including wage tables. The key provisions of the sectoral determination are explained in a systematic manner, with key point summaries at the end of each section. *Understanding Sectoral Determination 6: Private Security* also contains the text of the legislation.

Section 29 of the sectoral determination states that every employer who employs or provides work to private security officers must keep a copy of the sectoral determination available in the workplace at all times.

**Contents**
- Areas and scope of application
- Definitions of key terms and words
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- Leave and other benefits
Essential Social Security Law

About this Publication
The second edition of Essential Social Security Law, examines the law that seeks to alleviate the economic and social consequences suffered by people in the event of a complete or partial loss of income. It focuses on those contingencies that have a direct impact on a person’s earning capacity. In the process of examining these contingencies, the book deals with legislation such as the Social Assistance Act, Pension Funds Act, Compensation for Occupational Injuries and Diseases Act, Unemployment Insurance Act, Basic Conditions of Employment Act and Medical Schemes Act. Essential Social Security Law also considers new statutes that have come into operation since the previous edition. The book also includes judgments dealing with various aspects of social security and cross-references the important and comprehensive report on social security compiled by the Taylor Committee.

Contents
Introduction to social security law
Old age and death

HIV and Social Security Law: The SADC Region

About this Publication
HIV & Social Security Law comprises a collection of conference papers from representatives of the ILO, the SADC Tribunal and academics from different universities in the SADC region. They assess the extent to which national governments have enacted measures to deal with HIV-related issues in the domains of labour law, health law, social protection and social security law. The legal situation in the EU is included as an example.

Contents
International organisations and the development of health policy and health law: the European Union (EU) as an example - Yves Jorens
The right to health as a human right in Mozambique - Farida Mamad

Role of Standards in Labour & Social Security Law, The: International, Regional & National Perspectives

About this Publication
The Role of Standards in Labour & Social Security Law examines international standards, their interrelationship, and their interaction with national labour law, social security systems and regional regimes. The book approaches this vast subject from a number of different thematic and geographic perspectives, and focuses on specific areas that exemplify the key issues under discussion.

The Role of Standards in Labour & Social Security Law reflects on the relevance and limitations of international standards and also highlights the importance of a human rights approach and the role of private actors in the protection of labour- and social security rights.

Contents
International perspectives
- International labour standards: a complex public-private policy mix
- International labour and social security standards: a developing country critique
- The Social Protection Floors Recommendation 2012 (No 202): the human rights approach to social security in ILO wrapping paper
Understanding Social Security Law

Authors: M Olivier, L Mpedi, E Kalula

About this Publication
Understanding Social Security Law forms part of the Juta’s Pocket Companions series. It deals with key elements of social security in its various facets, both private and public measures. Social security is defined and different elements such as social insurance, social assistance, pensions and unemployment insurance are set out. Relevant case law is explained for the reader. Selected comparative social security trends elsewhere, including developments in the Southern African Development Community (SADC) are also mentioned.

The book aims to present some relevant aspects of this growing area of the law and labour market policy in an accessible way. Key point summaries of law and frequently asked questions (FAQs) are covered to aid understanding.

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Understanding Unemployment Insurance Law

Author: L G Mpedi

About this Publication
Understanding Unemployment Insurance Law forms part of the Juta’s Pocket Companions series. Titles in this series explain key legislation in non-legalistic language, in an affordable accessible format.

The book begins with a brief outline of the legislative history and then systematically explains the different pieces of legislation which provide protection to the unemployed. At the end of each chapter, key-points boxes provide the reader with concise summaries of the commentary and FAQs assist the reader by anticipating and answering potential questions. Understanding Unemployment Insurance Law deals with the scope of the insurance cover, the institutional framework, the duties and rights of contributors and employees, eligibility for benefits, dispute settlement and enforcement. Selected unemployment insurance forms are included for easy reference.

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– Application for continuation of payment of maternity benefits
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– Application for dependant’s benefits by surviving spouse or life partner

– Application for dependant’s benefits by child/children of deceased
– Notice of appeal against a decision of a claims officer

2014 > SOFT COVER – pocket size: 978 1 48510 607 4 > 128pp

Special Collections

Essential Legal Practitioner Bundle, The

About this Publication
The Essential Legal Practitioner Bundle is a collection of the key publications required by legal practitioners covering law reports, statutes and regulations and Juta’s two iconic civil procedure reference works.

Contents
The South African Law Reports (1947 to date)
Juta’s Statutes & Regulations of South Africa
Juta’s Unreported Judgments
Jones & Buckle Civil Practice of the Magistrates’ Courts in South Africa
Erasmus Superior Court Practice

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Tax Law

Capital Gains Tax: A Practitioner’s Manual

Author: R.C Williams

About this Publication
This work is designed to meet the needs of attorneys, accountants, tax consultants, investment advisers, and other professionals. The manual explains, in depth and in detail, the conceptual basis and the practical implications of capital gains tax. The book includes a paragraph-by-paragraph commentary on the provisions of the Eighth Schedule and the Corporate Rules, including many practical illustrations of capital gains tax calculations and other examples.

Contents
Capital gains tax in overview; fundamental concepts; the structure and internal logic of the capital gains tax legislation
The Eighth Schedule to the Income Tax Act 58 of 1962 (text, commentary and practical examples)
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– Taxable capital gains and assessed-losses

– Disposal and acquisition of assets
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– Other exclusions
– Rollovers
– Attribution of capital gains
– Company distributions
– Trust, trust beneficiaries and insolvent estates
– Foreign currency
– Miscellaneous (transactions during transitional period).

The Corporate Rules (text and commentary)


2016 Compendium of Tax Legislation, SAIT (Volume I & II)

Editors: Juta Law Editors

About this Publication
Published annually, Volume 1 of this invaluable publication incorporates all promulgated and proposed amendments as envisaged by the 2015 Act and Bills as at 1 March 2016, aided by Juta’s prelex and pendlex. Convenient quickfinder tables allow readers to easily find content within the Acts. A useful digest of cases from 2007 to 2015 has also been included.

Related supplementary material such as interpretation notes, practice notes, advanced tax rulings and regulations have been included in Volume 2 on the enclosed complimentary CD-ROM. Also available as an eBook package.
Juta Law Catalogue

TAX LAW

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WEB PDF – Volumes 1 & 2: ISBN 978 1 48510 969 3

Division of Revenue Act 1 of 2015
Juta’s Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library - ISBN: COMP LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

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Income Tax Act 58 of 1962, Juta’s

Editors: Juta’s Statutes Editors

About this Publication
Juta’s Income Tax Act presents the text of the Income Tax Act 58 of 1962 in a manner that enables the reader to look at the Act in a new way. All amendments in terms of the following 2015 Act and Bills have been incorporated in this edition, including amendments made (in the case of the 2015 Act) and envisioned (in the case of the 2015 Bills) at the time of going to press:
- Rates and Monetary Amounts and Amendment of Revenue Laws Act 13 of 2015;
- Taxation Laws Amendment Bill 29B of 2015; and

Value has also been added to the text by the inclusion of the following unique Juta elements into the consolidated Act:
- ‘Prelex’: wording of legislation in force prior to the coming into operation of the substituted, amended or deleted provisions; and
- ‘Pendlex’: pending legislation that will only come into operation after 1 April 2016.

Juta’s Income Tax Act is a useful and reliable resource for students and tax practitioners alike: the consolidated and annotated Act equips the reader with the tools to interpret, apply, and assess the impact of the latest changes to the Act.

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List of definitions
List of Acts referred to in Income Tax Act

2016 > SOFT COVER: ISBN 978 1 48510 952 5 > 438pp

Income Tax in South Africa: The First 100 Years

Authors: J Hattingh, J Roeleveld, C West

About this Publication
This book, marking the 2014 centenary of income tax in South Africa, presents historical research covering a range of topics. The authors begin with the international origins of income tax law and the transformation of old Dutch taxes into colonial income tax, and the role of General Smuts in the introduction of income tax in 1914. The struggle to find an appropriate means of taxing corporate profits of shareholders is shown to have continued for decades, and mining and farming as main industry players in the South African economy receive special attention. The demise of cooperatives, the history of international tax treaties and the colonial influence also form part of the historical journey of this publication.

An examination of the special qualities of leading judges of the time and their jurisprudence provides much food for thought. Policy debates such as whether South Africa should follow the source or the residence system of taxation, or introduce a land tax, rage today as they did in 1914. The impact of transformation since 1994, the need to entrench taxpayers’ rights and to remove gender inequality, and the remarkable modernisation of SARS, all played an important part in the development of the South African tax system.

A book about one hundred years of income tax would not be complete without some biographical notes on key personalities such as CJ Ingram KC, Aubrey Silke and David Meyerowitz SC. In recognising the conference held at the University of Cape Town to mark one hundred years of income tax in South Africa, the rise of the teaching of tax at UCT is presented in the form of an extract from the memoirs of Prof Leon Kritzinger.
Part 1: The international origins of income tax in South Africa and its introduction
Importing and exporting income tax law: The international origins of the South African Income Tax Act - Peter Harris
The history of income taxation in the Cape Colony: A story of dangerous beasts and murderous fathers - Enelia Jansen van Rensburg
On the introduction of income tax in South Africa by JC Smuts: Three eventful months (24 April 1914 to 20 July 1914) - Johann Hattingh
The birth of the first Income Tax Act: The journey begins - Peter Surtees
Part 2: The taxation of companies, shareholders and partnerships
Corporate-shareholder taxation in South Africa: 1914 to 1961 - Johann Hattingh
The road to dividend withholding tax in South African income tax law (1962 to 2014) - Jennifer Roeleveld
A review of the taxation of partnerships in South Africa over the last 100 years - Afton Titus
Part 3: The taxation of mining, farming and co-operative enterprises
South Africa’s gold mining tax regime - Roschelle Ramfol
The history of the taxation of farming in South Africa - Charl du Toit
The development of the taxation of co-operatives - Tracy Johnson, Jennifer Roeleveld
Part 4: Income tax jurisprudence
A century of income tax jurisprudence in South Africa - Eddie Bloomberg
Some missteps on South Africa’s road to a coherent income tax jurisprudence - RC Williams

Part 5: International tax
From colonialism to apartheid: International influence on tax treaties in South Africa (1932 to 1990) - Craig West
Ensuring a right balance in applying the residence and source bases of taxation in order to protect South Africa’s tax base - Annet Wanyana Oguttu

Part 6: Constitutional, policy and gender issues
The shift to a constitutional democracy in 1994 and the impact thereof on tax law in South Africa - Beric J Croome
Land tax versus income tax: A historical assessment of success and failure in South Africa - Nicolaus Tideman, Peter Meakin
The personal income taxation of women in South Africa: An overview since the 1970s - Elizabeth Gavin, Wynnona Steyn

Part 7: Major figures in the development of income tax in South Africa
CJ Ingram K.C.: Academic pioneer and second President of the Cape Tax Court - Albertus Marais
Aubrey Silke - Adapted courtesy of the South African Institute of Tax Practitioners
David Meyerowitz SC - Adapted courtesy of the South African Institute of Tax Practitioners
Memoirs of Prof. Leon Kritzinger: Aubrey Silke and the importance of postgraduate tax studies at the University of Cape Town - Leon Kritzinger

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Interpretation notes
General notes and Government notices
Double taxation agreements
Appendices

Published since 1999 > LOOSE-LEAF in four volumes:
ISBN 978 0 70215 455 3 > Approximately 2748pp

Published since 1999 > LOOSE-LEAF in four volumes:
ISBN 978 1 48510 779 8 > 506pp

Income Tax, Juta’s

Authors: R Engels-Van Zyl, J Roeleveld, G Mollagee, M Benetello (Current Authors); D M Davis, G Urquhart (Founding Authors)

About this Publication
Juta’s Income Tax is unique in its approach to income tax. The publication provides a section-by-section commentary of the Income Tax Act, combined with concise overviews where appropriate, comprehensive indexing and cross-referencing to case law and other sources. The use of graphic aids, such as flowcharts and diagrams, and extensive examples, make the text accessible and easy to understand to the specialist as well as the occasional user.

Subscribers also receive a free subscription to Juta’s Tax Law Review, a quarterly e-newsletter containing an exposition of the latest developments in various areas of local and international tax.

Contents
Volume I and II
Act and commentary, sections 1–112

Indirect Tax, Juta’s

Editors: Juta Law Editors

About this Publication
Juta’s Indirect Tax is a consolidated source of all current and pending indirect tax Acts. Relevant promulgated and proposed amendments have been incorporated, updated as envisaged by the 2015 Act and Bills as at 1 March 2016. Juta’s ‘prelex’ and ‘pendlex’ enable the reader to view the legislative history. This publication is issued annually in January.

Contents
Value-Added Tax Act
Tax Administration Act
Securities Transfer Tax Act
Securities Transfer Tax Administration Act
Skills Development Levies Act
Transfer Duty Act
International Tax Law: Offshore Tax Avoidance in South Africa

**Author:** A Oguttu

**About this Publication**

*International Tax Law: Offshore Tax Avoidance in South Africa* provides a comprehensive analysis of some of the offshore tax-avoidance schemes employed by South African residents. The book offers a detailed and logical explanation of difficult international tax concepts, and critically analyses the effectiveness of South African legislation in curbing offshore tax-avoidance schemes. South African legislative provisions are compared with similar provisions in the United Kingdom and the United States of America, and international case law and tax treaty implications are thoroughly discussed.

*International Tax Law: Offshore Tax Avoidance in South Africa* also addresses the recommendations of international organisations, such as the Organisation for Economic Co-operation and Development (OECD), which seek to prevent international tax avoidance. In this regard, the role of tax havens in encouraging international tax avoidance and the OECD initiatives to stifle their development are considered. The OECD’s efforts to prevent base erosion and profit shifting are also examined.

**Contents**

- Introduction
- International initiatives to curb international tax avoidance
- Jurisdiction to tax
- Curbing tax avoidance by using common-law anti-avoidance doctrines and the general anti-avoidance provisions
- Curbing tax avoidance resulting from investments in offshore companies
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- Curbing transfer pricing and thin capitalisation

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Tax Administration

**Authors:** B Croome, L Olivier

**About this Publication**

Showing how areas of law interrelate and noting best international practice, the authors of *Tax Administration* (2nd edition) set out the rules of tax collection in a well-structured and theoretically sound way.

The book provides tax practitioners with clear and authoritative guidance on aspects such as the registration and submission of tax returns, requests for information, penalties and interest, privilege, reportable arrangements, dispute resolution, advance tax rulings and remedies.

All chapters have been extensively updated, with the authors thoroughly unpacking the chapters on information gathering and dispute resolution. The 2nd edition has been updated to include all legislation since the 1st edition was published in 2010, and in particular includes the Tax Administration Laws Amendment Act 2014 promulgated on 20 January 2015.

The text provides commentary on the various cases which have adjudicated the provisions of the TAA and public notices up to and including 30 April 2015. It contains a summary of all the public notices required to be issued by the Commissioner, a comparative table referring to the provisions of the TAA as well as erstwhile equivalent administrative provisions in the Income Tax Act. In addition it contains copies of SARS’ public notices, forms and other useful documents.

**Contents**

- Introduction
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- General administration provisions
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- Information gathering
- Confidentiality of information
- Advance rulings
- Assessments
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- Tax liability and payment
- Recovery of tax
- Interest
- Refunds
- Write-off or compromise of tax debt
- Administrative non-compliance penalties
- Understatement penalty
- Criminal offences
Tax Law – An Introduction

(Lecturer support material available)

About this Publication

*Tax Law: An Introduction* is a practical guide for students studying tax as part of their law, accountancy or business studies. This book briefly describes the historical development of taxation in general, emphasising the development of the modern income tax system.


The book also sets out the principles and explains the practices of the South African Revenue Services (SARS). It provides practical guidance on the Income Tax Act and applicable case law, and hones in on problem areas where students seek a greater understanding.

Contents

- The origin and historical development of taxation
- Structure of income tax
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- Capital gains tax and PAYE
- Taxable persons
- Taxation of companies
- Administration
- Returns
- Assessments
- Dispute resolution and collection
**Juta Law Catalogue**

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**Tax Library, Juta’s**

**About this Publication**
A comprehensive source on tax, Juta’s Tax Library includes Juta’s Income Tax authored by Professor Lynette Olivier, Marlene Botes’ Juta’s Value-added Tax, a range of relevant legislation and tax-law cases. The two publications at the core of Juta’s Tax Library are unique in presenting a section-by-section analysis and commentary on the Income Tax and Value-added Tax Acts. User-friendly indexing, referencing and overviews as well as graphic aids and hypertext links enhance the incisive analysis. The entire spectrum of tax statutes, Regulations and Practice Notes are available in this library for ease of reference and research.

**Contents**
- Income Tax Act
  - A section-by-section commentary on the Income Tax Act
- The Value Added Tax Act
  - A section-by-section commentary on the VAT Act
- Income tax and tax-related cases

**Taxpayers’ Rights in South Africa**

**Author:** B Croome

**About this Publication**
Taxpayers’ Rights in South Africa is the only book available to deal with the interplay between South African constitutional and tax law. It evaluates how South African Revenue Services powers function in relation to taxpayers’ constitutional rights and thoroughly and systematically unpacks the rights to property, equality, privacy, access to information, just administrative action and access to courts. Based on personal experience and award-winning research, this work provides guidance on issues that perplex taxpayers, SARS officials and tax practitioners every day.

**Contents**
- Tables of cases and statutes
- Introduction
- Background
- The right to property
- The right to equality
- The right to privacy
- Procedural rights
- Protection of taxpayers’ rights in selected foreign countries
- Conclusion: the future of taxpayers’ rights in South Africa
- Index

**Value-Added Tax, Juta’s**

**Author:** M Botes

**About this Publication**
Juta’s Value-Added Tax offers a user-friendly approach to the legislation. It contains the Value-Added Tax Act 89 of 1991, as amended, with a section-by-section commentary and extensive cross-referencing within the text. The commentary deals with the actual words and phrases used in the Act. Other major works on value-added tax in South Africa are referred to where considered necessary, to facilitate further research. Flow charts provide a simple and quick visual reference to the contents of various sections and subsections of the Act.

Subscribers also receive a free quarterly e-newsletter entitled Juta’s Tax Law Review, authored by Professor Lynette Olivier.

**Contents**
- Act and commentary
- VATNEWS
- Government notices
- SARS rulings on VAT-related matters
- Practice notes
- Table of cases
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Includes a free subscription to Juta’s Tax Law Review, a quarterly e-newsletter containing an exposition of the latest developments in various areas of local and international tax.

*Published since 1999 > LOOSE-LEAF: ISBN 978 0 70215 370 9*

*Approximately 1100pp*

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**Juta Law Catalogue**
Unjustified Enrichment

South African Law of Unjustified Enrichment, The

Author: J du Plessis

About this Publication
The South African Law of Unjustified Enrichment provides a comprehensive, systematic exposition of the principles of the law of unjustified enrichment. It sets out the general requirements for enrichment liability, differentiates between the main types of situations in which such liability arises, and indicates how enrichment claims are quantified, as well as when they terminate.

Often situations perceived as giving rise to enrichment liability have to be dealt with in terms of another area of law. A further aim of this book is to indicate how enrichment law interacts with these areas, most notably the laws of contract and delict, as well as property law, revenue law, and various statutory instruments.

Although the point of departure is to set out the existing law, the book contains suggestions on how unjustified enrichment may develop in the future, taking into account modern local and foreign scholarship.

Contents
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Basic features of the South African law of unjustified enrichment
The general requirements for liability based on unjustified enrichment

Unjustified Enrichment

Author: D Visser

About this Publication
Drawing on a rich and diverse legal heritage, Unjustified Enrichment provides a comprehensive and clearly structured exposition and an in-depth evaluation of the South African law of unjustified enrichment. The book analyses each of the general elements of enrichment liability, and suggests a manageable way of dealing with the intractable problems that arise in the context of indirect or multi-party enrichment.

Contents
Introduction, history and general principles
The different forms of enrichment liability
– Enrichment by transfer (general principles, reversing an undue transfer, reversing transfers in the context of failed contracts)
– Imposed enrichment
– Enrichment by invasion of right

Wills, Estates and Trusts

Administration of Estates and Drafting of Wills

Author: L A Kernick

About this Publication
This edition of Administration of Estates & Drafting of Wills follows the same practical and detailed step-by-step approach that has made it, for nearly thirty years, so indispensable to busy legal practitioners and candidate attorneys.

It sets out, in chronological order, the steps to be followed in administering deceased estates, of both residents and non-residents. In addition, the effects of the Moseke and Bhe cases and the establishment of service points are dealt with in this edition.
Forms, standard documents and specimen letters have also been updated.

Contents
- Reporting the estate
- Preliminary work
- Receipt of letters of executorship
- The liquidation and distribution account
- On approval of the account
- Section 18(3) estates
- South African estates of non-residents
- General
- Estate duty
- Wills

An extensive list of appendices with cross-references including:
- Examples of a standard liquidation and distribution account and variations required by collation, a bequest price or a section 38 taking over
- Calculations of estate duty
- Specimen letters, powers of attorney, and adiation and repudiation certificates
- Reproductions of the latest available forms and standard documents encountered in practice
- The full text of relevant legislation, with the latest amendments
- A list of the various Master’s offices and other government departments

2007 > HARD COVER: ISBN 978 0 70217 409 4 > 400pp

Drafting of Wills, The

Author: H J Barker

About this Publication
The Law of Succession Amendment Act 43 of 1992 created fundamental changes in South African testamentary law. This book, written by a lawyer with nearly 60 years of practical experience, analyses the Wills Act as amended. It deals among other things with language usage generally, taking instructions from would-be testators, the structure of wills, estate duty, the limits to freedom of testation, the interpretation of wills, donation of human tissues, the so-called living will, traps to avoid in drafting, testamentary trusts and the many other problems which practitioners commonly have to handle. It discusses most of the important cases which have shaped testamentary law and gives many examples of wills and testamentary trusts.

Contents
- The Wills Act
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- A simple will
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- Flexible powers in small trusts
- The limits to freedom of testation
- Some traps to avoid
- The interpretation of wills – the testator’s intention
- The “Living Will”
- Powers of appointment
- Scattered hints

1993 > SOFT COVER: ISBN 978 0 70213 012 0 > 146pp

Honорé: The South African Law of Trusts

Authors: E Cameron, M J de Waal, E Kahn, P Solomon, B Wunsh

About this Publication
Professor A M Honoré’s standard text was first published in 1966. This fifth edition incorporates changes since the fourth edition was published in 1992. The work pays particular attention to the needs of practitioners and trustees. It describes the life of a trust from its formation to its dissolution and deals in turn with the various problems, such as security, investment, accounts, costs and taxation, which a trustee is likely to encounter. There is also a full account of the rights of the trust beneficiary and a treatment of the problems raised by trusts in the conflict of laws.

Contents
- Trusts and other institutions
- Formation of a trust
- The office of trustee
- The trustee’s duty to give security
- The administration of a trust
- The trustee’s expenses, remuneration and profits
- Liability for breach of trust and other defaults
- Legal proceedings and costs
- The taxation of trusts
- The revocation, variation and termination of trusts
- The trust beneficiary
- Unit trusts and participation bonds
- Jurisdiction and conflict of laws

2002 > HARD COVER: ISBN 978 0 70215 590 1 > 725pp

Law of Succession

Erfreg

Authors: M J de Waal, M C Schoeman-Malan

About this Publication
Law of Succession and Erfreg appeared for the first time in 1992 as a relatively concise text, primarily aimed at students in the law of succession. In its successive editions the book has evolved into a more general source on the South African law of succession. Through its approach, presentation and systematic method the work remains ideal for use as a textbook in courses.
in the law of succession.

The fifth edition again strives to provide the reader with a comprehensive overview of the different facets of the law of succession, in the light of recent developments that have affected this branch of the law.

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– Intestate Succession Act 81 of 1987
– Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009

SAK TEBAND (Afrikaans): ISBN 978 1 48510 823 8 > 342bl
eBOOK (English): ISBN 978 1 48510 958 7
(Afrikaans): ISBN 978 1 48510 959 4

Law of Succession in South Africa, The

Authors: M M Corbett, H R Hahlo (General Editor), G Hofmeyr, E Kahn

About this Publication

This work is the undisputed authority in its field providing a comprehensive discussion of all aspects of the law of succession. The second edition incorporates the important legislation relating to wills and intestate succession enacted over the last twenty years, and takes note of significant judgments and new literature on the subject. It reflects the law as at 30 June 2001.

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– A detailed index

2002 > HARD COVER: ISBN 978 0 70215 585 7 > 808pp

Meyerowitz on Administration of Estates and their Taxation

Author: D Meyerowitz

About this Publication

Meyerowitz on Administration of Estates and their Taxation has become the standard work on these two subjects since publication of the first edition in 1949. It comprehensively covers the drafting and execution of wills, intestate succession, minors, absent persons, mental patients, trusts and trustees, fiduciaries and usufructuaries.

Contents

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Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

2010 > SOFT COVER: ISBN 978 1 48510 115 4 > 772pp
INTERNET: ISSN 2410 9584

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South African Law of Succession and Trusts: The past meeting, the present and thoughts for the future

(First published as Acta Juridica 2014. Also available as Acta Juridica 2000 to date online or as part of Juta's Electronic Law Journals 2000 to date on CD-ROM or online)

Authors: M de Waal, M Paleker

About this Publication
South African Law of Succession and Trusts: The Past Meeting the Present and Thoughts for the Future comprises papers that were presented at a conference held in September 2012 at the University of Cape Town. The conference participants examined the considerable developments that have occurred in the areas of succession and trusts.

The book contains an interesting array of contributions that deal with aspects of ‘mainstream’ succession and trust law. In addition, in keeping with the constitutional recognition of African customary law and different systems of personal law, several contributions deal with the relevance of African customary law and religious law in contemporary South Africa, as well as with the harmonisation of divergent legal systems.

Contents
The contribution made by Mr Justice Michael McGregor Corbett to the South African law of succession - G Hofmeyr
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A grandchild’s claim to maintenance from a deceased grandparent’s estate - D Mackintosh, M Paleker
Section 2(3) of the Wills Act 7 of 1953: a retrospective and critical appraisal of some unresolved issues - L Schoeman-Malan, F du Toit, A van der Linde, J Faber

The modus in modern South African succession law - J Jamneck
Reconsidering the indignus principle in the South African law of succession - S Barns, A Thompson
A few comments on the (possible) revival of the customary law rule of male primogeniture: can the common-law principle of freedom of testation come to its rescue?
- C Rautenbach
Faskh (divorce) and intestate succession in Islamic and South African law: impact of the watershed judgment in Hassam v Jacobs and the Muslim Marriages Bill - N Moosa, M Abdurrauf

The viability for women’s rights of incorporating Islamic inheritance laws into the South African legal system
- W Amien
Is the DCFR trust a ‘proper’ trust? An evaluation from a South African perspective - M J de Waal
Die wysiging van inter vivos-trustaktes: ‘n evaluerende perspektief op die Potgieter-saak - T Claassen
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- L Albertus

Succession Law
Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

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- Valuation of annuities or of fiduciary, usufructuary or other limited interests in property in the estates of deceased persons
Administration of Estates Act 66 of 1965
- PENDLEX (pending amendments): Act 1 of 1992
- Administration of Estates: Regulations; Determination of amounts
Administration of Estates Laws Interim Rationalisation Act 20 of 2001
Maintenance of Surviving Spouses Act 27 of 1990
Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009
Trust Property Control Act 57 of 1988
- Trust Property Control: Regulations

Trusts: Law and Practice

Authors: W Geach, J Yeats (Consulting Editor)

About this Publication
This work elucidates trust law and serves as a practical guide for all stakeholders. It sets out best practice by using examples. Written in a clear and engaging style, it demystifies recent cases that profoundly impact on all trustees, planners and beneficiaries. It helps planners decide if a trust is indeed the most effective way to achieve their objectives. The book guides readers authoritatively through danger areas and intricate tax implications. Trusts: Law and Practice is also essential reading for those providing legal and accounting services to trusts as well as those contracting with trusts in the course of their business.

Contents
Setting up a valid trust: law and best practice
Recent developments in trust law and their practical significance
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Accounting aspects: financial statements for trusts

Acta Juridica 2015

(Also available in soft cover format as Transformative Justice, A: Essays in Honour of Pius Langa, online as part of Acta Juridica 2000 to date, or as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM or the Internet)

Editors: M de Waal, M Paleker

About this Publication
This annual thematic journal is published with the Faculty of Law of the University of Cape Town. Every year a current legal issue forms the focus.

Acta Juridica 2015 pays tribute to Pius Langa, a remarkable man and lawyer. The book has three sections: first, a series of personal tributes to Justice Langa; second, reflections on the work of the Constitutional Court under Langa’s leadership as well as aspects of his philosophy as a judge; and third, explorations of a variety of specific themes in his judgments, writings and speeches.

2014 > HARD COVER: 978 1 48510 877 1 > 514pp
Most back issues from 1967 are available on request. Issues are also available in soft cover.

Acta Juridica (2000 to date)

(Also available as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM or the Internet, and in print)

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Acta Juridica 2005: Advancing Women’s Rights
Acta Juridica 2006: Comparing Administrative Justice across the Commonwealth
Acta Juridica 2009: Global Administrative Law
Acta Juridica 2010: Modern Company Law
Acta Juridica 2012: Reinvigorating Labour Law – Reflecting on the first 15 Years of the Labour Relations Act and Future Challenges

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INTERNET: ISSN 1996 2088

Africa Nazarene University Law Journal

Editors: J Mamboleo (Editor-in-Chief)

About this Publication
The Africa Nazarene University Law Journal (ANULJ) publishes academic contributions which are relevant to Africa from an international and comparative law perspective. Special focus is given to Africans and scholars of Africa, who are interested in African research and development. The journal is the product of the Africa Nazarene University Law School, based in Nairobi, Kenya in partnership with Juta Law. With an esteemed editorial board and international advisory board, ANULJ has the backing of the foremost African and international scholars in the field.

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SOFT COVER PERIODICAL > two issues per annum: ISSN 2308 1325
(Product code: ANULJ) > Approximately 320pp per annum

African Yearbook on International Humanitarian Law, The

Editors: G Kemp (Editor-in-Chief), H Woolaver, G Waschefort, M Swart

About this Publication
The African Yearbook of International Humanitarian Law (AYIHL) is an annual legal journal which aims to promote interest and research in International Humanitarian Law and Policy. The AYIHL provides an attractive and positive forum for publications on all aspects of International Humanitarian Law of relevance to Africa and African academics.
The Annual Survey of South African Law 2014
(Also available on CD-ROM and the Internet as part of Juta’s Review of South African Law)

Editors: N Botha (Editor-in-chief), J van Wyk, C Schulze

About this Publication
This comprehensive work is the original, most authoritative annual review of the law in South Africa, providing a clear and succinct commentary on cases and legislation relating to over 30 general and specialist areas of the law. The Annual Survey provides an exhaustive overview and analysis of the year’s legal developments by renowned judicial experts and commentators in their fields. As a permanent record and interpretation of legal developments in every year under review it is of lasting value in research.

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HARD COVER: ISBN 978 1 48510 925 9 > 1834pp

Constitutional Court Review

Editor: S Woolman (Editor-in-Chief)

About this Publication
The Constitutional Court Review (CCR) is an annual double-blind peer-reviewed international journal that tracks the work of the Constitutional Court of South Africa. All volumes of the Constitutional Court Review can now be read for free on an open access, dedicated website at www.constitutionalcourtreview.co.za. Print versions of Volume V (and all forthcoming issues) can also be purchased directly from Juta Law at www.jutalaw.co.za/products/constitutional-court-review.

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SOFT COVER ANNUAL PERIODICAL: ISSN 2073 6215
(Product code: CCRJ) Over 500 pages per annum

Corporate Report, The: Facilitating Business in South Africa

Editors: M King, A van Wyk, M Kuper

About this Publication
The company today operates in an ever changing environment. There is a plethora of new legislation impacting on companies in South Africa, as well as new corporate reporting requirements and increasing stakeholder expectations. In the broader context, companies operate in the ‘new economy’ where more must be made with less and where governance, strategy and sustainability are inseparable. Today’s business leaders must indeed steer their ships well.

The Corporate Report offers business leaders topical, relevant articles written by experts in their fields. It aims to assist business and governance leaders make more informed decisions.
JOURNALS

Electronic Law Journals, Juta’s (2000 to date)

About this Publication
This electronic resource contains the full text of Juta’s law journals from 2000 to date. The most widely cited source of in-depth debate on legal issues, it comprises thousands of pages of articles, notes, cases, case discussions and book reviews on a diversity of subjects. With over 5000 pages of new articles added each year, this is a must-have source of information for all legal professionals.

Contents and Features
South African Law Journal
Acta Juridica
Journal of South African Law/Tydskrif vir die Suid-Afrikaanse Reg
South African Journal on Criminal Justice
Stellenbosch Law Review

SOFT COVER PERIODICAL- 3 issues per annum: ISSN 2222 3894
(Product code: TCREP) > Approximately 60pp per issue

illwandle Zethu: Journal of Ocean Law and Governance in Africa

About this Publication
Ililwandle Zethu: Journal of Ocean Law and Governance in Africa is a blind peer reviewed Journal of note, under the editorship of the South African Research Chair in the Law of the Sea and Development in Africa. The journal publishes submissions relating to marine law, maritime law or ocean governance as they apply to the African continent, or to one or more African states.

Contents – Issue 1, 2016
Articles:
– Institutional gaps in the 2050 Africa’s Integrated Maritime Strategy - Edwin Egede
– African cabotage: Coastal waters governance and economic independence - Oliver C Ruppel and David J Biam
– The delimitation of maritime boundaries on Africa’s eastern seaboard - Siqhamo Ntola

CD-ROM/INTRANET: ISSN 1995 2171 > Updated quarterly
INTERNET: ISSN 1995 2163

Industrial Law Journal (ILJ)
(Incorporating the Industrial Law Reports. Also available electronically as part of Juta’s Labour Library)

About this Publication
For over thirty years the ILJ has remained the premier South African labour law reporter. This seminal monthly journal covers judgments and awards handed down by the Labour Court, Labour Appeals Court, the CCMA, Bargaining Councils and private arbitration bodies. Also included are labour-related judgments from the Constitutional Court, the Supreme Court of Appeal, the Land Claims Court and the Pension Funds Adjudicator. The ILJ is the only labour series to publish relevant

NEW
About this Publication
Juta's Insurance Law Bulletin is a quarterly periodical that covers all aspects of insurance law. The bulletin provides concise summaries and updates of what occurred in the previous quarter in the field of insurance law.

Contents
- Discussion of case law
- Review of legislative changes
- Review of legal writing on insurance law

About this Publication

Contents
- Cumulative alphabetical index of cases 1998–2013
- Cumulative alphabetical index of legislation 1998–2013
- Subject index 1998–2013

About this Publication
The Journal of Comparative Law in Africa is a peer-reviewed academic legal journal published annually by Juta and the Centre for Comparative Law in Africa, at the University of Cape Town (South Africa). The Journal is bilingual (English and French) and addresses legal issues on the African continent.

Contents
- Discussion of case law
- Review of legislative changes
- Review of legal writing on insurance law

ELECTRONIC Additional Contents and Features
- Hyperlinks to referenced case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information


Editor: J P van Niekerk

Contents
- Cumulative alphabetical index of cases 1998–2013
- Cumulative alphabetical index of legislation 1998–2013
- Subject index 1998–2013

Journal of Comparative Law in Africa / Revue de Droit Compare en Afrique

Editor-in-Chief: S Mancuso

Contents
- Judgments and determinations from all forums where labour law matters are decided: the Labour Court and Labour Appeal Court, the High Court and Supreme Court of Appeal and Constitutional Court
- Selected important awards of the CCMA
- Peer-reviewed articles
- Index and case annotations

Insurance Law Bulletin, Juta's

Editor: D Millard

About this Publication
Juta's Insurance Law Bulletin is a quarterly periodical that covers all aspects of insurance law. The bulletin provides concise summaries and updates of what occurred in the previous quarter in the field of insurance law.

Contents
- Contributors of Articles and Notes
- Titles of Articles and Notes
- Books reviewed
- Table of cases, alphabetical and per court:
  - Constitutional Court
  - Supreme Court/High Court


Editor: C Vosloo

About this Publication
This consolidated index provides easy reference to all subjects discussed in cases and articles in the Industrial Law Journal (incorporating the Industrial Law Reports) for the period 1980 to 2010. It provides the key to unlocking 27 years of labour law. The Index facilitates optimal usage of the Industrial Law Journal.

Contents
- Contributors of Articles and Notes
- Titles of Articles and Notes
- Books reviewed
- Table of cases, alphabetical and per court:
  - Constitutional Court
  - Supreme Court/High Court

Juta Law Catalogue
Journal of Corporate and Commercial Law & Practice, The

Managing Editors: T Mongalo, H Kawadza

About this Publication
The Journal of Corporate and Commercial Law & Practice (JCCLP) is a bi-annual periodical published by Juta for the University of Witwatersrand Law School. This journal covers the area of corporate and commercial law, with specific emphasis on how constitutional law, foreign law and public policy imperatives help improve and develop corporate and commercial law principles.

The JCCLP is supported by an eminent editorial committee and editorial advisory board of thought leaders in academics and practice.

Contents
Editorial
Articles
Practice notes

Journal of South African Law / Tydskrif vir die Suid-Afrikaanse Reg

Editor: J C Sonnekus

About this Publication
This multilingual periodical is published quarterly by Juta for the Faculty of Law, University of Johannesburg. This scholarly and practical journal covers a broad spectrum of topics pertinent to the legal community.

Contents
Articles
Commentary and notes
Book reviews
Consolidated index

ELECTRONIC Additional Contents and Features
All issues from 2000 to date
Special searches by title, author or citation

Review of South African Law, Juta’s

(Incorporating Juta’s Quarterly Review and Annual Survey of South African Law)

About this Publication
The Annual Survey and Juta’s Quarterly Review (JQR) offers an exhaustive overview and analysis of legal developments by renowned legal experts and commentators in their fields. The Review also provides an excellent resource for identifying and interpreting relevant statutes and case law. While the Annual Survey offers a consolidated view of legal developments in a given year, JQR provides an immediate survey of current legal developments, often referring to cases as yet unreported. This work is your ideal companion for fast effective access to the information you need in your legal research.

Contents and Features
Annual Survey of South African Law (2000 to current)
- An electronic version of the well-respected print publication published since 1946
Juta’s Quarterly Review of South African Law (2006 to date)
- Covers more than 20 areas of the law
Hyperlinks from South African Law Reports and South African Criminal Law Reports citations to the headnotes and flynotes of the cases
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1997 6283 > Updated quarterly
INTERNET: ISSN 1997 6291
SADC Law Journal, The

Editors: E Kalula, N Horn

About this Publication
The SADC Law Journal is an annual peer-reviewed journal which provides a forum for legal themes of relevance to the SADC legal fraternity.

The SADC Law Journal is an important tool in creating greater awareness about the law in the SADC region and providing readers with latest legal debates in this area. The journal serves as a platform where prominent scholars and distinguished legal practitioners alike can share their views on various aspects of the SADC Treaty, SADC Protocols, other SADC norms, shape the legal discourse on regional integration and examine core legal issues in the SADC integration process.

Contents
- Articles
- Notes / Comments
- Book Reviews

South African Intellectual Property Law Journal

Editors: L Tong, C Ncube

About this Publication
The South African Intellectual Property Law Journal (IPLJ) strives to be the journal of choice for academics, practitioners and students of IP law. The IPLJ includes articles on recent developments in legislation, policy and case law keep IP practitioners at the forefront of the law.

Contents
- Articles
- Notes and updates
- Book reviews

South African Journal of Criminal Justice

(Also available as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM and the Internet)

Editors: S V Hoctor (Editor-in-Chief), S S Terblanche

About this Publication
This publication provides an arena for discussion of issues affecting the criminal justice system. The journal focuses on criminal law, criminal procedure, evidence, international criminal law and criminology. International scholars in criminal justice are represented on the editorial panel.

Contents
- Articles
- Analysis of recent cases by specialists
- Book reviews
- Consolidated index


(Also available as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM or the Internet)

Editors: B Meyersfeld (Managing Editor), C Albertyn, L Chenwi, J Dugard, B Goldblatt, R Keightley, M Mushariwa, S Sibanda

About this Publication
The SAJHR provides a forum for the expression of views on human rights issues. Consisting of articles, cases and comments on human rights, the SAJHR is intended primarily for lawyers and academics. This Journal is no longer published by Juta. Issues from 2000–2015 are available online and in print.

Contents
- Articles, cases and comments on human rights
- Book reviews
- Human rights index

ELECTRONIC Additional Contents and Features
Issues from 2000 to date
Hyperlinks facilitate easy navigation within the product
Powerful electronic searching allows for easy and rapid access to information
South African Law Journal

Also available as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM or the Internet

Editors: G Glover (Managing Editor), P Andanda, D Bhana, H Corder, J Heaton, H Kruuse

About this Publication
The South African Law Journal is South Africa’s premier law journal. It publishes articles, notes on cases and book reviews by prominent members of the legal profession and academics. Founded in 1884, it is the oldest law journal of its kind in the world. The South African Law Journal is the legal showcase for new ideas, changing attitudes and shifting emphases in South African law. Those who are interested in these changes and developments will find this journal stimulating reading.

Contents
- Authoritative articles
- Recent cases
- Notes and comments
- Correspondence
- Book reviews
- A cumulative index
- A separate index is issued annually as part of this subscription

ELECTRONIC Additional Contents and Features
- Issues from 2000 to date
- Handy hyperlinks facilitate easy navigation with the product
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > QUARTERLY PERIODICAL: ISSN 0258 2503
(Product code: SALJ) Approximately 800pp per annum
Back issues are also available
INTERNET: ISSN 1996 2177

(Includes a free 1973-1997 Cumulative Index)

Editor: D Burger

About this Publication
This consolidated index provides easy reference to all subjects discussed in cases and articles appearing in the South African Law Journal during the period 1998-2010.

Contents
- Subject index
- List of articles and notes
- Tables of cases and legislation
- List of contributors of articles
- List of book reviews

HARD COVER: ISBN 978 0 7021 8622 6 > 580pp


Editors: P Cobbledick (Compiler), M Dendy (Editor)

About this Publication
This consolidated index makes it easy to look up all subjects discussed in the South African Law Journal for the period 1973 to 1997.

Contents
- Subject index
- List of articles
- Contributors of articles
- Table of cases
- Book reviews

HARD COVER: ISBN 978 0 7021 3045 8 > 512pp

South African Mercantile Law Journal

Also available as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM or the Internet

Managing Editor: P Stoop

About this Publication
The South African Mercantile Law Journal is a specialist journal published by Juta and the Faculty of Law, University of South Africa. It is devoted to publishing material in the field of mercantile and business law. This journal is not intended as a businessman’s journal. It is aimed at practitioners and academics in these areas of the law.

Issues from 2000 to date are also available electronically on CD-ROM and online.

Contents
- Learned articles
- Comments
- Notes and reviews

ELECTRONIC Additional Contents and Features
- Issues from 2000 to date
- Handy hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1015 0099
(Product code: SAMLJ) Approximately 800pp per annum
INTERNET: ISSN 1996 2185
South African Yearbook of International Law, The

Managing Editor: C Waschefort

About this Publication
The South African Yearbook of International Law is the only South African journal devoted solely to international law. Published annually since 1975 by the VerLoren Van Themaat Centre for Public Law Studies at Unisa, issues from 2014 onwards will be published by Juta, The South African Yearbook of International Law is a well-received, peer-reviewed journal, with an outstanding group of Editors and Editorial Board. Accredited by the Department of Higher Education and Training, The South African Yearbook of International Law is the leading reference source on the development of international law in South Africa, and covers a wide variety of current topics in international law.

Contents – 2014 Issue
Articles
Judicial Decisions
A feature part on Boko Haram
Southern African events of international significance
Treaties

Stellenbosch Law Review

(Also available as part of Juta’s Electronic Law Journals 2000 to date on CD-ROM and the Internet)

Managing Editor: R Stevens

About this Publication
The Stellenbosch Law Review is a forum for the discussion of topical legal issues in various fields. As a law review the emphasis is on providing insight rather than just an overview. It maintains a balance between a wide variety of specialist fields and legal subjects of general interest.

Contents
Full-length articles, review articles, case-notes and comments, as well as shorter book reviews and announcements

ELECTRONIC Additional Contents and Features
Issues from 2000 to date
Handy hyperlinks facilitate easy navigation within the product
Powerful electronic searching allows for easy and rapid access to information

Law Reports

Burrell’s Intellectual Property Law Reports (Print)
Burrell’s Intellectual Property Law Library (Electronic)

Author: Dr Tim Burrell

About this Publication
This publication is South Africa’s only printed series of law reports on intellectual property law, with the full text of judgments, many of which are not included in any other series of law reports.

Contents
Patent cases
Trademark cases
Design cases
Copyright cases
Common law cases in restraint of trade
A table of cases of all judgments published in the Burrell’s series

ELECTRONIC Additional Contents and Features
Burrell’s Patent Law Reports from 1953 to 1996
Burrell’s Intellectual Property Law Reports from 1997 to 2014
Relevant extracts from The South African Appellate Division Reports (1910 to 1946)
Relevant extracts from The South African Law Reports (1947 to date)
Numerous Acts and amending Acts relating to patent and intellectual property law

Regulations and related notices
International treaties and conventions
A table of cases of judgments published in Burrell’s Patent Law Reports
Hyperlinks to referenced case law for subscribers to the relevant online publications
Powerful electronic searching allows for easy and rapid access to information
About this Publication

The English Reports, which record the law of England from 1220-1865, is one of the greatest repositories of the common law. Their endowment to legal systems throughout the world is a common heritage of case law which goes back more than six centuries. The English Reports, containing thousands of judgments, extend to over 250,000 pages of print. This electronic publication opens up the study of the history of English law in ways that have until now been unimaginable.

The English Reports contain law which is still good law in the USA and the Commonwealth nations. They also contain precedents which, more than any other source of law, explain the history and pre-history of those legal systems. The 176 volume printed edition remains a starting point for all serious legal research in the common law and the electronic edition unleashes the potential for research which has remained locked up in the English Reports for centuries.

Contents

A 176-volume law report series on two CDs (Vol 1-90 and Vol 91-176)
Full text of the law report series
Various indexes, consolidated from 1220 to 1865
Index to the English Reports Volumes and Nominate Reports
Fully searchable and linked
Text can be copied and pasted to facilitate research and document preparation
Downloadable CD-ROM version also available on request


Editors: Juta's Law Reports Editors

About this Publication

The Index and Annotations to the South African Criminal Law Reports is consolidated from 1990 to 2015 and replaces all previous indexes. This two-volume index is the primary and most comprehensive repository of criminal case law in print, and is indispensable for criminal law practitioners.

Contents

Table of cases
Case annotations
– Southern African cases
– Foreign cases
Legislation judicially considered
– Alphabetical list of short titles of Acts
– Chronological list of annotated statutes
Subject Index (alphabetically arranged fly-notes)

NEW

(1990-2015) HARD COVER in two volumes:
ISBN 978 1 48510 960 0 > 2036pp

Index and Annotations to the South African Law Reports, Juta's

Editors: Juta's Law Reports Editors

About this Publication

Prepared by the editors of the South African Law Reports, this publication greatly improves access to the reports and consolidates the annual indexes to the South African Law Reports. Subject index entries have been realigned to reflect current trends, and comprehensively encapsulate the past 5 years of case law. Annotations are now presented in a columnar structure allowing practitioners to view all annotations for a particular judgment.


Contents

Table of cases (alphabetical)
Case Annotations: southern Africa
Case Annotations: foreign
Table of contents of subject headings
Subject index
Legislation judicially considered

ELECTRONIC Additional Contents and Features

Indexes to the South African Law Reports (1947 to date) in one consolidated source
Indexes to the Appellate Division Reports (1910 to date)
Table of cases for Privy Council 1838 to 1950
Powerful electronic searching allows for easy and rapid access to information

1947 to 2008 Consolidated Index HARD COVER in 7 volumes:
ISBN 978 0 70218 133 7 > 8636pp
2009 to 2013 Consolidated Index HARD COVER:
ISBN 978 1 48510 156 7 > 974pp
2015 Annual Edition (in preparation April 2016) SOFT COVER:
ISBN 978 1 48510 950 1 > 182pp
CD-ROM/INTRANET: ISSN 1560 1633 > Updated monthly or quarterly
INTERNET (1947-date): ISSN 1682 0649
Index to the Namibian Law Reports (1990–2013)

Editors: Juta’s Law Reports Editors

About this Publication
This useful publication provides easy access to The Namibian Law Reports, saving hours in research time by advising the user whether cases have been overruled, distinguished or approved by later cases. The subject index has been revised to reflect current trends in the law, with detailed cross-referencing, to enable speedy and thorough location of cases on topic.

Contents
- Table of cases
- Case annotations
- Table of contents of subject headings
- Subject index
- Legislation judicially considered


Industrial Law Journal (ILJ)
(Incorporating the Industrial Law Reports. Also available electronically as part of Juta’s Labour Library)

Editors: C Cooper, C Vosloo, L Williams-de Beer

About this Publication
For over thirty years the ILJ has remained the premier South African labour law reporter. This seminal monthly journal covers judgments and awards handed down by the Labour Court, Labour Appeals Court, the CCMA, Bargaining Councils and private arbitration bodies. Also included are labour-related judgments from the Constitutional Court, the Supreme Court of Appeal, the Land Claims Court and the Pension Funds Adjudicator. The ILJ is the only labour series to publish relevant judgments of neighbouring states. Every fourth issue includes insightful and thought-provoking articles and case notes, written by local and international experts.

Contents
- Judgments and determinations from all forums where labour law matters are decided: the Labour Court and Labour Appeal Court, the High Court and Supreme Court of Appeal and Constitutional Court
- Selected important awards of the CCMA
- Peer-reviewed articles
- Index and case annotations

LAW REPORTS


Editor: J P van Niekerk

About this Publication

Contents
- Cumulative alphabetical index of cases 1998-2013
- Cumulative alphabetical index of legislation 1998-2013
- Subject index 1998-2013

SOFT COVER: ISBN 978 1 48510 617 3 > 206pp

Insurance Law Bulletin, Juta’s

Editor: D Millard

About this Publication
A quarterly bulletin covering all aspects of insurance law.

Contents
- Concise summaries of the most up to date cases on insurance law; review of legislative changes; review of legal writing on insurance law

Coverage of cases, some of which are not reported elsewhere

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1029 3302
(Product code: ILB)
Namibian Law Reports, The

Editors: Juta Law Reports Editors

About this Publication
This authoritative series covers precedent-setting case law since 1990. Now issued in four volumes a year, these reports cover the judgments of the Supreme Court, High Court Main Division, Northern Local Division and the Labour Court. Expertly headnoted and edited, the law reports provide an invaluable quarterly collection of recent judgments, with a subject index, case annotations and statutes annotations enabling the quick location of cases on topic.

Contents
Table of cases
Subject index
Case annotations: Southern African and foreign cases
Legislation judicially considered
Full text of judgments

Privy Council Reports (1833–1950)

Editors: J Taitz, I Ackermann, O J Barrow

About this Publication
This collection brings together judgments of the Privy Council, which was the final Court of Appeal for South Africa until 1950.

Contents
Foreword by the Honourable Chief Justice MM Corbett
List of Cases
Roman-Dutch law appeals tables
Roman-Dutch law appeals digest
South African appeals table

Sentencing Reports, Juta’s

Editors: Juta Law Reports Editors

About this Publication
This ground-breaking resource will facilitate fast and thorough sentencing research, and enable greater consistency in sentencing.

Contents
Offences
Substantial and compelling circumstances
Child offenders
Judgments
Powerful electronic searching allows for easy and rapid access to information

South African Appellate Division Reports (1910 to date)

About this Publication
This publication provides access to the 37-volume printed collection of the full text of the Appellate Division Reports from 1910 to 1946 as well as all Appellate Division Reports from 1947 to date as included in the South African Law Reports. Judgments are presented as published in the original Appellate Division Reports, with identical page breaks, making citations standard. Also included is a set of consolidated indexes to the table of cases to these Reports.

Contents
The full text of the reports of the Supreme Court of Appeal (previously Appellate Division)
A chronological listing of cases from 1910 to date
Indexes to the Appellate Division Law Reports
Powerful electronic searching allows for easy and rapid access to information
South African Case Law (1838 to date)

Editors: Juta Law Reports Editors

About this Publication
This uninterrupted case law resource offers access to the most recent decisions, as well as earlier judgments of historical importance on a single DVD-ROM.

Contents
The full content of the South African Law Reports 1947 to date including:
- Judgments from all the superior courts of South Africa, including the Constitutional Court, as well as relevant decisions from Zimbabwe and Namibia
- Indexes consolidated from 1838
- Court rules and practice directions
- Appellate Division Reports 1910 to date
- Privy Council Reports 1838 - 1915
- Detailed case and statutory annotations
- Expertly crafted headnotes with indicators to the precise location of rationes and dicta
Free online access to Juta's Unreported Judgments comprising:
- Judgments from 1997 considered for publication in the printed series of the South African Law Reports
- Summaries of judgments classified by subject
The most recent issue of Juta's Quarterly Review of South African Law
Hyperlinks from the table of cases to relevant law reports
Powerful electronic searching allows for easy and rapid access to information

DVD-ROM/INTRANET: ISSN 1994 053X > Updated monthly or quarterly
INTERNET: ISSN 1994 1099

South African Criminal Law Reports, The

(Available electronically from 1990 to date on CD-ROM, Internet and Intranet. Available in print as a monthly soft cover periodical, and as a full set from 1990 to date.)

Editors: Juta's Law Reports Editors; P J Schabort (Honorary Consulting Editor)

About this Publication
The South African Criminal Law Reports is a monthly report of criminal law and procedure cases emanating from the superior courts in Southern Africa. Cases are selected for their importance to the practitioner in criminal law.

Contents
Table of cases (alphabetical, chronological and by court)
Case annotations (South African and foreign)
Rules of court considered
Legislation judicially considered
Words and phrases used
List of selected judgments

ELECTRONIC Additional Contents and Features
Judgments are presented in full text, with the electronic version having the same page breaks and marginal lettering as printed in the South African Criminal Law Reports, making citations standard.
Complete set of South African Criminal Law Reports from 1990 to date
Consolidated indexes to the South African Criminal Law Reports from 1990 to date
A number of Acts and amending Acts relating to criminal procedure and regulations in terms of the Criminal Procedure Act 51 of 1977
Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > MONTHLY PERIODICAL: ISSN 1016 3107 (SACLR)
Approximately 1500pp per annum > FULL SET: SACLR90/9PACK
CD-ROM/INTRANET: ISSN 1022 1778 > Updated monthly or quarterly
INTERNET: ISSN 1682 0770

South African Law Reports, The

(Available electronically from 1990 to date on CD-ROM or from 1947 to date on CD-ROM, Internet and Intranet. Available in print as a monthly soft cover periodical, and as a bound full set from 1947 to date. Also available on DVD-ROM as part of South African Case Law 1838 to date)

Editors: Juta's Law Reports Editors; C M E O’Regan, M S Navsa, D S Fisher (Honorary Consulting Editors)

About this Publication
The South African Law Reports is the premier repository of South African judicial jurisprudence and the most widely referred to source of primary legal precedent in South Africa. Published since 1947, the South African Law Reports has an extensive network of reporters. Judgments are published in the language in which they were initially delivered. Judgments are carefully selected and edited by the editors of the South African Law Reports who produce flynotes, headnotes, legislative references and case annotations.

PRINT Contents
Decisions of the following Courts:
- Constitutional Court
- Supreme Court of Appeal
- High Courts
- Labour and Labour Appeal Court
- Land Claims Court
- Competition Appeal Court
- Electoral Court
- Zimbabwe High and Supreme Courts
- Namibian High and Supreme Courts
List of judges
Detailed and informative indexes

192
Detailed case and statutory annotations
Monthly index and annotations
Expertly crafted headnotes with cross-references to the precise location of rationes and dicta
Unrivalled accuracy and reliability

**ELECTRONIC Additional Contents and Features**

Full texts of judgments from 1990 to date or 1947 to date
Various indexes to the *South African Law Reports* (consolidated from 1990 to date OR 1947 to date)
The most recent issue of *Juta’s Quarterly Review of South African Law*
Hyperlinks from table of cases to relevant law reports
Presented with identical page breaks and marginal lettering as in the original printed reports, making citations standard

Powerful electronic searching allows for easy and rapid access to information
Subscribers can register to *Juta’s Law Reports Advance Notification*, a free electronic newsletter providing advance notification of the table of cases and flynote entries ahead of the publication of the printed volumes.

**State Trials, The (1163–1858)**

**About this Publication**
This electronic publication contains the majority of England’s most celebrated trials and comprises official reports and detailed commentaries on some of the most famous (and infamous) events in British history. From Kings and Queens to regicides, heretics and witches to bishops, rebels, pamphleteers, and pirates to servants and slaves, the earliest trial described is that of Thomas Beckett in 1163, and the final trial in the series is dated 1858. This electronic version includes the exhaustive commentaries and footnotes found in the original volumes, together with the texts of the trials. It also contains the trial of William Wallace, which was not included in the printed volumes. Unique to this electronic version is the inclusion of Corbett’s/Howell’s State Trials 1809 – 1828) and Macdonnell’s New Series (published 1885 – 1898), which together form the most complete collection of these important cases.

**Contents**
- Introduction to *The State Trials*
- Kings and Queens of England
- Consolidated table of trials and proceedings
- State Trials 1163-1820: Howell’s with additional material
- General Index to Howell’s State Trials
- State Trials 1820-1858: New Series (MacDonnell’s) with appendices


**About this Publication**
Published on behalf of the Government of Tanzania the *Tanzania Law Reports* contain judgments from the High Courts of Tanzania and Zanzibar and the Appeal Court of Tanzania from the period 1983 to 1997.

**Contents**
- Chronological listing of cases 1983-1997
- Index to the Tanzania Law Reports
- Cases reported – alphabetically and by court
- Digest of cases reported
- East African cases judicially considered
- Foreign cases judicially considered
- Statutes judicially considered
- Words and phrases judicially considered
- Fully annotated
- Carefully written headnotes and flynotes
- Judgments comprehensively dealt with in the digest of reported cases

**ELECTRONIC Additional Contents and Features**

- Hyperlinks to referenced case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information
Unreported Judgments, Juta’s

Editors: Juta’s Law Reports Editors

About this Publication
This unrivalled online database of over 28000 judgments will substantially enhance the depth of your research, add weight to your heads of argument, and give you the tactical advantage in litigation. The collection is updated daily with South African and Namibian judgments, each expertly summarised according to law topics that narrow to specific and cogent areas of law, for easy location of the judgments you need.

Contents
The full text of unreported judgments considered for publication in the South African Law Reports and the South African Criminal Law Reports but not yet reported.
Summaries of judgments classified by subject
Citations to judgments subsequently reported in the South African Law Reports and the South African Criminal Law Reports

INTERNET: 1997 048X > Updated daily

Zambia Law Reports


Editorial Board: The Hon Mr Justice B T Gardner (Chairman), The Hon Mr Justice W M Muzyamba, Mr J H Jearey SC, Ms M Munalula, Mr P Musonda (Secretary), Dr N Simbyakula, O J Barrow

About this Publication
This publication contains the full text of the official law reports of Zambia from independence in 1963 to 1997. Also included is an alphabetical listing of cases and an alphabetical table of cases. The table of cases is further arranged by High and Supreme Courts.

All law reports from 1988 to 1997 are available only from Juta. Volumes published prior to 1988 or after 1997 can be obtained from The Secretary, Council of Law Reporting, PO Box 50067, Lusaka, Zambia.

Contents
Zambia Law Reports in print from 1988 to 1997
A list of judges
Index of reported cases
Index of subject matter
Cases judicially considered
Statutes judicially considered
Subsidiary legislation judicially considered

ELECTRONIC Additional Contents and Features
The only complete electronic record of published case law in Zambia from 1963 to 1997

INTERNET: ISSN 1682 105X
SOFT COVER in 4 volumes: ISBN 978 0 70215 788 2
CD-ROM/INTRANET: ISSN 1560 1668 > This publication is not updated

Zimbabwe Law Reports

Editors: Juta’s Law Reports Editors in collaboration with the Zimbabwe Legal Resources Foundation

NEW

About this Publication
This online resource provides the law reports of Zimbabwe from 1980 to the current volume. This publication is updated twice a year.

Contents
Zimbabwe Law Reports (1980 – current volume)
Table of cases (1980 – current volume)
Case annotations
Legislation judicially considered
Subject index
Full reported judgment text

INTERNET: ISSN 1682 1017 (updated bi-annually)
Collections of Legislation

About this Publication
The Foodstuffs, Cosmetics and Disinfectants Act, regulations and standards regulate the environment for industries and businesses dealing with the manufacture and distribution of these goods. It reaches into staff kitchens, shops, airlines, large and small manufacturers and anywhere food is prepared. This electronic resource provides convenient access to this pervasive piece of legislation.

Contents
Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972
Standards Act 8 of 2008
Consolidated Regulations
Selected draft notices
Compulsory specifications

DVD-ROM/INTRANET: ISSN 1563 0579 > Updated monthly and quarterly
INTERNET: ISSN 1563 0587

Government Gazettes of South Africa

About this Publication
This electronic resource provides access to the full text, in English only, of the Government Gazettes from 1994 to 2014 and now also includes fully searchable pdf. versions of all government notices from 2015 to date, as reproduced under the Government Printer’s Copyright Authority 10045.

Contents
Bills
Acts
Amendments

Government notices
Powerful electronic searching by subject or keyword allows for easy and rapid access to information
Hyperlinks to notices within the product

DVD-ROM/INTRANET: ISSN 1560 6422 > Updated daily online
INTERNET: ISSN 1560 6414

Index to the Government Gazette of South Africa

About this Publication
This detailed and uncomplicated guide lists all notices gazetted from 1990 to date. An alphabetical subject index provides access to individual notices and proclamations, an overview of legislation and detailed summaries of recently promulgated Acts. A numerical index lists Gazette numbers and dates of publication of all notices and proclamations.

Contents
Index to the Government Gazette (1990 to date)
Listing of notices from 1990 to date
Alphabetical subject index
Numerical index
Proclamations

Annexures
Index to the South African Government and Provincial Gazettes 1910–1989 (formerly “Windex”)
Powerful electronic searching by subject or keyword allows for easy and rapid access to information
Hyperlinks to the Government Gazettes of South Africa for subscribers to this publication

CD-ROM/INTRANET: ISSN 1024 2538 > Updated monthly and quarterly
INTERNET: ISSN 1682 0630

Juta – State Library Index to the Government Gazette

About this Publication
An indispensable tool for all who need to consult the Government Gazette. The Juta-State Library Index to the Government Gazette is a detailed but uncomplicated guide, listing all notices gazetted in the year under review. Published since 1990, it is available in both quarterly and annual editions. The quarterly edition is cumulatively updated and consists of three soft cover issues and a final hard cover volume covering the whole year. The annual edition consists only of the final hard cover volume.

Contents
Alphabetical subject index
Numerical index to Board, General and Government Notices and Proclamations, as well as Government and Regulation Gazettes
Appendices:
– Acts and Bills
– Alphabetical and serial lists
– Legal advertisements
– Regulations made in terms of Acts
Laws of Tanzania

(Principal and Subsidiary Legislation Revised Edition 2002)

Author: Tanzanian Editorial Board

About this Publication
This online resource is the first complete revision of the laws of Tanzania since 1966 and comprises principal legislation and subsidiary legislation in force on 31 July 2002. The principal legislation consists of 415 chapters arranged numerically. An index, alphabetical and chronological tables and certain omitted Acts which were not in force at the completion of the Law Revision of 2002 are also included. The revised edition of the subsidiary legislation has been arranged in a similar fashion. The resource consists of various tables of content; the Constitution (in Kiswahili); and the ordinary laws of the country (Acts and subsidiary legislation), set out in numbered chapters.

Contents
- Statutes of Tanzania, revised edition 2002
  Principal legislation consisting of 415 Chapters in 10 volumes
  Supplementary volume with alphabetical and chronological Table of Acts
- Subsidiary Legislation consisting of 10 volumes
- Hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

CD-ROM: ISSN 1813 3142
INTERNET: ISSN 1813 3142
This publication is not updated 2002 edition

Legislation Service, Juta

Editors: Juta’s Statutes Editors

About this Publication
A predominantly bilingual (Afrikaans & English) loose-leaf series (*indicates published in English only). Each volume comprises of 4 components: The Act (including pending amendments – if applicable); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week. Register for this service at www.jutalaw.co.za.

- Criminal Law - Criminal Procedure & Child Justice / Strafreg - Strafproses (Volumes I & II)
  Criminal Procedure/Strafproses - Volume I
  *Child Justice - Volume II
  *Child Justice Act; Related Related Substantive Acts
  ONLINE: ISBN 2310 6948
- Criminal Law - Sexual Offences / Strafreg – Seksuele Misdrywe
  Sexual Offences Act
- Deeds Registries Act / Registrasie van Aktes Wet
  Deeds Registries Act
  LOOSE-LEAF: ISBN 978 0 70211 642 1
- Family Law / Familiereg: Volume I
  Children - Parts A & B
  Social Assistance Act; *Children’s Act
- Family Law / Familiereg: Volume II
  Marriages & Unions - Parts A & B
  *Marriages & *Unions; Divorce; Maintenance; Births & Deaths; Family, Domestic Violence & Harassment
- Labour Law - Sectoral Determinations
  *Only Sectoral and Ministerial Determinations
  Table of Cases
- Liquor Legislation of South Africa (Volumes I, II & III)
  *Liquor Acts; *Liquor Products Act; *Provincial Liquor Acts (excluding North West – not yet promulgated)
  LOOSE-LEAF: ISBN 978 0 70212 734 8
- Magistrates’ Courts Act / Wet op Landdroshowe
  Magistrates’ Courts Act; South African Judicial Education Institute Act; Jurisdiction of Regional Courts Amendment Act; Small Claims Court Act
- Sectional Titles Act / Wet op Deeltitels
  Sectional Titles Act; *Sectional Titles Schemes Management Act
- Superior Courts Act / Wet op Hoër Howe
  Superior Courts Act; Admiralty Jurisdiction Regulation Act; Constitutional Court Rules; High Court Rules; Admiralty Proceedings Rules
  LOOSE-LEAF: ISBN 978 0 70211 643 8
Metal and Engineering Industries Bargaining Council
Consolidated Agreements (MEIBC)

Editors: Juta's Statutes Editors, assisted by the National Council staff

About this Publication
This industry agreement compilation has become an indispen-
sable source of reference for the metal industry. It provides
the consolidated text of all agreements (excluding Lift Engineering
Agreement).

Contents
Main Collective Agreement incorporating:
– Conditions of employment
– Wage Rates tables
– Technical schedules

Collective Agreements relating to:
– Dispute resolution
– Bargaining Levy
– Registration and Administration Expenses
– Sick Pay Fund
– Engineering Industries Pension Fund
– Metal Industries’ Provident Fund
– Artisan Training and Recognition (ATRAMI)
– Technological Fund

Comprehensive contact details, key aspects and addresses

ELECTRONIC Additional Contents and Features
Index to the Main Agreement
What’s New
Previously What’s New
Prelex: Amended, replaced and repealed wording, prior to
such changes taking effect
Powerful electronic searching allows for easy and rapid
access to information

Published since 1987 > LOOSE-LEAF: ISBN 978 0 70211 920 0
Approximately 570pp
INTERNET: ISSN 2307 7506 > Updated monthly

Motor Industry Bargaining Council Consolidated
Agreements (MIBCO)

Editors: Juta’s Statutes Editors

About this Publication
This industry manual provides easy access to the legal
provisions applicable to the motor trade ensuring members
and employers of the industry remain compliant with all the
requirements of the Labour Relations Act, which requires
employers to keep copies of collective agreements on their
premises and to make them available to employees. It combines
in one publication the Agreements, Wage Determinations
and Conditions of Service applicable in the motor industry,
incorporating all amendments.

Contents
The Main Agreement, including wages and conditions of
employment
The Administrative Agreement
Motor Industry Sick, Accident and Maternity Pay Fund
Agreement
Auto Workers’ Provident Fund Agreement

Forecourt Attendants’ Agreement
Motor Industry Provident Fund Agreement

ELECTRONIC Additional Contents and Features
Digest of Arbitration Awards
Labour Relations Act, Basic Conditions of Employment Act,
Employment Equity Act, Skills Development Act, Skills
Development Levies Act, Unemployment Insurance Act,
Unemployment Insurance Contributions Act

Published since 1989 > LOOSE-LEAF: ISBN 978 0 70212 263 7
(Product code: MIBCO MV) > Approximately 300pp > Updated bi-annually
CD-ROM / INTRANET: ISSN 1682 1068 > Updated quarterly
INTERNET: ISSN 1682 1068

Provincial Legislation Service, Juta’s
Eastern Cape Provincial Legislation / Western Cape Provincial Legislation

Editors: Juta’s Statutes Editors

About this Publication
Under South Africa’s new Constitution, the nine provinces
have significantly increased powers. This has resulted in much
legislative activity. The Eastern and Western Cape Provincial
Legislation Service is a comprehensive consolidated collection
of the Ordinances and new Provincial Acts and regulations
available in printed form. It is published in English and Afrikaans,
according to the language of promulgation of the provincial
legislation.

Contents
Alphabetical and chronological indexes
The Acts of the provincial legislature
The Regulations published in terms of these Provincial Acts

Provincial Ordinances (including a few
selected regulations in terms of Ordinances)
Assigned National legislation
Index of Ordinances not produced (including details of
repeal, if applicable)
Acts or extracts from Acts of Parliament assigned to the
individual provinces for administration
Full details of the assignation of ordinances and Acts of
Parliament to the respective provinces

(Eastern Cape) LOOSE-LEAF in 6 volumes: ISBN 978 0 70213 534 7
(Western Cape) LOOSE-LEAF in 7 volumes: ISBN 978 0 70213 450 0
Published since 1963
Provincial Legislation of South Africa, Juta's
Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, and Western Cape

Editors: Juta's Statutes Editors

About this Publication
Juta’s Provincial Legislation, originally based on the consolidated Ordinances as published by Juta Law and Lex Patria, was expanded and enhanced to form a new comprehensive and authoritative provincial legislation service, including the full text of Ordinances, new provincial Acts, regulations, related notices and assigned legislation.

Contents
The Acts of the provincial legislature
Regulations published in terms of these Acts

Provincial Ordinances and regulations
Related notices published by the provinces
Assigned National legislation
Selected unassigned Acts which affect the provinces eg. the South African Schools Act 84 of 1996
Provincial Appropriation and Finance Acts from 2011
Alphabetical and chronological indexes (including Ordinances not produced with repealed details, if applicable)

CD-ROM/INTRANET: ISSN 1560 165X > Updated monthly or quarterly
INTERNET: 1027 7080

Road Traffic Legislation / Padverkeerswetgewing

Editors: Juta’s Statutes Editors

About this Publication
This bilingual loose-leaf work comprises the National and Provincial Road Traffic legislation, with a table of cases and an index.

Contents
National Road Traffic Act 93 of 1996
Extant provisions of Act 29 of 1989
National Road Traffic Regulations, 2000

Provincial Road Traffic Acts and Regulations
Administrative Adjudication of Road Traffic Offences Act 46 of 1998 and Regulations
Table of cases

Published since 1990 > LOOSE-LEAF in 3 volumes:
ISBN 978 0 70212 430 3 > Approximately 1600pp
Updated bi-annually online

Statutes of Namibia (1990–date)

Editors: Juta’s Statutes Editors

About this Publication
This publication provides a consolidation of Namibian principal Acts passed from 1990 to date. An alphabetical subject index provides access to the Acts and a chronological index lists regulations and notices published since 2006.

Contents
Namibian Acts from 1990 to date
Pre-1990 legislation assigned to Namibia, updated where possible

Alphabetical and chronological table of Acts including details of repeals
Regulations from 2006 to date
Hyperlinks from the table of contents to the relevant sections
Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 2306 6032 > Updated bi-annually
INTERNET: 2306 0867

Statutes of South Africa, Juta’s (2015 / 16)
(Also available on CD-ROM and the Internet as Juta’s Statutes and Regulations of South Africa)

Editors: Juta's Statutes Editors

About this Publication
Comprising seven volumes plus an index volume, this annual publication is produced with attention to detail and insistence on accuracy. It is updated to 1 March 2015. Juta’s Statutes Editors provide a year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides email alerts to legislation as promulgated during the current week, and a quarterly newsletter providing a consolidated record of legislative changes.

Contents
All unrepealed Acts of Parliament since 1910
Latest Appropriation and Division of Revenue Acts, fully consolidated
Related Acts grouped together for ease of reference
The full text of new statutory provisions not yet in force
Index volume containing tables of national and provincial Acts, ordinances and regulations; subject index; table of Acts of parliament assigned to the provinces; and table of legislation judicially considered

HARD COVER in 8 volumes > 978 1 48511 807 7 > Approximately 11500pp
Statutes and Regulations of South Africa, Juta’s
(Also available as Juta’s Statutes of South Africa [excluding regulations] as an 8-volume print set)

Authors: Juta’s Statutes Editors

About this Publication
Juta’s Statutes and Regulations of South Africa provides access to statutes from 1910 to date and regulations for Acts from 1990 to date as well as selected regulations made in terms of important Acts prior to 1994, in a consolidated and annotated form. This publication is continuously updated and expanded to include new Acts and regulations and related material. Juta’s Statutes Editors provide a free year-round update service in the form of Juta’s Weekly Statutes Bulletin, which provides a weekly e-mail alert to new and amended legislation as gazetted each week.

Contents
Alphabetical and chronological indexes
Statutes from 1910 to date
- The full text of new statutory provisions not yet in force
- The full text of amended provisions
- The full text of provisions prior to amendment or repeal
Regulations in terms of Acts promulgated from 1990 to date
- Rules of Court
- Selected regulations in terms of other important Acts (prior to 1990)
- Related notices from 2003
- Selected related notices prior to 2003

Legislation judicilally considered, listing judgments in which legislative provisions and rules of court have been considered
Statutory material classified into groups and subgroups for ease of use
Subscribers receive Juta’s Weekly Statutes Bulletin, a supplementary service comprising a weekly summary of the Government Gazette contents – promptly emailed each Friday
Hyperlinks from the Updating Services to the relevant National Acts
Links to flynotes and headnotes of judgments
Electronic searching allows for easy and rapid access to information

Statutes of Zimbabwe
1996 revised edition

About this Publication
This detailed and uncomplicated guide lists all notices gazetted from 1990 to date. An alphabetical subject index provides access to individual notices and proclamations, an overview of legislation and detailed summaries of recently promulgated Acts. A numerical index lists Gazette numbers and dates of publication of all notices and proclamations.

Contents
Contents of revised statutes
Statutes of Zimbabwe, revised edition 1996
Alphabetical list of short titles of Acts
Chronological table of Acts
Selected reportable Supreme Court decisions
Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications

Powerful electronic searching allows for easy and rapid access to information

Weekly Statutes Bulletin, Juta’s
(Free weekly service for registered website newsletter subscribers)

Editors: Juta’s Statutes Editors

About this Publication
This bulletin is an invaluable aid: It provides a concise overview of gazetted legislative developments from week to week, promptly e-mailed each Friday afternoon.

Contents
Summary of legislative amendments, commencement dates and new legislation published in the Government Gazettes (National Government) and Provincial Gazettes (for all 9 provinces) every week
Linking to:
- Bills made available that week. Bills are available free of charge at www.jutalaw.co.za
- Statutes Editors’ Alerts containing noteworthy legislation and legislative proposals of general interest, derived from Government Gazettes and other trusted sources

WEEKLY EMAIL PERIODICAL: ISSN 1022 6397
Editors: Juta's Statutes Editors

About this Series
Compact and affordable, this range of titles meets the legislation requirements of all who perform specific functions within the statutory framework. These useful pocket sized statutes are regularly revised and include the Act/s and any of the following: Rules, Regulations and/or related material. A 'Quick Finder' providing easy access to contents and a useful list of key addresses is also included.

- Bargaining Council for Civil Engineering Industry Consolidated Agreements (BCCII)
- Basic Conditions of Employment Act 75 of 1997 & Regulations
  (Also available as part of the 8-volume Labour-Mini Library)
- Broad-Based Black Economic Empowerment Act 53 of 2003 & Related Material
  Includes a CD-ROM containing Sector Codes on Broad-Based Black Economic Empowerment
- Child Justice Act 75 of 2008 & Regulations
  (Also available as part of a 2-volume set together with the Children’s Act 38 of 2005 & Regulations, or as part of the 8-volume Criminal Law Pocket Library)
- Children’s Act 38 of 2005 & Regulations
  (Also available as part of a 2-volume set together with the Child Justice Act 75 of 2008 & Regulations)
- Companies Act 71 of 2008 & Regulations
  Includes a CD-ROM containing the Companies Regulations, 2011 – Forms
  (Also available as part of the 4-volume Corporate Pocket Library)
- Competition Act 89 of 1998 & Rules
  (Also available as part of the 4-volume Corporate Pocket Library)
  (Also available as part of the 11-volume Comprehensive Local Government Library)
- Consumer Protection Act 68 of 2008 & Rules and Regulations
  (Also available as part of the 4-volume Corporate Pocket Library)
- Corporate Pocket Library (4-volume set in a complimentary slipcase)
  Companies Act 71 of 2008 & Regulations (incl. CD containing the Companies Regulations, 2011 forms)
  Competition Act 89 of 1998 & Rules
  Consumer Protection Act 68 of 2008 & Rules and Regulations
  Financial Markets Act 19 of 2012 & Rules
- Correctional Services Act 111 of 1998 & Regulations and Related Material
- Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007; Sexual Offences Act 23 of 1957 & Regulations
  (Also available as part of the 8-volume Labour-Mini Library)
- Criminal Law Pocket Library (8-volume set in a complimentary slipcase)
  Child Justice Act 75 of 2008 & Regulations
  Criminal Procedure Act 51 of 1977 & Regulations
- Drugs and Drug Trafficking Act 140 of 1992; Prevention of and Treatment for Substance Abuse Act 70 of 2008 & Regulations
- Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention and Combating of Torture of Persons Act 13 of 2013
- Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations
- Probation Services Act 116 of 1991 & Regulations
- Regulations in terms of the Prevention and Combating of Trafficking in Persons Act 7 of 2013
- Sexual Offences - Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957
- Criminal Procedure Act 51 of 1977 & Regulations
  (Also available as part of the 8-volume Criminal Law Pocket Library)
- Disaster Management Act 57 of 2002 & Regulations
  (Also available as part of the 11-volume Comprehensive Local Government Library)
- Division of Revenue Act 1 of 2015
  (Also available as part of the 11-volume Comprehensive Local Government Library)
- Divorce Act 70 of 1979; Jurisdiction of Regional Courts
  Amendment Act 31 of 2008; Mediation in Certain Divorce Matters Act 24 of 1987; Dissolution of Marriages on Presumption of Death Act 23 of 1979 & Regulations
- Domestic Violence Act 116 of 1998 & Regulations
  (Also available as part of a 2-volume set together with the Protection from Harassment Act 17 of 2011 & Regulations)
- Drugs and Drug Trafficking Act 140 of 1992; Prevention of and Treatment for Substance Abuse Act 70 of 2008 & Regulations
  (Also available as part of the 8-volume Criminal Law Pocket Library)
- Employment Equity Act 55 of 1998 & Regulations
  (Also available as part of the 8-volume Labour-Mini Library)
- Employment Services Act 4 of 2014
  (Also available as part of the 8-volume Labour-Mini Library)
- Estate Agency Affairs Act 112 of 1976 & Regulations
- Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations
  Includes a CD-ROM containing Ombud Rules and related material
  (Also available as part of a 2-volume set together with the Financial Intelligence Centre Act 38 of 2001 & Regulations)
- Financial Intelligence Centre Act 38 of 2001 & Regulations
  (Also available as part of a 2-volume set together with the Financial Advisory and Intermediary Services Act 37 of 2002)
Financial Markets Act 19 of 2012 & Rules
(Also available as part of the 4-volume Corporate Pocket Library)

Grondwet van die Republiek van Suid-Afrika, 1996

Intellectual Property Law:
Trade Marks Act 194 of 1993; Copyright Act 98 of 1978; Designs Act 195 of 1993; Counterfeit Goods Act 37 of 1997; Merchandise Marks Act 17 of 1941; Registration of Copyright in Cinematograph Films Act 62 of 1977; Performers’ Protection Act 11 of 1967; Intellectual Property Rights from Publicly Financed Research and Development Act 51 of 2008 & Related material; Supplement incorporating recent legislative amendments

Intergovernmental Fiscal Relations Act 97 of 1997;
Intergovernmental Relations Framework Act 13 of 2005
& Related Material
(Also available as part of the 11-volume Comprehensive Local Government Library)

IoDSA Pocket Library (4-volume set in complimentary slipcase)
King III Report
King Code
Companies Act 71 of 2008 and Regulations
Forms included on CD

Labour Mini.Library (8-volume set in a complimentary slipcase)
Basic Conditions of Employment Act 75 of 1997 & Regulations
Employment Equity Act 55 of 1998 & Regulations
Employment Services Act 4 of 2014
Labour Relations Act 66 of 1995 & CCMA Related Material
Occupational Health and Safety Act 85 of 1993 & Regulations
Regulations in terms of Occupational Health and Safety Act 85 of 1993 (continued)
Regulations in terms of the Labour Relations Act 66 of 1995

Labour Relations Act 66 of 1995 & CCMA Related Material
(Also available as part of the 8-volume Labour-Mini Library)

Legal Practice Act 28 of 2014

Local Government Library – Basic Set (4-volume set in a complimentary slipcase)
Local Government: Municipal Systems Act 32 of 2000 & Regulations
Local Government: Municipal Finance Management Act 56 of 2003 & Regulations
Local Government: Municipal Property Rates Act 6 of 2004 & Related material; Supplement incorporating recent legislative amendments
Local Government: Municipal Finance Management Act 56 of 2003 & Regulations (incl. CD containing the Municipal Budget and Reporting Regulations, 2008)
Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations
Local Government: Municipal Systems Act 32 of 2000 & Regulations

Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations
White Paper on Local Government

Local Government: Municipal Electoral Act 27 of 2000;
Electoral Act 73 of 1998; Electoral Commission Act 51 of 1996
(Also available as part of the 11-volume Comprehensive Local Government Library)

Local Government: Municipal Finance Management Act 56 of 2003 & Regulations
Includes a CD-ROM containing the Municipal Budget and Reporting Regulations, 2008 - Attachments to Schedules (GenN 393 of 17 April 2009) in pdf format
(Also available as part of the 11-volume Comprehensive Local Government Library, or the 4-volume Basic Library)

Local Government: Municipal Property Rates Act 6 of 2004;
Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations
(Also available as part of the 11-volume Comprehensive Local Government Library, or the 4-volume Basic Library)

Local Government: Municipal Structures Act 117 of 1998;
Preferential Procurement Policy Framework Act 5 of 2000;
Local Government: Municipal Demarcation Act 27 of 1998 & Regulations
(Also available as part of the 11-volume Comprehensive Local Government Library, or the 4-volume Basic Library)

Local Government: Municipal Systems Act 32 of 2000 & Regulations
(Also available as part of the 11-volume Comprehensive Local Government Library, or the 4-volume Basic Library)

Local Government: Municipal Structures Act 117 of 1998;
Preferential Procurement Policy Framework Act 5 of 2000;
Local Government: Municipal Demarcation Act 27 of 1998 & Regulations
(Also available as part of the 11-volume Comprehensive Local Government Library, or the 4-volume Basic Library)

Long-term Insurance Act 52 of 1998 & Regulations
Includes a CD-ROM containing related material
(Also available as part of a 2-volume set together with the Short-term Insurance Act 53 of 1998 & Regulations)

Magistrates’ Courts Act 32 of 1944; Small Claims Court Act 61 of 1984
(Also available as part of a 2-volume set together with the Superior Courts Act 10 of 2013 & Rules)

Maintenance Act 99 of 1998 & Regulations

Marriages Act 25 of 1961; Recognition of Customary Marriages Act 120 of 1998; Civil Union Act 17 of 2006;
Matrimonial Affairs Act 37 of 1953; Matrimonial Property Act 88 of 1984; Marriage Act, Extension Act 50 of 1997 & Regulations
✓ Metal and Engineering Industries Bargaining Council
✓ Mine Health and Safety Act 29 of 1996 & Regulations
Includes CD-ROM containing related material
✓ Mineral and Petroleum Resources Development Act 28 of
2002 & Related Material; Mineral and Petroleum Resources
Royalty Act 28 of 2008; Mineral and Petroleum Resources
(Administration) Act 29 of 2008
Includes CD-ROM containing related material
✓ National Credit Act 34 of 2005 & Regulations
Includes CD-ROM containing related material
✓ National Environmental Management Act 107 of 1998
& Regulations; Environment Conservation Act 73 of 1989
& Regulations
Includes CD-ROM containing related material
✓ Occupational Health and Safety Act 85 of 1993 & Regulations
(2-volume set with the Regulations in terms of the
Occupational Health and Safety Act 85 of 1993 (continued))
(Also available as part of the 8-volume Labour-Mini Library)
✓ Older Persons Act 13 of 2006 & Regulations
✓ Patents Act 57 of 1978 & Regulations
✓ Pension Funds Act 24 of 1956 & Regulations; General Pensions
Act 29 of 1979; Government Employees Pension Law, 1996
(Proclamation 21 of 1996) & Rules
✓ Prevention and Combating of Trafficking in Persons Act 7 of
2013; Prevention and Combating of Torture of Persons Act 13
of 2013
(Also available as part of the 8-volume Criminal Law Pocket
Library, or as part of a 2-volume set together with the
Regulations in terms of the Prevention and Combating of
Trafficking in Persons Act 7 of 2013)
✓ Prevention of Organised Crime Act 121 of 1998; Prevention and
Combating of Corrupt Activities Act 12 of 2004 & Regulations
(Also available as part of the 8-volume Criminal Law Pocket
Library)
✓ Probation Services Act 116 of 1991 & Regulations
(Also available as part of the 8-volume Criminal Law Pocket
Library)
✓ Promotion of Equality and Prevention of Unfair Discrimination
Act 4 of 2000; Promotion of Access to Information Act 2 of
2000; Promotion of Administrative Justice Act 3 of 2000
& Related Material
✓ Protection from Harassment Act 17 of 2011 & Regulations
(Also available as part of a 2-volume set together with the
Domestic Violence Act 116 of 1998 & Regulations)
✓ Protection of Personal Information Act 4 of 2013
✓ Public Audit Act 25 of 2004 & Regulations
✓ Public Finance Management Act 1 of 1999 & Regulations
✓ Public Sector Accounting Pocket Library (7-volume set in
complimentary slipcase)
Public Finance Management Act 1 of 1999 & Regulations
Public Service Act, 1994 (Proclamation 103 of 1994) & Regulations
Local Government: Municipal Finance Management Act
56 of 2003 & Regulations
Local Government: Municipal Systems Act 32 of 2000
& Regulations
Local Government: Municipal Structures Act 117 of
1998; Preferential Procurement Policy Framework Act 5
of 2000; Local Government: Municipal Demarcation Act
27 of 1998 & Regulations
Public Audit Act 25 of 2004 & Regulations
✓ Public Service Act, 1994 (Proclamation 103 of 1994) & Regulations
✓ Regulations in terms of the Labour Relations Act 66 of 1995
(Also available as part of the 8-volume Labour-Mini Library)
✓ Regulations in terms of the Occupational Health and
Safety Act 85 of 1993 (continued) (2-volume set with the
Occupational Health and Safety Act 85 of 1993 & Regulations)
(Also available as part of the 8-volume Labour-Mini Library)
✓ Regulations in terms of the Prevention and Combating of
Trafficking in Persons Act 7 of 2013
✓ Refugees Act 130 of 1998 & Rules and Regulations
Refugee Appeal Board Rules, 2013 included
✓ Rental Housing Act 50 of 1999; Prevention of Illegal Eviction
from and Unlawful Occupation of Land Act 19 of 1998;
Extension of Security of Tenure Act 62 of 1997; & Regulations
✓ Rights for All - The South African Bill of Rights in all Official
Languages
✓ Schools: Law & Governance
South African Schools Act 84 of 1996 & Regulations;
National Education Policy Act 27 of 1996 & Regulations;
Employment of Educators Act 76 of 1998, & Regulations
✓ Sectional Titles Act 95 of 1986 & Regulations
✓ Short-term Insurance Act 53 of 1998 & Regulations
Includes a CD-ROM containing Requirements imposed by the
financial services board for nominees to operate in
South Africa, 2007 and Returns by short-term insurers to
registrar
(Also available as part of a 2-volume set together with the
Long-term Insurance Act 52 of 1998 & Regulations)
✓ Succession Law
Wills Act 7 of 1953; Intestate Succession Act 81 of 1987;
Estate Duty Act 45 of 1955 & Regulations; Administration
of Estates Act 66 of 1965 & Regulations; Administration
of Estates Laws Interim Rationalisation Act 20 of 2001;
Maintenance of Surviving Spouses Act 27 of 1990; Reform
of Customary Law of Succession and Regulation of Related
Matters Act 11 of 2009; Trust Property Control Act 57 of
1988 & Regulations
✓ Superior Courts Act 10 of 2013 & Rules
(Also available as part of a 2-volume set together with the
Magistrates’ Courts Act 32 of 1944; Small Claims Courts Act
61 of 1984 & Rules)
✓ Tax Administration Act 28 of 2011 & Related Material
✓ Traditional Leadership and Governance Framework Act 41 of
2003 & Regulations
(Also available as part of the 11-volume Comprehensive
Local Government Library)
✓ Western Cape Liquor Act 4 of 2008 & Regulations
✓ White Paper on Local Government
(Also available as part of the 11-volume Comprehensive
Local Government Library)
NAMIBIAN POCKET TITLES > POSTERS

> Namibian Pocket Titles

Editors: Juta’s Statutes Editors

About this Publication
These concise pocket-sized books contain the full text of key Namibian Acts, regulations, key addresses and a quick topic finder, for accessible and affordable legislation on the go.

- Basic Conditions of Employment Act 75 of 1997, Summary of the
- Bill of Rights, of the Constitution of the Republic of South Africa, 1996
- Bill of Rights, sections 7 to 39, of the Constitution of the Republic of South Africa, 1996
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (set of two posters): Part 1 - Sections 1 to 48; Part 2 - Sections 49 to 101
- Employment Equity Act 55 of 1998, Summary of the
- Companies Act 28 of 2004 & Regulations
  Includes CD-ROM containing Companies Administrative Regulations, 2010 - Annexures
- Labour Act 11 of 2007 & Regulations
- Namibian Constitution
- Occupational Health & Safety Act 85 of 1993 (ss 7-39), Summary of the
- Schedule C to the General Machinery Regulations in terms of the Occupational Health and Safety Act 85 of 1993
  POSTER: A3 size, laminated, full colour > ISBN 978 0 70218 533 5 > 2010
- Schedule D to the General Machinery Regulations in terms of the Occupational Health & Safety Act 85 of 1993
  POSTER: A3 size, laminated, full colour > ISBN 978 0 70218 532 8 > 2010
- Skills Development Act 97 of 1998, Summary of the
- Tobacco Products Control Act 83 of 1993

> Posters

Editors: Juta’s Statutes Editors

- Basic Conditions of Employment Act 75 of 1997, Summary of the
- Bill of Rights, of the Constitution of the Republic of South Africa, 1996
- Bill of Rights, sections 7 to 39, of the Constitution of the Republic of South Africa, 1996
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 (set of two posters): Part 1 - Sections 1 to 48; Part 2 - Sections 49 to 101
- Employment Equity Act 55 of 1998, Summary of the
- Occupational Health & Safety Act 85 of 1993 (ss 7-39), Summary of the
- Schedule C to the General Machinery Regulations in terms of the Occupational Health and Safety Act 85 of 1993
  POSTER: A3 size, laminated, full colour > ISBN 978 0 70218 533 5 > 2010
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