## GENERAL INFORMATION

### 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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Printed publications can be ordered directly from Juta Customer Services, Juta Law Business Consultants and selected booksellers.

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For the latest pricing consult the current price list in the pocket on the reverse of this catalogue, contact Juta Customer Services or Business Consultants or visit the Juta Law website at www.jutalaw.co.za.

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All prices quoted are inclusive of Value Added Tax (currently 14%) if ordered and delivered within the RSA. The cost of postage and packaging, where applicable, is an additional charge.

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Administrative Law in South Africa

Author: C Hoexter

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

Administrative Law: Cases and Materials

Author: G Quinot

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


Comparing Administrative Justice across the Commonwealth
(First published as Acta Juridica 2006)

Editors: H Corder, assisted by L van de Vijver

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


Global Administrative Law: Innovation and Development
(First published as Acta Juridica 2009)

Editors: H Corder, assisted by J Bleazard

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.
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.
### 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**

- 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**
- Alternative Dispute Resolution
  - An evaluation of the Labour Court - **Craig Bosch**
- Mandatory mediation in South Africa: are there constitutional implications? - **John Brand and Chris Todd**

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### The Law of Arbitration

**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 potential for interest arbitration in South Africa - **John Brand**
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- Equal pay for work of equal value - **Andrew Levy**
- Statistical Analysis: Labour Court, CCMA, Bargaining Councils
- The disputes referred to the CCMA, Bargaining Councils and Tokiso - **Tanya Venter and Andrew Levy**
Basic Guide to Civil Procedure in the Magistrates’ Courts, A

LegalEase – Essence series

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
The parties
The application process
The action procedure: overview and layout
The summons, particulars of claim and declaration
Service of process and further steps
Judgment at an early stage
Summary judgment
Interim procedures
Settlement offers, tenders and security for costs
Plea, counterclaim, replication, counterplea and close of pleadings
Amendment of pleadings
Preparation for trial
The trial and judgment
Provisional sentence summons
Appeals and reviews
Execution
Debt collection and administration
Legal costs
Annexures

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.

Contents and Features
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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

Contents
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Quick Finder for Key Topics
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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. Eramus 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.

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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
Statutory limitations on civil proceedings
Comparative table of sections and subjects
Constitutional Court Rules and Directives
Supreme Court of Appeal Rules and Directives

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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’
- 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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Published since 2012 > INTERNET: Product Code ELPB
Published 1996 > HARD COVER: ISBN 978 0 70213 717 4 > 239pp
Herbstein and Van Winsen: The Civil Practice of the High Courts and the Supreme Court of Appeal of South Africa

Authors: A C Cilliers, C Loots, H C Nel

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 suspicte 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
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 Pleadings in reconvention
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Powerful electronic searching allows for easy and rapid access to information

Jones & Buckle: The Civil Practice of the Magistrates' Courts in South Africa (Volumes I & II)

Author: D E van Loggerenberg

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 biennial 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
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### 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

**Part II: Practice**

- Practice and procedure
- The court's discretion
- Urgency
- Jurisdiction
- Locus standi
- Discharge, referral and variation of interdictory orders
- Appeals
- Costs

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### 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
- Amendment to pleadings
- Further particulars
- Application proceedings
- Provisional sentence
- Notices of application for leave to appeal and notices of appeal
- Heads of argument
- Miscellaneous notices and court documents
- Pleadings in the magistrates’ courts
- Applications in the magistrates’ courts
- Arbitration proceedings
- Miscellaneous practical matters
- Extensive table of cases
- Table of rules of court
- Extensive table of examples

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**LOOSE-LEAF:** (Volume I) ISBN 978 0 70219 443 6
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**2016/17**
Magistrates’ Courts Act / Wet op Landdroshowe
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.

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Magistrates’ Courts Act 32 of 1944 & Rules
South African Judicial Education Institute Act 14 of 2008
Jurisdiction of Regional Courts Amendment Act 31 of 2008
Small Claims Courts Act 61 of 1984 & Rules
Perodic Time Chart indicating the periods prescribed by the Magistrates’ Court Act and Rules for various procedures

Published since 1985 > LOOSE-LEAF (in two volumes): ISBN 978 0 70211 646 9 > Approximately 830pp

Magistrates’ Courts Act 32 of 1944; Small Claims
Courts Act 61 of 1984 & Rules
Juta’s Pocket Statutes

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

Editors: Juta’s Statutes Editors

Contents
Magistrates’ Courts Act 32 of 1944
– Rules Regulating the Conduct of the Proceedings of the Magistrates’ Courts of South Africa

Part B:
– Small Claims Courts Act 61 of 1984
○ Pendlex: Act 120 of 1993
– Rules Regulating Matters in respect of Small Claims Courts

Maintenance Act 99 of 1998 & Regulations
Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

Contents
Maintenance Act 99 of 1998
– Pendlex: Act 9 of 2015
– Regulations relating to Maintenance

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.

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Collateral evidence
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Previous consistent statements
Character evidence
Opinion evidence
Expert evidence
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Re-examination
Privilege
The privilege relating to statements without prejudice
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
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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

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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


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
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– Arrests in rem
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– The role of the fund following a judicial sale of maritime property
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  ◦ Sheriffs Act 90 of 1986
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Superior Courts Act / Wet op Hoër Howe

Editors: Juta’s Statutes Editors

About this Publication
This 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.

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Admiralty Jurisdiction Regulation Act 105 of 1983

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Superior Courts  Act / Wet op Hoër Howe

(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)

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.

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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

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Approximately 700pp
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

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

Contents
- Key Addresses
- Quick Finder for Key Topics
- Superior Courts Act 10 of 2013
- Rules Regulating the Conduct of the Proceedings of the Several Provincial and Local Divisions of the High Court of South Africa
- 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
- Rules Regulating the Conduct of the Proceedings of the Supreme Court of Appeal 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
- Taxation in general
- Attorney’s costs and alternative methods to taxation
- Parties at taxation
- Process of taxation
CLINICAL LAW > COLLECTED ESSAYS

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 everyday’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.

Contents
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Criminal law and child justice
Consumer law
Family law
Socio-economic rights
Employment law

2015 > SOFT COVER: ISBN 978 0 70218 554 0 > 704pp
Web PDF: ISBN 978 1 48510 896 2

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
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Biografies/essays/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

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

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 engaging 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

Judicial attitudes to the fair trial provisions
Curbing corruption, enhancing accountability and promoting good governance
Computer generated documents and the law of evidence
Revisiting the notion of ownership of tribal land
Land administration, politics and governance in an African setting
The protection of trade marks
The status and role of international law

Exemplary Scholar, The: Essays in Honour of John Milton

About this Publication
A dedicated and innovative teacher, a towering intellect, one of the leading criminal lawyers in South Africa, collegial, supportive and empowering, a veritable polymath, the ultimate free-thinker: these are but a few of the apppellations used to describe John Milton. Over a period of nearly forty years John Milton has made an immense contribution to the South African legal terrain as a scholar, a legal practitioner, a teacher, a mentor and a friend. The Exemplary Scholar: Essays in Honour of John Milton is a recognition and celebration of this respected academic and his legacy. The high esteem in which he is held by his peers, former students, colleagues and friends, and the broad scope of his influence are reflected in this collection of essays. Though known mainly as a criminal lawyer, Milton's interest and influence have extended to property law, statutory interpretation, the administration of justice, delict, environmental law, human rights, legal education and even outside the law to history. The essays, written by former colleagues, students and others who came under his influence, cover a selection of the areas of law in which he published.

Contents
Personal tributes
Overview of published work
Criminal law and procedure
Property law
Environmental law
Legal history
Legal education

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

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? - 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

Quest for Justice, The: Essays in Honour of Michael McGregor Corbett
– Chief Justice of the Supreme Court of South Africa

About this Publication
Liberally illustrated with photographs and containing an informative genealogical tree, this handsome volume is a striking formative genealogical tree, this handsome volume is a striking

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

1995 > HARD COVER: ISBN 978 0 70213 440 1 > 300pp

Stella Iuris: 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 the 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: Commentary, Legislation and Charters

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

About this Publication
This publication seeks to make the relevant legislation of black economic empowerment accessible to an audience that extends far beyond the legal profession. The guide provides a useful commentary on the legislative framework regulating BEE, places legislation in its broader historical and social context, and outlines the government's multi-faceted approach to the issue. The work is continuously updated to include new legislation and charters and codes of practice as these are developed, allowing readers to keep abreast of the unfolding empowerment framework. It provides a clear legal analysis of controversial issues.

Contents
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

Policy Guidelines
Strategy for Broad-Based Black Economic Empowerment
Codes of Good Practice on BEE
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Policy Guidelines for the Issuance of a Supply Chain Management Framework in terms of Section 76(4)(c) of the PFMA
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Black Economic Empowerment Scorecard Manual, The

Authors: C van Wyk, Dr H Wiggins

About this Publication
BEE is an integral part of the South African economy and the calculation of a company's BEE score has become very important. BEE permeates every facet of business, from ownership through to HR and procurement. It is a determining factor in the award of government and private sector tenders and has a direct impact on business competitiveness in the South African economy.

Written by experienced BEE consultants and an owner of one of the foremost BEE verification agencies in South Africa (AQRate), the BEE Scorecard Manual allows you to determine a business’s BEE score with a high degree of accuracy. It simplifies the process of calculation in preparation for verification by providing a step-by-step guide through some of the more complicated calculations. The BEE Scorecard Manual is a handy tool for practitioners assisting clients with the BEE scoring process.

Contents
Background to BEE
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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

Published since 2005 > LOOSE-LEAF: ISBN 978 0 70217 102 4 > 222pp
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
- Companies Regulations
- Companies (Fees) Regulations
- Insolvency Act 1929
- Collective Investment Undertakings Act 1999
- Collective Investment Undertakings Regulations 2001
- Botswana Stock Exchange Listings Requirements
- Securities Act 2014

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

**Editors:** Juta’s Statutes Editors

**Contents**
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  - Application for market access permits for agricultural products in terms of the W.T.O Agreeement 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
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- Starting a business
- Sale
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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
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 mortgagee’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
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Formation of the contract
Effect of the contract
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Non-performance of the contract
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Appendices
  – 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,
Maatskappyereg 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

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.

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 mediation 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.

**Contents**

Commercial mediation in South Africa

Mediation as a process for resolving disputes

Key characteristics of mediation and some related considerations for lawyers

A typical mediation process

Court-referred mediation

The decision to mediate

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

**Commercial Mediation**

A quick guide (containing only section numbers) comparing similarities and differences in the Acts.

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.
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

Contents
Key Addresses
Quick Finder for Key Topics
Competition Act 89 of 1998
– PENDLEX: Act 10 of 2009
– Rules
– Competition Appeal Court Rules
– 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

Contemporary Company Law

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

2nd edition

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

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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

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

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)

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
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

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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 insolvency
- Law of administration of estates
- Consumer protection

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
COMMERCIAL LAW

Guide to the Close Corporations Act and Regulations
Authors: W D Geach, T Schoeman (Consulting)

About this Publication
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.

Contents
- Introduction to close corporations
- The Close Corporations Act
- Regulations, notices and practice notes
- Prescribed forms, draft association agreement, and other specimen documents
- Commentary

Approximately 750pp

Guide to the Companies Act and Regulations
Author: W D Geach

About this Publication

Contents
- Amendments to the Companies Act and regulations from 1973; comparison of the 1926 and 1973 Companies Acts
- Company secretarial practice
- Summaries of reported cases since 1984
- Regulations
- Winding-up forms and winding-up fees
- Detailed index, by Company Act sections, to company case law and to articles in periodical publications since 1974
- Summaries of reported cases since January 1984
- Text of all regulations

Published since 1973 > LOOSE-LEAF: ISBN 978 0 70210 466 4
Approximately 1000pp

Hahlo’s South African Company Law through the Cases: A Source Book
Authors: J T Pretorius (General Editor), P A Delport, M Havenga, M Vermaas

About this Publication
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.

Contents
- Companies in general
- The constitution of a company
- Birth of a company
- Capital
- Capital structure: shares and debentures
- Members
- The company in general meeting
- Company officers
- The rights and duties of directors
- The directors in action
- Majority rule and minority protection
- Holding and subsidiary company
- Accounts and audits
- Compromises and reconstructions: take-overs
- Winding-up; judicial management; corporate delinquents

1999 > SOFT COVER: ISBN 978 0 70215 142 2 > 680pp
eBOOK: 978 0 70219 542 6
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

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

About this Publication

*The Journal of Corporate and Commercial Law & Practice* 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

(Lecturer support material available)

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
Business trusts
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 the 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
Close corporations

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

(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 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

Mars: The Law of Insolvency in South Africa

Authors: E Bertelsmann, R G Evans, A Harris, M Kelly-Louw, A Loubser, M Roestoff, 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

Effects of sequestration order
Property vesting in trustee
Property which does not vest in trustee
The insolvent’s spouse
Effects of sequestration order on uncompleted contracts
Impeachable transactions
The trustee: election, appointment, remuneration
The trustee: rights and duties
The insolvent
Creditors: meetings, rights and duties
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Interrogations
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Application and distribution of assets
Estate accounts
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Rehabilitation
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Criminal law – general
Criminal law – particular offences

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2008 > HARD COVER: ISBN 978 0 70217 926 6 > 1030pp
INTERNET: ISSN 2224 4743
eBOOK: ISBN 978 0 70219 523 5

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

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:
- The legal status and its attendant entity and aggregate theories
- Representation and mutual mandate

business rescue regime in the Companies Act 71 of 2008
Enforcement and regulatory regimes

2010 > SOFT COVER: ISBN 978 0 70218 463 5 > 508pp
**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**

**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 law
- Company law
- The law of business trusts

**Understanding Broad-based Black Economic Empowerment**

**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 andfronting. 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 Laws 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 Nyachukwu 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 Twomory
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
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:
- 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, Ghaleb Dawood, Jugal Mahabir
- Financing Counties in Kenya - Njeru Kirira
- Governing Metropolitan Areas in South Africa - Philip van Ryneveld
- Governing Metropolitan and Urban Areas in Kenya - Jill Cottrell Ghai
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- Inclusion of Marginalised Groups through Devolution in South Africa - Zemelak Ayele, Phindile Ntiliziywana
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- Implementing Provincial and Local Government in Post-Apartheid South Africa - Derek Powell, Phindile Ntiliziywana
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Narrowing the band: reasonableness review in administrative justice and socio-economic rights jurisprudence in South Africa - Geo Quinot and Sandra Liebenberg
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An appraisal of international law mechanisms for litigating socio-economic rights, with a particular focus on the optional protocol to the international covenant on economic, social and cultural rights and the African Commission and Court - Lilian Chenwi
Liberal constitutionalism, property rights, and the assault on poverty - Frank J Michelman
Farm land and tenure security: new policy and legislative developments - J M Rienaar and A Kamkuemah

Conceptualising 'meaningful engagement' as a deliberative democratic partnership - Gustav Muller
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Constitutional perspectives on unemployment security and a right to work in South Africa - Avinash Govindjee and Ockert Dupper
Privatisation of the commons: water as a right; water as a commodity - Khulekani Moyo
Tensions between vernacular values that prioritise basic needs and state versions of customary law that contradict them - Sindiso Mnisiz Weeks and Aninka Claassens
Developing the common law of contract in the light of poverty and illiteracy: the challenge of the Constitution - D M Davis

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.

Contents
- L’OHADA au service de l’économie et de l’entreprise
  - Pr. P Pougoue
  - L’enseignement supérieur et l’économique au service de l’intégration - Pr. J Fame Ndongo
Premiere partie-manifestation scientifique - OHADA: finalites et sources (sous la présidence du Pr. Paul-Gérard, Pougoue)
- 1–Conferences et échanges
  - Panel 1–l’OHADA entre son passé et son avenir (modérateur: Dr. F O Etoundi)
  - L’OHADA entre son passé et son avenir: leçon inaugurale - Pr. P Pougoue, Prof. T Hors Echelle
  - Sécurité juridique et attractivité du droit OHADA - Pr. J Issa Sayegh
  - Attractivité et efficacité du droit OHADA - Pr. A Akam Akam
  - Le droit économique de l’OHADA: entre pressions de la compétitivité économique et renouvellement des sources du droit - Pr. J Diffo Tchunkam
  - Le régime juridique des sociétés commerciales: cadre incitatif ou dissuasif pour l’investissement dans l’espace OHADA? - Dr. D Loukakou
- Panel 2–droit OHADA et convergence des systèmes juridiques (modérateur: Etienne Nsie, Gabon)
  - Droit OHADA et convergence des systèmes juridiques: l’apport du droit comparé - Pr. F Sawadogo
  - L’OHADA face au monde du droit - Pr. B Mercadal
  - Les sources Common Law du droit OHADA - Pr. E S Darankoum
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  - Droit du développement et droit de l’OHADA - Pr. G Blanc
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  - La réduction du secteur informel dans l’espace OHADA - Mme M Yimbou, Mle J Gadji Wendue, M. C C Chatue
and equity have been used in other jurisdictions as academics provide a comparative viewpoint on how good faith

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 legal principles to achieve equitable outcomes.

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| 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.

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<td>Legal pluralism and access to land in Nigeria - Enyinna Nwauche</td>
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<td>The changing dynamics of customary land tenure: women’s access to and control over land in Botswana - Anne Griffiths</td>
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Pluralism and Development: Studies in Access to Property in Africa

(First published as Acta Juridica 2011)

About this Publication

This 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.

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Business Climate Survey (BCS): outil de suivi-évaluation du climat des affaires au Cameroun

- Pr. D Bondoma Yokono

- II–Atelier recherche et prospective juridique (sous la présidence du Pr. Vincent Heuze, France)

- L’efficacité du système d’harmonisation du droit des Affaires dans l’espace OHADA - Pr. V Bokalli

- Particularité du droit OHADA: le droit de rétention envisagé comme une sûreté - Pr. M Samb

- La responsabilité sociale de l’entreprise (RSE) dans l’espace OHADA: pour une ouverture du droit OHADA aux considérations non économiques - Pr. K Diawara, Pr. S Lavallée

- L’opportunité d’adopter un Acte Uniforme sur les investissements - Pr. W B Hamida

- Le recours en manquement des Etats dans l’application du droit OHADA - Dr. V Towe Kangwa

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- Efficacité et compétitivité de la réforme douanière Cameroun - Mme M Libong Likeng

- Sûretés et procédures simplifiées de recouvrement et les voies d’exécution en OHADA - M. M Mandeng

- Le crédit-bail comme levier de financement - M. P Kam

- La vision panafricaine de ECOBANK au service du développement de l’Afrique - M. M Fall

- Aspects juridiques de la cybersécurité dans l’espace OHADA - Me T Piette-Coudoul, J Monnier

- Modernisation et sécurisation des systèmes 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

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- Rapport de synthèse - Pr. André Akam Akam, Pr. Justine Diffo Tchunkam, Pr. Germain Ntomo Tsimi, Dr. Achille Ngwanza, Patrick-Nelson Daniel Essiane

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| 2014 > SOFT COVER: ISBN 978 0 70219 532 7 > 400pp |

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.

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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

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

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

2011 > SOFT COVER: ISBN 978 1 91988 617 2 > 166pp  
EBOOK: ISBN 978 0 70219 960 8

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 and accountable government on the continent up to date.

Contents

Accountable government in Africa: introduction - Danwood Chirwa and Lia Nijzink

Post-apartheid accountability: the Transformation of a political idea - Andrew Nash

The politics of constitutional reform in Zambia: from executive dominance to public participation? - Neo Simutanji

Judicial independence and the judicialisation of electoral politics in Malawi and Uganda - Siri Gloppen and Fidelis Kanyongolo

From parliamentary supremacy to Judicial Review: relations between Parliament and the judiciary in Tanzania - Jwani Mwaiwasa

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

Prosecutions, 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 Cammach

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

Accountable Government in Africa: Perspectives from Public Law and Political Studies

UCT PRESS > 2011 > SOFT COVER: ISBN 978 1 91989 537 6 > 320pp

Bill of Rights Handbook, The

Authors: I 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 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 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.

ELECTRONIC Additional Contents and Features
Table of cases
Hyperlinks to head and fly-notes of cases
Powerful electronic searching allows for easy and rapid access to information
**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**

(©-published with Kluwer Law International)

**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
- Predominance of the constitution
  - 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
  - The horizontal distribution of authority
  - The vertical distribution of authority
- 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.

**Contents**

- Essays
- Articles
- Notes

**SOFT COVER > ANNUAL PERIODICAL: ISSN 2073-6215**

(Product code: CCRJ) Over 460 pages per annum
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
Part I: Constitutional history
The adoption of the Constitution
The amnesty process
Part II: The Bill of Rights
Development of the common law
Interpretation
Application

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.

Contents
Part I: Courts, principles of government and structures of government
Structure of constitutional analysis
Courts

Constitutional Library, Juta's

About this Publication

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South African Constitutional Court cases

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*No longer published by Juta.

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Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1024 2546 > Updated monthly or quarterly
INTERNET: ISSN 1682 0622
CONSTITUTIONAL LAW

**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.

**Contents**

- Table of cases
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- Applications for leave to appeal to the Constitutional Court and procedure on appeal
- Approaching the Constitutional Court directly
- Confirmation proceedings
- Constitutional remedies
- Costs
- Special or interlocutory proceedings
- Hearings in the Constitutional Court
- Appendices
  - Rules of the Constitutional Court
  - Constitutional Court Practice Directions
  - Rules of various courts governing amici curiae

2013 > SOFT COVER: ISBN 978 1 48510 005 8 > 248pp
EBOOK: ISBN 978 1 48510 763 7

**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**

- Preface
- Introduction
- Section 25 in its operational context
- Property
- Deprivation
- Expropriation
- The shift to contextual, non-hierarchical thinking
- Appendices
  - Chapters 1 and 2 of the Constitution of the Republic of South Africa, 1996
  - Property clauses in selected foreign constitutions
- Abbreviations
- Bibliography
- Legislation
- Case law

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 Kallula

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.

Contents
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

2002 > SOFT COVER: ISBN 978 0 70215 711 0 > 272pp

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 chapters in the book explore what kind of impacts the Constitution has, explain what accounts for the differences, examine the consequences, and consider 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
Access to justice: the role of legal aid and civil society in protecting the poor - Dr Kristina Bentley
Custom and constitutional rights: an impossible dialogue? - Mazibuko Jara
Access to social security: miners fighting for their health rights in South Africa - Meryl du Plessis
Judicial Selection: what qualities make for a good judge? - Susannah Cowen
Judicial Appointments: do procedural shortcomings hinder access to justice? - Abongile Sipondo and Chris Oxtoby
Intelligence Bound: the South African Constitution and intelligence services - Dr Laurie Nathan
Conclusion – Things fall apart: the centre cannot hold - Prof Richard Calland

UCT PRESS > 2013 > SOFT COVER: ISBN 978 1 91989 590 1 > 228pp
eBOOK: ISBN 978 1 77582 058 1

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 liberalisation in the 1950s and 1960s.

Friend or Foe? Dominant Party Systems in Southern Africa: Insights from the Developing World seeks to understand this trend and its implications for southern Africa’s democracies by comparing such systems in southern Africa with others in the developing world (such as Mexico, India, South Korea and Taiwan). In particular, the case of Zimbabwe stands out as a concerning example of the direction a dominant party can take: regression into authoritarianism. Mexico, India, South Korea and Taiwan present alternative routes for the dominant party system.

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Part 1: Theoretical foundations
Introduction – N de Jager and P du Toit
Part 2: Insights from the developing world
The political costs of privatisation: Why democratic and authoritarian dominant parties meet their doom - K F Greene
The dominant party system and democracy: The Congress Party in India - T Reddy
Transitioning 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

Interrogating the dominant party system in Botswana
- D Sebudubudu 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

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.

Contents
Table of cases
Table of statutes
Introduction
Theoretical background to human dignity, equality and non-discrimination as constitutional legal concepts
Human dignity (human worth) under the Constitution
Equality under the Constitution
Dignity's role in the horizontal operation of the right to equality and non-discrimination
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.

The author draws on a wealth of international and comparative jurisprudence, including that from other African countries, without detracting from the main objective of constructing a Malawian brand of jurisprudence. Ultimately the book reveals that it is possible for human rights to grow even in underdeveloped countries.

Contents
Interpretation
Limitations and derogations
Recognition as a person, access to court and remedies
Life
Personal liberty

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

**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.

**Contents**
- In search of equality: women, law and society in Africa - Dee Smythe and Stefanie Röhrs
- Challenges in litigation on gender issues in Namibia - Dianne Hubbard
- Constitutionalism and the law of inheritance: recent experiences from Uganda - Florence Akiiki Asimwe
- 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 influence in the world, are the subject of this publication. They are the first-hand accounts of some of those who had been involved in these cases lend poignancy 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 Moseweneke), 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 Athaliah Molokomme

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
- The Judicial Service Commission - 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

**Namibian Constitution**

**Editors:** Juta’s Namibian Pocket Statutes

**Contents**
- Key Addresses
- Quick Finder for Key Topics

Namibian Constitution
- PENDLEX: Act 7 of 2010 and Act 8 of 2014

**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
  - Constitutions and constitutionalism
  - A constitutional history of South Africa
- 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 Loubsker
Liability of Public Authorities and Public Officials - John Blackie
Nuisance - Hann Mostert
Contract Law and Human Rights - Peter Webster
Juristie 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


Juta's Pocket Statutes

Editors: Juta’s Statutes Editors

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- Regulations
  - Regulations relating to the Promotion of Equality and Prevention of Unfair Discrimination, 2003
  - Designation of Magistrates’ Courts as Equality Courts, 2009
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
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
Table of cases
Table of statutes
Selected sources

2013 > SOFT COVER: ISBN 978 0 70219 917 2 > 278pp
eBOOK: ISBN 978 1 48510 736 1
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.

Contents
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
Coda
Bibliography: books, articles, chapters and reports
Constitutions and covenants - international
Legislation, regulations and policy documents - national
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Glossary

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
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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Transformative Justice, A: Essays in Honour of Pius Langa

(First published as Acta Juridica 2015)

Editors: A Price, M Bishop

About this Publication

A Transformative Justice: Essays in Honour of Pius Langa pays tribute to this 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.

The contributions to A Transformative Justice are written by eminent judges, academics and practitioners, many of whom worked closely with Langa. The book addresses a broad range of practical and theoretical topics, including transformative constitutionalism, judicial dissent, the role of the areas of customary law, contract law, delict, administrative law, criminal law and procedure, and the protection of rights to equality, freedom of religion and culture.

Contents

Preface - Alistair Price and Michael Bishop

Part I: Personal tributes
- Personal tribute to former Chief Justice Pius Langa - Dikgang Moseneke
- 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 Mnis 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 Okpaluaba
- 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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- The National Council of Provinces
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- Introduction
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- The powers and functions of the President

- The Cabinet
- National intervention in provincial and local government
- Provinces
- Introduction
- Provincial legislatures
- Provincial executives
- Provincial intervention in local government
- Conflict of laws
- Local government
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- National and provincial supervision of local government
- The courts and the administration of justice
- Introduction and the principle of judicial independence
- The jurisdiction and structure of the courts
- The appointment and removal of judicial officers
- The Judicial Service Commission
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- State institutions supporting constitutional democracy
  (Chapter Nine institutions)
- The Bill of Rights
  - Introduction
  - The application stage
  - The interpretation and limitation stage
  - The remedies stage
  - The substantive sections

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
**McKenzie’s: Law of Building and Engineering Contracts and Arbitration**

**Author:** H McKenzie; Revised & updated by P Ramsden

**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
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- 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
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- 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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**Consumer Law**


**Author:** G Schimmel

**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
  - The Advertising Standards Authority (ASA) and the Code of Advertising Practice
  - Putting the ASA in its international context
  - The ASA and the Constitution
  - The Preface to the Code of Advertising Practice
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  - 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

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2016/17
Consumer Law

Consortium for Consumer Law

About this Publication
This commentary, written by a team of consumer law experts, provides the first comprehensive review of the Consumer Protection Act 68 of 2008 – or 'the CPA' as it is commonly known. The authors provide a detailed explanation of each section of the CPA and of the schedules to the Act. Case law in the area of consumer protection is presented and analysed in a clear, concise manner. Developments in consumer law internationally, where relevant to the CPA and other aspects of consumer law in South Africa, are also discussed.

The arrangement of material is straightforward: each section of the CPA is reproduced and commented upon in sequential order, beginning with section 1 'Definitions'. Chapter headings are the same as those used in the Act. The Introduction, on the other hand, provides a more general overview of the CPA in terms of its historical background, and offers separate commentary on the impact of the Act on the law of contract and on franchising.

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The impact of the CPA on the law of contract and on specific contracts
The impact of the CPA on franchising
The regulation of marketing under the CPA
Interpretation, purpose and application
Fundamental consumer rights

Published since 2015 > LOOSE-LEAF: ISBN 978 1 48510 149 9
Approximately 1300pp > INTERNET: ISSN 2412 7698

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Consumer Credit Regulation in South Africa

Authors: M Kelly-Louw; Contributions by P Stoop

About this Publication
Consumer Credit Regulation in South Africa deals with the South African law concerning consumer credit. As the National Credit Act is not the only statute that governs consumer credit agreements, other legislation that either governs or influences consumer credit agreements is also considered, particularly the Alienation of Land Act 68 of 1981 and the Consumer Protection Act 68 of 2008. Part A of the book provides a complete discussion of the National Credit Act, and Part B considers the interplay between the National Credit Act, the Alienation of Land Act and the Consumer Protection Act. A supplementary CD, comprising relevant legislation and regulations, and the guidelines of the National Credit Regulator, is included.

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Application and scope of the National Credit Act
Regulatory consumer credit institutions
Regulation of the consumer credit industry
Basic consumer credit rights
Consumers’ personal and credit information
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Enforcement of the Act
Miscellaneous matters
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Conflict legislation, amendments of legislation and the repeal of laws
Transitional provisions and arrangements
The interplay between the National Credit Act and the Alienation of Land Act 68 of 1981
The interplay between the National Credit Act and the Consumer Protection Act 68 of 2008
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INTERNET: ISSN 2309 9690
National Credit Act 34 of 2005 & Regulations

Editors: Juta’s Statutes Editors

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– Pendex: Act 4 of 2013
Regulations
– National Credit Regulations, 2006
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– 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)
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Protection of Personal Information Act 4 of 2013

Editors: Juta’s Statutes Editors

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Protection of Personal Information Act 4 of 2013

Understanding the Consumer Protection Act

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
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**Contract Law**

**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**
Preface
Mode of citation
Table of cases
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

**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

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

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

Remedies for breach of contract
Cession
Termination of obligations

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

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
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.

Contents
Voorwoord/Preface
Lys van bydraers/List of contributors
Inleiding/Introduction - Jeremy Gauntlett
Biografiese essays/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

Principles of the Law of Mortgage, Pledge & 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

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
- Definition of contract of sale
- Sources of law of sale
- Contract of sale and transfer of rights in property sold
- Requirements for a valid sale contract
- Seller’s and buyer’s rights and obligations

Kontraktereg/Law of contract
- Die laaste Pandektis? – JC de Wet in metodologiese perspektief - Gerhard Lubbe
- 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
- JC de Wet and the Conventional Penalties Act 15 of 1962
- Die koopkontrak en aediliese aksies - Hennie Erasmus
- Strafreg/Criminal Law
- JC de Wet se bydrae tot die Suid-Afrikaanse strafreg
- Callie Snyman
- 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 Louber

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**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

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
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

2008 > SOFT COVER: ISBN 978 0 70217 725 5 > 1165pp

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 appendices 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
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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 E 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
Regulations and forms
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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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


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.
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/Stafproses
- 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

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Criminal Law - Sexual Offences / Strafreg – Seksuele Misdrywe

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(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
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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
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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
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- Causation
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- Private defence
- Necessity

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- Liability of corporate bodies
- Intoxication
- Criminal incapacity – general
- Participation
- Accessory after the fact
- Attempt
- Incitement
- Murder
- Assault
- Theft
- Robbery
- Fraud
- Murder

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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

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
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- Defences and their effects
- Glossary of Latin terms
Criminal Procedure Act 51 of 1977 & Regulations

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Editors: Juta’s Statutes Editors

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  – Schedule of commencements relating to magisterial districts

Regulations
Related legislation
  – Criminal Procedure Act 56 of 1955 (extant provisions)
  – Criminal Law Amendment Act 105 of 1997 (excerpt)
    o 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 Handbook 11de uitgawe by Joubert (ed) et al.

Contents
Prosecuting authority / Vervolgingsgesag
  Search and seizure / Deursoeking en beslaglegging
  Arrest / Inhegtenisneming
  Bail / Borg
  Legal assistance / Regsbystand
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  Sentencing / Vonnisoplegging
  Review and appeal / Hersiening en appèl
  International and transnational matters / Internasionale en transnasionale aangeleenthede

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

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
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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

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.

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Section A: Pre-trial issues
– General procedural principles
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– The prosecution of crime and the prosecuting authority
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– Bail and other forms of release
– Pre-trial examinations

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
– Miscellaneous matters relating to the Child Justice Act

Section C: Trial and post-trial issues
– Indictments and charge sheets
– The court and aspects of justice
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Glossary of Latin terms
Drugs and Drug Trafficking Act 140 of 1992; Prevention of and Treatment for Substance Abuse Act 70 of 2008 & Regulations

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

Contents

Quick Addresses

Drugs and Drug Trafficking Act 140 of 1992

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.

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- Police bail
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- Summons in criminal case
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- 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

eBOOK: ISBN 978 0 70219 873 1

Matthaeus: 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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Conspectus voluminis quarti

HARD COVER volume 4 only: ISBN 978 0 70213 549 1 > 483pp

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.
The parole process and the rights, remedies and obligations of prisoners in that process. Is parole a right or a privilege?

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)

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

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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
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  - Defences excluding unlawfulness
  - Capacity
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- Incomplete (inchoate) crimes
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- Crimes against human life; the person; family life; property; community interests; sexual morality; the administration of justice
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**Probation Services Act 116 of 1991 & 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

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- Regulations under the Probation Services Act 116 of 1991

**Restorative Justice: Politics, Policies and Prospects**

*(First published as *Acta Juridica* 2007)*

**Editors:** E van der Spuy, S Parmentier, A Dissel

**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**

*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

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      - 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
List of designated public health establishments for purposes of providing post exposure prophylaxis and carrying out compulsory HIV testing

National Policy Framework on the Management of Sexual Offences

Establishment of Additional Services for Victims of Sexual Offences and Compulsory HIV Testing of Alleged Sex Offenders (GN R263 of 2014; GN 1020 of 2014)

Part B:
- Sexual Offences Act 23 of 1957

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.

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

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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 - PJ Schwikkard

Disclosure of rape complainants personal records - Bronwyn Pithey
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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 Combrinck

Table of cases

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/
emotional stress (Eadie), common-purpose liability (Thebus) and sentencing (Mgas). New-look sections have been added on the principle of legality (post Masiya); section 49 of the Criminal Procedure Act (including recent proposals for reform of the law relating to the use of force in effecting an arrest or apprehending a fleeing suspect); disciplinary chastisement (especially corporal punishment in the home); corporate criminal liability in modern, comparative context; and voluntary withdrawal from attempt and common purpose. An examination of some implications of the comprehensive Criminal Law (Sexual Offences and Related Matters) Amendment Act 2007 and a detailed evaluation of the pivotal Child Justice Act of 2008 are additional features of this edition.

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
  - Crimes against the State
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- Incomplete crimes

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1996 > HARD COVER: ISBN 978 0 70213 773 0 > 935pp

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
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Part II: Commerce, trade and industry
- Commerce
- Property
- Labour relations
- Industry

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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** – pocket size: ISBN 978 1 48510 898 6 > 188pp

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Customary Law

**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
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- Children
- Consequences of marriage
- Succession
- Land tenure

2004 > **SOFT COVER:** ISBN 978 0 70216 361 6 > 518pp  
**eBOOK:** ISBN 978 0 70219 882 3

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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.
### 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
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- 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
- The dissolution of a customary marriage: Inside the courts
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### 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.
Unveiling the Mind: The Legal Position of Women in Islam

- A South African Context

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 interested in the legal status of women to follow what has ‘always’ been thought and taught, to simply follow what has been thought and taught, to simply follow what has ‘always’ been thought and taught, to simply follow what has ‘always’ been thought and taught.

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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, 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.

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Preface - Frank Diedrich
Ubuntu as a legal principle in an ever-changing world - Yvonne Mokgoro
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Witchcraft and the Constitution - N M Nyaundi
Rainbow healing: traditional healers and healing in South Africa - M Eastman
Towards harmony between African traditional religion and environmental law - L Feris and C Maitl
Ubuntu, the ethics of traditional religion - J Patrick and T Bennett

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
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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

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Setting out the problem

A ‘rights’ of women in pre-Islamic Arabia
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The rights of women after the advent of Islam
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Emergence of the schools of Jurists and the road to modernity (Fifth and Sixth Periods)

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A snapshot of Muslim personal law in South Africa: past to present

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2011 > SOFT COVER: ISBN 978 1 91989 538 3 > 304pp

2011 > SOFT COVER: ISBN 978 1 91988 617 2 > 166pp
eBOOK: ISBN 978 0 70219 960 8

eBOOK: ISBN 978 0 70219 521 1
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 injuria datum
- Specific forms of injuria
- 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
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The actio injuriarum
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.

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Part I: Constitutional dimensions of government liability
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**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 injuria

**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

**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

**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.
Contents
Introduction
The comparative context
Liability for product defects in contract
Aquilian liability for product defects
Strict liability and the standard of defectiveness
Goods
Harm and damages
Causation
Defendants: the chain of liability

Defences
Appendices:
– Sections 1–6 and 48–61 of the Consumer Protection Act 68 of 2008

Quantum of Damages in Bodily and Fatal Injury Cases

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 enviable 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

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 lucrums 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
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

INTERNET: 0 7021 2781 7
This publication is not updated

Education Law

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
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Approximately 550pp
INTERNET: ISSN 2305 3119

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

2015 > SAGTEBAND (Afrikaans): ISBN 978 1 48510 890 0 > 213bl
**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

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**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

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**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 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 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
Contesting climate injustice during COP17 - Brandon Barclay Derman
Qwashal Climate justice community dialogues compilation vol. 1: Voices from the streets - Molefi Makhereza 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

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
Administrative justice - Elmene Bray
Access to information - Willemien du Plessis
Administrative measures - Terry Winstanley
Criminal measures - Michael Kidd
Voluntary compliance measures - Karin Lehmann
Incentive-based measures - Alexander Paterson
Common-law remedies for environmental protection - Richard Summers
Towards a more effective environmental compliance and enforcement regime for South Africa - Alexander Paterson and Louis J Kotzé

ELECTRONIC Additional Content 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

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 complexion 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: D 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.
Contents

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
Race, place and environmental rights:
a radical critique of environmental justice discourse
From colonial to community-based conservation:
environmental justice and the National Parks of South Africa
The fox in the hen-house: mining, communities and the environment

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 by 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

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.

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

Part 3: Sector-based perspectives
- 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
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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ISBN 978 0 70213 777 8 > Approximately 1100pp

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

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
Regulations and related notices

International conventions
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

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, administrative 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
Hyperlrisks to footnotes, endnotes and cross-chapter referencing, and to referenced legislation and case law for subscribers to the relevant online publications.

Hyperlrisks to the quarterly updates on environmental law in Juta’s Quarterly Review dating back to 1st Quarter of 2009 and updated quarterly thereafter.

National Environmental Management Act 107 of 1998; Environment Conservation Act 73 of 1989 & Regulations

Editors: Juta’s Pocket Statutes

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Quick Finder for Key Topics

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  - Regulations relating to Identification of Environmental Management Inspectors
  - Environmental Management Framework Regulations 2010
  - Environmental Impact Assessment Regulations, 2014
  - National Appeal Regulations, 2014
  - National Exemption Regulations, 2014

Part B
- Environment Conservation Act 73 of 1989
- Regulations
  - Regulations in terms of section 25—noise control
  - General Environmental Policy in terms of the Act
  - Classification of Terrestrial and Marine Protected Areas
  - Waste Disposal Sites
  - Control and management of general communal and general small waste disposal sites

CD-ROM: Related Material
- National Environmental Management Act 107 of 1998
- Regulations for the Establishment of a Designated National Authority for the Clean Development Mechanism
- Qualification Criteria, Training and Identification of, and Forms to be used by, Environmental Management Inspectors
- Companion Guideline for the Implementation of the Environmental Impact Assessment Regulations, 2010 (Guideline 5)
- Environmental Management Framework: Guideline for Implementation (Guideline 6)
- Public Participation Guideline for the Environmental Impact Assessment Process (Guideline 7)
- Environmental Impact Assessment Guideline for Aquaculture in South Africa
- Fees for consideration and processing of applications for environmental authorisations and amendments thereto
- Regulations to phase-out the use of PCB materials and PCB contaminated materials, 2014
- Environmental Impact Assessment Regulations Listing Notice 1, 2 and 3 of 2014
- Environment Conservation Act 73 of 1989
- Plastic carrier bags and plastic flat bags Regulations
- Regulations for the Prohibition of the Use, Manufacturing, Import and Export of Asbestos and Asbestos Containing Materials, 2007
- Waste Tyre Regulations, 2009

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
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 the provision of water services. This complex and dynamic framework governing water resource management and the provision of water services. This complex and dynamic framework aims to manage absolute water scarcity with the provision of water services.
Presumption of Innocence

Author: P J Schwikkard

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

Principles of Evidence
 Beginsels van die Bewysreg

Authors: P J Schwikkard, S E van der Merwe

About this Publication
This textbook, available in English and Afrikaans, strikes a balance between the theory of the law of evidence and its practical application. The fourth edition continues to assess the impact of the Constitution on the traditional Anglo-South African law of evidence, especially with regards to the admissibility of unconstitutionally obtained evidence. It further unpacks/discusses the statutory provisions regulating diverse matters such as sexual history evidence and the admissibility of electronic evidence.

Contents
Introduction to the law of evidence
Admissibility of relevant evidence
Exclusion of relevant evidence: privilege
Exclusion of relevant evidence: unconstitutionally obtained evidence
Hearsay
Admissibility and proof of the contents of relevant detrimental statements
Kinds of evidence and the presentation thereof
Witness
Proof without evidence
Weight of evidence and standards and burdens of proof
Appendices of relevant legislation

Financial Services

Accounting Standards
Rekeningkundige Standaarde

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

Authors: H R B Oppermann, S F Booyzen, N van der Merwe

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
IAS 2 inventories
IAS 7 statement of cash flows
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
IAS 19 employee benefits
IAS 20 accounting for government grants and disclosure of government assistance
IAS 21 the effects of changes in foreign exchange rates
IAS 23 borrowing costs
IAS 24 related party disclosures
IAS 27 separate financial statements
IAS 28 investments in associates
IAS 29 financial reporting in hyperinflationary economies
IAS 32 financial instruments: presentation
IAS 33 earnings, headline earnings and dividend per share
IAS 34 interim financial reporting
IAS 36 impairment of assets
IAS 37 provisions, contingent liabilities and contingent assets
IAS 38 intangible assets
IAS 39 financial instruments: recognition and measurement
IAS 40 investment property
IFRS 2 share-based payment
IFRS 3 business combinations

Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations
(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

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

Regulations
– 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

ELECTRONIC Additional Contents and Features
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Powerful electronic searching allows for easy and rapid access to information

Published since 2004 > LOOSE-LEAF in 2 volumes:
ISBN 978 0 70216 574 0 (product code: FAIS MV)
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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Quick Finder for Key Topics
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– Money Laundering and Terrorist Financing Control Regulations
– Various Exemptions
– Various Guidance Notices
– Various Directives

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.

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Overview & corporate strategy
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Risk and return
Portfolio management
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The cost of capital
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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

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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– Rules of Strate Limited, 1999
– Code of Conduct for authorised users, 2005
– Equities Rules, 2005
– Requirements imposed by the Financial Services Board for nominees to operate in South Africa, 2007
– Application for approval of the acquisition or the holding of shares or any other interest in a market infrastructure, 2013
– 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
GRAP Handbook: Standards of Generally Recognised Accounting Practice

(For information about the effective dates of the GRAP Standards refer to Directive 5 and visit the ASB website: www.asb.co.za)

**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

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**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**

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

**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
Public Audit Act 25 of 2004 & Regulations

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

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    Finance Management Act 56 of 2003 (MFMA)
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Public Finance Management Act 1 of 1999 & Regulations

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

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– 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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Published since 1997 > LOOSE-LEAF in two volumes:
ISBN 978 0 70212 572 0 > Approximately 800pp
INTERNET: ISSN 2409 9414

2015 > SOFT COVER: ISBN 978 1 48511 059 0 > 436pp
Understanding Banking Law in Zambia: Commentary and Legislation

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: Commentary and Legislation

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.

Understanding Securities Law and Regulation in Zambia is the first text to explain and analyse Zambian securities law and in addition, provides the reader with the statutes for ease of reference.

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 medico-legal 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

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 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 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

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 - Helene Combrinck
- Bridges and barriers: a five year retrospective on the Domestic Violence Act - Lillian Arzt 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

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Gender, Law and Justice

Editors: E Bonjhuys, 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 implementation 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 Claassen 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 Mniswe 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 Dubbeild
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' - Diane 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

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

Authors: D Taylor, F Cronje

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 bestselling 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
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- Defining statutory and regulatory compliance
- What is corporate compliance?
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- 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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Hyperlinks allow for easy navigation within the product and to referenced legislation for subscribers to the relevant online publications.

Powerful electronic searching allows for easy and rapid access to information
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

### 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.

### Authors:
J W Hendrikse, L Hefer-Hendrikse

### Power of The Board
- Composition of The Board
- Conduct of The Board
- Conduct of Directors
- Board Committees
- Board Performance
- Directors’ Performance and Remuneration
- The Board Chairman
- The Chief Executive Officer (CEO)
- The Company Secretary
- Assurance and Audit
- Risk Management
- Business Rescue
- Information Technology Governance
- Corporate Social Responsibility Governance
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- Integrated Reporting
- Public Sector Corporate Governance
- Non-Profit Sector Corporate Governance
- Small And Medium Business Governance
- Corporate Citizenship

### Corporate Governance: Practical Risk Management
**About this Publication**
Responsibility and accountability lie with everyone seated at the boardroom 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 management 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.**
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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Introduction
The nature of risk
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Corporate governance recommendations
An overview of the process of risk management
Example of a risk management policy

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Responding to risk incidents
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Insurance
Risk management reporting
Emergency preparedness plan
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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
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
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
The cost of credit
The marketing of credit
Cancellation, termination, variation and early settlement of credit agreements
Reckless credit and debt counselling
Debt collection
Consumer credit institutions
Complaints procedures
Mortgages
Motor vehicle finance
Credit cards
Glossary

Financial Reporting for Directors in South Africa

Author: G Coppin

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

Author: The South African Institute of Chartered Accountants (SAICA)

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 business men 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
Responsible leadership and the changing social contract - Willeen Foorie, 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
Part II
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

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.

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Guide to meetings
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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.
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
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

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Powerful electronic searching allows for easy and rapid access to information

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 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
Alternate directors
Appointment (directors)
Audit committee
Board evaluations
Code of ethics
Conflicts of interest
Financial results
Integrated report
Policies
Remuneration
Risk management
Written resolutions

Integrate: Doing Business in the 21st Century

Authors: M King, L Roberts

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

2013 > SOFT COVER: ISBN 978 1 48510 091 1 > 150pp
eBOOK: ISBN > 978 1 48510 111 6

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
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The King Committee

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Practice Notes terms of the Companies Act 71 of 2008
Companies Regulations 2011, Forms on CD

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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

2011 > SOFT COVER: ISBN 978 0 70219 403 0 > 362pp
INTERNET: ISSN 2308 3786
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Juta Law Catalogue
Practical Governance – Retirement Funds

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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Early retirement
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Expression of wish
Financial planners and consultants
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Trustees
Umbrella funds
Unitised portfolio
Untraceable ex-members
Valuator
Vesting
Voluntary contributions
Whistleblowing

2014 > SOFT COVER: ISBN 978 1 48510 620 3 > 218pp
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
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  - 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

SAICA Regulations to the Companies Act 71 of 2008
- 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
- Forms – on CD-ROM
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- [NEW] Practice Notes

SAICA Companies Act 71 of 2008
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- Remedies and enforcement
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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
The SAICA Guide to the Companies Act 71 of 2008 – loose-leaf subscription in binder
- Introduction
- Glossary
- Important information
- Memorandum of Incorporation (MOI)
- External companies
- Accounting, company records, financial statements and auditing

Accounting, company records, financial statements and auditing
- Capitalisation of companies
- Governance of companies
- Chapter 3 (important information) application
- Existing share incentive scheme
- Appointment of a compliance officer for an employee share scheme
- Business rescue
- Whistle blowers
- Annexures:
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  - 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
Introduction to law
Introduction to South African law
Law of contract
Law of delict
Commercial contracts
Business and hospitality laws

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

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.

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The different types of insurance intermediaries
Insurance brokers: the brokerage agreement
Breaching the brokerage agreement

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- Premium
- Insurer's rights based on warranties
- Insurer's rights to subrogation and salvage
- Rights and duties of third parties under an insurance contract in favour of a third party; cession and assignment
- Performance and reinstatement by the insurer; termination of the insurance
- Insurance intermediaries
- Double insurance, over-insurance, under-insurance and reinsurance
- Short-term insurance, including marine insurance
- Long-term insurance
- Supervision of insurance business
- Bibliography
- Table of cases
- Table of statutes

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 candidates 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.
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

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– 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

Intellectual Property Law

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
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– 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.

Contents

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
**Intellectual Property Law**

*Juta's Pocket Statutes*

**Editors:** Juta's Statutes Editors

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- 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

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**Patents Act 57 of 1978 & Regulations**

*Juta's Pocket Statutes*

**Editors:** Juta's Statutes Editors

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- Quick Finder for Key Topics
- Patents Act 57 of 1978
  - PENDLEX: Pending amendments
- Regulations
  - Patent Regulations, 1962
  - Patent Regulations, 1978
  - The Patents Examination Regulations

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**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

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**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
- Objects of international law
- 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

**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

**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.
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

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.

2014 > SOFT COVER: ISBN 978 1 48510 123 9 > 320pp

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

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

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/](http://player.iono.fm/juta-law/)

**Publication Details**

- ISBN: 9780702182174
- 2010
- Soft Cover
- 296 pages

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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

**Publication Details**

- English: ISBN 978 0 70214 919 1
- 310 pages
- Soft Cover
- 1999

- Afrikaans: ISBN 978 0 70214 918 4
- 315 bladsye
- Soft Cover
- 1999

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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.

*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
- Annexures: Practical examples of the various forms required for different processes

**Publication Details**

- ISBN: 978 0 70219 528 0
- 375 pages
- Soft Cover
- 2013
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 unmistakable language, and as comprehensively as is possible in a single volume.

The ninth edition has been extensively updated in 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 I – 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
Practice 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

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
Key Addresses
Quick Finder for Key Topics
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

SOFT COVER - pocket size: ISBN 978 1 48510 974 7
INTERNET: ISSN 2409 6954

2015 > SOFT COVER: ISBN 978 1 48520 905 1 > 170pp
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

Revised
1st edition

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

Juta's Posters

**Authors:** 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

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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 it is 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.

**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

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**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.

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**eBOOK: ISBN 978 1 48510 793 4**
**INTERNET: ISSN 2410 9460**

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**2014 > SOFT COVER: ISBN 978 1 48510 085 0 > 714pp**
**eBOOK: ISBN 978 1 48510 794 1**
**INTERNET: ISSN 2410 9487**

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Juta Law Catalogue
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

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.

*Employment Rights* forms part of a 4-volume series, and can where necessary be read with its companion volumes – *Dismissal, Collective Labour Law and Labour Litigation and Dispute Resolution*.

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. Powerful electronic searching allows for easy and rapid access to information.
Employment Services Act 4 of 2014

Editors: Juta’s Statutes Editors

Contents
Key Addresses
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Employment Services Act 4 of 2014


Editors: Juta’s Statutes Editors

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Key Addresses
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Part A
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Pendlex: Act 37 of 2008; Act 26 of 2011
Related substantive provisions: Act 26 of 2011
Regulations
Regulations regarding the Establishment of Sector Education and Training Authorities (GN R1082 of 1999)
Notice of Establishment of Sector Education and Training Authorities (GN 266 of 2000)
List and Scope of Coverage of Sector Education and Training Authorities (SETAs)
Regulations with regard to Private Employment Agencies
Learnership Regulations, 2007
Amendment of Constitution of Sector Education and Training Authority (SETA) Regulations
Amalgamation of Sector Education and Training Authorities
Validation of Sector Education and Training Authorities (SETAs) (GN R316 of 2005; R656 of 2005)
Service Level Agreement Regulations, 2005
Establishment of Sector Education and Training Authorities (SETAs): Extension of existing period
Coming into operation of the Quality Council for Trades and Occupations
Establishment of Sector Education and Training Authorities (SETAs) (GN R1055 of 2010)
Amalgamation of Sector Education and Training Authorities (SETAs): SETAs 4, 10 and 15
Establishment of Sector Education and Training Authority (SETA): SETA 21; SETA 4 and the Transfer of SIC Codes
Standard Constitution of SETA Regulations
Sector Education and Training Authorities (SETAs) Grant Regulations
Trade Test Regulations
Part C:
Skills Development Levies Act 9 of 1999
Pendlex: Act 18 of 2009; Act 28 of 2011
Regulations regarding Levies and Related Issues

Equality in the Workplace: Reflections from South Africa and Beyond

Editors: O Dupper, C Garbers

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 Fiedman

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 Albery
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 Ngwenya
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

4 of 2000 (PEPUDA)

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
(ISINCORPORATING 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

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


$Covers the full period 1900–2014

Annually published

JUTA LAW CATALOGUE

INDUSTRIAL LAW JOURNAL CUMULATIVE INDEX (1980–2010)

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.


INTERNET: ISSN 2413 9874

Approximately 3000pp per annum and an annual index

116
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
- Labour Appeal Court
- Industrial Court
- Labour Court of Namibia

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

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
*Indicates published in English only.

Published since 2009

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 Litigation and Dispute Resolution

**Author:** J Grogan

**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

**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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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

**Labour Relations Act 66 of 1995 & CCMA Related Material**

- 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 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
Powerful electronic searching allows for easy and rapid access to information

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

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 Law of Arbitration

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)

Labour Relations

Labour Relations
Employer and Employee Representation
Collective Bargaining
Employee Grievances, Discipline, Dismissal and Unfair Labour Practices
No-Fault Terminations: Incapacity, Operational Requirements, Mergers and Transfers
Employment Equity
Labour Economics: Theories and Application
The South African Labour Market
Traditional Negotiation
Dispute Settlement
Coercive Action
Intergroup Conflict: Analysis and Facilitation
Workplace Democracy and Workers’ Participation
Organisational Change and Organisational Development

Managing Change

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

Metal and Engineering Industries Bargaining Council
Consolidated Agreements (MEIBC) - Pocket size

Authors: Juta’s Statutes Editors

About this Publication

This publication makes the Council Agreements available in a convenient, easily accessible and up-to-date format.

Contents
Main Agreement
Dispute Resolution Agreement
Levies Payable
Registration and Administration Expenses Collective Agreement

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)

Metal and Engineering Industries Bargaining Council
Consolidated Agreements (MEIBC)

Authors: Juta’s Statutes Editors, assisted by the National Council staff

About this Publication
This industry agreement compilation has become an indispensable 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: Repealed, replaced and amended wording
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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 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

About this Publication

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

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

New
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 RS42 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
  - Driven Machinery Regulations 18(11): Withdrawal of GN R1075 of 2011
  - National Code of Practice for the Training Providers of Lifting Machine Operators
  - Driven Machinery Regulations, 2015: Withdrawal of GNR 527 & 528 of 2015
  - General Machinery Regulations, 1988
- Environmental Regulations, 1987
  - Incorporation of Safety Standards
  - Facilities Regulations, 2004
  - Noise-induced Hearing Loss Regulations
  - Regulations for Hazardous Chemical Substances, 1995
  - Occupational Health and Hygiene Approved Inspection Authorities: List of Basic Equipment, List of Tertiary Institutions for Legal Knowledge Examination and Reporting Format
  - Notice of inclusion in terms of section 43(1)(b)(xii) of the Act
  - Notice of directive in terms of section 7(1) of the Act
  - Health and Safety of Children at Work Regulations

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
### Occupational Health and Safety Handbook

**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

The decision-making process for misconduct
Appeals
Grievance procedures
Legislation for referencing including:

2011 > SOFT COVER: ISBN 978 0 70219 924 0
eBOOK: ISBN 978 0 70219 924 0

Published since 2009 > LOOSE-LEAF: ISBN 978 0 70218 157 3
Approximately 420pp
Regulations in terms of the Labour Relations Act 66 of 1995

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 for Key Topics

Regulations
– 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

Schedule C to the General Machinery Regulations in terms of the Occupational Health and Safety Act 85 of 1993

Juta’s Posters

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

2016/17
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

2010 > **POSTER:** ISBN 978 0 70218 532 8 > A1

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

2014 > **POSTER:** ISBN 978 1 48510 661 6 > A1

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**
An extensive explanatory commentary on the Acts and the regulatory framework they create
The texts of the Skills Development Act and Skills Development Levies Act
All regulations and guidelines made under the two Acts
The sectoral determination for learners published in terms of the Basic Conditions of Employment Act

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

2014 > **SOFT COVER:** ISBN 978 1 48510 674 6 > 132pp
**eBOOK:** ISBN 978 1 48510 897 9

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 HRM 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
- CD-ROM containing a wealth of relevant resources as well as a continuing, integrating case study that serves as a basis for these applications, and individual and group activities.

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

Published since 1965 > LOOSE-LEAF in 3 volumes: ISBN 978 0 70213 264 3 > Approximately 1860pp
INTERNET: ISSN 2219 2700
LABOUR LAW

Understanding Sectoral Determination 6: Private Security
Juta's Pocket Companions

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

Understanding Sectoral Determination 9: Wholesale & Retail
Juta’s Pocket Companions

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 fulfills 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

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
Key Addresses
Quick Finder for Key Topics
Basic Conditions of Employment Act 75 of 1997
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

Understanding the CCMA Rules & Procedure

Author: D Keith

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

Understanding the Employment Equity Act

Authors: E Kalula, B Jordaan, E Strydom

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

Authors: E Kalula, B Jordaan, E Strydom

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)
- Skills Development Institutes (s 26E)
- 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
- Defences to a claim of unfair discrimination
- Employer liability for unfair discrimination by employees
- Dispute resolution
- Eliminating unfair discrimination
- Appendix: Draft Employment Equity Regulations (GN R124 dated 28 February 2014)

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

ELECTRONIC Additional Contents and Features

Hyperlinks allow for easy navigation within the product. Powerful electronic searching allows for easy and rapid access to information.
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

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
  - Judicial law-making during concretisation
  - Peremptory and directory provisions
- Part 4: Constitutional interpretation
  - Bibliography
  - Table of cases
  - Index

Legal Practice

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 distil 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
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
Legal aid policy
Legal aid procedure
Amending circulars
Forms, tariffs, laws and contact details
Detailed and quick contents as well as a subject index

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

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
Preparation 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
Preparing for trial
Technique in the conduct of trials
The opening address in civil cases
The leading of witnesses
Cross-examination
Re-examination
Closing your case
Applying for absolution from the instance
The argument
Applications
Technique in appeals
Criminal cases (revised by Johann Engelbrecht SC)
‘Gods, Graves and Scholars’
Appendices

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.
Pre-Litigation Drafting: Opinions & Letters of Demand

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

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
Environmental Law and Local Government in South Africa

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
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

Contents
- Quick Finder for Key Topics
- 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 & 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
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


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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

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– Municipal Electoral Regulations, 2000
Part B: Electoral Act 73 of 1998
– Regulations
○ Voter Registration Regulations, 1998
○ 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

Contents

Key Addresses
Quick Finder for Key Topics
Part B: Regulations
– Delay of Implementation of Provisions of the Act and Exemptions
– Municipal Investment Regulations
– Municipal Public-Private Partnership Regulations
LOCAL & PROVINCIAL GOVERNMENT

Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & 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
- ISBN: BASIC LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

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Key Addresses
Quick Finder for Key Topics

Part A: Local Government: Municipal Property Rates Act 6 of 2004
- Commencement of Act
- Regulations
- Municipal Property Rates Regulations, 2006
- Conditions of appointment of members of Appeal Boards and members of committees established by Appeal Boards
- Amended Municipal Property Rates Regulations on the Rate Ratios between Residential and Non-Residential Properties

Part B: Municipal Fiscal Powers and Functions Act 12 of 2007
- Approval of Municipal Taxes Regulations, 2012


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
- ISBN: BASIC LOCAL GOV LIB)

Editors: Juta’s Statutes Editors

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Key Addresses
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- Policy Framework for the Adjustment of Division of Functions and Powers Regulations, 2000
- Election of Municipal Office Bearers and Representatives to District Councils
- Local Government Municipal Regulations for the Term of Office of Ward Committee Members, 2009
- Policy Framework for the Designation of Full-Time Councillors
- Formulae for Determination of the Number of Councillors of Municipal Councils

Part B: Preferential Procurement Policy Framework Act 5 of 2000
- Notice in terms of section 1(ii)(f)
- Preferential Procurement Regulations, 2011
- Exemptions from the application of the Preferential Procurement Regulations, 2011

- Exemption of Municipalities and Municipal Entities from section 122(2) and (3)
- Exemption from Provisions of the Act to Facilitate Eskom’s Electricity Price Increase
- Asset Transfer Regulations, 2008
- Municipal Budget and Reporting Regulations, 2008
- Schedules to regulations in PDF format on CD-ROM
- Effective Date for Electricity Tariff Determination for Municipalities and Municipal Entities
- Exemption from regulations 15 and 18 of Municipal Regulations on Minimum Competency Levels, 2007
- Standard Chart of Accounts for Local Government Regulations, 2014
- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014
- Exemption of Ekurhuleni Metropolitan Municipality from regulation 45(2)(a)(x) of the Asset Transfer Regulations, 2008

- Exemption of Municipalities and Municipal Entities from section 122(2) and (3)
- Exemption from Provisions of the Act to Facilitate Eskom’s Electricity Price Increase
- Asset Transfer Regulations, 2008
- Municipal Budget and Reporting Regulations, 2008
- Schedules to regulations in PDF format on CD-ROM
- Effective Date for Electricity Tariff Determination for Municipalities and Municipal Entities
- Exemption from regulations 15 and 18 of Municipal Regulations on Minimum Competency Levels, 2007
- Standard Chart of Accounts for Local Government Regulations, 2014
- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014
- Exemption of Ekurhuleni Metropolitan Municipality from regulation 45(2)(a)(x) of the Asset Transfer Regulations, 2008
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
- ISBN: BASIC LOCAL GOV LIB)

Editors: Juta's Statutes Editors

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Key Addresses
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Local Government: Municipal Systems Act 32 of 2000
- Certificate in terms of section 118
- Local Government: Municipal Performance Regulations for Municipal Managers and Managers directly accountable to Municipal Managers, 2006
- Guidelines on allocation of additional powers and functions to municipalities

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 managers 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

Local government and its external environment
Integrated development planning as an approach to sustainable Development
Managing municipal performance
Local economic development and municipalities in South Africa
Municipal government and service delivery
Municipal human resource management
Municipal financial management
Municipal supply chain management
Local government disaster risk management

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

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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:
Public Audit Act 25 of 2004 & Regulations

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Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations

(Also available as part of the 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB)

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Contents
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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

White Paper on Local Government

(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
Quick Finder for Key Topics

White Paper on Local Government

Maritime Law

Admiralty Jurisdiction: Law and Practice in South Africa

Author: G Hofmeyr

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
Iilwandle Zethu: Journal of Ocean Law and Governance in Africa

**About this Publication**

Iilwandle 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

**Documents:**
- 2050 Africa’s Integrated Maritime Strategy (2014)

**Select bibliography**

**Notes to contributors**

**Shipping Law and Admiralty Jurisdiction in South Africa**

**Authors:** J Hare

**About this Publication**

This publication is a comprehensive study of maritime law in South Africa since the Admiralty Regulation Act of 1983 broke the shackles of the limited reach of English colonial admiralty jurisdiction – which paradoxically then still applied in a republican South Africa. Yet shipping law in the new South Africa remains essentially an English common law regime operating, not uncomfortably, with a rich overlay of the Roman-Dutch civilian law.

In addition to the survey provided by the author, there are 33 appendices (covering almost 250 pages) providing readers with basic statutes and regulations, standard forms and other miscellaneous material that would be helpful in understanding the subject.

**Contents**

**Part I: Admiralty jurisdiction and practice**

- Admiralty Jurisdiction
- The jurisprudence of admiralty in South Africa
- Admiralty practice
- The Admiralty Jurisdiction Regulation Act, 1983 and the Admiralty Court Rules, 1997

**Part II: Maritime law**

- The ship
- Wreck
- Master and crew
- Safety at sea
- Salvage

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Powerful electronic searching allows for easy and rapid access to information

**South African Ports Law Handbook**

**Author:** R C Botha, P Vrancken

**About this Publication**

The centrepiece of the Handbook is the National Ports Act 12 of 2005. The adoption of the National Ports Act marks a new era in the development of South African ports law. It represents the first attempt at creating a comprehensive institutional, operational and regulatory framework for ports. Importantly, it gives a strong signal opening South Africa’s port sector to greater private sector participation and competition.
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

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.

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**Contents**
- A commentary on the NPA Act
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- Full text of Ministerial notices, NPA notices and directives of the Ports Regulator
- Forms and tribunal decisions

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**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 of 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


**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

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. Informative, 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.
- It applies to both the professional and private life of nurses.
- The user will have a complete A-Z of important aspects of the law relevant to nurses.

Bioethics, Human Rights and Health Law: Principles and Practice

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

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 speciality 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 Medical Schemes in South Africa, The

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.

Contents
- Background to the medical schemes industry
- The functioning of medical schemes within the broader health care environment
- The relationship between a medical scheme and its beneficiaries
- Principles of corporate governance
- Corporate governance of medical schemes
- Governance: fit and proper person
- The relationship between a medical scheme and providers of health services
- The relationship between a medical scheme and its administrator
- The role of medical scheme brokers and intermediaries
Practitioner’s Guide to the Mental Health Care Act, A

Authors: A Landman, W Landman

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
CD containing MHCA forms 1-48

ELECTRONIC Additional Contents and Features
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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
EBOOK: ISBN 978 0 70219 952 3

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

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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.

While historical injustices and moves towards humaneness and sustainability are borne in mind, helpful emphasis is placed on the commercial legal history and economic considerations that have influenced the development of diamond law as applicable today

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
Diamond sales and the regulated industry
De Beers and humane diamond law
Conflict of laws and the diamond trade
Documentary credit and diamond sales
Transportation of diamonds and underwriting activities
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

Appendices:
- KPCS Certificate
- Invoice with a System of Warranties Statement
- UNGA Resolution 55/56
- UNGA Resolution 56/263
- 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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Key Addresses
Mine Health and Safety Act 29 of 1996
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- Mine Health and Safety Regulations (Minerals Act)
- Mine Health and Safety Regulations
- Constitution of the Mine Health and Safety Council
- 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
- Mine Health and Safety Regulations – Chapter 21 Forms
- 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
- Guideline for the compilation of a mandatory code of practice for underground rail-bound equipment

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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
The registration of new order rights in terms of the Mining Titles Registration Act 16 of 1967 (as amended by Act 24 of 2003)
Control measures regulating matters pertaining to minerals and petroleum

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Editors: Juta's Statutes Editors

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Key Addresses
Quick Finder for Key Topics
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- Related Material
  - Codes of Good Practice for the Minerals Industry
  - Broad-Based Socio-Economic Empowerment Charter for the South African Mining and Minerals Industry
Mineral and Petroleum Resources Royalty Act 28 of 2008
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 of 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)

2012 > SOFT COVER: ISBN 978 0 70218 590 8 > 210pp
eBOOK: ISBN 978 0 70219 947 9

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
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Explosives Act 26 of 1956 and Regulations
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Atmospheric Pollution Prevention Act 45 of 1965 and Regulations
Mining Titles Registration Act 16 of 1967 and Regulations
Mining Rights Act 20 of 1967
Hazardous Substances Act 15 of 1973 and Regulations
Occupational Diseases in Mines and Works Act 78 of 1973 and Regulations
Health Act 63 of 1977 and Regulations
Petroleum Products Act 120 of 1977 and Regulations
Diamonds Act 56 of 1986 and Regulations
Mineral Technology Act 30 of 1989 and Regulations
Environment Conservation Act 73 of 1989 and Regulations
Minerals Act 50 of 1991
Occupational Health and Safety Act 85 of 1993 and Regulations
Geoscience Act 100 of 1993
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
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- Inspectorate of Mine Health and Safety
- Minister’s powers
- Legal proceedings and offences
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Cooper’s Motor Law: Criminal Liability, Administrative Adjudication and Medico-legal Aspects

Author: S Hector

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
- Regulations
- 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

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
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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.

Contents
- Road Transportation Act 74 of 1977
- Transport (Coordination) Act 44 of 1948
- Urban Transport Act 78 of 1977
- Road Traffic Act 29 of 1989 (prior to partial appeal as well as extant provisions after partial repeal)
- South African Roads Board Act 74 of 1988
- Transport Deregulation Act 80 of 1988
- 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
- Transport Deregulation Act 80 of 1988
- 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
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- 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
- 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
- All important judgments relating to road traffic offences from the South African Criminal Law Reports and the South African Law Reports
- Fully searchable according to phrase, keyword or descriptor

CD-ROM/INTRANET: ISSN 1024 2503 > Updated monthly or quarterly
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

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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

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    - 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
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- 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)(iii)
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.

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Part I: Aspects of private law pertaining to children
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- 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

Juta’s Pocket Statutes

(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
  - General Regulations regarding Children, 2010
  - 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 - Prinslean 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 Mosikatseana 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

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

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

Editors: Juta’s Statutes Editors

Contents
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


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
Social Assistance Act 13 of 2004
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*Indicates published in English only.

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 2015 > SOFT COVER: ISBN 978 1 48510 734 7 > 800pp
INTERNET: ISSN
Persons and the Family

2016/17

Anyone who is interested in this book can also be used for research and reference purposes by Personereg bronnebundel / Law of Persons Sourcebook with support.

A full discussion of household necessaries and the duty of nullity and the invariable consequence of marriage, including capacity to marry, the wedding ceremony, minors’ marriages, of marriage and goes on to explain the law of engagement.

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.

As was the case with previous editions (authored together with Rita Jordaan), this edition contains case law and statutes, in their entirety or in part.

In the law of persons the impact of the Constitution is clear in both statutory and case law. This edition incorporates changes brought about by the Constitution as well as the revolutionary changes brought about by the Children’s Act which has introduced revolutionary changes to this area of the law.

Contents

- Definition of concepts
- Beginning of legal subjectivity
- Children’s Act which has introduced revolutionary changes to this area of the law.

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

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- 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

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- 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
- The dissolution of marriage - 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 Schutte
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

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Older Persons Act 13 of 2006 & Regulations

Editors: Juta’s Statutes Editors

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Refugees Act 130 of 1998 & Rules and Regulations

Editors: Juta’s Statutes Editors

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Refugees Act 130 of 1998
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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 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 Mungar
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 - Seasmus MacRoiibn
The development of family / divorce mediation in South Africa - Adv. Praveena Sukhray-Ely
Information pertaining to divorce proceedings - Ananda Louw

About this Publication
This book covers women’s rights to health, housing, social security, land, food, water and basic services, education and work and also explores these rights through a cross-cutting examination of the girl child’s rights and customary law. Chapters focus on the South African context, legislation and jurisprudence but also discuss the role of international human rights law in the area of women’s social and economic rights. A framework chapter offers a conceptual approach to ‘engendering’ social and economic rights rather than simply extending them in a gender neutral way to women.

Contents
Introduction - Beth Goldblatt and Kirsty McLean
Engendering social and economic rights - Sandra Fredman
The right to social security addressing women’s poverty and disadvantage - Beth Goldblatt
Girls’ social and economic rights in South Africa - Ann Skelton
Rural women redefining land rights in the context of living customary law - Aninka Claasens and Sindiso Mnisi

Elusive equality: women, property rights and land reform in South Africa - Cherryl Walker
‘A Woman’s Home is Her Castle?’ – poor women and housing inadequacy in South Africa - Lilian Chenwi and Kirsty McLean
More work for women: a rights-based analysis of women’s access to basic services in South Africa - Jackie Dugard and Nthabiseng Mohlakoana
The right to reproductive health and access to health-care services within the prevention of mother-to-child transmission programme: the reality on the ground in the face of HIV/AIDS - Muriel Musharwa
The Right to food – addressing women’s needs as individuals, wombs and mothers - Karen Kallmann
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Professional Practice

Estate Agency Affairs Act 122 of 1976 & Regulations

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- Exemption of Category of Estate Agents, 1990
- Late Payment of Levies and Contributions, 1999
- Exemption of Category of Estate Agents, 2000
- Code of Conduct, 1992
- Standard of Training of Estate Agents Regulations, 2008
- Appeal Regulations, 2003
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 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.

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 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 / Sakereg Vonnisbundel vir Studente.

Contents
Part I: Introduction to the law of property
Part II: Ownership
Part III: Possession and holderehip
Part IV: Limited real rights and other rights 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
Method by which ownership of land can be conveyed from one person to another
Deeds of transfer
Certificates and resurveys
Real and personal rights distinguished
Deceased estate transactions
Partitioning of land
Expropriation of land
Separation of rights to minerals from land title
Bonds
Sectional titles
Land Reform

Author: J M Pienaar

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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2014 > Soft Cover: ISBN 978 1 48510 142 0 > 960pp
Internet: ISSN 2413 8789

Land Tenure Law

Author: A Mahomed

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.

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
Property Law

About this Publication

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.

Law of Servitudes

About this Publication

The last monograph to be dedicated exclusively to the law of servitudes in South African law was the 1973 edition of Hall & Kellaway: Servitudes. Since then, interesting regulatory and constitutional issues have arisen in servitude disputes. A full length monograph on the topic is therefore required, and the Property Law Library is the ideal location for this publication.

The Law of Servitudes covers the traditional areas of the law relating to servitudes, such as the nature and characteristics of servitudes, the acquisition of servitudes, the relationship between the servitude holder and the landowner (including remedies available to either party), the termination of servitudes, and includes separate chapters on praedial servitudes, personal servitudes, and statutory and public servitudes. However, in line with the approach followed in the Property Law Library series as a whole, these traditional topics and the relevant case law and literature are discussed in the historical, social, political and constitutional context of land use in South Africa.

The Law of Servitudes seeks to establish the current state of the law, seen in the context of its historical development in South Africa, as well as to consider the current position with reference to the effect of the Constitution on the development of private law.

Contents

- Ownership
- Possession and holdership
- Limited real rights and other property rights
- Constitutional property law
- Selected legislation

Mixed Legal Systems in Comparative Perspective: Property and Obligations in Scotland and South Africa

About this Publication

Placed uniquely at the intersection of common law and civil law, mixed legal systems are today attracting the attention both of scholars of comparative law, and of those concerned with the development of a European private law. Pre-eminent among the mixed legal systems are those of Scotland and South Africa. In South Africa the Roman-Dutch law, brought to the Cape by the Dutch East India Company in 1652 was, from the early nineteenth century onwards, infused with and remodelled by the common law of the British imperial master. In Scotland a more gradual and elusive process saw the Roman-Scots law of the early period fall under the influence of English law after the Act of Union in 1707. The result, in each case, was a system of law which drew from both of the great European traditions whilst containing distinctive elements of its own.

This volume sets out to compare the effects of this historical development by assessing whether shared experience has led to shared law. Key topics from the law of property and obligations are examined, collaboratively and comparatively, by teams of leading experts from both jurisdictions. The individual chapters reveal an intricate pattern of similarity and difference, enabling courts and legal writers in Scotland and South Africa to learn from the experience of a kindred
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.
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.

Contents
Chapter 1: The role of subjective intention in the case of building as original form of acquisition of ownership - Lex Mpati
Chapter 2: No right to neglect? Exploratory observations on how policy choices challenge the basic principles of property - Hanri Mostert
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
Chapter 8: Legal regimes governing groundwater and access to drinking water: The cases of Switzerland, India and South Africa - Vanessa Rüegger
Chapter 9: A system of original acquisition? The creation of property rights regarding goods in civil and common law - Hanneke Spath

Index
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 insights 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.

Contents
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 Pradouroux
- The Poverty of Precedent on Public Purpose/Interest: An Analysis of Pre-Constitutional and Post-Apartheid Jurisprudence in South Africa - Hani Mostert

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, dictatorships, 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 expropriation procedures. They discuss how comparative law and insights from the theory of human flourishing can help to improve the criteria for the justification of expropriation. From comparative and international perspectives, the contributors deal with the criteria that determine whether compensation is due for a regulatory taking, constructive expropriation or excessive regulation of property. The contributors examine the definition of takings and whether the dissolution of condominium constitutes a taking. They uncover how the amount of compensation can play a role in the justification of expropriation. Lastly, the contributors examine the consequences of expropriation for residential communities.

Contents
Introduction: Context, Criteria, and Consequences of Expropriation - Leon Verstappen

Part 1: Context
- Confiscation and Expropriation: The Legal Consequences of Roman Imperialism - Saskia T. Roselaar
- The History of Hungarian Expropriation Law - Imre Andorkó
- 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 as gazetted each week. Register for this service at www.jutalaw.co.za.

Contents
Sectional Titles Act 95 of 1986 and Regulations
*Sectional Titles Schemes Management Act 8 of 2011
*Indicates published in English only.

Published since 1988 > LOOSE-LEAF: ISBN 978 0 70212 065 7
Approximately 420pp

Sectional Titles Act 95 of 1986 & Regulations

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics

Sectional Titles Act 95 of 1986
– PENDLEX: Act 8 of 2011
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
Urban fragmented land tenure
Sectional titles
Sectional title ownership
Registration of scheme and units
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
Time-sharing
Time-sharing schemes
Retirement schemes
Bibliography
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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

2010 > SOFT COVER: ISBN 978 0 70218 553 3 > 582pp
INTERNET: ISSN 2226 3438

2016 > SOFT COVER: ISBN 978 9 46236 632 9 > 386pp

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
Approximately 1140pp

Understanding Land Tenure Law: Commentary & Legislation

Juta’s Pocket Companions

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
- The right to occupy and use land
- Termination of the rights to occupy and use land
- 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

Public Health

Tobacco Products Control Act 83 of 1993

Juta’s Posters

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
- Control over smoking of tobacco products
- Advertising, sponsorship, promotion, distribution, display and information required in respect of packaging and labelling of tobacco products
- Standards for manufacturing, importing and export of tobacco products
- Prohibitions on smoking in public places
- Restrictions on use of vending machines
- Regulations
- Exemptions
- Offences and penalties

2015
POSTER: ISBN 978 1 48510 901 3 > A1
Public Service Law

Public Service Act, 1994 (Proclamation 103 of 1994) & Regulations

Contents

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Quick Finder for Key Topics
Public Service Act, 1994 (Proclamation 103 of 1994)
Public Service Regulations, 2001
- Withdrawal of Public Service Staff Code and other prescripts relating to the public service
- Notice in terms of the Public Service Regulations: Discontinuation of official forms in relation to human resource management and related practices in the public service
- Notice in terms of section 30(b) regarding delegation of powers
- Notice in terms of the Public Service Regulations, 2001: Replacement of Z1 form
- Administration and operations – government component: National Intelligence Agency
- Administration and operations – government component: South African Secret Service
- Administration and operations – government component: Intelligence Academy
- Administration and operations – government component: COMSEC
- Administration and operations – Government Printing Works

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
Public Service Regulations 2001
Rules for dealing with complaints and grievances of officials in the Public Service, 1999
Public Service Co-ordinating Bargaining Council Resolutions, including:
- Agency shop agreement
- Levy agreement
- Dispute resolution procedures
Collective Agreement: Trade Union
- Negotiators and trade union
- Officials for the PSCBC
- Election of full time shop stewards
- Agreement on senior management

- Administration and operations – Government Pensions Administration Agency (GPAA)
- Administration and operations – Centre for Public Service Innovation (CPSI)
- Grievance form for lodging a grievance directly with the Public Service Commission by heads of department
- Administration and operations – Government Technical Advisory Centre (GTAC)
- 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

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
Security Law

Correctional Services Act 111 of 1998 & Regulations and Related Material

Juta’s Pocket Statutes

Editors: Juta’s Statutes Editors

Contents
Key Addresses
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Correctional Services Act 111 of 1998 – PENDLEX: Pending amendments
Regulations and related material
– Correctional Services Regulations
– Delegations of Authority
– Delegation of Competency (2007)
– Delegation of Competency (2011)
– Establishment of Remand Detention Facilities
– Revised Delegations for the Department of Correctional Services

Related Legislation
– Correctional Services Act 8 of 1959 (extant provisions)

Disaster Management Act 57 of 2002 & Regulations

Juta’s Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library

Authors: Juta’s Statutes Editors

Contents
Key Addresses
Quick Finder for Key Topics
Disaster Management Act 57 of 2002 – Disaster Management Volunteer Regulations, 2010

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
The legal situation in the EU is included as an example. Labour law, health law, social protection and social security law. Measures to deal with HIV-related issues in the domains of assessing the extent to which national governments have enacted approaches and the role of private actors in the protection of and also highlights the importance of a human rights

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

Employment injuries
Unemployment
Sickness
Invalidity
Medical care
Maternity
The need to maintain children
Personal and community crises
Hardship caused by the state
The lack of opportunities for disadvantaged members of society
Financing social security
The administration of social security
Discrimination in social security legislation
Migrant workers
The role of the International Labour Organisation in social security

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

The impact of the HIV/AIDS pandemic on the labour laws of Lesotho - Letzadzo Kometsi
Social security and HIV/AIDS in South Africa: where are the children? - Usang Maria Assim
Analysing the regional justiciability of HIV/AIDS issues in the SADC region: a look through the SADC Tribunal - Taz Musarurwa
Responding to HIV/AIDS in the world of work through the ILO Recommendation concerning HIV/AIDS and the World of Work, 2010 (No 200) - Sophia Kisting

About this Publication

The Role of Standards in Labour & Social Security Law examines international standards, their interrelation 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

The editors and authors of this compilation are internationally renowned experts in the field, and represent a variety of regions and perspectives. In particular, the book represents important voices and perspectives from the developing world, notably the African continent.
Regional perspectives
- The still complex relationship between the ILO and the EU: the example of anti-discrimination law
- Co-ordination of social security schemes: the case of SADC
- The challenge of regional social security co-ordination: the case of the Ibero-American Multilateral Agreement
- Social security, gender and legal pluralism: challenges to harmonisation in SADC
- The failure of the Minimum Age Convention to eradicate child labour in developing countries, with particular reference to SADC
- Children’s rights and child labour from a global, African and SADC law perspective
- EU health and safety law: improving standards for young workers

National perspectives
- Retirement reform in South Africa: the influence of international social security standards and human rights instruments
- Protective or disruptive social security? Burial societies in Ethiopia and Zimbabwe

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.

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.
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)
– General
– Taxable capital gains and assessed-losses
– Disposal and acquisition of assets
– Limitation of losses
– Base cost
– Proceeds
– Primary residence exclusion
– 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**

**Contents**

*Volume 1 – Print or eBook*

- Income Tax Act
- Value-Added Tax Act
- Tax Administration Act
- Estate Duty Act
- Transfer Duty Act
- Employment Tax Incentive Act
- Rates of Normal Tax

**Volume 2 – CD-ROM or eBook**

- Income Tax Monetary Thresholds and Rebates subject to Periodic Legislative Change
- Case Digest

**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

**Contents**

- Key Addresses
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- Division of Revenue Act 1 of 2015

**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.

**Contents**

- Preface
- Income Tax Act 58 of 1962
- List of definitions
- List of Acts referred to in Income Tax Act

**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.
Contents

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

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 Africa - 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 - Rosshelle 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 Broomberg
- 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

- Table of cases
- Table of statutes

2015 > SOFT COVER: ISBN 978 0 70215 455 3 > Approximately 2748pp

Published since 1999 > LOOSE-LEAF in four volumes:
ISBN 978 0 70215 455 3 > Approximately 2748pp
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
- Curbing tax avoidance that results from investments in offshore ‘protected cell companies’
- Curbing transfer pricing and thin capitalisation
- Curbing tax avoidance that results from investing in offshore hybrid entities
- Curbing tax avoidance resulting from international transactions involving financial instruments
- Curbing tax avoidance that results from investments in derivative financial instruments
- Curbing tax avoidance that results from cross-border leasing transactions
- Curbing tax avoidance that results from investments in offshore trusts
- Reportable arrangements, the voluntary disclosure programme and legislation to regulate tax practitioners.
- Challenges posed by e-commerce to the curbing of international tax avoidance
- Curbing tax avoidance that emanates from the abuse of tax-sparing provisions in tax treaties
- The role of international co-operation in preventing tax avoidance and evasion: exchange of information on tax matters
- The role of international co-operation in preventing tax evasion: assistance in the collection of taxes
- The role of exchange controls in limiting the out-flow of capital to offshore jurisdictions.

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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- Information gathering
- Confidentiality of information
- Advance rulings
- Assessments
- Dispute resolution
- 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.
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
Media releases
Index
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.
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**
- Abbreviations
- Principal works cited
- Table of statutes
- Table of cases
- Basic features of the South African law of unjustified enrichment
- The general requirements for liability based on unjustified enrichment

Enrichment arising from a transfer made to another or ‘giving’ (The Condictiones)

Enrichment arising from a transfer that failed to fulfil an obligation (The Condictio Indebiti)

Enrichment arising from a transfer that failed to achieve a future lawful purpose other than fulfilling an obligation (The Condictio Causa Data Causa Non Secuta)

Enrichment arising from a transfer made for an illegal or immoral purpose (The Condictio Ob Turpem Vel Iniustam Causam)

Remaining cases of enrichment arising from a transfer (The Condictia Sine Causa)

Enrichment imposed on another: general features of the category of claim

Enrichment imposed on another: unauthorised improvement of another’s property

Enrichment imposed on another: unauthorised fulfilment of another’s obligation

Enrichment by taking from another or infringement of another’s rights: general features of the category of claim

Enrichment by taking from another or infringement of another’s rights: specific cases

The measure or quantum of enrichment liability

The termination of enrichment liability

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

The different defences that might be available to fend off an enrichment claim, including loss of enrichment; estoppel; passing-on; and prescription

A separate section devoted to claims by and against banks

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 Mosenene and Bhe cases and the establishment of service points are dealt with in this edition.

**4th edition**

2016/17
**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
- Check list for taking instructions
- A simple will
- The joint (mutual) will
- Massing
- 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

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**Honoré: 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

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**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.

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**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
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.

Contents
- Statutes
- Table of cases
- Introduction
- The law of intestate succession
- Testamentary capacity and capacity to sign as a witness
- Formalities in the execution and amendment of wills
- Invalid wills and revocation of wills
- Capacity to inherit
- The contents of wills

Conflict of laws
- Litigation in succession matters
- Annexures: relevant legislation
  - Annexures include the Wills Act and other relevant legislation
  - A detailed index

Contents
- Testamentary succession
- Intestate succession

Electronic Additional Contents and Features
- Cases and articles published by The Taxpayer (1958-2005)
- 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
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
Testamentary freedom versus testamentary duty: in search of a better balance - K Lehmann
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 Abdurrafi
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-trustakte: ‘n evalueringe perspektief op die Potgieter-saak - T Claassen
Comparing the waqf and the South African trust - L Albertus

Trusts: Law and Practice

Editors: Juta’s Statutes Editors

Contents
Key addresses
Quick Finder for Key Topics
Wills Act 7 of 1953
Intestate Succession Act 81 of 1987
Estate Duty Act 45 of 1955
- PENDLEX (pending amendments): Act 28 of 2011
- 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

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
Trusts compared to other entities
The trust deed
Powers, rights and obligations of stakeholders
Tax matters, including income and capital gains tax
Trusts in estate planning
Accounting aspects: financial statements for trusts

2007 > SOFT COVER: ISBN 9780 70217 865 8 > 321pp

WILLS, ESTATES AND 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)

Contents and Features
Acta Juridica 2002: Revenue Law
Acta Juridica 2003: Criminal Justice in a New Society
Acta Juridica 2004: Practice of Integrity – Reflections on Ronald Dworkin and South African Law
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: Reinventing 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.

Contents
Articles
Notes
Book reviews

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.
Through its encouragement of interest and research in the area, the publication contributes to the prevention of violations of international humanitarian law.

### 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.

**Contents**

- The administration of justice
- Administrative law
- Admiralty law
- Civil and constitutional procedure and jurisdiction
- Conflict of laws
- Constitutional law
- Constitutional property law
- Corporate law (including stock exchanges)
- Criminal law
- Criminal procedure and sentencing
- Environmental law
- Family law
- Financial institutions
- General principles of the law of contract
- Insolvency law
- Insurance law
- Intellectual property law
- Labour law
- Law of delict
- Law of evidence
- Law of lease
- Law of negotiable instruments
- Law of persons
- Law of property (including real security)
- Law of purchase and sale
- Law of succession (including the administration of estates)
- and trusts
- Mining law
- Miscellaneous contracts (agency, carriage, deposit, donation, loan, partnership, service, and suretyship)
- Pension funds law
- Public international law
- Taxation
- Unjustified enrichment
- Table of statutes
- Table of cases
- Index of sections

### 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.

**Contents**

- Essays
- Articles
- Notes

**HARD COVER:** ISBN 978 1 48510 925 9 > 1834pp

**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 about corporate and governance issues, business judgment 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

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

South African Mercantile Law Journal
Juta’s Business Law (issues 1 of 2000 – 2 of 2008)*

*No longer published by Juta

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iilwandle Zethu: Journal of Ocean Law and Governance in Africa

About this Publication
iilwandle 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

Documents:
Select bibliography
Notes to contributors

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
Juta Law Catalogue

JOURNALS

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

ELECTRONIC Additional Contents and Features
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SOFT COVER > MONTHLY PERIODICAL: ISSN 0258 249X
(Product code: ILJ) > Approximately 3000pp per annum and an annual index
Full set from 1990-2015 > Product code: ILJFULLPACK
(includes a FREE 1980-2006 Cumulative Index) Back issues are also available.
INTERNET: ISSN 2413 9874


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
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- Constitutional Court
- Supreme Court/High Court

HARD COVER in 2 volumes: ISBN 978 0 70217 894 8

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
Discussion of case law
Review of legislative changes
Review of legal writing on insurance law

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1029 3302
(Product code: ILB)


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

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.

INTERNET: ISSN 2413 9874
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
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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
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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.

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SAJHR

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
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Human rights index

SOFT COVER > ANNUAL PERIODICAL: ISSN 0258 7203
(Product code: SAJHR) Approximately 300pp per annum

INTERNET: ISSN 1996 2118

SOFT COVER > ANNUAL PERIODICAL: ISSN 2309 4532
(Product code: IPLJ) > Approximately 180pp per annum

INTERNET: ISSN 2026 7193

SOFT COVER > ANNUAL PERIODICAL: ISSN 2026 7193
(Product code: SADC0003) Approximately 300pp per annum

INTERNET: ISSN 1011 8627

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1996 2118

INTERNET: ISSN 0258 7203

SOFT COVER > ANNUAL PERIODICAL: ISSN 2309 4532
(Product code: IPLJ) > Approximately 180pp per annum

INTERNET: ISSN 1996 2118

SOFT COVER > ANNUAL PERIODICAL: ISSN 2026 7193
(Product code: SADC0003) Approximately 300pp per annum

INTERNET: ISSN 1011 8627

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1996 2118

INTERNET: ISSN 0258 7203
### South African Law Journal

**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**
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- 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
- Approximately 800pp per annum
- Back issues are also available

**INTERNET:** ISSN 1996 2177

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**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

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**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

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### South African Mercantile Law Journal

**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
- 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

Soft Cover ANNUAL PERIODICAL: ISSN 0379 8895
(Product code: SAYIL)

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

Soft Cover > QUARTERLY PERIODICAL: ISSN 1016 4359
(Product code: SLR)

Burrell’s Intellectual Property Law Reports (Print)
Burrell’s Intellectual Property Law Library (Electronic)

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
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

Hard Cover: ISSN 1560 0211
CD-ROM/INTRANET: ISSN 1550 4594 > Updated quarterly
INTERNET: ISSN 1682 0614
English Reports, The

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

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

CD-ROM: ISBN 1 901362 19 1 > This publication is not updated
**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


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**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

**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

**SOFT COVER – MONTHLY PERIODICAL: ISSN 0258 249X**
(Product code: ILJ) Approximately 3000pp per annum and an annual index
Full set from 1900–2015 - Product code: ILJFULLPACK
(Includes a FREE 1980-2006 Cumulative Index). Back issues are also available.

**INTERNET:** ISSN 2413 9874

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**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**

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**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)

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Juta Law Catalogue
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
J udgments
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
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

General Index to State Trials New Series
Instant access to an unparalleled resource spanning nearly 700 years
Full commentaries and footnotes
More than 58 000 pages and 1 000 trials on a single CD
A space-saving acquisition for libraries, whilst preserving the valuable and often fragile printed volumes
Text can be copied and pasted to facilitate research and document preparation
Powerful electronic searching allows for easy and rapid access to information

CD-ROM: ISSN 0 70215 594 2 > This publication is not updated

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

CD-ROM/INTRANET: ISSN 1028 9194 > This publication is not updated
INTERNET: ISSN 1682 1041
Unreported Judgments, Juta's

(Free of charge to subscribers to South African Case Law 1838 to date and the Essential Legal Practitioner Bundle)

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

Zimbabwe Law Reports

Editors: Juta's Law Reports Editors in collaboration with the Zimbabwe Legal Resources Foundation

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)
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

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

DVD-ROM/INTRANET: ISSN 1560 6422 > Updated daily online
INTERNET: ISSN 1560 6414

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

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
COLLECTIONS OF LEGISLATION

- Alphabetical subject index
- White Papers
- Alphabetical list

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

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
    - Criminal Procedure Act (extant provisions); Criminal Procedure Act and Regulations; Related Substantive Acts
    - Child Justice - Volume II
      - Child Justice Act; Related Related Substantive Acts
  - ONLINE: ISBN 2310 6948

- Criminal Law - Sexual Offences / Strafreg – Seksuele Misdrywe
  - Criminal Law (Sexual Offences and Related Matters)
    - Amendment Act
    - 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)

- 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
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
(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**

<table>
<thead>
<tr>
<th>Editors:</th>
<th>Juta’s Statutes Editors</th>
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| **About this Publication** | 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) |
| **Contents** | The Acts of the provincial legislature
Regulations published in terms of these Acts |

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### Road Traffic Legislation / Padverkeerswetgewing

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<th>Editors:</th>
<th>Juta’s Statutes Editors</th>
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</table>
| **About this Publication** | Provincial Road Traffic Acts and Regulations
Administrative Adjudication of Road Traffic Offences Act 46 of 1998 and Regulations
Table of cases
| **Contents** | National Road Traffic Act 93 of 1996
Extant provisions of Act 29 of 1989
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### Statutes of Namibia (1990–date)

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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 |
| **Contents** | Namibian Acts from 1990 to date
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### Statutes of South Africa, Juta’s (2015 / 16)

**NEW edition**

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<td>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.</td>
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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 |

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### Juta Law Catalogue

- **COLLECTIONS OF LEGISLATION**
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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
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Regulations in terms of Acts promulgated from 1990 to date
– Rules of Court
– Selected regulations in terms of other important Acts
(provided prior to 1990)
– Related notices from 2003
– Selected related notices prior to 2003

Statutes of Zimbabwe

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.

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Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications

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
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– Bills made available that week. Bills are available free of charge at www.jutalaw.co.za
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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.

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- **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**
  

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