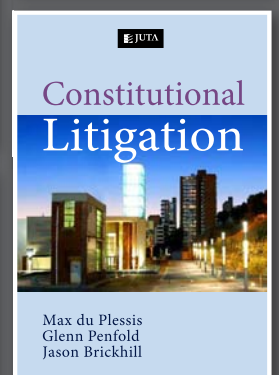
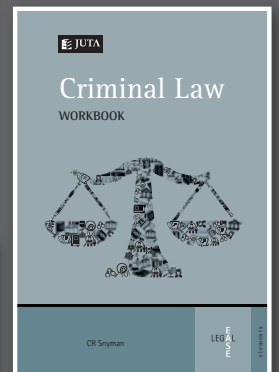
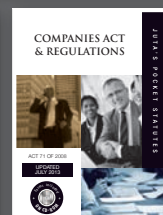
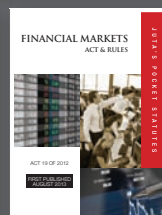
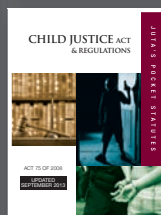
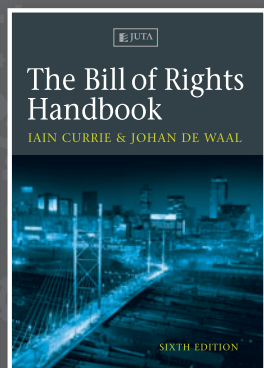
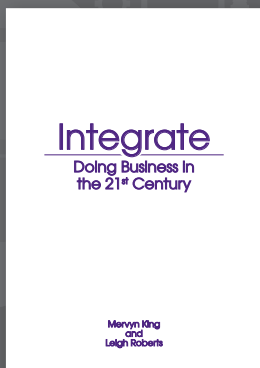


# Catalogue 2014



# GENERAL INFORMATION

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- Law Reports: Recent, relevant judgments for the legal fraternity, academics and students
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- Journals: In-depth debate on legal issues comprising articles, notes, cases, case discussions and book reviews on a diversity of subjects.
- Governance, Risk and 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
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  - 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
- Legislation Collections (print and electronic), listed alphabetically
- Legalbrief electronic newsletters

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**Books** (Soft cover)



**Books** (Hard cover)



**e-Books**



**Student textbooks**



**Loose-leaf publications**



**CD-ROM/DVD-ROM**



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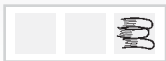
# TABLE OF CONTENTS

Introduction	
How to use this catalogue	
Ordering information	
Contact information	
Legal publications by practice area	
Administrative Law	<b>1</b>
Arbitration, Law of	<b>2</b>
Civil Procedure	<b>4</b>
Clinical Law	<b>11</b>
Collected Essays	<b>11</b>
Commercial Law	<b>14</b>
Comparative Law	<b>27</b>
Constitutional Law	<b>29</b>
Construction Law	<b>40</b>
Contract Law	<b>41</b>
Criminal Law and Procedure	<b>44</b>
Customary Law	<b>56</b>
Delict, Law of	<b>58</b>
Dictionaries and Glossaries	<b>61</b>
Education Law	<b>62</b>
Environmental Law	<b>64</b>
Evidence, Law of	<b>68</b>
Financial Services	<b>70</b>
Gender Law	<b>74</b>
Governance, Risk and Compliance	<b>75</b>
Hospitality Law	<b>82</b>
Insurance Law	<b>83</b>
Intellectual Property Law	<b>85</b>
International Law	<b>87</b>
Introduction to Law	<b>89</b>
Jurisprudence	<b>91</b>
Labour Law	<b>92</b>
Legal Interpretation	<b>112</b>
Legal Practice	<b>113</b>
Local Government	<b>114</b>
Medical Law	<b>118</b>
Mining & Minerals Law	<b>121</b>
Motor Law	<b>124</b>
Pension Fund Law	<b>125</b>
Persons and the Family	<b>126</b>
Property Law	<b>132</b>
Security Law	<b>139</b>
Shipping Law	<b>140</b>
Special Collections	<b>141</b>
Tax Law	<b>142</b>
Unjustified Enrichment	<b>145</b>
Wills, Estates and Trusts	<b>146</b>
Journals	<b>150</b>
Law Reports	<b>156</b>
Legislation Collections	<b>163</b>
Legislation Collections – Pocket Statutes	<b>167</b>
Legislation Collections – Poster Series	<b>170</b>
Legalbrief	<b>171</b>
Author Index	<b>172</b>
Title Index	<b>174</b>





# Administrative Law



## Administrative Law in South Africa

2<sup>nd</sup> edition**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 new 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

2012 > **SOFT COVER:** ISBN 978-0-7021-9427-6 > 694pp

## 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

2009 > **SOFT COVER:** ISBN 978-0-7021-7952-5 > 732pp

## Comparing Administrative Justice across the Commonwealth

*(First published as Acta Juridica 2006)***Authors:** H Corder (Editor), 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

2007 > **SOFT COVER:** ISBN 978-0-7021-7419-3 > 458pp

## Global Administrative Law: Innovation and Development

*(First published as Acta Juridica 2009)***Authors:** H Corder (Editor), 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.



**Contents**

- Opening Address - *Trevor Manuel*
- Definitional issues in global administrative law
  - Accountability and the concept of (global) administrative law - *David Dyzenhaus*
  - The role and limits of global administrative law in the Security Council's anti-terrorism programme - *C H Powell*
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2009 > **SOFT COVER:** ISBN 978-0-7021-8190-0 > 422pp

ADMINISTRATIVE LAW



## State Commercial Activity: A Legal Framework

**Author:** G Quinot

**About this Publication**

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

**Contents**

- Judicial regulation of state commercial activity
- The state's commercial capacity
- The classification approach
- Exclusively private-law approach
- Comprehensive public-law approach
- Integrated legal regulation

2009 > **SOFT COVER:** ISBN 978-0-7021-8207-5 > 348pp



ARBITRATION LAW

## Arbitration Law



## 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

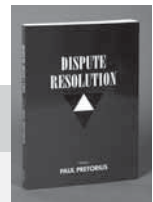
**About this Publication**

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

1993 > **SOFT COVER:** ISBN 978-0-7021-2833-2 > 248pp



## Dispute Resolution Digest 2014, The: The Tokiso Report on the State of Labour Dispute Resolution in South Africa

**Author:** Tokiso (Pty) Ltd



**About this Publication**

The *Dispute Resolution Digest* has become a source of pertinent and authoritative commentary on dispute resolution and labour market issues, and should make essential reading for anyone involved in the SA labour industry.

The issues debated in the 2014 Digest pick up on another eventful year in the labour market. They include the Labour Relations Act amendments (especially the position of contract workers and labour brokers), the mutual impacts between the amendments and the political and shop floor





continued in 2013 especially in the mining industry to the more legal technical issue of legal representation at the CCMA. While some of these issues have been assigned dedicated chapters, others are overarching and their cross-cutting nature justifies coverage across the entire publication.

**Contents**

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2014 > **SOFT COVER:** ISBN 978-1-4851-0182-6



## Labour Dispute Resolution

2<sup>nd</sup> edition



**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. Handy checklists and flowcharts assist the reader to prepare for the various processes.

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- Conflict, grievances and disputes
- An overview of the dispute system
- The disputes and their processes
- Definitions of dispute resolution processes
- Dispute resolution institutions
- Dispute resolution in the public service
- Administrative law and public sector employment

- Negotiation
- Conciliation, mediation and con-arb
- Facilitation
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- Arbitration by the CCMA
- Arbitration by Bargaining Councils and Statutory Councils
- Private arbitration
- Preparation for arbitration
- The law of evidence
- The award
- Appendices:
  - Arbitration Act 42 of 1965
  - Promotion of Administrative Justice Act 2 of 2000
  - Standard Mediation Agreement
  - Pre-dismissal Arbitration Agreement
  - Relevant CCMA forms
- Table of statutes
- Table of cases

2009 > **SOFT COVER:** ISBN 978-0-7021-7955-6 > 354pp



## Law of Arbitration, The

**Author:** P Ramsden

**About this Publication**

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

**Contents**

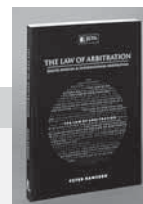
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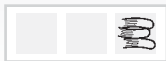
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## Basic Guide to Civil Procedure in the Magistrates' Courts, A

LegalEase – Essence series

**Author:** E Bascerano

NEW



### 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

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- 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

2013 > **Soft cover:** ISBN 978-0-7021-9421-4 > 229pp



## 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

- Full text of relevant statutory provisions
- Hypertext links to the full text of cases cited in the commentary
- Powerful electronic searching allows for easy and rapid access to information

**CD-ROM:** ISSN 1561-7424 > Updated quarterly  
**INTERNET:** ISSN 1561-7432



## Domestic Violence Act 116 of 1998 & Regulations

Juta's Pocket Statutes

(Also available as part of a two-volume set together with the *Protection from Harassment Act 17 of 2011 & Regulations* – ISBN 978-1-4851-0183-3)

**Authors:** Juta's Statutes Editors

NEW



### Contents

- Key Addresses
- Quick Finder for Key Topics

- Domestic Violence Act 116 of 1998
- 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*)

**Authors:** D E van Loggerenberg, M Bishop, J Brickhill

### About this Publication

Available in both print and electronic format, this acclaimed work has established itself as the standard reference in the

field of civil procedure in the superior courts. It comprises unrivalled clause-by-clause commentary on the Act and Rules and interprets provisions with reference to judgments in which



they have been considered. This work is regularly updated and revised to incorporate all changes arising from statutory amendments, as well as judgments handed down by the High Courts, Supreme Court of Appeal and Constitutional Court. It includes extensive discussions of related subjects.

#### PRINT Contents

- Supreme Court Act 59 of 1959, extracts from the Constitution, Constitutional Court Complementary Act 13 of 1995
- Uniform and other Rules
- Practice directions and court notices
- Index
- Tables of cases and statutes
- Substantive discussions of recusation; peremption of appeal; eviction under PIE; contempt of court; interest; parties; particular defences; postponement
- Appendices:
  - Allowances payable to witnesses in civil cases
  - Regulations governing the administration of an oath or affirmation
  - Admiralty Jurisdiction Act 105 of 1983 and Rules
  - Costs in general
  - Reciprocal Service of Civil Process Act 12 of 1990
  - Schedule of statutory limitations on civil proceedings, indicating expiry periods in respect of actions ex delicto against state organs, as provided for in various statutes
  - Discussions of *mandamenten van spolie*, interdicts and Anton Pillar orders

- Excerpts from the Prevention and Combating of Corrupt Activities 12 of 2004
- Rules of procedure for application to court in terms of the Promotion of Access to Information Act 2 of 2000
- Rules of procedure for judicial review of administrative action
- Timetable – times allowed for various applications

#### ELECTRONIC Additional Contents and Features

- Full text of the looseleaf work as set out above
- All related Acts
- Table of legislation judicially considered
- Hypertext links to the full text of cases and statutes cited in the commentary
- Powerful electronic searching allows for easy and rapid access to information

Published since 1994 > **LOOSE-LEAF** in two volumes:  
ISBN 978-0-7021-3011-3 > Approximately 1300pp  
**CD-ROM/INTRANET:** ISSN 1561-7467 > Updated quarterly  
**INTERNET:** ISSN 1561-7475



## 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.

#### ELECTRONIC Contents and Features

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

- Jones & Buckle Civil Practice of the Magistrates' Courts in South Africa
- Erasmus Superior Court Practice

Published since 2012 > **INTERNET:** Product Code ELPB



## Extinctive Prescription

**Author:** M M Loubser

#### About this Publication

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

#### Contents

- History, theory and policy of extinctive prescription
- Application of extinctive prescription: The concept of 'debt'
- Prescription periods provided for in the Prescription Act 68 of 1969
- Beginning of the prescription period
- Suspension and delay of prescription

- Interruption
- Extinctive prescription and counterclaims
- Waiver of extinctive prescription
- Calculation of time
- Extraordinary prescription or limitation periods (vervaltermyn)
- Prescription and the conflict of laws



1996 > **HARD COVER:** ISBN 978-0-7021-3717-4 > 239pp



## Herbstein and Van Winsen: The Civil Practice of the High Courts and the Supreme Court of Appeal of South Africa

5<sup>th</sup> edition

**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 suspectus de fuga*
- Parties
- Joinder of parties and causes of action, separation of trials, and consolidation of actions
- Demands and statutory notices
- Powers of attorney
- Form of proceedings
- Stay of proceedings
- Service of process
- Edictal citation
- Security for costs
- Applications
- The summons
- Notice of intention to defend
- Summary judgment, eviction and the National Credit Act
- Pleadings and the general provisions applicable to pleadings
- Declaration and particulars of claim
- Plea
- Offer to settle and tender to perform
- Exceptions
- Application to strike out
- Replication, subsequent pleadings in convention and close of pleadings
- Pleadings in reconvention
- Amendment of pleadings and documents
- Judgment on confession and by default and summary dismissal of actions or defences
- Extension or abridgment of time, condonation, revival of rule *nisi*, barring and removal of bar
- Irregular proceedings
- Set-down of trial actions, withdrawal of proceedings, abandonment of judgments, settlement, postponements and the
  - pre-trial conference
  - Removal of proceedings from one division to another
- Discovery, inspection and production of documents
- Preparation for trial
- Trial and hearing
- Judgments, orders, rulings, decisions and variation, abandonment and setting aside of judgments and orders
- Costs
- Execution
- Contempt of court
- Appeals
- Review
- Provisional sentence
- Special cases, the separate determination of issues and interim damages awards
- Declaration of rights
- Interdicts
- Anton Piller orders
- Vexatious proceedings, perpetual silence, the Patents Act and the Designs Act
- Special provisions relating to matrimonial matters
- Appointment of a curator
- Pauper proceedings
- A comprehensive table of statutes and rules of court
- CD-ROM containing a selection of practice directions, court notices, court rules and printable forms, included with the book.

### ELECTRONIC Additional Contents and Features

- Hyperlinks allow for easy navigation within the product.
- 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

2009 > **HARD COVER** in two volumes:  
ISBN 978-0-7021-7933-4 > 2000pp  
**INTERNET:** ISSN 2224-7319



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

*(Jones & Buckle The Civil Practice of the Magistrates' Courts in South Africa is a looseleaf work which is also available on CD-ROM and online, both as a separate publication and as part of Juta's Civil Procedure Library, together with Erasmus Superior Court Practice)*

10<sup>th</sup> edition

**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 biannual updates, will meet the profession's need for current and authoritative commentary in the field of civil practice in the lower courts. Detailed indexes facilitate research.

### Contents

#### Volume I: The Act

- Prefaces to earlier editions of the work, dating back to 1905
- Full text of the Magistrates' Courts Act 32 of 1944, with commentary
- Substantive separate discussions of recusation; attachment of things; interdicts; mandamenten van spolie; non-joinder and misjoinder

- Comprehensive index and tables of cases and statutes
- Appendices relating to equality courts and courts established for regional divisions (areas of jurisdiction and places for sitting); State Liability Act 20 of 1957

#### Volume II: The Rules

- Prefaces to earlier editions of the work, dating back to 1905
- Full text of the Magistrates' Courts Rules, with commentary
- Substantive separate discussions dealing with interest; parties; evidence under the National Credit Act 34 of 2005; particular defences; costs in general; and sheriffs' liability for negligence in execution
- Comprehensive index and tables of cases, statutes, rules and practice directives referred to in the work
- Schedule of statutory limitations on civil proceedings, indicating expiry periods in respect of actions *ex delicto* against state organs, as provided for in various statutes
- Civil practice directives for the regional courts in South Africa
- Further appendices with commentary on subjects including the tariff of allowances payable to witnesses; the

authentication of documents; the use of the word 'may' in statutes; administration of an oath or affirmation; abolition of requirement of legalisation for foreign public documents

#### ELECTRONIC Additional Contents and Features

- Full text of the looseleaf work as set out above
- Legislation judicially considered
- Hyperlinks to the full text of cases cited in the commentary
- Powerful electronic searching allows for easy and rapid access to information

**LOOSE-LEAF:** (Volume I) ISBN 978-0-7021-9443-6  
(Volume II) ISBN 978-0-7021-8607-3 > (Set of two volumes)  
ISBN 978-0-7021-4241-3 (Product code CPMCS0001)  
**CD-ROM/INTRANET:** ISSN 1561-7424 > Updated quarterly  
**INTERNET:** ISSN 1561-7432



## 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



1996 > **HARD COVER:** ISBN 978-0-7021-7309-7 > 405pp



## 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. This publication provides invaluable assistance in the preparation of pleadings and other court documents in civil proceedings.

#### 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
- Miscellaneous practical matters
- Extensive table of cases
- Table of rules of court
- Extensive table of examples



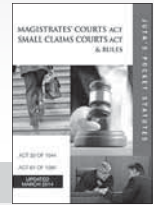
1998 > **SOFT COVER:** ISBN 978-0-7021-4578-0 > 125pp



## Magistrates' Courts Act 32 of 1944 and Small Claims Court Act 61 of 1984 & Rules

Juta's Pocket Statutes

(Also available as part of a two-volume set together with Superior Courts Act 10 of 2013 & Rules [Juta's Pocket Statutes] – ISBN 978-0-7021-8578-6)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Magistrates' Courts Act 32 of 1944
- PENDLEX: Pending Amendments
  - Act 120 of 1993
  - Act 67 of 1998
- Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa
- **[NEW]** Periodic Time Chart indicating the periods prescribed by the Act and Rules for various procedures
- **[NEW]** Small Claims Court Act 61 of 1984
- **[NEW]** Rules regulating matters in respect of Small Claims Courts



## Magistrates' Courts Act / Wet op Landdroshowe

Juta Legislation Service

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



**Authors:** 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](http://www.jutalaw.co.za).

### Contents

- 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
- **[NEW]** Periodic Time Chart indicating the periods prescribed by the Magistrates' Court Act and Rules for various procedures

Published since 1985 > **LOOSE-LEAF:** ISBN 978-0-7021-1646-9  
Approximately 830pp



## Objections in Civil Litigation

**Author:** P van den Heever

### About this Publication

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

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

### Contents

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

2009 > **SOFT COVER:** ISBN 978-0-7021-8452-9 > 189pp





## Pollak on Jurisdiction

2<sup>nd</sup> edition

**Author:** D Pistorius

### About this Publication

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

### Contents

- Actions in which a judgment sounding in money is claimed
- Attachment to found jurisdiction
- Actions in which a judgment relating to property is claimed
- Interdicts
- Administration of estates and succession

- Insolvency and the winding-up, judicial management and dissolution of companies
- Matrimonial proceedings
- Declaratory orders
- Foreign judgments and arbitral awards

1993 > **HARD COVER:** ISBN 978-0-7021-2953-7 > 201pp



## Protection from Harassment Act 17 of 2011 & Regulations

Juta's Pocket Statutes

(Also available as part of a two-volume set together with Domestic Violence Act 116 of 1998 & Regulations – ISBN 978-1-4851-0183-3)

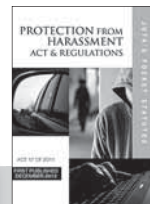
**Author:** Juta's Statutes Editors

**NEW**

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Protection from Harassment Act 17 of 2011
- Regulations
  - Protection from Harassment Regulations, 2013
  - Tariff on compensation payable to electronic communications

- Directives in terms of section 20(3) of the Act
- National instruction on protection from harassment



## Superior Courts Act / Wet op Hoër Howe

Juta Legislation Service

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

**Authors:** 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](http://www.jutalaw.co.za).

### Contents

- Superior Courts Act 10 of 2013
- Admiralty Jurisdiction Regulation Act 105 of 1983
- Uniform, High Court & Supreme Court of Appeal Rules
- Admiralty Proceedings Rules
- **[NEW]** Periodic Time Chart indicating the periods prescribed by the Act and Rules for various procedures

Published since 1985 > **LOOSE-LEAF:** ISBN 978-0-7021-1643-8  
Approximately 830pp



## Superior Courts Act 10 of 2013 & Rules

Juta's Pocket Statutes

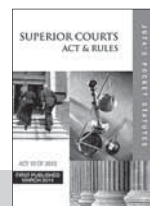
(Also available as part of a two-volume set together with Magistrates' Courts Act 32 of 1944 & Rules – ISBN 978-0-7021-8578-6)

**Authors:** 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 Supreme Court of Appeal and the High Courts of South Africa

- Rules of the Constitutional Court of South Africa
- **[NEW]** Periodic Time Chart indicating the periods prescribed by the Acts and Rules for various procedures







## Superior Courts Act 10 of 2013 and the Magistrates' Courts Act 32 of 1944 and Rules

**Authors:** Juta's Statutes Editors

NEW



### About this Publication

This popular legislation 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, subject indexes and periodic timetables indicating the periods prescribed by the Acts and Rules for various procedures.

### Contents

- Superior Courts Act 10 of 2013
- Uniform Rules of the Supreme Court as well as the Rules of the Supreme Court of Appeal and other divisions of the High Court
- Magistrates' Courts Act 32 of 1944
- The Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa

- Extract from the Constitution of the Republic of South Africa, 1996 (Chapter 8 – Courts and Administration of Justice)
- Constitutional Court Rules
- Updated tables of cases decided under the Acts and the Rules of Court
- Comprehensive subject indexes
- Periodic Time Chart giving quick information as to the periods prescribed by the Acts and Rules for various procedures

2014 > **SOFT COVER:** ISBN 978-1-4851-0197-0 > 558pp



## Taxation of Legal Costs in South Africa

**Author:** R Francis-Subbiah

NEW



### 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 thus lies at 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
- The taxing master in general
- The discretion of the taxing master demystified
- Review of taxation
- Party and party costs
- Attorney and client costs
- Attorney and own client costs
- Specific costs terminology
- Wasted costs and unnecessary costs
- Pre-litigation costs

- Perusals and copies
- Waiting and travelling costs
- Trial actions
- Applications
- Counsel's fees
- Counsel fees in the High Court
- Two sets of attorneys
- Witnesses and qualifying fees
- Taxation of claims arising from motor vehicle accidents and debt recovery costs, collection charges or commission
- Civil appeals and taxation in the Constitutional Court and Supreme Court of Appeal
- Miscellaneous
- Precedent bills of costs
- Annexures:
  - Tariffs: Rules 33, 35 and Annexure 2 of the Magistrates' Courts Rules
  - Tariffs: Rules 67-70 of the High Court Rules of Court
  - Tariffs: Rule 17 of the Rules of the Supreme Court of Appeal of South Africa
  - Tariffs: Rule 22 of the Rules of the Constitutional Court
  - Labour Court tariffs: Rule 24 of the Labour Court Rules
  - Tariffs: Rule 13 of the Labour Appeal Court Rules
  - Tariffs: Sections 162 and 179 of the Labour Relations Act
  - Tariffs: Rule 61 of the Land Claims Court Rules
  - Tariffs: Third schedule of the Insolvency Act
  - Tariffs: Rule 16 of the Rules of the Natal Law Society
  - Tariffs: Part XI of the Rules of the Law Society of the Northern Provinces
  - Tariffs: Rule 18.7 of the Rules of the Law Society of the Free State
  - Tariffs: Rule 17 of the Rules of the Law Society of the Cape of Good Hope
  - Legal Aid South Africa tariff of fees and disbursements in civil matters - 2012

2014 > **SOFT COVER:** ISBN 978-0-4851-0013-3





## Clinical Law

FORTHCOMING NEW EDITION 2014



### Street Law South Africa – Educator’s Manual Practical Law for South Africa

**Author:** McQuoid-Mason et al**About this Publication**

*The Educator’s Manual* sets out how the exercises in the *Learner’s Manual* can be conducted and the 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 juvenile justice

- Consumer law
- Family law
- Socio-economic rights
- Employment law

2005 > **SOFT COVER:** ISBN 978-0-7021-6668-6 > 317pp2<sup>nd</sup> editionNEW  
edition

FORTHCOMING NEW EDITION 2014



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

**Author:** McQuoid-Mason et al**About this Publication**

*Street Law South Africa – Learner’s Manual* is an illustrated everyman’s guide to the law of South Africa. The street law programme is designed for the teaching of law to learners from diverse backgrounds, which include law students, school learners, school educators, police and correctional services officers, security officers, trade unions, workers, women’s organisations, youth and church groups, NGOs, and people involved in training such persons and organisations. The books provide information about the law and practical advice, as well as problems, case studies, and other exercises designed to encourage active learning and participation.

**Contents**

- Introduction to South African law and the legal system
- Criminal law and juvenile justice
- Consumer law
- Family law
- Socio-economic rights
- Employment law
- Chapters include learner outcomes and assessment criteria and a discussion of the particular area of law

2005 > **SOFT COVER:** ISBN 978-0-7021-6718-8 > 326pp2<sup>nd</sup> editionNEW  
edition

## Collected Essays



### Cowen on Law: Selected Essays

**Author:** S Cowen (Editor)**About this Publication**

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

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

**Contents**

- Introduction - by *Laurie Ackermann*
- The challenge of democracy - introduced by *Arthur Chaskalson*

- Since the law makes the king: Cowen and the constitutional crisis of the 1950s - introduced by *Jeremy Gauntlett*
- Principles of statutory interpretation - introduced by *Pius Langa*
- Jurisprudence - introduced by *Dennis Davis*
- Freedom of thought and its expression - introduced by *Albie Sachs*
- Academic freedom - introduced by *Edwin Cameron*
- Principles and practice of environmental law - introduced by *Jan Glazewski*
- Land ownership - introduced by *Carole Lewis*
- The control of competition - introduced by *David Unterhalter*
- Negotiable instruments - introduced by *Charl Hugo* and commented on by *Benjamin Geva*
- Fleece on the hedges - text fragments selected and introduced by *Susannah Cowen*

2008 > **SOFT COVER:** ISBN 978-0-7021-7895-5 > 397pp



## Essays on the Law of Botswana

**Author:** C M Fombad (Editor)

### About this Publication

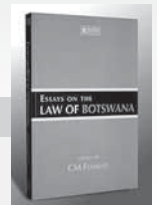
The essays in this book offer a description and analysis of a wide range of topical legal issues in Botswana. For the first time, readers can access material about domestic law, legislation and cases written by experts in Botswana. The contributions identify in a thought-provoking manner the challenges that exist and chart new directions for scholars and practitioners alike.

### Contents

- The protection of human rights
- The media in Botswana

- 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

2008 > **SOFT COVER:** ISBN 978-0-7021-7896-2 > 300pp



## Exemplary Scholar, The: Essays in Honour of John Milton

**Authors:** S V Hoor, P J Schwikkard (Editors)

### About this Publication

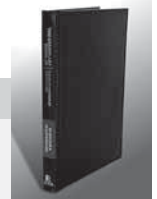
A dedicated and innovative teacher, a towering intellect, one of the leading criminal lawyers in South Africa, collegial, supportive and empowering, a veritable polymath, the ultimate free-thinker: these are but a few of the appellations used to describe John Milton. Over a period of nearly forty years 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

2007 > **HARD COVER:** ISBN 978-0-7021-7897-9 > 306pp



## Judiciary in Africa, The

**Authors:** Justice D van Zyl, Justice B Ajibola

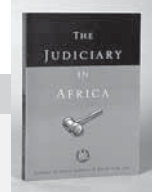
### About this Publication

*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
- The independence of the judiciary
- The judiciary in service of the community

1998 > **SOFT COVER:** ISBN 978-0-7021-4673-2 > 236pp



## Labour Law into the Future: Essays in Honour of D'Arcy du Toit

**Authors:** K Malherbe, J Sloth-Nielsen

### About this Publication

*Labour Law into the Future* is a volume of analytical pieces in honour of Professor D'Arcy du Toit.

The contributing authors are internationally recognised and leading researchers in the field of labour law. As a result, *Labour Law into the Future* offers the latest contributions on some of the most hotly debated issues in labour law, such as unfair discrimination, outsourcing, wage justice and labour brokers.

### Contents

- Equality in income differentials and wage justice - *Graham Giles*

- Can discrimination ever be fair? - *Bob Hepple*
- The prohibition of discrimination in employment: performance and prognosis in a transformative context - *Christoph Garbers*
- Women and maternity: is there truly equality in the workplace between men and women, and between women themselves? - *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 978-0-7021-9423-8 > 300pp

## A Man of Principle / 'n Man van Beginsel

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

**Authors:** J du Plessis, G Lubbe (Editors)**NEW****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**

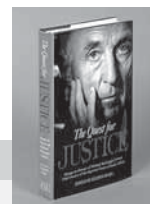
- Voorwoord/Preface
- Lys van bydraers/List of contributors
- Inleiding/Introduction - *Jeremy Gauntlett*
- Biografiese essays/Biographical essays
  - South African legal scholarship in the 20th century: The contribution of JC de Wet (1912-1990) - *Reinhard Zimmermann* and *Charl Hugo*
  - JC de Wet: 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*

- 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 - *Franziska Myburgh* and *Reinhard Zimmermann*
  - Die koopkontrak en aediliese aksies - *Hennie Erasmus*
- Strafrek/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 Loubser*
- Bibliografie van JC de Wet se Werke/Bibliography of JC de Wet's Works
- Index

2013 > **HARD COVER:** ISBN 978-1-4851-0075-1 > 478pp

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

### - Chief Justice of the Supreme Court of South Africa

**Author:** E Kahn**About this Publication**

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

**Contents**

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

1995 > **HARD COVER:** ISBN 978-0-7021-3440-1 > 390pp

## Stella Iuris: Celebrating 100 years of Teaching Law in Pietermaritzburg

**Authors:** M Kidd, S Hoxter (Editors)**About this Publication**

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

includes a diverse range of articles and 19 photographs.

**Contents**

- Salad days - *Christopher Forsyth*
- Speech at the dinner celebrating the 80th anniversary



of the School of Law of the University of Natal, Pietermaritzburg, held on 19 October 1990 - *Ellison Kahn*

- The Law Faculty in Pietermaritzburg 1991 to 2010 - *Michael Kidd and Shannon Hoctor*
- On the shoulders of father and son – academic leadership in the Law Faculty of the Natal University College (later University of Natal) in Pietermaritzburg: 1920 to 1982 - *Jonathan Burchell*
- From Chirwa to Gcaba: an administrative lawyer's view - *Cora Hoexter*
- The exercise of administrative power in the era of human rights protection - *Christopher Forsyth*
- Setting a bad example: the state's compliance with environmental law in South Africa - *Michael Kidd*
- A centenary offering: the double sale dilemma – time to be laid to rest? - *David Carey Miller*
- Judicial control of unfair contract terms: the implications of the Consumer Protection Act - *Robert Sharrock*
- The future of suretyship - *J T 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*
- On the beach: the legal status of the sea and the sea-shore in light of the National Environmental Management: Integrated Coastal Management Act 24 of 2008 - *Warren Freedman*
- 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*

2010 > **HARD COVER:** ISBN 978-0-7021-8547-2 > 388pp

## Commercial Law



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

2012 > **SOFT COVER (wire-bound):** ISBN 978-0-7021-8482-6 > 222pp



### 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

##### Commentary

- Empowerment policies and strategies over the last 10 years

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

##### Policies and Guidelines

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



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

**Charters**

- Mining industry
- Financial services
- Petroleum and liquid fuels industry
- Forwarding and clearing industry
- Maritime transport and service

- Tourism sector
- Media, advertising and communication sector
- Construction sector
- Agricultural sector
- Property sector

**Index**

Published since 2005 > **LOOSE-LEAF:** ISBN 978-0-7021-7102-4  
Approximately 460pp



## Botswana Company Law Service Supplement to the Botswana Company Law Service

**Author:** J Kiggundu

**About this Publication**

*The Botswana Company Law Service* makes available not only the Companies Act 2003, but all other related legislation in one accessible volume. The book now also includes a Supplement comprising an introduction to the Companies Act, 2003 by the author and the Companies Regulations, 2007. This supplement is also available separately.

**Contents**

**Botswana Company Law Service**

- Companies Act 2003
- Companies Regulations 2004
- Botswana Stock Exchange Act 1995, Regulations, 1996 and Listing Rules
- Income Tax Act 1998

- Insolvency Act (Cap 42:02)
- Collective Investments Undertaking Act 1999 and Regulations, 2002
- **Supplement to the Botswana Company Law Service**
- Introduction to the Companies Act, 2003
- The Companies Regulations, 2007



2006 > ORIGINAL SERVICE: ISBN 978-0-7021-7105-5  
**SOFT COVER** > 634pp  
2009 > SUPPLEMENT: ISBN 978-0-7021-8138-2 > **SOFT COVER** > 82pp  
Original service and supplement > 2-volume set (*BCLS-PACK*)



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

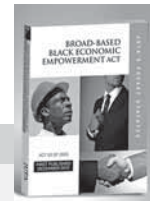
Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

**Contents**

- Key Addresses
- Quick Finder for Key Topics
- Broad-Based Black Economic Empowerment Act 53 of 2003
- Export Permits - European Community
- B-BBEE Verification Certificates

- B-BBEE Facilitator Status: The Public Investment Corporation (PIC)
- **[NEW]** CD-ROM containing Codes of Good Practice



**FORTHCOMING NEW EDITION IN 2014**



## Business Law in Zimbabwe

2<sup>nd</sup> edition

**Author:** R H Christie

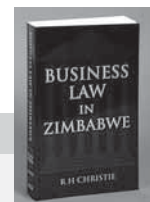
**About this Publication**

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

**Contents**

- Historical introduction
- Contract
- Starting a business
- Sale
- Carriage of goods
- Negotiable instruments
- Insurance

- Importing and exporting
- Landlord and tenant
- Employment
- Agency
- Companies
- Private business
- Insolvency corporations
- Loans and securities



1998 > **SOFT COVER:** ISBN 978-0-7021-4921-4 > 560pp





## Business Management for Financial Planners: A Guide to Creating a Sustainable Service-based Financial Planning Business



**Authors:** L Rossini, J Maree

### About this Publication

*Business Management for Financial Planners* provides practical guidelines to running a service-orientated business. It guides business owners on how to develop a business model that provides ongoing value for their clients and improves business profitability by acquiring and retaining the right clients. The book has been written in two parts: the first introduces the financial services environment and the standards expected of financial planners by consumers and regulators, and the second part discusses how financial planners can create a business model that will survive beyond any client complaint or regulatory intervention.

### Contents

- An overview of the financial services environment
  - The fundamentals of financial planning
  - The financial planning environment
  - A global perspective on financial planning
  - Requirements of a successful financial planner

- Non-negotiable aspects of financial planning
- Implementing changes
- Building a sustainable financial planning business
  - Financial planning as a professional service
  - The foundations of a service-based business
  - Clients: the number one priority
  - Service design
  - Service delivery
  - Marketing to an existing client base and attracting new clients
  - The financial aspects of a business
  - Risk and business continuity planning
  - Exiting a business
  - Other important issues

2010 > **SOFT COVER:** ISBN 978-0-7021-8460-4 > 308pp



## Business Transactions Law

8<sup>th</sup> edition



**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

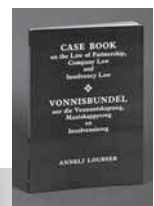
### Contents

- Introduction
- Formation of the contract
- Effect of the contract
  - General
  - Miscellaneous contracts
- Non-performance of the contract
- Security
- Insolvency
- Appendices
  - Electronic transactions
  - Outline of certain aspects of the law of property
  - Employment Equity Act, 1998: affirmative action

2011 > **SOFT COVER:** ISBN 978-0-7021-8543-4 > 972pp



## Casebook on the Law of Partnership, Company Law and Insolvency Law / Vonnisbundel oor die Vennootskapsreg, Maatskappyreg 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

1992 > **SOFT COVER:** ISBN 978-0-7021-3840-9 > 251pp



## Commentary on the Companies Act

**Authors:** M Blackman<sup>1</sup>, R Jooste, G K Everingham, J L Yeats, F H I Cassim, R de la Harpe; with contributions from M Larkin<sup>2</sup>, 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.

**PRINT Contents**

- A section-by-section commentary on the Companies Act
- Regulations in terms of the Act
- Practice notes
- Insider Trading Act 135 of 1998
- Index to Companies Act and commentary

**ELECTRONIC Additional Contents and Features**

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



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**CD-ROM/INTRANET:** ISSN 1991-461X > Updated quarterly  
**INTERNET:** ISSN 1991-4628



## 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 disputes than traditional litigation. 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



2012 > **SOFT COVER:** ISBN 978-0-7021-9549-5 > 135pp



## Companies Act 71 of 2008 & Regulations

Juta's Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN 978-1-4851-0128-4)

**Authors:** Juta's Statutes Editors

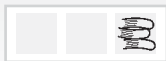
**Contents**

- Quick Finder for Key Topics
- Key Addresses
- Companies Act 71 of 2008
  - Chapter XIV of the Companies Act 61 of 1973
- Companies Regulations, 2011
- **[NEW]** Updated Practice Notes and Guidance Notes

- **[NEW]** Includes changes to Act 71 of 2008 due to the enactment of the Financial Markets Act 19 of 2012. In particular, section 1, section 5(4)(b)(i)(ff), section 69(8)(b)(iv)(cc), section 116(4)(a)(iii) and section 116(9)
- CD-ROM containing the Companies Regulations, 2011
  - Forms







## Comparative Guide to the Old and New Companies Acts, The



**Authors:** R Jooste, Juta's General Law Editors

### About this Publication

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

- A comprehensive table containing the full text of all sections and definitions of the old Companies Act in the left-hand column of each page contrasted against the comparable sections of the new Companies Act in the right-hand column. The table allows the reader to use their knowledge of the well-known old Act to find which portions of the new Act now fulfil 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.
- A quick guide showing the association between regulations promulgated under the new Act and the comparable new sections.

- The full text of the new Companies Act using shading to distinguish between portions that are comparable to the old Act and those that are entirely new.
- A comprehensive list of reported judgments decided under the old Companies Act to assist with research.

### Contents

- Comparative table (containing full text): Act 61 of 1973 compared to Act 71 of 2008
- Quick reference guides:
  - Act 61 of 1973 compared to Act 71 of 2008
  - Act 71 of 2008 compared to Act 61 of 1973
  - 2008 regulations and associated sections
  - Prescribed forms
- Case annotations: Act 61 of 1973
- Companies Act 71 of 2008 (full text with shading)

2011 > **SOFT COVER:** ISBN 978-0-7021-8614-1 > 1030pp



## Competition Act 89 of 1998 & Rules

Juta's Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN 978-1-4851-0128-4)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Competition Act 89 of 1998
- Pendlex: pending amendments
- Rules for the conduct of proceedings in the Competition Appeal Court
- Rules for the conduct of proceedings in the Competition Commission
- Rules for the conduct of proceedings in the Competition Tribunal

- Determination of threshold
- Corporate Leniency Policy
- Determination of merger thresholds and method of calculation
- Guideline on small merger notification



## 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

- The micro-economist's toolkit
- Micro-economics applied to competition policy
- Restrictive horizontal practices
- Restrictive vertical practices
- The abuse of dominance
- Mergers and merger control
- Institutions, procedures and remedies

2002 > **SOFT COVER:** ISBN 978-0-7021-5906-0 > 826pp





## 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.

### Contents

- Table of statutes
- Table of cases
- Decisions of the National Consumer Tribunal
- Introduction, implementation, objectives and interpretation of the National Credit Act
- 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

- Credit marketing and advertising practices
- Consumer credit agreements
- Interest rates and other costs of credit
- Statements of account
- Collection and repayment practices, restrictions on certain practices and a special process to surrender movable goods
- Reckless lending and over-indebtedness
- Legal debt enforcement by repossession or judgment and the institution of insolvency proceedings
- Dispute resolution other than debt enforcement
- Enforcement of the Act
- Miscellaneous matters
- Regulations
- Conflicting 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
- Index
- Supplementary CD

2012 > **SOFT COVER:** ISBN 978-0-7021-9551-8 > 692pp



## Consumer Protection Act 68 of 2008 & Rules and Regulations

Juta's Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN 978-1-4851-0128-4)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Consumer Protection Act 68 of 2008
- Consumer Protection Regulations
- Determination of threshold
- National Consumer Commission Rules
- Notice to exempt banks from provisions of section 14
- Notice to exempt the pension fund industry, the collective investment schemes industry and the security services industry
- Regulations for matters relating to the functions of the Tribunal and Rules for the conduct of matters before the National Consumer Tribunal, 2007
- Final Enforcement Guidelines
- **[NEW]** Consumer Product Safety Recall Guidelines



## Contemporary Company Law

2<sup>nd</sup> edition

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



### About this Publication

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

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

### Contents

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

- Winding-up
- Insider trading and market manipulation
- Transitional arrangements
- Index

2012 > **SOFT COVER:** ISBN 978-0-7021-8565-6 > 1204pp

## Corporate Library, Juta's

### About this Publication

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

### Contents and Features

- *South African Corporate Business Administration* – the official industry manual of the Institute of Chartered Secretaries of southern Africa (ICSA)
- *Executive Summary of the King Report 2*, published under licence of the Institute of Directors
- The Institute of Risk Management of South Africa's *Code of Practice*
- Geoff Everingham and Tom Wixley: *Corporate Governance*, 2nd edition (included with the permission of Siber Ink)

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

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



## Corporate Pocket Library

Juta's Pocket Statutes

(These concise pocket-size books contain the full text of key legislation for the corporate sector. Available individually, or as a 4-volume set – ISBN 978-1-4851-0128-4)

**Authors:** Juta's Statutes Editors

### Corporate Pocket Library – Full set

Set of all four volumes in a stylish slipcase.

- ✓ Companies Act 71 of 2008 & Regulations  
Includes a CD-ROM containing the Companies Regulations, 2011 – Forms

- ✓ Competition Act 89 of 1998 & Rules
- ✓ Consumer Protection Act 68 of 2008 and Rules & Regulations
- ✓ Financial Markets Act 19 of 2012 & Rules



## Gambling Laws of South Africa

**Authors:** H Brand, with Case Digest by M Carnelley

### 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

Published since 1996 > **LOOSE-LEAF** in two volumes:  
 ISBN 978-0-7021-3849-2 > Approximately 1900pp



FORTHCOMING NEW EDITIONS DECEMBER 2014



## General Principles of Commercial Law Algemene Beginsels van Kommersiële Reg

7th edition  
7de uitgawe**Authors:** P Havenga, M Havenga, E Hurter, R Kelbrick, E Manamela, T Manamela, H Schulze, P Stoop**About this Publication**

*General Principles of Commercial Law / Algemene Beginsels van Kommersiële Reg* provides non-law students with a succinct exposition to the general principles of commercial law. The books contain a wide selection of topics influenced by the Independent Regulatory Board for the Auditors law service course. The 7th edition is updated to include statutory and other developments in commercial law and includes a new chapter on the Consumer Protection Act 68 of 2008.

**Contents**

- Introduction of the South African legal system and the science of law
- General principles of the law of contract
- Specific contracts
  - Sale, lease, insurance, credit agreements
- Specific contracts
  - Labour law
  - Intellectual property law and franchising
  - Alternative dispute resolution
  - The law of agency
  - Forms of business enterprise
  - The law of competition
  - Security
  - Banking law and paying instruments
  - Other methods of payment
  - The law of trusts
  - The law of insolvency
  - The law of administration of estates
  - Consumer protection

2010 > **SOFT COVER** (English): ISBN 978-0-7021-8514-4 > 546pp  
**SAGTEBAND** (Afrikaans): ISBN 978-0-7021-8515-1 > 580bl

## Gibson's South African Mercantile and Company Law

8th edition

**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**

- Partnership
- Companies
- Close corporations
- Negotiable instruments
- Insurance
- Security
- Insolvency
- Labour law
- Competition, trade-mark, copyright and patent law

2004 > **SOFT COVER:** ISBN 978-0-7021-5809-4 > 832pp

## Guide to the Close Corporations Act and Regulations

**Author:** W D Geach**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

Published since 1984 > **LOOSE-LEAF:** ISBN 978-0-7021-1550-9  
Approximately 750pp

## Guide to the Companies Act and Regulations

**Author:** W D Geach**About this Publication**

*The Guide to the Companies Act and Regulations* offers subscribers an updated, accurate source of Company Law. It sets out corporate legal reform and the implementation of the Companies Act 71 of 2008.

**Contents**

- Amendments to the Companies Act and regulations from 1973; comparison of the 1926 and 1973 Companies Acts
- Text of Companies Act of 1973 and Companies Act of 2008
- 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 978-0-7021-0466-4  
Approximately 1000pp



## Hahlo's South African Company Law through the Cases:

### A Source Book

6<sup>th</sup> edition

**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 978-0-7021-5142-2 > 680pp



## Hockly's Insolvency Law Hockly se Insolvensiereg

9<sup>th</sup> edition  
4<sup>de</sup> uitgawe

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

#### About this Publication

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

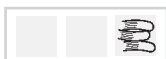
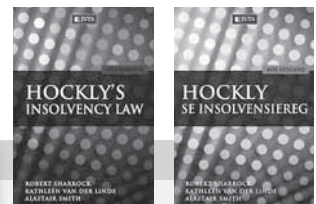
The appendices contain specimen applications, specimen estate accounts, the Insolvency Act, relevant extracts from the Companies Act and the Close Corporations Act, and the Cross-Border Insolvency Act.

#### Contents

- Obtaining a sequestration order
- Effects of sequestration

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

2012 > **SOFT COVER (English):** ISBN 978-0-7021-9866-3 > 602pp  
**SAGTEBAND (Afrikaans):** ISBN 978-0-7021-9868-7 > 630bl



## Hockly's Insolvency Law Casebook

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

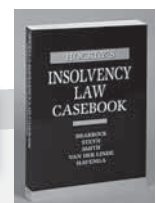
#### About this Publication

A student casebook which complements *Hockly's Insolvency Law*.

#### Contents

- Introduction
- Voluntary surrender
- Compulsory sequestration

- The legal position of the insolvent
- The vesting of the assets of the insolvent
- Vesting of the assets of the solvent spouse
- Uncompleted contracts and legal proceedings
- Meeting of creditors and proof of claims
- Preservation of the estate pending the trustee's appointment
- Election of the trustee





- The duties and powers of the trustee
- Impeachable dispositions
- Interrogation of the insolvent and other witnesses
- The duties of the insolvent
- Realisation of the estate assets
- Creditors' claims and their ranking
- The estate accounts and the distribution of the assets
- Composition
- Rehabilitation
- Partnership and sequestration

- Insolvent deceased estates
- Offences
- Winding-up of companies
- Judicial management and compromise
- Winding-up of close corporations

1999 > **SOFT COVER:** ISBN 978-0-7021-4982-5 > 441pp



## Law of Business Structures, The

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

### About this Publication

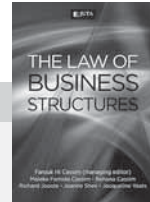
*The Law of Business Structures* provides a comprehensive but simplified treatment of the different types of business structures in South African law. The book examines the law of partnerships, business trusts, close corporations and companies, whether large or small and whether formed for a profit-making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

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

### Contents

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



2012 > **SOFT COVER:** ISBN 978-0-7021-9548-8 > 630pp



## 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 makes the law easier to understand without losing the context in which it operates. *Elements* books are practical workbooks or reference tools to support students in the study of the law. 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

NEW



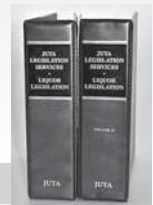
2013 > **SOFT COVER:** ISBN 978-0-7021-9458-0 > 144pp



## Liquor Legislation of South Africa

Juta Legislation Service

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



**Authors:** 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](http://www.jutalaw.co.za).

### Contents

#### Volume I

- \*Liquor Act
- \*Liquor Products Act

#### Volume II

- \*Provincial Liquor Acts (excluding Limpopo and North West, not yet promulgated)

\*Indicates published in English only.

Published since 2005 > **LOOSE-LEAF** in two volumes:  
ISBN 978-0-7021-6734-8 > Approximately 1300pp



## Mars: The Law of Insolvency in South Africa

9<sup>th</sup> edition

**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 refer-ences 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
- Proof of claims
- Interrogations
- Secured creditors
- Realisation of securities
- Application and distribution of assets
- Estate accounts
- Composition
- Rehabilitation
- Partnership as affected by insolvency
- Criminal law – general
- Criminal law – particular offences

### ELECTRONIC Additional Contents and Features

- Hyperlinks allow for easy navigation within the product; 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

2008 > **HARD COVER:** ISBN 978-0-7021-7926-6 > 1030pp  
**INTERNET:** ISSN 2224-4743



## 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

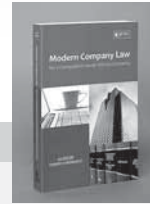
- Partnership
- Insolvency

1998 > **SOFT COVER:** ISBN 978-0-7021-4564-3 > 410pp



## Modern Company Law for a Competitive South African Economy

(First published as *Acta Juridica* 2010)



**Author:** T H Mongalo (Editor)

### 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.

- Business rescue incorporating a critical analysis of the business rescue regime in the Companies Act 71 of 2008
- Enforcement and regulatory regimes

### Contents

- Corporate formation and corporate finance
- Corporate governance and mergers and takeovers

2010 > **SOFT COVER:** ISBN 978-0-7021-8463-3 > 508pp



## National Credit Act 34 of 2005 & Regulations

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

### Contents

- Quick Finder for Key Topics
- Key Addresses
- National Credit Act 34 of 2005
- Regulations and Related Material
  - Commencement of the Act
  - National Credit Regulations, 2006
  - Determination of Thresholds
  - Prescribed time-frame for free credit records, and determination of application and registration fees
  - 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
- Debt Counselling Regulations, 2012

FORTHCOMING NEW EDITION APRIL 2014



## Practitioner's Guide to the Companies Act 71 of 2008, The

**Author:** The South African Institute of Professional Accountants (SAIPA)

### 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.

- 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



### Contents

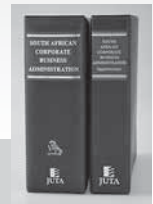
- Introduction to the new Companies Act
- The concept of legal personality
- Types of companies
- Close corporations
- Formation of companies

2011 > **Soft cover:** ISBN 978-0-7021-8899-2 > 200pp



## South African Corporate Business Administration and Supplementary Volume

(Also available electronically as part of Juta's Corporate Library)



**Authors:** J Beukes, F H I Cassim, M F Cassim, I M Esser, W D Geach, N Locke, M R Vermaas (Consulting Editor);  
D P Mahony (Managing Editor)

### About this Publication

*The South African Corporate Business Administration (SACBA)* is endorsed by the Chartered Secretaries Southern Africa, the South African arm of the internationally recognised Institute of Chartered Secretaries and Administrators.

Recently updated in line with the Companies Act of 2008 as amended, this loose-leaf work provides a detailed, practical guide to the Act, clearly defining the roles, duties and responsibilities of the company secretary. It also deals with stock exchange listing procedures, amalgamations and takeovers, transfer of securities, and related company secretarial duties.

The supplementary volume contains an easy-to-follow comparative guide that studies the provisions of both the 1973 and 2008 Acts. This useful work is to be used in conjunction with the main volume in order to derive maximum benefit.

### Contents

#### Main Volume

- Company law, corporate governance and the company secretary

- Formation of the company through its listing or registration, to its final liquidations and deregistration.
- Board meetings and appointment of officers
- Business rescue and compromises and when and how it is applicable
- The law and procedure of fundamental transactions and mergers and acquisitions
- The law and procedure of meetings
- Insolvency

### Supplementary Volume

- Quick reference guides to:
  - Act 61 of 1973 compared to Act 71 of 2008
  - Act 71 of 2008 compared to Act 61 of 1973
  - Regulations & associated sections
  - Prescribed forms
  - Comparative table of Act 61 of 1973 to Act 71 of 2008 containing full text

Published since 1995 > **LOOSE-LEAF** in two volumes  
ISBN 978-0-7021-3326-8 > Approximately 1200pp



## Student Casebook on Business Entities

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

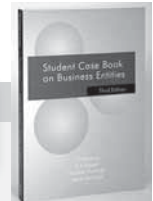
### About this Publication

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

### Contents

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

2004 > **SOFT COVER:** ISBN 978-0-7021-6724-9 > 310pp



## Understanding Broad-based Black Economic Empowerment

Juta's Pocket Companions

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

### About this Publication

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

### Contents

- Purpose, definitions, regulatory instruments, scope and elements of Black Economic Empowerment
- Generic BEE scorecard, Qualifying Small Enterprise scorecard, Contributor Recognition Levels
- Ownership
- Management and control
- Employment equity
- Skills development
- Preferential procurement
- Enterprise development
- Socio-economic development
- Fronting
- Glossary of terms

2010 > **SOFT COVER** > Pocket size: ISBN 978-0-7021-8187-0 > 190pp





## Understanding the Consumer Protection Act

Juta's Pocket Companions



**Authors:** I Opperman, R Lake

### About this Publication

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

*Understanding the Consumer Protection Act* systematically explains the Consumer Protection Act (CPA), one of the most far-reaching pieces of legislation in South African law. The CPA aims to protect consumers from inferior products and services. This has ramifications for many areas of law including contract, delict, company law and access to information.

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

### Contents

- Definitions
- Business names
- Marketing
- Agreements
- Right to information
- Fair value, good quality and safety
- Prohibited schemes
- Franchises
- Auctions
  - Industry codes of conduct

2012 > **SOFT COVER** > Pocket size: ISBN 978-0-7021-9509-9 > 262pp



## Western Cape Liquor Act 4 of 2008 & Regulations

Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick-finder for Key Topics
- Western Cape Liquor Act 4 of 2008
- Western Cape Liquor Regulations, 2011

## > Comparative Law



## Law and Poverty: Perspectives from South Africa and Beyond

**Authors:** S Liebenberg, G Quinot (Editors)

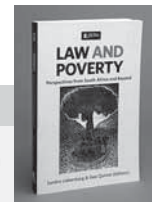
### About this Publication

*Law and Poverty: Perspectives from South Africa and Beyond* is a collection of essays by leading South African and international experts, as well as emerging young scholars. The collection focuses on key theoretical and strategic questions concerning the relationship between law and systemic poverty. The essays were first presented at a colloquium on Law and Poverty organised by the Stellenbosch Law Faculty, which took place from 29 to 31 May 2011. The range and richness of the essays illuminate the multifaceted nature and causes of poverty, as well as the possibility and limits of law in responding to the social injustice which poverty represents. By engaging with these questions, the book aims to deepen critical reflection and debate on law's ability to respond effectively to social and economic marginalisation.

### Contents

- Table of cases
- Introduction - *Sandra Liebenberg* and *Geo Quinot*
- The role of the Constitution in the struggle against poverty - *Pius N Langa*
- Social exclusion, global poverty, and scales of (in)justice: rethinking law and poverty in a globalising world - *Nancy Fraser*
- The legal construction of poverty: gender, 'work' and the 'social contract' - *Lucy A Williams*
- Not purpose-made! Transformative constitutionalism, postindependence constitutionalism and the struggle to eradicate poverty - *Sanele Sibanda*

- De-politicising poverty: Arendt in South Africa - *Emilios Christodoulidis*
- Representing the poor: law, poverty and democracy - *Henk Botha*
- Transformative constitutionalism in a democratic developmental state - *Solange Rosa*
- The potential and limits of an equal rights paradigm in addressing poverty - *Sandra Fredman*
- Gendered transformation in South African jurisprudence: poor women and the Constitutional Court - *Catherine Albertyn*
- Judicial deference and democracy in socio-economic rights cases in South Africa - *Danie Brand*
- Narrowing the band: reasonableness review in administrative justice and socio-economic rights jurisprudence in South Africa - *Geo Quinot* and *Sandra Liebenberg*
- Taking poverty seriously: the South African Constitutional Court and socio-economic rights - *Stuart Wilson* and *Jackie Dugard*
- 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 I Michelman*



- Farm land and tenure security: new policy and legislative developments - *J M Pienaar* and *A Kamkuemah*
- Conceptualising 'meaningful engagement' as a deliberative democratic partnership - *Gustav Muller*
- Rental housing as adequate housing - *Sue-Mari Maass*
- 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 Mnisi 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*
- Concluding reflections: legal activism after poverty has been declared unconstitutional - *Karl Klare*

2012 > **SOFT COVER:** ISBN 978-0-7021-9445-0 > 490pp

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

(First published as *Acta Juridica* 2011)**Authors:** H Mostert, T Bennett

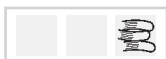
### About this Publication

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

### Contents

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

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

2012 > **SOFT COVER:** ISBN 978-0-7021-9532-7 > 339pp

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

**Author:** F Diedrich

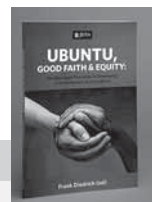
### About this Publication

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

### Contents

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

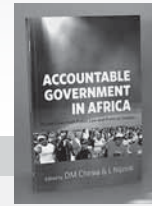
- 'Just say sorry?' *Ubuntu*, Africanisation and the child justice system in the Child Justice Act 75 of 2008 - *Julia Sloth-Nielsen* and *Jacqui Gallinetti*
- Towards constitutionalism and democratic governance: *ubuntu* and equity as a basis for regulating public functionaries in common-law Africa - *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 978-1-9198-8617-2 > 166pp

> Constitutional Law



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



**Authors:** D M Chirwa, L Nijzink (Editors)

**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 Simutanyi*
- 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 Mwaikusa*

- 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 civilianisation 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 Mali's Local Communities - *Martin van Vliet*
- Understanding local forms of accountability: initial findings from Ghana and Malawi - *Diana Cammack*
- External accountability meets accountability assistance with reference to legislative strengthening in Africa - *Peter Burnell*

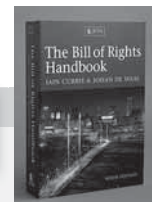
UCT PRESS > 2011 > **SOFT COVER:** ISBN 978-1-91989-537-6 > 320pp



**Bill of Rights Handbook, The**

6<sup>th</sup> edition

**NEW  
edition**



**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
- Jurisdiction and procedures in Bill of Rights litigation
- Interpretation of the Bill of Rights
- Limitation of rights
- Remedies
- Equality

- Human dignity
- Life
- Freedom and security of the person
- Slavery, servitude and forced labour
- Privacy
- Religion, belief and opinion
- Expression
- Assembly, demonstration, picket and petition
- Association
- Political rights
- Citizenship
- Freedom of movement and residence
- Freedom of trade, occupation and profession
- Labour relations
- Environment
- Property
- Socio-economic rights: housing, health care, food, water, social security
- Children
- Culture, language and education
- Just administrative action
- Access to information
- Access to courts
- Arrested, detained and accused persons

CONSTITUTIONAL LAW



- States of emergency
- Index

**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

2013 > **SOFT COVER:** ISBN 978-0-7021-9999-8 > 902pp  
 2005 > 5th edition > **INTRANET:** ISSN 2079-7095  
**INTERNET:** 2079-7087



## Bill of Rights of the Constitution of South Africa

**Authors:** General Law Editors

**Contents**

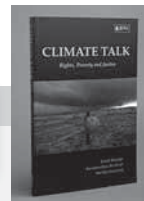
- The Bill of Rights, sections 7–39 of the Constitution.

2010 > **POSTER:** ISBN 978-0-7021-8534-2 > A1



## Climate Talk - Rights, Poverty and Justice

**Authors:** J Dugard, A L St. Clair, S Gloppen (Editors)



**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.

**Contents**

- The role of social justice and poverty in South Africa’s National Climate Change Response White Paper - *Kjersti Fløttum and Øyvind Gjerstad*
- An analysis of the Human Development Report 2011: Sustainability and Equity: A better future for all - *Des Gasper, Ana Victoria Portocarrero and Asunción Lera St. Clair*
- 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*
- Qwasha! Climate justice community dialogues compilation vol. 1: Voices from the streets - *Molefi Maferaka 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*
- Author biographies
- Table of cases
- Index

2013 > **SOFT COVER:** ISBN 978-1-4851-0064-5 > 256pp



## 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)

**Authors:** 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
- Constitution of the Republic of South Africa, 1996



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

(Co-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

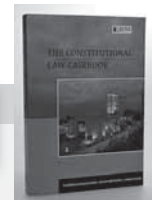
- The impact of the predominance of the constitution
- Comparative conclusions
- Constitutional rights
  - The classification of constitutional rights
  - Analysis of selected constitutional rights
  - Limiting and balancing interests
  - Constitutional rights in the contemporary constitutional state
- 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

2000 > **SOFT COVER:** ISBN 978-0-7021-5372-3 > 312pp



## 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

- Limitation
- Socio-economic rights
- Equality
- Land
- Customary law
- Religion
- Freedom of expression
- Property
- Part III: Principles and structures of government
  - Rule of law and legality
  - The legislature
  - Executive
  - The judiciary
  - Separation of powers
  - Institutions
  - Supporting constitutional democracy

2012 > **SOFT COVER:** ISBN 978-0-7021-8560-1 > 443pp



## Constitutional Law of South Africa

2<sup>nd</sup> edition

**Authors:** 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 1: Courts, principles of government and structures of government**

- Structure of constitutional analysis
- Courts
- Principles of government
- Structures of government
- Institutions

**Part 2: The Bill of Rights**

- Operational provisions
- Substantive provisions

**ELECTRONIC Additional Content and Features**

- The full text of the Constitution, 1996, and Rules
- Table of South African and foreign cases referred to in the work
- Table of legislation
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

Published since 2002 > **LOOSE-LEAF:**  
 ISBN 978-0-7021-7308-0 Approximately 4600pp  
**CD-ROM/INTRANET:** ISSN 2073-5480 > Updated quarterly  
**INTERNET:** ISSN 2073-5472



## Constitutional Library, Juta's

**About this Publication**

The *Constitutional Library* contains a comprehensive collection of legislation and reference works dealing with the Constitution. It contains the full text of the Constitution of the Republic of South Africa Act as well as all South African Constitutional cases. This electronic library also includes the legal periodical, the *South African Journal of Human Rights*. The *SAJHR* provides a forum for expression of views on human rights, articles on constitutional matters, human rights issues and comments on casebook reviews.

**Contents**

- The Constitution of the Republic of South Africa Act 108 of 1996
- Schedules and amendments to the Act
- Related Acts
- South African Constitutional Court cases
- Other relevant cases

- The *South African Journal on Human Rights* (1985 to date)
- The *African Human Rights Law Journal* (2001 to 2012)
- The *African Human Rights Law Reports* (2000 to 2004)
- Table of 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 1024-2546 > Updated monthly or quarterly  
**INTERNET:** ISSN 1682-0622



## Constitutional Litigation

**Authors:** M du Plessis, G Penfold, J Brickhill

**About this Publication**

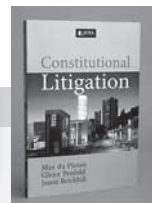
Over the past twenty years, the South African courts, and particularly the Constitutional Court, have developed a rich set of rules and principles applicable to cases that involve constitutional matters. *Constitutional Litigation* gathers together those rules and principles into a comprehensive, but 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
- Introduction

- Jurisdiction
- Parties
- 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*



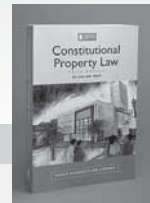
2013 > **SOFT COVER:** ISBN 978-1-4851-0005-8 > 248pp



## Constitutional Property Law

Juta's Property Law Library

3<sup>rd</sup> edition



**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

### ELECTRONIC Additional Contents and Features

- Hyperlinks allow for easy navigation within the product
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Fully searchable electronic functionality
- Follows page numbering of print version for ease of reference

2011 > **SOFT COVER:** ISBN 978-0-7021-9419-1 > 682pp  
**INTERNET:** ISSN 2227-2046



## Constitutional Rights in Namibia

*A Comparative Analysis with International Human Rights*

**Author:** G J Naldi

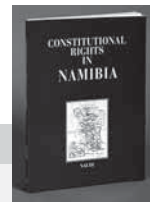
### About this Publication

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

1995 > **SOFT COVER:** ISBN 978-0-7021-3380-0 > 135pp



## Equality Law – Reflections from South Africa and Elsewhere

*(First published as Acta Juridica 2001)*

**Authors:** S Jagwanth, E Kalula

### About this Publication

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

### 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 978-0-7021-5711-0 > 272pp



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

**Authors:** K Bentley, L Nathan, R Calland (Editors)

**NEW**



### 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*
- Xenophobia – Whose Rights? Whose Safety? - *Judith Cohen*

- 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  
**E-BOOK:** ISBN 978-1-77582-058-1



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



**Authors:** 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 liberations 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.

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

**Contents**

**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*

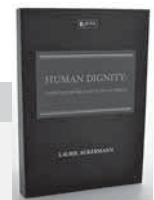
**Part 3: Dominant Party Systems in southern Africa**

- Interrogating the dominant party system in Botswana - *D Sebudubudu and M Bothomilwe*
- The politics and resource endowment of party dominance in Namibia: The past as the present and the future? - *A du Pisani*
- South Africa: A democracy in the balance - *N de Jager*
- Heroes fall, oppressors rise: Democratic decay and authoritarianism in Zimbabwe - *A Britz and J Tshuma*
- Conclusion: Resources and the politics of dominant party systems - *P du Toit and N de Jager*

UCT PRESS > 2012 > **SOFT COVER:** ISBN 978-1-91989-556-7 > 232pp



## Human Dignity: Lodestar for Equality in South Africa



**Author:** L Ackermann

**About this Publication**

*Human Dignity: Lodestar for Equality in South Africa* provides an in-depth analysis of human dignity and its relationship to equality in South African law.

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

2012 > **SOFT COVER:** ISBN 978-0-7021-9901-1 > 462pp



## Human Rights under the Malawian Constitution

**Author:** D Chirwa

**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.

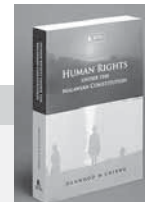
The book examines the largely unreported Malawian cases and legislation and systematically analyses them with a view to constructing a coherent corpus of human rights jurisprudence, which is essential to consolidating democracy, establishing the foundation for the rule of law and ushering in an era of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

- Equality
- Privacy
- Family and marriage
- Children's rights
- Women's rights
- Economic, social and cultural rights
- Property
- Economic activity, work and labour rights
- Freedoms and access to information
- Political rights
- Arrest, detention and fair trial
- Administrative justice



2011 > **SOFT COVER:** ISBN 978-0-7021-8609-7 > 632pp



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

**Authors:** D Smythe, S Roehrs, A Hsieh (Editors)



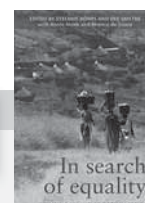
**About this Publication**

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 (Cote 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 Asiimwe*

- 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*



UCT Press > 2013 > **SOFT COVER:** 978-1-91989-588-8 > 256pp  
**WEB PDF:** 978-1-7758-2151-9





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



**Authors:** N Rajab-Budlender, S Budlender (Editors)

### About this Publication

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

Seminal human rights court cases, that retain their relevance despite the passage of time, served as catalysts for reflection, recollection and discussion by some of the world's leading jurists. The first-hand accounts of some of those who had been involved in these cases lend 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*

*Moseneke, Andrews v Law Society of British Columbia* (introduced by *Lynn Smith*)

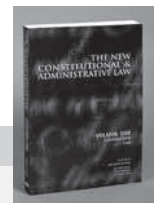
- The Integrity of the State, its Conduct, Officials and Regulation of the Economy, with reference to *Liversidge v Anderson* (introduced by *Sydney Kentridge*), detention without trial (introduced by *Stephen Sedley*), laws immunising public officials (introduced by *Valeria Onida*) and *The Crown v Acres International* (introduced by *Mahapela Lehohla*)
- Free speech with reference to *New York Times v Sullivan* (introduced by *Tony Lewis*) and *Rwandan Genocide Tribunal* (introduced by *Navi Pillay*)
- From the margins, with reference to *Olga Tellis* (introduced by *Soli Sorabjee*), *Grootboom* (introduced by *Zak Yacoob*), *Mabo v Queensland* (introduced by *Bob French*)
- Reflections on emerging themes by *Dieter Grimm* and *Athaliah Molokomme*
- Case summaries of cases discussed
- Comprehensive index

2009 > **SOFT COVER:** ISBN 978-0-7021-7936-5 > 208pp



## New Constitutional and Administrative Law, The

(Volume I: Constitutional Law)



**Authors:** I Currie, J de Waal (Editors)

### 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

2002 > **SOFT COVER:** ISBN 978-0-7021-5812-4 > 448pp



## Private Law and Human Rights



**Authors:** E Reid, D Visser (Editors)

**NEW**

### 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*
- The Politics of Private Law: Sexual Minority Freedom in South Africa and Scotland - *Jaco Barnard-Naudé*
- 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*



- The Right to Personal Security - *Anton Fagan*
- Privacy - *F D J Brand*
- Defamation and Freedom of Expression - *Jonathan Burchell*
- Strict Liability - *Max Loubser*
- Liability of Public Authorities and Public Officials - *John Blackie*
- Nuisance - *Hanri Mostert*
- Contract Law and Human Rights - *Peter Webster*
- Principles, Policy and Practice: Human Rights and the Law of Contract - *Sheldon Laing and Daniel Visser*
- Juristic 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*

UCT PRESS > 2014 > **SOFT COVER:** ISBN 978-1-77582-045-1 > 575pp



## Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 & Regulations, Promotion of Access to Information Act 2 of 2000 and Rules & Regulations, Promotion of Administrative Justice Act 3 of 2000 and Rules & Regulations

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

### Contents

- Quick Finder for Key Topics
- Key Addresses

#### Part A:

- Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
- Regulations relating to the Promotion of Equality and Prevention of Unfair Discrimination Regulations, 2003
- Designation of Magistrates' Courts as Equality Courts, 2009

#### Part B:

- Promotion of Access to Information Act 2 of 2000
- Regulations regarding the Promotion of Access to Information, 2002
- Designation of Magistrates' Courts under the definition of 'court' in the PAIA, 2004

- Promotion of Access to information Rules
- Exemptions and Determinations for purposes of Section 22(8)
- Exemption of Certain Private Bodies from Compiling the Manual

#### Part C:

- Promotion of Administrative Justice Act 3 of 2000
- Regulations on Fair Administrative Procedures, 2002
- Rules of Procedure for Judicial Review of Administrative Action, 2009



## Protection of Human Rights in South Africa, The: A Legal and Practical Guide

2<sup>nd</sup> edition



**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
- Appendix: The Bill of Rights (chapter 2 of the South African Constitution, Act 108 of 1996)
- List of acronyms
- Table of cases
- Table of statutes
- Selected sources

2013 > **SOFT COVER:** ISBN 978-0-7021-9917-2 > 278pp



## Protection of Personal Information Act 4 of 2013

Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

**NEW**

### Contents

- Quick finder for Key Topics
- Protection of Personal Information Act 4 of 2013



## Rights for All: The South African Bill of Rights in All Official Languages

Juta's Pocket Statutes

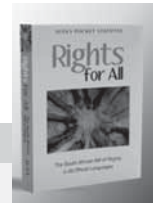
**Authors:** Juta's Statutes Editors

### 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

**NEW**

### 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
- Table of cases
- Glossary

2013 > **SOFT COVER:** ISBN 978-1-4851-0007-2 > 648pp



## Socio-Economic Rights: Adjudication Under a Transformative Constitution

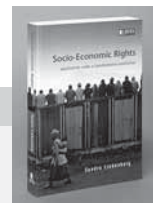
**Author:** S Liebenberg

### About this Publication

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

### Contents

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



to the conditions of systemic poverty and inequality characterising South African society.

- Tables of cases and legislation

**ELECTRONIC Additional Contents and Features**

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

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

2010 > **SOFT COVER:** ISBN 978-0-7021-8480-2 > 565pp  
**INTERNET:** ISBN 978-0-7021-9499-3



## Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations

Juta's Pocket Statutes

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



**Authors:** Juta's Statutes Editors

**Contents**

- Key Addresses
- Quick Finder for Key Topics
- Traditional Leadership and Governance Framework Act 41 of 2003
- Recognition of Kingships and Kings in the Republic of South Africa
- Guidelines for determination of number of members of traditional councils



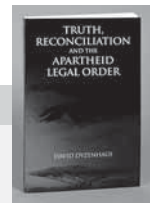
## Truth, Reconciliation and the Apartheid Legal Order

**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

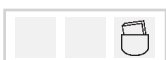
legal system, this book reflects the spectacle of an entire legal system on trial and will appeal to all readers – lawyers and non-lawyers alike – interested in the relationship between law and justice, as it is exposed during a period of transition to democracy.



**Contents**

- Truth, memory and the rule of law
- Judicial dilemmas: tales of (dis)empowerment
- Memory's struggle
- The politics of the rule of law

1998 > **SOFT COVER:** ISBN 978-0-7021-4905-4 > 208pp



## Understanding the Constitution of the Republic of South Africa

Juta's Pocket Companions

**Author:** W Freedman

**NEW**

**About this Publication**

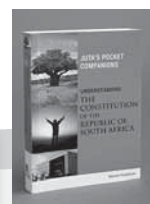
*Understanding the Constitution of the Republic of South Africa* forms part of Juta's Pocket Companions series, which complements Juta's highly successful Pocket Statutes series. This title is an ideal companion to the Constitution of the Republic of South Africa, 1996.

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
- Parliament
  - Introduction
  - The National Assembly
  - The National Council of Provinces
  - Internal procedures, privileges and public participation
  - Legislative authority
  - Legislative procedures
- The President and the National Executive
  - Introduction
  - The office of the President
  - The powers and functions of the President
  - 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
  - Introduction
  - The composition and election of municipal councils
  - The powers of local government
  - 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
  - The National Prosecuting Authority
- 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

2013 > **SOFT COVER** > pocket size: ISBN 978-1-4851-0110-9 > 408pp

CONSTITUTIONAL LAW

CONSTRUCTION LAW

## Construction Law <



### Building Contract, The: A Commentary on the JBCC Agreements

2<sup>nd</sup> edition



**Author:** E Finsen

#### 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

2006 > **SOFT COVER:** ISBN 978-0-7021-7310-3 > 375pp



### McKenzie: The Law of Building and Engineering Contracts and Arbitration

6<sup>th</sup> edition



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

#### About this Publication

*McKenzie: The Law of Building and Engineering Contracts and Arbitration* is an essential reference for those connected with the construction industry and is the leading reference work dealing with that component of the South African contract law relating specifically to engineering and building contracts. The legal principles in this work are derived from the common law, legislation and over 1800 South African and English judgments. The book explains the law applicable to building and engineering contracts implemented under various forms of contract, such as the Engineering General Conditions of Contract (GCC), the Joint Building Contracts Committee (JBCC) Principal Building Agreement, FIDIC and NEC3. The GCC and the JBCC Principal Building Agreement have been extensively cross-referenced and are reproduced in the annexures for reference purposes. This work also deals comprehensively with the South African law of arbitration.

#### Contents

- Introduction
- The formation of a contract
- The construction or interpretation of a contract
- Certain rights and liabilities of the parties during building operations
- Certain excuses for non-performance.
- Effect of insolvency and death and of forfeiture clauses
- Remedies on breach
- The architect
- The quantity surveyor
- Engineers
- Sub-contractors, contractors and home builders
- Time of completion, delay and penalty clauses
- Extras and variations
- Prime cost and provisional sums
- Price adjustment clauses
- Approval and certificates
- Defects and retention money

- Payment in terms of the contract and quantum meruit
- Arbitration agreements and the effect thereof
- Functions of and proceedings at arbitration tribunals
- The award
- Costs

- Annexures
  - JBCC Principal Building Agreement 5.0 Series 2000
  - General Conditions of Contract
  - Arbitration Act 42 of 1965

2009 > **HARD COVER:** ISBN 978-0-7021-7947-1 > 394pp

## > Contract Law



### Caney's The Law of Suretyship

6<sup>th</sup> edition

**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

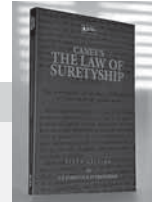
- Preface
- Mode of citation
- Table of cases
- The nature of suretyship and the formation and operation of the contract
  - The Roman law: foundations of our law of sureties
  - Definition and nature of suretyship
  - The principal obligation

- The surety
- The formation of the contract of suretyship
- The interpretation of the contract
- The obligations of the surety
- The rights of the surety
  - The benefit of excussion
  - The benefit of division amongst co-sureties
  - The benefit of cession of actions
  - The surety's right of recourse
  - The right to contribution by co-sureties
- The release of the surety
  - Discharge of the surety

#### ELECTRONIC Additional Contents and Features

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

2010 > **SOFT COVER:** ISBN 978-0-7021-8456-7 > 268pp  
**INTERNET:** ISSN 2226-3349



### Cession for Students

LegalEase – Elements series

2<sup>nd</sup> edition

**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.

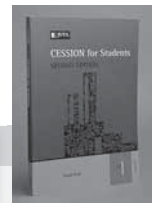
Titles in the *LegalEase* series makes the law easier to understand without losing the context in which it operates. *Elements* books are practical workbooks or reference tools to support students in the study of the law. These books offer a

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

2013 > **SOFT COVER:** ISBN 978-1-4851-0011-9 > 172pp



### Contract Law Casebook / Kontraktereg Vonnisbündel

3<sup>rd</sup> edition

**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

2010 > **SOFT COVER:** ISBN 978-0-7021-8542-7 > 448pp



## Contract / Kontraktereg General Principles / Algemene Beginsels

4<sup>th</sup> edition  
4<sup>de</sup> uitgawe



**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
- 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

2012 > **SOFT COVER (English):** ISBN 978-0-7021-8628-8 > 616pp  
**SAGTEBAND (Afrikaans):** ISBN 978-0-7021-8629-5 > 616bl  
**INTERNET:** ISSN 2309-0383



## 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



2012 > **SOFT COVER:** ISBN 978-0-7021-9527-3 > 276pp





## A Man of Principle / 'n Man van Beginsel

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



**Authors:** J du Plessis, G Lubbe (Editors)

**NEW**

#### 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
  - South African legal scholarship in the 20th century: The contribution of JC de Wet (1912-1990) - *Reinhard Zimmermann and Charl Hugo*
  - 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*

- 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 - *Franziska Myburgh and Reinhard Zimmermann*
  - Die koopkontrak en aediliese aksies - *Hennie Erasmus*
- Strafreë/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 Loubser*
- Bibliografie van JC de Wet se Werke/Bibliography of JC de Wet's Works
- Index

2013 > **HARD COVER:** ISBN 978-1-4851-0075-1 > 478pp

NEW EDITION FORTHCOMING 2014



## Principles of the Law of Mortgage, Pledge and Lien

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

#### About this Publication

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

#### Contents

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

1999 > **SOFT COVER:** ISBN 978-0-7021-4813-2 > 95pp



## Principles of the Law of Sale and Lease

**Authors:** G Bradfield, K Lehmann

3<sup>rd</sup> edition

**NEW edition**



#### 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
- Pre-contractual obligations
- Formalities, content and interpretation
- Seller's and buyer's residual and statutory obligations
- Particular contracts of sale
- Lease
  - Introduction
  - Sources of law
  - Definition and essentials of a lease
  - Duties of the lessor
  - Duties of the lessee
  - Subletting, cession and assignment
  - Transfer of the lessor's title

- Termination of a lease
- Lessee's right to compensation for improvements
- Residential lease and the Rental Housing Act 50 of 1999
- Table of Cases
- Table of Statutes

**ELECTRONIC Additional Contents and Features**

- Hyperlinks allow for easy navigation within the product
- 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

2013 > **SOFT COVER:** ISBN 978-0-7021-9859-5 > 270pp  
**INTERNET:** ISSN 2309-0391



## Student's Guide to the Law of Contract

LegalEase: Elements series

3<sup>rd</sup> edition

NEW  
edition



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

**About this Publication**

A proper understanding of the law of contract requires far more than mere rote learning of principles extracted from cases. The law of contract is a practical subject and students of this subject will understand it best by applying contractual principles through practical examples. *The Students' Guide to the Law of Contract* fosters such an approach. It is filled with examples, exercises and problem-setting questions which will facilitate discussion either in study groups or during lectures. Spaces for completion of exercises and summaries of prescribed cases enable students to integrate the learning material into one basic source. In this way students can actively engage with the material, their knowledge and understanding of basic contractual principles will improve, they will develop their ability to reason and their interest in the subject will be stimulated.

Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Elements* books are practical workbooks or reference tools to support students in the study of the law. 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 legend
- 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

2012 > **SOFT COVER:** ISBN 978-0-7021-8627-1 > 510pp

## Criminal Law and Procedure



## Applied Law for Police Officials Toegestereg vir Polisiebeamptes

4<sup>th</sup> edition  
 3<sup>de</sup> uitgawe

NEW  
edition



**Author:** C Joubert (Editor)

**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

2013 > **SOFT COVER** (English): ISBN 978-1-4851-0107-9 > 530pp  
 2014 > **SAGTEBAND** (Afrikaans): ISBN 978-1-4851-0108-6 > 580bl



## Bail: A Practitioner's Guide

3<sup>rd</sup> edition



**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 extra-curially
- The bail hearing
- Procedure and onus
- The rules of evidence in bail hearings
- The issues in bail hearings
- Bail conditions
- Posting bail or security

- Cancellation of bail
- Alternatives to bail
- Release pending appeal, review and petition
- Appeal and review of bail proceedings
- Extraordinary provisions, powers and proceedings
- Bail and the rights of children
- Bail and military tribunals
- Bail in extradition proceedings
- Appendices
  - Criminal Procedure Act 51 of 1977, ss 50, 58–72A, 159A, 304–316
  - Criminal Procedure Act 51 of 1977, Schedules 1, 2 (Part III), 5, 6 & 7
  - Extradition Act 67 of 1962, ss 9–13
  - Quickfinders: Bail application ito s 60(1), s 60(11)(a) and s 60(11)(b)
  - Quickfinder: Notice of appeal in terms of s 65
  - Quickfinder: Bail pending petition and appeal to High Court
  - Quickfinder: Bail pending petition and appeal to SCA
  - Procedure and onus
- Index

2012 > **SOFT COVER:** ISBN 978-0-7021-9546-4 > 420pp



## 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.

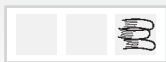
*Legal Elements* books are practical workbooks or reference tools to support students in the study of the law. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the *Elements* series can be used with prescribed 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

2013 > **SOFT COVER:** ISBN 978-1-4851-0087-4 > 176pp



## Cases and Materials on Criminal Law

3<sup>rd</sup> edition

**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.

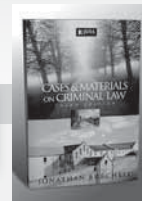
Substantially revised by Jonathan Burchell, this third edition covers the general principles of specific crimes, including new sections on the reform of sexual offences and organised crime. Over 50 new extracts and a companion CD-ROM containing an additional 17 extracts from cases and legislation have 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 978-0-7021-7725-5 > 1165pp



## Child Justice Act 75 of 2008 & Regulations

Juta's Pocket Statutes

(Also available as part of a two volume set together with the *Children's Act 38 of 2005 & Regulations* – ISBN 978-0-7021-8497-0, or as part of the 5-volume *Criminal Law Pocket Library* – ISBN 978-1-4851-0188-8)

**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Child Justice Act 75 of 2008
  - Pendlex: Act 7 of 2013
- 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 capacity of

a child and the allowances and remuneration payable in respect of such persons.

- National Instruction 2 of 2010: children in conflict with the law
- Accredited diversion programmes and service providers
- Designation of area of jurisdiction of the Matlosana One Stop Child Justice Centre



## Commentary on the Criminal Procedure Act

**Authors:** 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

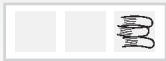
- The Criminal Law (Sexual Offences and Related Matters) Regulations which includes regulations on HIV testing
- National Prosecuting Authority Act
- Regulations and forms
- *Criminal Justice Review* bi-annual electronic newsletter authored by Andrew Paizes and Steph van der Merwe. This newsletter keeps subscribers informed on developments in criminal procedure and criminal law between revision service cut-off dates.

### ELECTRONIC Additional Contents and Features

- Hyperlinks to full text of related Acts and to the headnotes and flynotes of the South African Law Reports, the *Criminal Law Reports* and the *Appellate Division Reports*.
- Powerful electronic searching allows for easy and rapid access to information

Published since 1987 > **LOOSE-LEAF** in two volumes:  
ISBN 978-0-7021-1962-0 > Approximately 1700pp  
**CD-ROM/INTRANET:** ISSN 1819-7655 > Updated quarterly  
**INTERNET:** ISSN 1819-8775





## Criminal Justice in a New Society

(First published as *Acta Juridica* 2003)

**Authors:** J M Burchell, A Erasmus (Editors)

### About this Publication

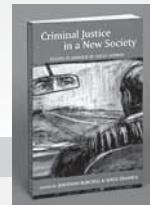
The title of this work indicates that the dilemmas of criminal justice under examination are located within a new society. The society reflected is not only a new, democratic South Africa under a Bill of Rights but also a rapidly changing global society. Authors' contributions to this volume have been 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

2003 > **SOFT COVER:** ISBN 978-0-7021-6358-6 > 359pp



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

Juta Legislation Service

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

**Authors:** 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](http://www.jutalaw.co.za).

### Contents

- Criminal Law (Sexual Offences and Related Matters) Amendment Act
- Sexual Offences Act
- National Instruction
- \*National Directives – Forensic Examination

\* Indicates published in English only

Published since 2009 > **LOOSE-LEAF:** ISBN 978-0-7021-8183-2  
Approximately 470pp



## Criminal Law Casebook / Strafreregsakebundel

**Authors:** C R Snyman

**NEW**  
edition



### About this Publication

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

### Contents

- Theories of punishment
- Principle of legality
- Requirement of an act
- Omission
- Impossibility
- Causation
- Unlawfulness – general
- Private defence
- Necessity

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

2013 > **SOFT COVER:** ISBN 978-0-7021-9996-7 > 304pp







## Criminal Law of Botswana, The

**Authors:** K Frimpong, A McCall Smith

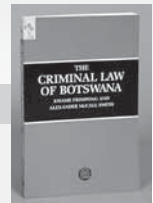
### About this Publication

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



1992 > **SOFT COVER:** ISBN 978-0-7021-2670-3 > 153pp



## Criminal Law Pocket Library

Juta's Pocket Statutes

(These concise pocket-size books contain the full text of key legislation for criminal law practitioners. Available individually, or as a 5-volume set – ISBN 978-1-4851-0188-8)



**Author:** Juta's Statutes Editors

### Criminal Law Pocket Library – Full set

Set of all five volumes in a stylish slipcase.

- ✓ Criminal Procedure Act 51 of 1977 & Regulations
- ✓ Child Justice Act 75 of 2008 & Regulations
- ✓ Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations

- ✓ Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention & Combating of Torture of Persons Act 13 of 2013 & Regulations
- ✓ Probation Services Act 116 of 1991 & Regulations



## Criminal Law Workbook

LegalEase: Elements series

**Authors:** C R Snyman

### About this Publication

The *Criminal Law Workbook* is a useful tool for students of criminal law. 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.

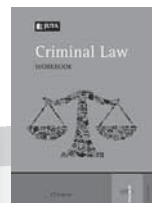
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### Contents

- List of figures and tables
- Section A: guidelines for students and lecturers
- Section B: general principles
  - Introduction to criminal law
  - The act and causation
  - Unlawfulness

- Culpability (*mens rea*)
- Criminal liability of corporate bodies
- Participation and accessories after the fact
  - Attempt, conspiracy and incitement
- Section C: certain specific crimes
  - High treason
  - Common-law perjury
  - Murder
  - Assault
  - Sexual crimes
  - *Crimen iniuria*
  - Theft
  - Robbery
  - Fraud
- Section D: schedules
  - Construction of criminal liability
  - Defences and their effects
- Glossary of Latin terms

NEW  
edition



2013 > **SOFT COVER:** ISBN 978-1-4851-0150-5 > 140pp

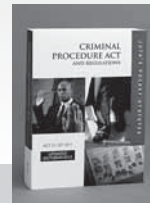




## Criminal Procedure Act 51 of 1977 & Regulations

Juta's Pocket Statutes

(Also available as part of the 5-volume Criminal Law Pocket Library – ISBN 978-1-4851-0188-8)



**Authors:** Juta's Statutes Editors

### Contents

- Key addresses
- Quick Finder for Key Topics
- Criminal Procedure Act 51 of 1977 and pending amendments
- Regulations
- Related legislation
  - Criminal Procedure Act 56 of 1955 (extant provisions)
  - Criminal Law Amendment Act 105 of 1997 (excerpt)



## Criminal Law – Criminal Procedure / Strafbreg – Strafproses

Juta Legislation Service

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



**Authors:** Juta's Statutes Editors

### About this Publication

This predominantly bilingual (Afrikaans & English) resource 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](http://www.jutalaw.co.za).

### Contents

#### Volume I: Criminal Procedure/Strafbreg

- Criminal Procedure Act 56 of 1955 (extant provisions)
- Criminal Procedure Act 51 of 1977 and Regulations
- Related Substantive Acts; Regulations; Table of Cases; Index

#### Volume II: \*Child Justice

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

\*Indicates published in English only.

#### ELECTRONIC Additional Contents and Features

- Hyperlinks to full text of related Acts and decided cases (if subscribed thereto)
- Powerful electronic searching allows for easy and rapid access to information

Published since 1985 > **LOOSE-LEAF** in two Volumes:  
ISBN 978-0-7021-1633-9 > 1170pp  
**INTERNET:** ISSN 2310-6948



## Criminal Procedure Casebook / Strafprosesreg Vonnisbundel

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



### About this Publication

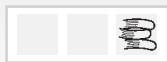
This bilingual casebook provides the reader with excerpts of judgments that illustrate the most important aspects and underlying principles of South African criminal procedure. It also contains a section on international and transnational criminal matters. A summary of the facts and important issues 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 *Strafbreg 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
- Indictments and charge-sheets / Aktes van beskuldiging en klagstate
- Joinder and separation / Samevoeging en skeiding
- Pleadings / Pleite
- Plea and sentence agreements / Pleit- en vonnisoreenkomste
- Discharge after the state case / Ontslag na staatsaak
- Competent verdicts / Geoorloofde uitsprake
- Multiplication of charges (s 83) and duplication of convictions / Verdubbeling van aanklagte (a 83) en vermenigvuldiging van skuldigebevindings
- Sentencing / Vonnisoplegging
- Review and appeal / Hersiening en appél
- International and transnational matters / Internasionale en transnasionale aangeleenthede

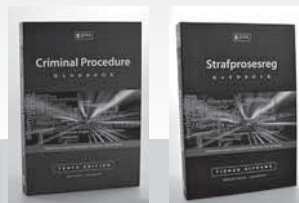
2010 > **SOFT COVER:** ISBN 978-0-7021-8226-6 > 366pp



## Criminal Procedure Handbook Strafprosesreg Handboek

11<sup>th</sup> edition  
11<sup>de</sup> uitgawe

NEW  
edition



**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
  - Sections of the Constitution of the Republic of South Africa, 1996
  - References to the Criminal Procedure Act
  - References to the Child Justice Act
  - References to the Superior Courts Act
- Subject index

2014 > **SOFT COVER** (English): ISBN 978-1-4851-0061-4 > 540pp  
**SAGTEBAND** (Afrikaans): ISBN 978-1-4851-0062-1 > 540bl



## Criminal Procedure Workbook Strafprosesreg Werkboek

LegalEase: Elements series



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

### About this Publication

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

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

Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates.

*Legal Elements* books are practical workbooks or reference tools to support students in the study of the law. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the *Elements* series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

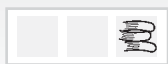
### Contents

#### Section A: Pre-trial issues

- General procedural principles
- The criminal courts and jurisdiction
- The prosecution of crime and the prosecuting authority
- Right to legal counsel or legal representation
- The accused and his presence as a party
- Exercising authority
- Securing the attendance of the accused at the trial
- Interrogation, interception and establishing the bodily features of a person
- Search and seizure
- Bail and other forms of release

- 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
- Pre-trial procedure
- Pre-trial and/or trial procedures
- Section C: [Trial and post-trial issues](#)
- Indictments and charge sheets
- The court and aspects of justice
- Arraignment and pleas of an accused
- Miscellaneous matters relating to trial
- Joinder and separation of trials
- The cases of the State and the accused
- The verdict
- Sentencing
- Post-trial remedies
- Appendix
- Addendum [B 39–2010] Criminal Procedure Amendment Bill
- [Glossary of Latin terms](#)

2012 > **SOFT COVER** > ISBN (English): 978-0-7021-9512-9 > 192pp  
(Afrikaans): 978-0-7021-9425-2 > 192bl



## Guide to Bail Applications, A

LegalEase: Essence series



**Author:** M T Mokoena

### About this Publication

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

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

### Contents

- Practical considerations
- Bail before first appearance in court
- The bail application in court
- Factors to be taken into account when granting bail
- Juveniles
- The effect of bail
- Cancellation of bail
- Bail in the high court

- Annexures:
  - Police bail
  - Written notice to appear in court
  - Prosecutor bail
  - Summons: warrant of arrest
  - Summons in criminal case
  - Bail affidavit
  - Notice of appeal
  - New facts
  - Urgent High Court applications
  - Expungement of the record
  - Age estimation of child
  - Warrant of arrest
  - Order for remission of bail
  - Inquiry into absence

2012 > **SOFT COVER:** ISBN 978-0-7021-9451-1 > 226pp



## Matthaeus: De Criminibus (Vol. IV)

**Authors:** Published by UCT Press; M L Hewett (Editor), 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.

### Contents

- Introduction
- Bibliographical notes

- Notes on indices
- Bibliographical to Volumes I-IV
- *Conspectus voluminis quarti*

**HARD COVER** - volume 4 only: ISBN 978-0-7021-3549-1 > 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.

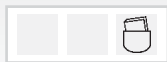
### Contents

- Preface
- Abbreviations
- Bibliography
- Table of cases

- Table of statutes
- Introduction
- Historical overview of parole
- The release of sentenced prisoners
- The practice of parole in South Africa
- The parole process and the rights, remedies and obligations of prisoners in that process
- Is parole a right or a privilege?

2012 > **SOFT COVER:** ISBN 978-0-7021-9434-4 > 210pp





## Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention & Combating of Torture of Persons Act 13 of 2013

Juta's Pocket Statutes

(Also available as part of the 5-volume Criminal Law Pocket Library – ISBN 978-1-4851-0188-8)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Prevention and Combating of Trafficking in Persons Act 7 of 2013
- Prevention and Combating of Torture of Persons Act 13 of 2013



## Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations

Juta's Pocket Statutes

(Also available as part of the 5-volume Criminal Law Pocket Library – ISBN 978-1-4851-0188-8)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Prevention of Organised Crime Act 121 of 1998
- Prevention of Organised Crime Regulations, 1999
- Prevention and Combating of Corrupt Activities Act 12 of 2004
- Register of Tender Defaulters



## Principles of Criminal Law

**Author:** J M Burchell

### About this Publication

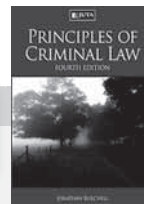
The fourth edition of this established work on criminal law includes a reworked section on the principle of legality; a detailed analysis of the diversion of child offenders; a comprehensive examination of the implications of the Criminal Law (Sexual Offences and Related Matters) Amendment Act of 2007; and 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.

### Contents

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

4<sup>th</sup> edition

NEW  
edition



2013 > **SOFT COVER:** ISBN 978-1-4851-0080-5 > 1042pp



## Probation Services Act 116 of 1991 & Regulations

Juta's Pocket Statutes

(Also available as part of the 5-volume Criminal Law Pocket Library – ISBN 978-1-4851-0188-8)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Probation Services Act 116 of 1991
- Regulations under the Probation Services Act 116 of 1991

NEW



## Questioning: The Undefended Accused

### Practical Examples for Magistrates

LegalEase: Essence series



**Author:** D J Steyn

#### About this Publication

*Questioning: The Undefended Accused – Practical Examples for Magistrates* is aimed at assisting both acting and newly appointed magistrates in the questioning of an undefended accused appearing before them in a criminal matter. Each chapter relates to a different offence and gives a clear and concise explanation of what magistrates can encounter in practice. Relevant theory and practical examples on how to question are provided. Handy pro forma sheets are included at the end of the book listing required questions, explanations and procedures for use in court.

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

- Explanation of accused's rights with regard to legal representation
- The rights of the undefended accused during the criminal trial
- The different plea proceedings in terms of section 112 and section 115 of the Criminal Procedure Act 51 of 1977
- Assault with the intent to do grievous bodily harm
- Housebreaking with the intent to steal and theft
- Malicious injury to property
- Theft
- Section 36: failure to give a satisfactory account of possession of goods suspected to have been stolen goods

- Section 37(1): receiving stolen property without reasonable cause
- Section 1(1): unauthorised borrowing of the property of another for own use
- Failure to pay maintenance
- Domestic violence: failure to comply with a protection order
- Driving while under the influence of intoxicating liquor or a drug having a narcotic effect
- Other traffic offences
- Unlawful possession of a firearm
- The taking of a confession
- Annexures
- Pro formas to assist the magistrate, for example:
  - explaining to the undefended accused his or her various rights through the criminal trial
  - sentencing
  - the enquiry in terms of section 103 of the Firearms Control Act 60 of 2000
  - the proceedings in terms of section 35 of the National Road Traffic Act 93 of 1996
  - the taking of a confession.
- Table of cases
- Table of statutes
- Legislation
- Annexures: Proforma sheets

2012 > **SOFT COVER:** ISBN 978-0-7021-9438-2 > 384pp



## Restorative Justice: Politics, Policies and Prospects

(First published as *Acta Juridica* 2007)

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

#### About this Publication

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

#### Contents

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

2008 > **SOFT COVER:** ISBN 978-0-7021-7899-3 > 285pp



## Sexual Offences: Criminal Law (Sexual Offences and Related Matters)

### Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957

Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

#### Contents

- Quick Finder for Key Topics
- Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations
- Sexual Offences Act 23 of 1957







## Sexual Offences Commentary

**Authors:** B Pithey, D Smythe (Editors)

### About this Publication

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

### Contents

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

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

### Electronic Additional Contents and Features

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

Published since 2011 > **LOOSE- LEAF:** ISBN 978-0-7021-8602-8 > 600pp  
**CD-ROM/INTRANET:** ISSN 2224-3860 > Updated annually  
**INTERNET:** ISSN 2224-3879



## Should We Consent? Rape Law Reform in South Africa

**Authors:** L Artz, D Smythe (Editors)

### About this Publication

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

### Contents

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

- Disclosure of rape complainants personal records - *Bronwyn Pithey*
- The psycho-social impact of rape and its implications for expert evidence in rape trials - *Anastasia Maw, Gail Womersley and Michelle O'Sullivan*
- Children and sexual offences - *Jacqui Gallinetti and Daksha Kassin*
- 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 - *Heléne Combrinck*
- Table of cases

2008 > **SOFT COVER:** ISBN 978-0-7021-7938-9 > 300pp



## South African Criminal Law and Procedure

### Volume 1: General Principles of Criminal Law

4<sup>th</sup> edition

**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 1: 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 (*Malgas*). 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
- Unlawful conduct
- Defences excluding unlawfulness
- Capacity
- Fault
- Special forms of liability
- Participation in crime
- Incomplete crimes

**Electronic Additional Contents and Features**

- Hyperlinks allow for easy navigation within the product; Hyperlinks to referenced legislation and case law
- Powerful electronic searching allows for easy and rapid access to information

2011 > **HARD COVER:** ISBN 978-0-7021-8611-0 > 658pp  
 2011 > **SOFT COVER:** ISBN 978-0-7021-8612-7 > 658pp  
**INTERNET:** ISSN 2219-2700



## South African Criminal Law and Procedure

### Volume 2: Common-law Crimes

3<sup>rd</sup> edition**Author:** J R L Milton**About this Publication**

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

**Contents**

- Crimes against the State and community in general
  - Crimes against the State
  - Crimes against public order

- Crimes against the administration of justice
- Crimes against public administration
- Crimes against the morality of the community
- Crimes against religion
- Crimes against the person
- Crimes against potential human life
- Crimes against human life
- Crimes against bodily security
- Crimes against personality
- Crimes against personal freedom
- Crimes against parental authority
- Crimes against property
  - Theft and kindred crimes
  - Fraud and kindred crimes
  - Damage to property
  - Intrusion upon property

1996 > **HARD COVER:** ISBN 978-0-7021-3773-0 > 935pp



## South African Criminal Law and Procedure

### Volume 3: 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 1: Crimes against the State and community**

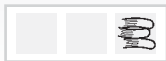
- Dignity, prerogatives and safety of the State
- Public safety and order
- Administration of justice
- Public administration
- Public morality
- Public welfare
- Public facilities

- Environment and natural resources
  - Crimes against bodily integrity
- PART II: Commerce, trade and industry**
- Commerce
  - Property
  - Labour relations
  - Industry
- Table of cases**  
**Table of statutes**

**Electronic Additional Content and Features**

- Extensive hypertext linking: subscribers to the electronic edition of SA Criminal Law & Procedure Volume III who also subscribe to Juta's electronic SA Statutes, SA Law Reports and SA Criminal Law Reports can click through directly to the statutes and judgments referred to in the text of this work
- Powerful electronic searching allows for easy and rapid access to information

Published since 1997 > **LOOSE-LEAF:** ISBN 978-0-7021-2036-7  
 Approximately 1380pp  
**CD-ROM/INTRANET:** 2218-127X  
**INTERNET:** 2218-113X > Updated annually



## Customary Law in South Africa

**Author:** T W Bennett

### About this Publication

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

### Contents

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



2004 > **SOFT COVER:** ISBN 978-0-7021-6361-6 > 518pp



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

(First published as *Acta Juridica* 2011)

**Authors:** H Mostert, T Bennett

### About this Publication

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

### Contents

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

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



2012 > **SOFT COVER:** ISBN 978-0-7021-9532-7 > 339pp



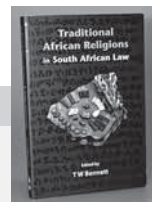
## Traditional African Religions in South African Law

**Author:** T W Bennett (Editor)

### 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.

**Contents**

- The definition of traditional African religions - *T W Bennett*
- African traditional religion in pluralistic Africa: a case of relevance, resilience and pragmatism - *N M Nyaundi*
- The practice of African traditional religion in contemporary South Africa - *S Masondo*
- Religion vs culture: striking the right balance in the context of traditional African religions in the new South Africa - *J Amoah*
- Umkhosi Ukweshwama: revival of a Zulu festival in celebration of the universe's rites of passage - *C Rautenbach*

- The constitutional framework for the protection of religious and related rights in South Africa - *L du Plessis*
- Recognition of African initiated churches for state purposes: doctrinal opposition or procedurally correct? - *W du Plessis*
- Superstition and religious belief: a 'cultural' defence in South African Criminal law? - *K Phelps*
- Witchcraft and the Constitution - *N Tebbe*
- Rainbow healing: traditional healers and healing in South Africa - *M Eastman*
- Towards harmony between African traditional religion and environmental law - *L Feris and C Moitui*
- Ubuntu, the ethics of traditional religion - *J Patrick and T Bennett*

UCT PRESS > 2011 > **SOFT COVER:** ISBN 978-1-91989-538-3 > 304pp



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



**Author:** F Diedrich

**About this Publication**

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

**Contents**

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

- '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 978-1-9198-8617-2 > 166pp



## Unveiling the Mind: The Legal Position of Women in Islam – A South African Context



**Author:** N Moosa

**About this Publication**

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

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

The second edition of *Unveiling the Mind* investigates the historical origins of Islam and subsequent interpretations by jurists. It also examines the position of Muslim women in the

contemporary Islamic world, and considers the dilemmas that Muslim women face. The edition has been extensively updated, with changes having been made to almost every chapter, and a new chapter on Muslim personal law in South Africa.

**Contents**

- Introductory perspectives
- Definitions and terminology
- Setting out the problem
- 'Rights' of women in pre-Islamic Arabia
- Early beginnings of Islam (First and Second Periods)
- The rights of women after the advent of Islam
- Emergence of a Muslim empire (Third and Fourth Periods)
- Emergence of the schools of jurists and the road to modernity (Fifth and Sixth Periods)
- Reform and modernity (Seventh Period: 1800s to date)
- Different perspectives on women and Islam

- Equality: divorce as a case study
- Issues and challenges emerging from the overview of the historical development of Islamic law

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

2011 > **SOFT COVER:** ISBN 978-0-7021-8648-6 > 210pp

## Delict, Law of



### Casebook on the Law of Delict / Vonnisbundel oor die Deliktereg

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

**NEW**  
edition



**About this Publication**

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

**Contents**

- Alphabetical list of cases
- List of textbooks cited
- 130 cases in the following major categories:
  - Introduction to the law of delict
  - Conduct

- Wrongfulness
- Fault (and contributory fault)
- Causation
- Damage
- Delictual remedies
- Joint wrongdoers
- Specific forms of *damnum iniuria datum*
- Specific forms of *iniuria*
- Forms of liability without fault

2012 > **SOFT COVER:** ISBN 978-0-7021-8565-6 > 1204pp



### Developing Delict – Essays in Honour of Robert Feenstra

(First published as *Acta Juridica* 2000)

**Authors:** T J Scott, D Visser (Editors)

**About this Publication**

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

**Contents**

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

2000 > **SOFT COVER:** ISBN 978-0-7021-5709-7 > 384pp



### Government Liability: South Africa and the Commonwealth

**Authors:** C Okpaluba, P Osode

**About this Publication**

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

The authors examine the impact of the Constitution on developments in the common law of public authority liability and government vicarious liability in South Africa, and link these developments to the changes that have taken place in Canada and England. The study also provides a comparative analysis of the correlation between fraud, bad faith and misfeasance in public office as grounds upon which damages can be awarded when constitutional and administrative justice rights are breached by public functionaries.

**Contents**

**Part I: Constitutional dimensions of government liability**

- Constitutional and juridical basis for the revolutionary trend
- Constitutional cause of action
- Statutory cause of action

**Part II: Liability at common law**

- Bureaucratic negligence
- Negligent performance of statutory duty
- Deliberate and dishonest conduct
- Causation, damage and contributory fault

**Part III: Limits of public authority liability**

- Police investigative duties and public interest immunity
- Police investigative duties: the Canadian approach
- Common-law immunities
- Statutory limitations





**Part IV: Government vicarious liability**

- The common law of vicarious liability
- Scope and course of employment
- Contemporary comparative developments

**Part V: The problem of quantum**

- Contemporary perspectives on public law damages
- Constitutional damages

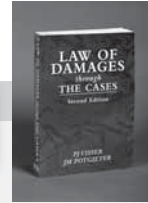
- England, Australia and New Zealand
- Punitive damages and other awards: Canada
- Delictual damages: South Africa

2010 > **SOFT COVER:** ISBN 978-0-7021-8215-0 > 632pp**Law of Damages through the Cases**3<sup>rd</sup> edition**Authors:** P J Visser, J M Potgieter**About this Publication**

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

**Contents**

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

2004 > **SOFT COVER:** ISBN 978-0-7021-5922-0 > 569pp**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

1998 > **SOFT COVER:** ISBN 978-0-7021-4810-1 > 569pp**Principles of Delict****Author:** J M Burchell**About this Publication**

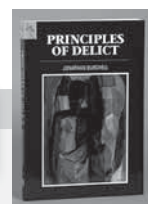
The law of delict develops to meet the changing needs of a society. The relevance of the law of delict today is enhanced by society's commitment to the furtherance of fundamental human rights, particularly in the protection of personal integrity and personality. This work places delict in a contemporary 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

1993 > **SOFT COVER:** ISBN 978-0-7021-2941-4 > 269pp



## 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
  - Council Directive on Liability for Defective Products of 25 July 1985



2012 > SOFT COVER: ISBN 978-0-7021-9852-6 > 224pp



## Quantum of Damages in Bodily and Fatal Injury Cases, The

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

### About this Publication

*The Quantum of Damages in Bodily and Fatal Injury Cases* has earned an 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.

### ELECTRONIC Additional Contents and Features

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



**HARD COVER:** (Volume I) ISBN 978-0-7021-3391-6 > Published since 1993  
**LOOSE-LEAF:** (Volume II) ISBN 978-0-7021-5470-6  
 (Volume III) ISBN 978-0-7021-116-X > (Volume IV) ISBN 978-0-7021-2790-8  
 (Volume V) ISBN 978-0-7021-5617-5 > (Volume VI) ISBN 978-0-7021-8489-5  
 (Full set) ISBN 978-0-7021-1604-9  
**CD-ROM/INTRANET:** ISSN 2072-2923 > Updated annually  
**INTERNET:** ISSN 2072-2931



## Quick Guide, The: Quantum conversion tables and medical diagrams

**Author:** C Potgieter

NEW  
edition



### 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 six 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
- CPIX Table to upgrade historical awards, updated annually
- Glossary of medical terms
- Medical diagrams

2014 > **SOFT COVER:** ISBN 978-1-4851-0140-6



## Visser & Potgieter Law of Damages Visser & Potgieter Skadevergoedingsreg

3<sup>rd</sup> edition  
3<sup>de</sup> uitgawe



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

### About this Publication

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

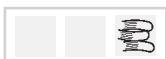
### Contents

- Part I: General concepts and principles of the law of damages
  - Definition, nature and scope, object, systematics, sources, history and terminology of the law of damages
  - Concept of damage
  - Nature, causing and forms of patrimonial loss
  - Assessment of patrimonial loss
  - Nature and assessment of non-patrimonial loss
  - Prospective damage and *lucrum cessans*
  - 'Once and for all' rule and causes of action
  - Nature, assessment, object and form of damages for patrimonial loss

- Forms, nature and object of damages and satisfaction in the case of non-patrimonial loss
- Collateral source rule and compensating advantages (*res inter alios acta*)
- Miscellaneous principles regarding recovery of damages and satisfaction
- 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

2012 > **SOFT COVER (English):**  
ISBN 978-0-7021-9413-9 > 724pp  
**SAGTEBAND (Afrikaans):** ISBN 978-0-7021-9412-2 > 724bl

## > Dictionaries and Glossaries



## Engels – Afrikaanse Regswoordeboek

2<sup>nd</sup> edition



**Authors:** V G Hiemstra, H L Gonin

### About this Publication

This dictionary has been compiled principally to meet the needs of South African lawyers and law students. English headwords are succinctly translated into Afrikaans and a large number of Latin words and idioms have also been translated. Some 4000 words and phrases are listed and translated for quick and accurate reference.

### Contents

- English and Latin words and phrases, translated into Afrikaans

1984 > **SAGTEBAND:** ISBN 978-0-7021-1479-3 > 150bl



## Trilingual Legal Dictionary / Drietalige Regswoordeboek

3<sup>rd</sup> edition



**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

1992 > **HARD COVER:** ISBN 978-0-7021-2781-6 > 498pp  
**CD-ROM/INTRANET:** ISBN 0-6202-3001-0 > **INTERNET:** 0702127817  
 This publication is not updated

## Education Law



## Education Law and Policy Handbook, Juta's

**Authors:** E Boshoff, P Morkel

### 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 agreements
- Appendices:
  - Extracts from the Labour Relations Act 66 of 1995, as amended
  - Extracts from the Constitution of the Republic of South Africa, Act 108 of 1996



Published since 1999 > **LOOSE-LEAF:** ISBN 978-0-7021-4815-6  
 Approximately 550pp



## Handbook for School Governors, The

2<sup>nd</sup> edition

**Author:** A Clarke

### About this Publication

The companion volume to the best-selling Handbook of *School Management*, this clear and accessible reference book is the essential resource for all school governors – in primary and secondary schools, urban and rural, well-resourced and under-resourced, section 20 and section 21 schools.

### Contents

- 37 sample policies, forms and documents that school governing bodies can adapt for their own use, including the key ones that they're responsible for in terms of the South African Schools Act (these are also available separately on a CD-ROM for easy adaptation).
- 16 useful checklists

- Concise and lucid explanations of the South African legislation affecting schools
- The differing roles and responsibilities of the principal and the governing body; effective structures, committees, and reporting
- Case histories and comments on aspects of legal cases involving school governing bodies
- Commonsensical, practical advice and suggestions on how to handle problem areas, such as fee remissions and fee collection, based on the author's personal experience as the head of schools in widely different socio-economic areas
- Useful references to further source material



2012 > **SOFT COVER:** ISBN 978-0-7021-3661-2 > 484pp



## Handbook of School Management, The

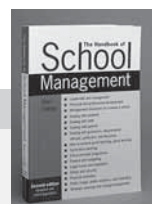
2<sup>nd</sup> edition

**Author:** A Clarke

### About this Publication

Clear, exceptionally practical, and comprehensive, the best-selling Handbook of School Management is the essential

reference book for anyone involved in managing a school: principals, deputies, senior management teams, school governing bodies,



education department officials, and senior teachers working towards promotion.

**Contents**

- 57 sample policies and useful checklists that schools can adapt for their own use
- Examples from international best practice on areas such as financial controls, budgeting, ethics, turning around under-performing schools, dealing with disruptive students
- The results of international research into school management, staff professional development, financial management, discipline, criteria for professionalism, and change management, among others
- Relevant South African case studies and examples on how to make a difference to poorly performing schools,

textbook retention, and how to deal with issues of safety and security

- Commonsensical, practical advice and suggestions on how to handle problem areas, such as fee remissions and fee collection, based on the author's hard-earned personal experience as head of two schools in widely different socio-economic areas
- Concise explanations of the South African legislation affecting schools, and the differing roles of the principal and the governing body

2012 > **SOFT COVER:** ISBN 978-0-7021-3660-5



## Schools and the Law

**Authors:** 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 978-0-7021-7311-0 > 484pp



## Schools: Law and Governance

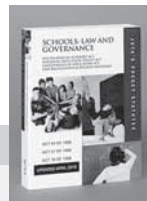
Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

**Contents**

- Key Addresses
- Quick Finder for Key Topics
- South African Schools Act 84 of 1996
  - 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 Prohibition of 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

- National Education Policy Act 27 of 1996
  - 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
- Employment of Educators Act 76 of 1998
  - Personnel administrative measures (PAM) – extract
- Bill of Rights
  - Sections 7 to 39 of the Constitution, 1996







## Climate Talk – Rights, Poverty and Justice

**Authors:** J Dugard, A L St. Clair, S Gloppen (Editors)

NEW



### 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*

- An analysis of the Human Development Report 2011: Sustainability and Equity: A better future for all - *Des Gasper, Ana Victoria Portocarrero and Asunción Lera St. Clair*
- 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*
- Qwasha! Climate justice community dialogues compilation vol. 1: Voices from the streets - *Molefi Mafereka Ndlovu*
- Water rights, commons and advocacy narratives - *Patrick Bond*
- Payment for ecosystem services versus ecological reparations: The 'green economy', litigation and a redistributive eco-debt grant - *Khadija Sharife and Patrick Bond*
- Let's work together: Environmental and socio-economic rights in the courts - *Jackie Dugard and Anna Alcaro*
- Red-green lawfare? Climate change narratives in courtrooms - *Catalina Vallejo and Siri Gloppen*
- Author biographies
- Table of cases
- Index

2013 > **SOFT COVER:** ISBN 978-1-4851-0064-5 > 256pp



## Environmental Compliance and Enforcement in South Africa: Legal Perspectives

**Authors:** A Paterson, L Kotzé (Editors); 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

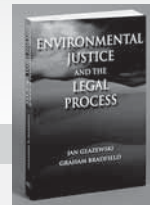
2009 > **SOFT COVER:** ISBN 978-0-7021-7962-4 > 400pp  
**INTERNET:** ISSN 2076-7080 > This publication is not updated





## 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

1999 > SOFT COVER: ISBN 978-0-7021-5076-0 > 350pp



## 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 takes 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

UCT PRESS > 2002 > SOFT COVER: ISBN 978-1-91971-366-3 > 280pp



## Environmental Law

2<sup>nd</sup> edition

**Author:** M Kidd

### About this Publication

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

### Contents

- Introduction
- The Constitution and framework environmental legislation

- International environmental law
- Water law and the environment
- Conservation of biodiversity
- Pollution control and waste management
- Land use and planning
- Implementation and administration of environmental law
- Environmental justice: a South African perspective
- South Africa's position on climate change
- CD-ROM containing important environmental legislation and leading cases

2011 > SOFT COVER: ISBN 978-0-7021-8545-8 > 418pp





## 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

### [NEW] 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

Published since 1996 > **LOOSE-LEAF** in three volumes:  
ISBN 978-0-7021-3777-8 > Approximately 1100pp  
**INTERNET:** ISSN 2306-9171



## Environmental Library, Juta's

**Authors:** 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

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



## Environmental Management in South Africa, Fuggle & Rabie's

2<sup>nd</sup> edition

**Authors:** H A Strydom, N D King (Editors)

### 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

- An analysis of the Waste Act 59 of 2008 and the Integrated Coastal Management Act 24 of 2008
- 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

- Hyperlinks to footnotes, endnotes and cross-chapter referencing, and to referenced legislation and case law for subscribers to the relevant online publications
- Hyperlinks to the quarterly updates on environmental law in *Juta's Quarterly Review* dating back to 1st Quarter of 2009 and updated quarterly thereafter
- Powerful electronic searching allows for easy and rapid access to information

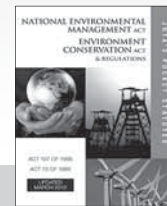
2009 > **HARD COVER:** ISBN 978-0-7021-8134-4 > 1142pp  
**INTERNET:** 2076-3689





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

Juta's Pocket Statutes



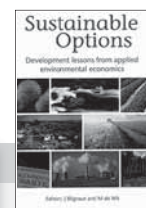
**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- National Environmental Management Act 107 of 1998
- Pendlex: National Environmental Management Amendment Act 62 of 2008
- Regulations
  - Control of vehicles in the coastal zone
  - Guidelines on the implementation of regulations pertaining to the control of vehicles in the coastal zone
  - Regulations relating to the identification of environmental management inspectors
  - 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
- Environmental Impact Assessment Regulations, 2010
- Environmental Impact Assessment Regulations: listing notices
- Environmental Management Framework Regulations, 2010
- Environment Conservation Act 73 of 1989
- Regulations
  - Waste disposal sites
  - Control and management of general communal and general small waste disposal sites
  - 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



**Authors:** J Blignaut, M de Wit (Editors)

### 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
- The economics of the environment
- 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

UCT PRESS > 2004 > **SOFT COVER:** ISBN 978-1-91971-343-4 > 420pp



## Water Law



**Author:** H Thompson

### About this Publication

This work is intended primarily to reflect the law dealing with water resource management and the provision of water services in South Africa. The law governing water in South Africa was always regarded as a specialised field practised by a small group of lawyers. However, the political and social reform during the last decade of the 20th century, the water-related problems experienced and the prominence given to fundamental human rights and environment-related matters have significantly increased the need for this knowledge

by others. South Africa is in the process of developing and implementing a new framework governing water resource management and the provision of water services. This complex and dynamic framework aims to manage absolute water scarcity with significant participation by all interested and affected persons.

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

**Contents**

- Foundation of water law
- Constitutional requirements
- Framework for resource management and provision of services
- Water resource management
- Entitlements and related matters
- Regulating entitlements as water uses
- Transfer and trading of entitlements to water

- Water use charges
- Resource management organisations
- Water tribunal to hear appeals and applications
- Catchment management agencies to manage water on a regional basis
- Provision of potable water and sanitation services

2006 > **SOFT COVER:** ISBN 978-0-7021-6732-4 > 769pp

## Evidence, Law of &lt;

**DNA in the Courtroom: Principles and Practice****Author:** L Meintjes-van der Walt**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.

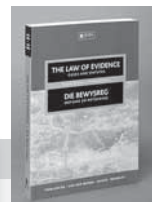
- Electropherogram production processes and interpretation of an electropherogram
- The meaning of a DNA match
- Aspects of population genetics, statistical calculations and DNA databases
- A glossary of scientific terms
- Important questions to ask in preparation for trial
- Frequently occurring fallacies in the assessment of DNA evidence
- A list of helpful internet sources
- The SA National Accreditation System technical guidelines for forensic DNA testing laboratories

2010 > **SOFT COVER:** ISBN 978-0-7021-8227-3 > 188pp**Law of Evidence, The: Cases and Statutes / Bewysreg, Die: Hofsake en Wetgewing****Authors:** S S Terblanche (Editor), D P van der Merwe, B C Naudé, K Moodley**About this Publication**

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

**Contents**

- The admissibility of evidence
- The presentation of evidence
- The assessment of evidence
- Statutes

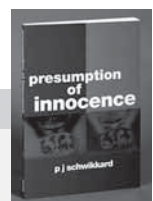
2009 > **SOFT COVER:** ISBN 978-0-7021-8216-7 > 418pp**Presumption of Innocence****Author:** P J Schwikkard**About this Publication**

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





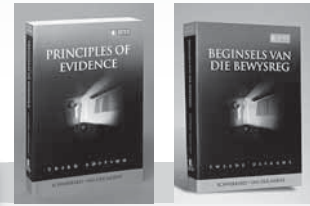
- The scope of the presumption of innocence
- Identifying infringements of the presumption of innocence
- Justifiable limitations

1999 > **SOFT COVER:** ISBN 978-0-7021-5144-6 > 215pp

FORTHCOMING NEW EDITIONS DECEMBER 2014



## Principles of Evidence Beginsels van Bewysreg

Revised 3<sup>rd</sup> edition  
2<sup>de</sup> uitgawe**Authors:** P J Schwikkard, S E van der Merwe**About this Publication**

This book strikes a balance between the theory of the law of evidence and its practical application in a constitutional setting. Special attention is given to constitutional issues, the impact of these sections on the Anglo-South African law of evidence, and the extent to which some of them may be subject to constitutional challenges. Stock is also taken of the provisions of the Electronic Communications and Transactions Act 25 of 2002 and the consequences of the repeal of s 66 of the Internal Security Act 74 of 1982.

**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

**ELECTRONIC Additional Contents and Features**

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

2010 > **SOFT COVER** (English): ISBN 978-0-7021-8528-1 > 722pp  
 2009 > **SAGTEBAND** (Afrikaans): ISBN 978-0-7021-7951-8 > 750bl  
**INTERNET:** ISSN 2074-6911



## Taking Effective Witness Statements Afneem van Doeltreffende Getuieverklarings

LegalEase: Essence series

**Author:** H Lochner**NEW****About this Publication**

*Taking Effective Witness Statements* is a practical book which covers crime scene and forensic investigations.

Crime investigations, and the purposes and goals thereof, are discussed and explained with reference to the role of witness statements in such investigations.

The book also delves into how a witness should be prepared before a statement is taken, actions by the interviewer and observations during statement taking. Body language and different methods to approach a witness are discussed as well as the goals of interviewing a witness for the purposes of obtaining an effective statement.

*Taking Effective Witness Statements* focuses on different forms of witness statements and deals with:

- requirements for a good statement
- characteristics of a good statement
- practical layout and format of a statement
- language in which a statement is taken
- mistakes made by investigators when writing a statement
- professional aspects that investigators must satisfy to meet requirements

Titles in the Legal-

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

**Contents**

- The Investigation of Crime
- Interviewing witnesses to obtain statements
- Witness Statements
- Requirements for a sworn witness statement
- Glossary
- Statement by a private investigator
- Index

2014 > **SOFT COVER:** (English) ISBN 978-1-4851-0104-8 > 104pp  
**SAGTEBAND:** (Afrikaans) ISBN 978-1-4851-0105-5 > 104pp



## Financial Services

Accounting Standards  
Rekeningkundige Standaarde

(Solutions available at [www.jutaacademic.co.za](http://www.jutaacademic.co.za))

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

**About this Publication**

Changes brought about by new and revised standards have once again been incorporated in this latest edition. It also incorporates two existing standards – IFRS 2 and IFRS 3 – that were not specifically addressed in the previous edition.

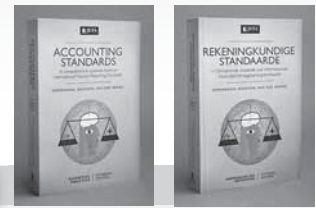
The accounting principles are illustrated through questions which gradually increase in their degree of difficulty. This approach facilitates the students' understanding of these principles and allows them to get to grips with financial statements in a practical manner. Students will benefit from the countless opportunities to practise as self-study is encouraged.

**Contents**

- RW Conceptual framework for financial reporting
- IFRS 13 Fair value measurement
- Disclosure
  - IAS 1 Presentation of financial statements
  - IAS 7 Statement of cash flows
  - IAS 8 Accounting policies, changes in accounting estimates and errors
  - IAS 10 Events after the reporting period
  - IAS 20 Accounting for government grants and disclosure of government assistance
  - IAS 24 Related party disclosures
  - IAS 32 Financial instruments: presentation
  - IAS 33 Earnings, headline earnings and dividend per share
  - IAS 34 Interim financial reporting
  - IFRS 7 Financial instruments: disclosure
  - IFRS 8 Operating segments
- Assets
  - IAS 2 Inventories
  - IAS 11 Construction contracts
  - 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 36 Impairment of assets

- IAS 38 Intangible assets
- IAS 39 Financial instruments: recognition and measurement
- IAS 40 Investment property
- IFRS 5 Non-current assets held for sale and discontinued operations
- IFRS 9 Financial instruments
- Liabilities
  - IAS 12 Income taxes
  - IAS 17 Leases
  - IAS 19 Employee benefits
  - IAS 21 The effects of changes in foreign exchange rates
  - IAS 32 Financial instruments: presentation
  - IAS 37 Provisions, contingent liabilities and contingent assets
  - IAS 39 Financial instruments: recognition and measurement
  - IFRS 2 Share-based payment
  - IFRS 9 Financial instruments
- Statement of profit or loss and other comprehensive income
  - IAS 12 Income taxes
  - IAS 18 Revenue
  - IAS 19 Employee benefits
  - IAS 21 The effects of changes in foreign exchange rates
  - IFRS 2 Share-based payment
- Groups
  - IAS 27 Separate financial statements
  - IAS 28 Investments in associates
  - IAS 29 Financial reporting in hyperinflationary economies
  - IFRS 3 Business combinations
  - IFRS 10 Consolidated financial statements and separate financial statements
  - IFRS 11 Joint arrangements
  - IFRS 12 Disclosure of interests in other entities

2013 > **SOFT COVER** (English): ISBN 978-0-7021-9792-5 > 726pp  
**eBOOK** (Afrikaans): ISBN 978-0-7021-8855-8



15<sup>th</sup> edition  
15<sup>de</sup> uitgawe

**FORTHCOMING NEW EDITION 2015**

## 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

9<sup>th</sup> edition



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

2014 > **SOFT COVER:** ISBN 978-0-7021-8862-6 > 688pp  
2014 > **WEB PDF:** ISBN 978-0-7021-9574-7 > 688pp



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

Juta's Pocket Statutes

(Also available as part of a two-volume set together with the Financial Intelligence Centre Act 38 of 2001 & Regulations – ISBN 978-1-4851-0137-6)



**Authors:** 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 Compliance Reports and Related Material



## Financial Advisory and Intermediary Services Manual

**Authors:** 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 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.

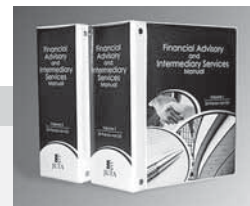
The author of this guide is a renowned expert in the field and as a main drafter of this legislation, Franso is well placed to

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

Published since 2004 > **LOOSE-LEAF:** in 2 volumes:  
ISBN 978-0-7021-6574-0 > Approximately 365pp



## Financial Intelligence Centre Act 38 of 2001 & Regulations

Juta's Pocket Statutes

(Also available as part of a two volume set together with the Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations – ISBN 978-1-4851-0137-6)



**Authors:** Juta's Statutes Editors

#### Contents

- Key Addresses
- Quick Finder for Key Topics
- Financial Intelligence Centre Act 38 of 2001
- Regulations
  - Selected Exemptions



## Financial Management

(Solutions available at [www.jutaacademic.co.za](http://www.jutaacademic.co.za))

7th edition  
(revised)

NEW  
edition



**Authors:** C Correia, D K Flynn, E Uliana, M Wormald

### About this Publication

*Financial Management* is the leading text on the theory and application of corporate finance in Southern Africa. Set against the backdrop of developments in financial markets, the text makes reference to real world applications and financial decisions undertaken by South African companies.

In particular, the 7th edition contains an expanded focus on corporate strategy and financial risk management. 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).

### Contents

- Overview
- The time value of money
- Risk and return

- Portfolio theory
- Financial statement analysis
- Valuations
- Cost of capital
- Capital budgeting
- Further issues in capital budgeting
- Capital budgeting: Risk analysis
- Working capital
- Current asset management and short-term financing
- Sources of finance
- Capital structure
- Leasing
- Dividends and share buy-backs
- Mergers, acquisitions and corporate restructuring
- Risk management
- International financial management
- Business planning and financial modelling

2012 > **SOFT COVER:** ISBN 978-0-7021-7807-8



## Financial Markets Act 19 of 2012 & Rules

Juta's Pocket Statutes

(Also available as part of the 4-volume Corporate Pocket Library – ISBN 978-1-4851-0128-4)

**Author:** Juta's Statutes Editors

NEW

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Financial Markets Act 19 of 2012
- Related material
  - Strate Limited, Rules of, 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



## Handbook of the Banking Ombudsman

**Author:** Ombudsman for Banking Services

NEW

### 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
- The proactive role of the Ombudsman for Banking Services
- Ombudsman's determination
- The Application for Assistance Form
  - The need for formality



- Completion and submission of the form
- Communicating with the OBS
- Appendices
- Terms of Reference of the Ombudsman for Banking Services

- Application for Assistance Form
- Code of Banking Practice

2013 > **SOFT COVER:** ISBN 978-0-7021-8541-0 > 156pp

## Internal Auditing – An Integrated Approach

(Solutions available at [www.jutaacademic.co.za](http://www.jutaacademic.co.za))



**Authors:** R Cascarino, S van Esch

### About this Publication

*Internal Auditing – An Integrated Approach* 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. In addition the student will gain a knowledge and understanding of the nature of an organisation as well as risk management and the role of internal auditing in managing organisational risks and understanding current developments in corporate governance in both the public and private sectors.

It will also prove an invaluable aid to those studying for the Certified Internal Auditor professional qualification since it addresses the syllabus requirements of the Institute of Internal Auditors and the Standards for the Professional Practice of Internal Auditing and Competency Framework for Internal Auditors.

This book represents a practical integrated approach to the Institute of Internal Auditors' recommended Internal Audit approach, and may be implemented within an Internal Audit Department in a cost-effective manner. Accordingly the text may be useful as a reference manual for internal audits in practice. This edition has the following additional features:

- The importance of the IIA in the context of internal auditing
- Quality assurance and best practice
- Risk analysis highlighting quantitative and qualitative analysis

- Control frameworks in the banking and IT sectors
- Audit evidence procedures and the role of the audit supervisor
- The internal control structure including the control environment, the accounting system and the company's specific control procedures
- A section on project management applicable to the internal auditing environment
- The requirements of financial reporting
- The methods used in the allocation of costs and the classification thereof
- A more in-depth look at software development and the important stages within the IS environment
- Red flags within the business processes

### Contents

- Theory of internal auditing
- Environment of business
- Practice of internal auditing
- Business analysis
- Information technology
- Fraud and forensic auditing
- Appendices

2006 > **SOFT COVER:** ISBN 978-0-7021-7269-4 > 432pp

## Public Finance Management Act 1 of 1999 & Regulations

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Public Finance Management Act 1 of 1999
  - Treasury Regulations (extant provisions)
  - Standards of Generally Accepted Accounting Practice
- Regulations for Accounting Standards Board
- Treasury Regulations
- Standards of Generally Recognised Accounting Practice (GRAP)
- Rate of Interest on Government Loans



## 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.

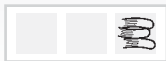
### Contents

- 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

Published since 1997 > **LOOSE-LEAF** in two volumes:  
ISBN 978-0-7021-2572-0 > Approximately 800pp







## Advancing Women's Rights

(First published as Acta Juridica 2005)

**Authors:** C Murray, M O'Sullivan (Editors)

### 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 - *Heléne Combrinck*
- Bridges and barriers: a five year retrospective on the Domestic Violence Act - *Lillian Artz and Dee Smythe*
- Removing the prescription blindfold in cases of childhood sexual abuse - *Nikki Naylor*
- South Africa's National Gender Machinery - *Rashida Manjoo*
- The Women's Legal Centre during its first five years - *Ruth B Cowen*

2006 > **SOFT COVER:** ISBN 978-0-7021-7315-8 > 308pp



## Gender, Law and Justice

**Authors:** E Bonthuys, C Albertyn (Editors)

### 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.

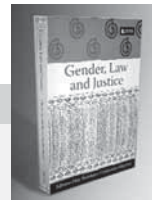
*Gender, Law and Justice* has three main objectives. The first is to identify the different positions of women in South Africa and to examine the disparate impact of the legal system on their lives. Secondly, it aims to expose the gender bias in legal concepts and in the content and application of legal

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

2007 > **SOFT COVER:** ISBN 978-0-7021-7664-7 > 496pp



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

(First published as Acta Juridica 2013)

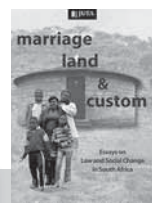
**Authors:** A Claassens, D Smythe (Editors)

### About this Publication

In *Marriage, Land and 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 and 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.

NEW



**Contents**

- Marriage, land and custom: what's law got to do with it? - *Aninka Claassens and Dee Smythe*
- Women, marriage and land: findings from a three-site survey - *Debbie Budlender*
- Securing women's customary rights in land: the fallacy of institutional recognition - *Wilmien Wicomb*
- Women's land rights and social change in rural South Africa: the case of Msinga, Kwazulu-Natal - *Ben Cousins*
- Contesting customary law in the Eastern Cape: gender, place and land tenure - *Tara Weinberg*
- Women's eviction in Msinga: the uncertainties of seeking justice - *Sindiso Mnisi Weeks*
- Women, marriage and domestic arrangements in rural KwaZulu-Natal, South Africa - *Victoria Hosegood*
- Changing patterns of marriage and cohabitation in South Africa - *Dorrit Posel and Stephanie Rudwick*
- Declining rates of marriage in South Africa: what do the numbers and analysts say? - *Christine Mhongo and Debbie Budlender*
- How social security becomes social insecurity: fluid households, crisis talk and the value of grants in a KwaZulu-Natal village - *Bernard Dubbeld*
- Renegotiating intimate relationships with men: how HIV shapes attitudes and experiences of marriage for South

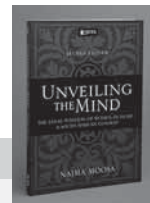
African women living with HIV: 'Now in my life, everything I do, looking at my health' - *Diane Cooper, Elena Moore and Joanne Mantell*

- 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*
- *Mayelane v Ngwenyama* and Minister for Home Affairs: a reflection on wider implications - *Chuma Himonga and Anne Pope*
- 'Today it would be called rape': a historical and contextual examination of forced marriage and violence in the Eastern Cape - *Nyasha Karimakwenda*
- Reflections on the recognition of African customary marriages in South Africa: seeking insights for the recognition of Muslim marriages - *Waheeda Amien*
- Rethinking marriage and its privileges - *Denise Meyerson*

2013 > **SOFT COVER:** ISBN 978-1-4851-0152-9 > 416pp



## Unveiling the Mind: The Legal Position of Women in Islam – A South African Context



**Author:** N Moosa

**About this Publication**

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

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

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

**Contents**

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

2011 > **SOFT COVER:** ISBN 978-0-7021-8648-6 > 210pp

## > Governance, Risk and Compliance



### 2014 Compendium of Tax Legislation, Juta's

**Authors:** Juta's Statutes Editors

**About this Publication**

The 2014 edition of *Juta's Compendium of Tax Legislation* represents a further advance to the Compendium in respect of access to tax information and ease of use. The 2014 *Compendium* covers all taxes and levies introduced (and

adjusted) by the Minister of Finance, other than Customs and Excise. This publication is essential for tax practitioners who must review detailed aspects of the tax law on a daily basis. The *Compendium* has the advantage of informally consolidating

**NEW  
edition**



all of these laws so that the law remains accessible despite the multitude of ongoing annual amendments. In this vein, the *Compendium* integrates pending and expiring provisions (*pendlex and prelex*) into the main text so that the reader can easily contextualise all outgoing and incoming adjustments. This contextualisation includes easy access to effective dates and related information so that practitioners can accurately determine start and end dates as applied to particular transactions.

South African tax law also contains a growing body of official secondary authorities – regulations, interpretation notes and even advanced binding rulings, to name but a few. All of this clarifying information has become part of the regular landscape requiring an additional layer of research. The comprehensive nature of these secondary authorities contained within the *Compendium* and all of the indexes therein will undoubtedly make life easier for practitioners.

In the 2014 edition, the amendments contained in the following new pieces of legislation have been incorporated in the relevant principal Acts in Volumes 1 and 3:

- Tax Administration Laws Amendment Act, 2013
- Taxation Laws Amendment Act, 2013
- Rates and Monetary Amounts and Amendment of Revenue Laws Act 23 of 2013
- Employment Tax Incentive Act 26 of 2013

Demystifying the myriad of tax legislation, the 2014 edition is a reliable and invaluable resource for all tax practitioners.

#### Contents

##### Volume 1

- Income Tax Act
- Value-Added Tax Act
- Tax Administration Act
- Employment Tax Incentive Act
- Rates of normal tax and rebates
- Monetary thresholds subject to periodic legislative change

##### Volume 2

- Income Tax Act – supplementary material
  - Explanatory Memorandum on the Taxation Laws Amendment Bill, 2013
  - Regulations
  - Practice notes
  - Interpretation notes

- Binding private rulings
  - Binding general rulings
  - Value-Added Tax Act – supplementary material
    - Regulations
    - Practice notes
    - Interpretation notes
    - Binding private rulings
    - Binding general rulings
  - Tax Administration Act – supplementary material
- #### Volume 3
- Estate Duty Act and related material
    - Estate Duty Act
    - Regulations
  - Transfer Duty Act and related material
    - Transfer Duty Act
    - Interpretation note
  - South African Revenue Service Act
  - Tax on Retirement Funds Act
  - Securities Transfer Tax Act
  - Skills Development Levies Act
  - Unemployment Insurance Contributions Act
  - Securities Transfer Tax Administration Act
  - Mineral and Petroleum Resources Royalty Act
  - Mineral and Petroleum Resources Royalty (Administration) Act
  - Extracts from Acts
    - Taxation Laws Amendment Act 20 of 1994
    - Income Tax Act 21 of 1995
    - Revenue Laws Amendment Act 35 of 2007
    - Voluntary Disclosure Programme and Taxation Laws Second Amendment Act 8 of 2010
  - A comprehensive case digest containing summaries of the most important tax cases from 2007 to 2013

**SOFT COVER** – Volume 1 (2014): 978-1-4851-0144-4 > Volume 2 (2014): 978-1-4851-0143-7 > Volume 3 (2014): ISBN 978-1-4851-0186-4



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

**Authors:** M King, A van Wyk, M Kuper (Editors)

#### 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 environments

- 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
- Taxation and finance
- Consumer protection and the legislation that governs it



Published since 2011 > **SOFT COVER** PERIODICAL – 3 issues per annum: 2222-3894 (product code: TCREP) > Approximately 60pp per issue

FORTHCOMING NEW EDITION IN 2015



## Corporate Reporting

9<sup>th</sup> edition

**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

2014 > **SOFT COVER:** ISBN 978-0-7021-8862-6 > 688pp  
2014 > **Web PDF:** ISBN 978-0-7021-9574-7 > 688pp



## 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

2008 > **SOFT COVER:** ISBN 978-0-7021-7931-0 > 202pp



## Education Law and Policy Handbook, Juta's

**Authors:** E Boshoff, P Morkel

### 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 agreements
- Appendices:
  - Extracts from the Labour Relations Act 66 of 1995, as amended



- Extracts from the Constitution of the Republic of South Africa, Act 108 of 1996

Published since 1999 > **LOOSE-LEAF:** ISBN 978-0-7021-4815-6  
Approximately 550pp



## Green II: Why corporate leaders need to embrace sustainability to ensure future profitability

2<sup>nd</sup> edition



**Author:** The South African Institute of Chartered Accountants

### About this Publication

The second edition of *Green* focuses on sustainability as a business imperative, with the inter-related issues of business performance and financial and integrated reporting being discussed against the backdrop of King III. It highlights the challenges facing corporate leaders and businessmen in embracing sustainability.

### Contents

#### Part I

- The business case for sustainability: opportunities and limits - *Jonathon Hanks*
- Sustainable issues - *James Brice*
- The impact of sustainability issues on business - *Jayne Mammatt*
- Responsible leadership and the changing social contract - *Willem Fourie, Eben le Roux, John North and Professor Derick de Jongh*
- Perspectives on responsible investment - *Corli le Roux*
- Broad-based black economic empowerment - *Graham Terry*
- Sustainability development and the responsibility of government - *Wessel Pretorius*
- Global initiatives to address sustainability - *Peter Oldacre*

#### 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*
- 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 Streg*
- Energy and carbon markets - *Rohitesh Dhawan and Marijke Vermaak*
- Using technology to enhance reporting - *Gavin Marais*
- How to embed sustainability practices into an organisation - *Nick Rockey*
- The future of sustainability - *Nicola Robins*

2012 > **SOFT COVER:** ISBN 978-0-7021-9462-7 > 400pp



## Guide to Meetings A-Z

LegalEase: Essentials series

**Authors:** D P Mahony

### About this Publication

Many arguments arise at meetings because of perceived errors as well as lack of knowledge on how to deal with procedural and substantive issues. Little has been written to assist the chairman and company secretaries with key knowledge of the common law principles and the new Companies Act; *Guide to Meetings A-Z* seeks to fill the gap. The book has been written in an easy-to-follow alphabetical format to facilitate the location of answers without wasting time.

Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Essentials* titles provide A-Z instruction on how to comply with the law and achieve best practice within an organisation. These books are definitive reference works to ensure compliance, good governance and the management of organisational risks. Titles in the *Essentials* series provide clear and concise explanations of the law and detailed help for specific compliance-related tasks. Written for practical use, these titles show readers how to apply the law efficiently in day-to-day operations.

### Contents

- Index
- Guide to meetings
- Contents
- Preface
- Adjournment

- Agenda
- Amendments
- Annual General Meeting (AGM)
- Apologies
- Attendance of non-members
- Attendance register
- Business of a meeting
- Chairman's casting vote
- Chairman's election
- Chairman's powers and duties
- Chairman and his role
- Class meetings
- Committees
- Conflict of interest
- Constitution
- Counter motion
- Court orders
- Directors
- Dissolution of meetings
- Dropped motions
- Executive powers
- Expulsion from meetings
- Formal motions
- Matters arising from minutes
- Meeting
- Members





- Minutes
- Motions
- Motions to review and rescind
- Non-members
- Notices of meetings
- Office bearers
- Point of order
- Polls
- Postponement
- Preparation for meetings
- Preservation of order
- Privileged occasions
- Proposer

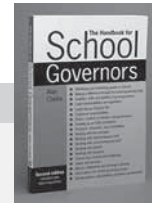
- Proxies – companies
- Proxies – bodies other than companies
- Question before the meeting
- Quorum
- Record date
- Representation of meetings
- Requisitioned meetings
- Resolutions – ordinary
- Resolutions – special

2011 > **SOFT COVER:** ISBN 978-0-7021-8642-4 > 88pp



## Handbook for School Governors, The

2<sup>nd</sup> edition



**Author:** A Clarke

### About this Publication

The companion volume to the best-selling *Handbook of School Management*, this clear and accessible reference book is the essential resource for all school governors – in primary and secondary schools, urban and rural, well-resourced and under-resourced, section 20 and section 21 schools.

### Contents

- 37 sample policies, forms and documents that school governing bodies can adapt for their own use, including the key ones that they're responsible for in terms of the South African Schools Act (these are also available separately on a CD-ROM for easy adaptation).
- 16 useful checklists
- Concise and lucid explanations of the South African legislation affecting schools

- The differing roles and responsibilities of the principal and the governing body; effective structures, committees, and reporting
- Case histories and comments on aspects of legal cases involving school governing bodies
- Commonsensical, practical advice and suggestions on how to handle problem areas, such as fee remissions and fee collection, based on the author's personal experience as the head of schools in widely different socio-economic areas
- Useful references to further source material

2012 > **SOFT COVER:** ISBN 978-0-7021-3661-2



## Handbook of School Management, The

2<sup>nd</sup> edition



**Author:** A Clarke

### About this Publication

Clear, exceptionally practical, and comprehensive, the bestselling *Handbook of School Management* is the essential reference book for anyone involved in managing a school: principals, deputies, senior management teams, school governing bodies, education department officials, and senior teachers working towards promotion.

### Contents

- 57 sample policies and useful checklists that schools can adapt for their own use
- Examples from international best practice on areas such as financial controls, budgeting, ethics, turning around under-performing schools, dealing with disruptive students
- The results of international research into school management, staff professional development, financial management, discipline, criteria for professionalism, and change management, among others

- Relevant South African case studies and examples on how to make a difference to poorly performing schools, textbook retention, and how to deal with issues of safety and security
- Commonsensical, practical advice and suggestions on how to handle problem areas, such as fee remissions and fee collection, based on the author's hard-earned personal experience as head of two schools in widely different socio-economic areas
- Concise explanations of the South African legislation affecting schools, and the differing roles of the principal and the governing body

2012 > **SOFT COVER:** ISBN 978-0-7021-3660-5



## Handbook of the Banking Ombudsman

**Author:** Ombudsman for Banking Services

**NEW**



### 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
- The proactive role of the Ombudsman for Banking Services
- Ombudsman's determination

- The Application for Assistance Form
  - The need for formality
  - Completion and submission of the form
  - Communicating with the OBS
- Appendices
  - Terms of Reference of the Ombudsman for Banking Services
  - Application for Assistance Form
  - Code of Banking Practice

2013 > **SOFT COVER:** ISBN 978-0-7021-8541-0 > 156pp

## 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

2012 > **SOFT COVER:** ISBN 978-0-7021-9449-8 > 72pp

## How to do Director Inductions

LegalEase: Essentials series

**Author:** D P Mahony**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
- Conflict of interest
- Financial results
- Integrated report

**NEW**

- Policies
- Remuneration
- Risk management
- Written resolutions

2013 > **SOFT COVER:** ISBN 978-1-4851-0056-0 > 98pp

## Integrate: Doing Business in the 21st Century

**Authors:** M King, L Roberts

**NEW**

### 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.

### 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 978-1-4851-0091-1 > 150pp  
**e-BOOK:** ISBN > 978-1-4851-0111-6



## IoDSA Pocket Library

*(Incorporating the King III Report, King Code and Companies Act 71 of 2008 and Regulations in terms of the Act)*

**Author:** The Institute of Directors in Southern Africa, Juta's Statutes Editors

**NEW  
edition**

### About this Publication

Published by Juta in collaboration with The Institute of Directors in Southern Africa (IoDSA), this four volume set comprises the King III Report and King Code, along with the Companies Act 71 of 2008 and Regulations in terms of the Act in a pocket size mini-library.

### Contents

#### King III Report

- Introduction and background
- Ethical leadership and corporate citizenship
- Boards and directors
- Audit committees
- The governance of risk
- The governance of information technology
- Compliance with laws, rules, codes and standards
- Internal audit
- Governing stakeholder relationships
- Integrated reporting and disclosure
- The principles at a glance

- Glossary of terms
  - Research references
  - The King Committee
- King Code**
- Introduction and background
  - Code of Governance Principles
- Companies Act**
- Quick Finder for Key Topics
  - Companies Act 71 of 2008

#### Regulations

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

2013 > **SOFT COVER** > 4 pocket size volumes in slipcase:  
ISBN 978-1-4851-0010-2 > King III Report: 291 pages; King Code:  
133 pages; Companies Act 71 of 2008: 489 pages;  
Regulations for the Companies Act 71 of 2008: 273 pages



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

**Author:** Sarah-lynn Tennant

### About this Publication

Two recent pieces of legislation have had a profound impact on South Africa's consumer industry: the National Credit Act

34 of 2005 and the Consumer Protection Act 68 of 2008. Despite the significance of these two pieces of legislation, many credit providers and suppliers do not know or



do not understand how the legislation affects their relationship with consumers. These shortcomings place suppliers and credit providers at a considerable disadvantage since they increase the possibility of non-compliance with the Acts' requirements.

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

#### Contents

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

2011 > **SOFT COVER:** ISBN 978-0-7021-9403-0 > 362pp



## 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

#### 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 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:
  - Alterable provisions
  - Considerations relating to MOI
  - Decision tree on audit or review
  - Audit, review and reporting standards
  - JSE Listings Requirements
  - UN Global Compact
  - Comparison of forms (old and new Acts)
  - List of new prescribed forms not replacing other forms
  - List of special resolutions required

#### Complementary with the launch edition bundle:

- The Companies Act 71 of 2008 (reflecting the law as at 1 May 2011) – soft cover: pocket size
- The Regulations for the Companies Act 71 of 2008 (reflecting the law as at 1 May 2011), plus forms on CD-ROM – soft cover: pocket size
- *The Companies Act Made Simple* DVD-ROM

Published since 2012 > **LOOSE-LEAF:** ISBN 978-0-7021-9531-0  
Approximately 230pp

## 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

3<sup>rd</sup> edition

**NEW**  
edition



- Forms of business
- Consumer Protection Act and Regulations
- Promotion of Access to Information Act
- Establishing a hospitality business
- Liquor legislation
- Food hygiene legislation
- Tobacco legislation
- Gambling legislation
- Law for employment

- Labour legislation
- Key labour enactments
- Hospitality employment legislation
- Workplace safety and compensation
- Equal opportunity and anti-discrimination
- Skills development legislation

2013 > **SOFT COVER:** ISBN 9780-7021-9800-7 > 416pp  
2013 > **e-BOOK:** ISBN 9780-70219-6805 > 416pp

## > 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

2011 > **SOFT COVER:** ISBN 978-0-7021-8570-0 > 140pp



### Law of Insurance Intermediaries, The

**Author:** P Havenga

#### About this Publication

*The Law of Insurance Intermediaries* is the only text in South African law which comprehensively discusses the legal position of the various insurance intermediaries doing business in the local market. Three main types of intermediaries are identified, namely insurance brokers, insurance agents and Lloyd's intermediaries. The rights and duties of these intermediaries are analysed and the effect of the Long- and Short-term Insurance Acts on these duties is explained. Local and foreign case law is considered to illustrate the relevant legal principles and to provide solutions to problems which may occur in South African law. This book is essential reading for lawyers operating in the field of insurance, as well as insurance companies and agents.

#### Contents

- The law of agency and trade usages
- The different types of insurance intermediaries
- Insurance brokers: the brokerage agreement
- Breaching the brokerage agreement
- Insurance brokers: the commission contract
- Insurance agents
- Lloyd's intermediaries
- Appendices
  - Long-term Insurance Act 52 of 1998
  - Regulations under the Long-term Insurance Act, 1998
  - Policyholder Protection Rules (Long-term Insurance), 2001
  - Short-term Insurance Act 53 of 1998
  - Regulations under the Short-term Insurance Act, 1998
  - Policyholder Protection Rules (Short-term Insurance Act), 2001

2001 > **SOFT COVER:** ISBN 978-0-7021-5627-4 > 272pp



### Long-term Insurance Act 52 of 1998 & Regulations

Juta's Pocket Statutes

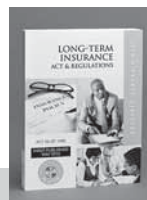
(Also available as part of a two-volume set together with the Short-term Insurance Act 53 of 1998 & Regulations – ISBN 978-07021-9507-5)

**Authors:** Juta's Statutes Editors

#### Contents

- Key Addresses
- Quick Finder for Key Topics
- Long-term Insurance Act 52 of 1998
- Regulations under the Long-Term Insurance Act, 1998
- Procedure for the imposition of penalties by the Registrar of Long-Term Insurance in terms of section 68(2)

- Policyholder Protection Rules (Long-Term Insurance)
- Documents which a person may inspect or obtain a copy of or an extract from in terms of section 3(4) of the Act
- Prescribing of Transnet Pension Funds as 'Funds' for purposes of the Act
- Maximum amount of benefit to be provided by a 'friendly society', as envisaged in section 7(2)(b)





- Maximum amount contemplated in the definition of 'Assistance Policy' in section 1(1)
- Notice on the prescribed requirements for the calculation of the value of assets, liabilities and capital adequacy requirement of Long-Term Insurers, 2010
- Prescribed Long-Term Insurance Fees
- CD-ROM containing forms (Requirements imposed by the Financial Services Board for Nominees to operate in South Africa, 2007 and Returns by Long-Term Insurers to Registrar)



## Short-term Insurance Act 53 of 1998 & Regulations

Juta's Pocket Statutes

(Also available as part of a two-volume set together with the Long-term Insurance Act 52 of 1998 & Regulations – ISBN 978-07021-9507-5)

**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Short-term Insurance Act 53 of 1998
- PENDLEX: Pending amendments
- Regulations under the Short-term Insurance Act, 1998
- Procedure for the imposition of penalties by the Registrar of Short-term Insurance in terms of section 66(2)
- Policyholder Protection Rules (Short-term Insurance)
- Documents which a person may inspect or obtain a copy of or an extract from in terms of section 3(4) of the Act
- 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
- Prescribed requirements for the calculation of the value of the assets, liabilities and capital adequacy requirement of short-term insurers



## Modern Insurance Law in South Africa

LegalEase: Essence series

**Author:** D Millard

### About this Publication

*Modern Insurance Law in South Africa* explains the basic principles of insurance law in plain language, given the complicated legal framework within which insurance operates. The statutory framework for insurance law consists of three Acts: the Long-term Insurance Act 52 of 1998, the Short-term Insurance Act 53 of 1998, and the Financial Advisory and Intermediary Services Act 37 of 2002. While the former two Acts regulate insurers and insurance products, the latter Act regulates intermediaries and advisors for financial products, of which insurance is an important part. An added complication is that many aspects of insurance are still regulated by common law.

*Modern Insurance Law in South Africa* will assist students and practitioners alike in navigating this terrain. The publication is also an excellent resource for intermediaries and representatives who have to prepare for their regulatory examinations.

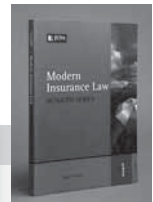
Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Legal Essence* books shed light, in a practical and contextual way, on the legal issues that candidate attorneys and legal practitioners can expect to encounter in practice. The books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

### Contents

- Introduction to and history and sources of insurance law
- Basis of insurance

- Object of insurance: Insurable interest
- Essentials of a contract of insurance
- Formation of an insurance contract
- Requirements for a valid contract of insurance
- Misrepresentation
- Contents and interpretation of an insurance contract
- Nature and operation of obligations arising from an insurance contract
- Risk
- Vesting and contents of claim to indemnification or satisfaction; enforcement of claim
- 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

NEW



2013 > **SOFT COVER:** ISBN 978-1-4851-0043-0 > 170pp



# Intellectual Property Law



## Access to Knowledge in Africa: The role of copyright

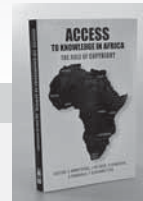
**Authors:** C Armstrong, J de Beer, D Kawooya, A Prabhala & T Schonwetter J D Sinclair (Editors)

### About this Publication

The emergence of the Internet and the digital world has changed the way people access, produce and share information and knowledge. Yet people in Africa face challenges in accessing scholarly publications, journals and learning materials in general. At the heart of these challenges, and solutions to them, is copyright, the branch of intellectual property rights that covers written and related works. This book gives the reader an understanding of the legal and practical issues posed by copyright for access to learning materials in Africa, and identifies the relevant lessons, best policies and best practices that would broaden and deepen this access. This book is based on the work of the African Copyright and Access to Knowledge (ACA2K) research network, launched in late 2007 as a network of researchers committed to probing the relationship between copyright and learning materials access in eight African countries: Egypt, Ghana, Kenya, Morocco, Mozambique, Senegal, South Africa and Uganda.

### Contents

- Introduction
- Background, doctrinal and qualitative analysis and conclusions and recommendations for:
  - Egypt
  - Ghana
  - Kenya
  - Morocco
  - Mozambique
  - Senegal
  - South Africa
  - Uganda
- Summary and conclusions



2010 > **SOFT COVER:** ISBN 978-1-91989-545-1 > 384pp



## Guide to Intellectual Property Law

**Author:** P Ramsden

### About this Publication

*A 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
- IP cases are summarised for each section
- Exam questions for each section are included for lecturers, as well as for students revising for exams

### ELECTRONIC Additional Contents and Features

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



2011 > **SOFT COVER:** ISBN 978-0-7021-8552-6 > 486pp  
**INTERNET:** ISSN 2305-2966



## Handbook of South African Copyright Law

**Authors:** O H Dean

### About this Publication

First published in 1987, this comprehensive but concise publication has established itself as the leading authority in its field, quoted in court judgments and relied on by legal practitioners and professionals in diverse fields. Written by a practising attorney of many years' standing, the *Handbook of South African Copyright Law* is a rare marriage of practical experience and meticulous scholarship.

This publication is updated to reflect the latest developments in copyright law.

### Contents

- Synopsis of the law of copyright and ancillary matters
- Table of cases
- Digest of South African Authorities
- Transitional provisions of the Copyright Act, 1978
- Compendium of legislation in full text
  - South Africa's 1916, 1965 and 1978 Acts, related Acts and regulations
  - The British Copyright Act, 1911
  - The Intellectual Property from Publicly Financed Research & Development Act 51 of 2008, and regulations in terms thereof

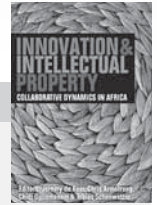


- International documents including the Brussels and Paris texts of the Berne Convention
- Digest of South African case law and literature on copyright
- Compendium of legislation in full text

Published since 1987 > **LOOSE-LEAF**: ISBN 978-0-7021-1907-1  
Approximately 650pp



## Innovation and Intellectual Property in Africa



**Authors:** J de Beer; C Armstrong; C Oguamanam; T Schonwetter (Editors)

### About this Publication

There are opposing views about how IP protection influences innovation and creativity, and in many developing countries the IP environment could be said to be suboptimal, which adds complexity to this debate. With this in mind, the World Intellectual Property Organisation has established a set of 'development agenda' initiatives aimed at balancing developed-country and developing-country interests in global IP governance and norm-setting.

However, research around how existing or potential IP systems can be harnessed in a manner that measures and facilitates innovation, creativity and socioeconomic development is scarce, particularly in Africa. This book offers the research findings of the Open African Innovation Research and Training (Open A.I.R.) Project, which explored the intersection of innovation, IP and development in nine African countries - Egypt, Nigeria, Ghana, Ethiopia, Uganda, Kenya, Mozambique, Botswana and South Africa. It looks at the roles of IP rights in a range of sites of innovation: agricultural production, biofuel technology development, traditional medicine, university/industry research collaborations, automotive manufacturing, independent musical production and distribution, and scholarly publishing.

### Contents

- Innovation, intellectual property and development narratives in Africa - *Jeremy de Beer, Chidi Oguamanam and Tobias Schonwetter*

#### Informal mechanisms

- Frameworks for analysing African innovation: entrepreneurship, the informal economy and intellectual property - *Jeremy de Beer, Izabella Sowa and Kristen Holman*
- Informal-formal sector interactions in automotive engineering, Kampala - *Dick Kawooya*

#### Place-based branding

- Geographical indication (GI) options for Ethiopian coffee and Ghanaian cocoa - *Chidi Oguamanam and Teshager Dagne*
- A consideration of communal trademarks for Nigerian leather and textile products - *Adebambo Adewopo, Helen Chuma-Okoro and Adejoke Oyewunmi*

#### Traditional knowledge commons

- The policy context for commons-based approaches to traditional knowledge in Kenya - *Marisella Ouma*

- Consideration of a legal "trust" model for the Kukula Healers' T K Commons in South Africa - *Gino Cocchiaro, Johan Lorenzen, Bernard Maister and Britta Rutert*

#### Copyright Creativity

- From ad hoc commons to digital commons in Egypt's independent music industry - *Nagla Rizk*
- Reflections on open scholarship modalities and the copyright environment In Kenya - *Ben Sihanya*
- Patent Policy and Practice
- African patent offices not fit for purpose - *Ikechi Mgbeoji*
- The state of biofuel innovation in Mozambique - *Fernando dos Santos and Simão Pelembe*
- Seeking bioenergy innovation in Egypt - *Bassem Awad and Perihan Abou Zeid*

#### Ownership of Publicly Funded Outputs

- Effects of South African IP regime on generating value from publicly funded research: an exploratory study of two universities - *Caroline Ncube, Luci Abrahams and Titi Akinsanmi*
- Towards university-industry innovation linkages in Ethiopia - *Wondwossen Belete*
- Perspectives on intellectual property from Botswana's publicly funded researchers - *Njoku Ama*
- The current realities of collaborative intellectual property in Africa - *Jeremy de Beer, Chris Armstrong, Chidi Oguamanam and Tobias Schonwetter*

2013 > **SOFT COVER** (English): ISBN 978-1-9198-9599-4 > 376pp  
**e-BOOK**: ISBN 978-1-7758-2143-4



## Intellectual Property Law

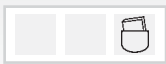
Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Trade Marks Act 194 of 1993
- Copyright Act 98 of 1978
- Designs Act 195 of 1993
- Counterfeit Goods Act 37 of 1997
- Merchandise Marks Act 17 of 1941
- Registration of Copyright in Cinematograph Films Act 62 of 1977
- Performers' Protection Act 11 of 1967
- Intellectual Property Rights from Publicly Financed Research and Development Act 51 of 2008
- Pendlex: Pending amendments
- Regulations





## Patents Act 57 of 1978 & Regulations

Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors

### Contents

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



## South African Intellectual Property Law Journal (IPLJ)

**Authors:** L Tong, C Ncube

NEW

### 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 keep IP practitioners at the forefront of the law.

### Contents – 2013 issue:

- Articles
  - Deprivation of trademarks through state interference in their usage - *Owen Dean*
  - Some comments on the infringement of registered trademarks by advertisement of goods on the internet - *Bernard Martin*
  - Justifications for copyright: the moral justifications - *Sadulla Karjiker*
  - Rights in a performance in Kenya - *Ben Sihanya*
  - Reconciling repair and reconstruction of patented articles in the US, UK, Germany and South Africa - *Sophia Czarnocki*
  - Is compliance enough: can the goals of intellectual property rights be achieved in South Africa? - *Bernard Maister, Caspar van Woensel*
- Sport as a brand and its legal protection in South Africa - *Owen Dean*
- Notes and updates
  - Comment on the Green Paper for post-school education and training - *Shihaam Shaikh*
  - Confusion and the bounds of trade mark monopolies: *Foschini v Coetzee* - *Jeremy Speres*
  - The panados and panadon'ts of trade mark registrations – recent developments regarding trademarks used in the pharmaceutical industry - *Marius Roetz*
- Book reviews
  - Susan Isiko Strba: *International Copyright Law and Access to Education in Developing Countries: Exploring Multilateral Legal and Quasi-Legal Solutions*
  - E du Plessis, S Brown and D Tanziani (eds): *Adams and Adams: Practitioners' Guide to Intellectual Property Law*

**SOFT COVER** – ANNUAL PERIODICAL: ISSN 2309-4532  
Approximately 180pp per annum



## > International Law



## International Law: A South African Perspective

4<sup>th</sup> edition

**Author:** J Dugard

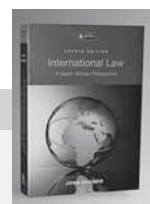
### About this Publication

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)
- Recognition of governments
- Recognition in municipal law
- Territory
- Jurisdiction and international crimes
- International Criminal Courts, the International Criminal Court and South Africa's implementation of the Rome Statute
- Extradition
- Immunity from jurisdiction
- State responsibility, diplomatic protection and the treatment of aliens
- Responsibility of international organisations
- Human rights
- Refugees
- Law of the sea
- Air and space law
- International environmental law
- Treaties
- International economic relations
- International adjudication
- The United Nations and the maintenance of international peace
- The use of force by States
- Humanitarian law
- The African Union

2011 > **SOFT COVER:** ISBN 978-0-7021-8646-2 > 640pp

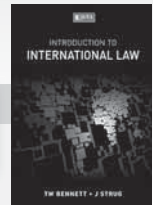




## Introduction to International Law

**Authors:** T W Bennett, J Strug

NEW



### 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

2013 > **SOFT COVER:** ISBN 978-1-4851-0006-5 > 504pp



## Private International Law

5<sup>th</sup> edition

**Author:** C F Forsyth

### About this Publication

*Private International Law* has become the standard work on South African private international law. The fifth edition takes account of developments and ground-breaking judgments affecting the law, and suggests how the law may develop in the future.

### Contents

- Table of statutes
- Table of cases
- Glossary
- Introduction
- An essay in history and theory

- Conceptual problems in choice of law
- The ascertainment of the content of foreign laws and the exclusion in appropriate cases of the otherwise applicable law
- The law of domicile
- The jurisdiction of the high courts
- The family and choice of law
- Choice of law in cases involving legal obligations
- Choice of law in cases involving property
- The recognition and enforcement of foreign judgments

2012 > **SOFT COVER:** ISBN 978-0-7021-9422-1 > 554pp



## Refugee Law in South Africa

**Author:** F Khan, T Schreier (Editors)

NEW

### About this Publication

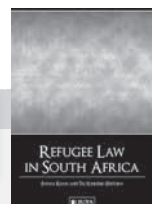
*Refugee Law in South Africa* outlines the existing law relating to refugees as reflected in South African legislation and its growing body of refugee law jurisprudence as at 2013, while also paying heed to relevant international law, which remains central to today's regime of international refugee protection and international jurisprudence. The book also identifies the pertinent changes introduced by the 2008 and 2011 amendments to the Refugees Act, which have not yet come into force, and the implementation of practice changes resulting from the government's recent policy shift.

### Contents

- Preface
- Table of cases
- Table of conventions
- Part 1:** Analysing the refugee definition in South African law
  - The principle of non-refoulement
  - 'Outside the country of nationality': a territorial limitation
  - Well-founded fear
  - Persecution

- Section 3(b) of the Refugees Act: the OAU Convention's definition of 'refugee'
- Exclusion from refugee status
- Cessation of refugee status
- Part II:** Application for asylum in South Africa
  - Application for asylum: reception
  - Refugee status determination
  - Reviews and appeals
- Part III:** Rights of refugees in South Africa
  - The civil and political rights of refugees and asylum seekers in South Africa
  - The socio-economic rights of refugees and asylum seekers in South Africa
- Part IV:** Reconciling the immigration and refugee law of South Africa
  - Reconciling the immigration and refugee law of South Africa
  - Supplementary CD containing appendices: legislation, conventions and other useful resources

2014 > **SOFT COVER:** ISBN 978-1-4851-0123-9 > Approx. 340pp





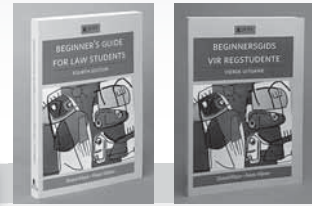
# > Introduction to Law



## Beginner's Guide for Law Students Beginnersgids vir Regstudente

(Lecturer support material available)

4<sup>th</sup> edition  
4<sup>de</sup> uitgawe



**Authors:** D Kleyn, F Viljoen

### About this Publication

*Beginner's Guide for Law Students and Beginnersgids vir Regstudente* is aimed at students who are exposed to the law for the first time. They provide a broad, user-friendly view of the law written in simple language and elucidated by examples and diagrams. Practical skills which are necessary for studying law, for making use of the sources of law and for conducting legal research are emphasised. A critical approach to the law is cultivated.

### Contents

- The law
- History and sources of South African law
- Classification of the law
- Aspects of private law
- Law of civil procedure
- Aspects of criminal law
- Law of criminal procedure
- Law and the business world

- Law of evidence
- Courts and alternative dispute resolution
- The legal profession
- The constitution
- Human rights
- Legal comparison
- Language and the law
- Legal argument and logic
- HIV/Aids and the law
- Perspectives on the law
- Legal research
- CD-ROM providing additional study material and guidance to students
- CD-ROM with answers to exercises available for lecturers. Contact a Juta Law Academic Consultant.

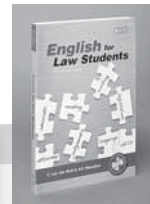
2010 > **SOFT COVER** (English): ISBN 978-0-7021- 8209-9 > 321pp  
**SAGTEBAND** (Afrikaans): ISBN 978-0-7021-8210-5 > 362bl



## English for Law Students

(Lecturer support material available)

3<sup>rd</sup> edition



**Authors:** C van der Walt, A Nienaber

### About this Publication

*English for Law Students* is written by experts in communication and aims at encouraging dialogue and interaction between lecturer and student. The methodology used is not only useful to law students but also to those lecturers who do not have a legal background.

### Contents

- Divisions and subjects in the study of law
- Reading the judgment in a South African court case
- Dealing with textbooks
- Reading complex texts
- Structuring academic writing

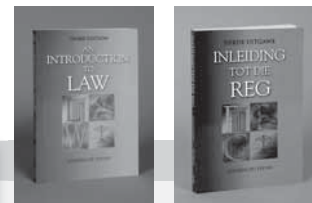
- Reading a criminal law Act
- Reading Acts
- Expressing and evaluating opinions
- Formal correspondence
- Advanced research in law subjects
- Audio CD-ROM
- A companion podcast link containing lecturers support material is available at <http://player.iono.fm/juta-law/isbn9780702182174>.

2010 > **SOFT COVER:** ISBN 978-0-7021-8217-4 > 296pp



## Introduction to Law, An Inleiding tot die Reg

3<sup>rd</sup> edition  
3<sup>de</sup> uitgawe



**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

1999 > **SOFT COVER** (English): ISBN 978-0-7021-4919-1 > 310pp  
**SAGTEBAND** (Afrikaans): ISBN 978-0-7021-4918-4 > 315bl



## Practical Guide for Legal Support Staff, A

LegalEase: Essence series

**Author:** C Womack

**NEW**



### About this Publication

A *Practical Guide for Legal Support Staff* provides basic information about the issues that legal secretaries, legal support staff, paralegals and candidate attorneys will encounter when carrying out their duties in a law firm or similar environment. The book is a user-friendly textbook, with the emphasis placed on acquiring the necessary practice management skills. A *Practical Guide for Legal Support Staff* includes practical examples of the various forms required for different processes.

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

### Contents

- The legal profession
- The attorney's office
- Communication
- Accounts
- The South African judiciary
- Civil court documents and procedures
- Debt collections
- Administration of estates
- Legal instruments
- Notarial documents
- Conveyancing
- Annexures: Practical examples of the various forms required for different processes

2013 > **SOFT COVER:** ISBN 978-0-7021-9528-0 > 375pp



## Skills Workbook for Law Students Vaardigheidewerkboek vir Regstudente

(Lecturer support material available)

2<sup>nd</sup> edition  
 2<sup>de</sup> uitgawe



**Author:** 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.

2011 > **SOFT COVER** (English): ISBN 978-0-7021-7929-7 > 192pp  
**SAGTEBAND** (Afrikaans): ISBN 978-0-7021-7924-2 > 192bl



## Wille's Principles of South African Law

9<sup>th</sup> edition

**Author:** F du Bois (Editor)

### 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.

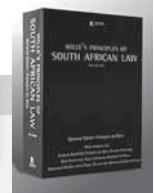
### Contents

#### PART 1 – General

- Law
- Sources of law: overview and Constitution, legislation, common law and precedent and customary law and other sources
- The legal system

#### PART II – Persons and family

- Introduction
- Birth, name, domicile and death
- Unborn persons
- Females



- Children (minors)
- Extra-marital children
- Marriage
- Life partnerships
- Mentally incapacitated persons
- Insolvent persons
- Convicted persons
- Artificial persons

**PART III – Property**

- The law of property, the concept of property and real rights possession
- Ownership

- Co-ownership, sectional ownership and other forms of title
  - Servitudes and other real rights
  - Real security
  - Succession
- PART IV – Obligations**
- Contracts
  - Unjustified enrichment
  - Delict

2007 > **SOFT COVER:** ISBN 978-0-7021-6551-1 > 1448pp**> Jurisprudence**

## Dignity, Freedom and the Post-Apartheid Legal Order: The Critical Jurisprudence of Laurie Ackermann

*(First published as Acta Juridica 2008)***Authors:** 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*
- From heteronormativity to full sexual citizenship?: equality and sexual freedom in Laurie Ackermann's constitutional jurisprudence - *Pierre de Vos*
- Beyond the brother: radical freedom - *A J Barnard-Naudé*

2009 > **SOFT COVER:** ISBN 978-0-7021-8137-5 > 312pp**Jurisprudence****Authors:** C Roederer, D Moellendorf**About this Publication**

*Jurisprudence* is a comprehensive treatment of the subject by many of the legal theorists in South Africa. Each of the major schools of jurisprudence, as well as a number of the major issues in jurisprudence, are discussed in a sophisticated yet accessible style. Each of the schools is assessed for its relevance to South Africa and South African law. Further, *Jurisprudence* provides the reader with an introduction that contains a metatheoretical approach and set of tools for systematically evaluating the many and various theoretical claims found within the book and in the subject more generally.

**Contents**

- Mapping jurisprudential terrain in search for truth in law
- Natural law theories
- Legal positivism
- Third path theorists: between positivism and natural law
- Historical jurisprudence
- Marxism and the law
- Legal realism
- Law and economics
- Interpretative approaches to legal theory
- Critical legal studies
- Critical race theory
- Feminism and the law



- Gay and lesbian legal theory
- Post modernism and the law
- Justice and the law: liberals, redistribution, capitalists and their critics
- Communitarian and civic republican theories
- 'Traditional' African jurisprudence
- Islamic jurisprudence
- Traditional Chinese jurisprudence and its relevance to South African legal thought

- The duty to obey the law
- Legal punishment
- Law in context of globalisation: the demands of justice
- Transitional/transformational jurisprudence: law in a changing society

2004 > **SOFT COVER:** ISBN 978-0-7021-5913-8 > 667pp



## Other Law, The: Non-state Ordering in South Africa

**Authors:** W Schärf, D Nina

### About this Publication

The "other law" refers to those domains of ordering in society which are organised outside of the state. This book describes and analyses a range of case studies during South Africa's transition to democracy and in the post-apartheid era.

They fall into two main categories: first, non-state dispute resolution (traditional justice, street committees, religious courts, *makgotla* in rural areas, alternative dispute resolution structures) and, second, non-state policing/crime prevention (anti-crime committees, self-defence units, marshals and monitors, private security). This book is a valuable addition to the literature on alternative justice, the informal sector, legal

anthropology, ADR, policing, political transitions, governance and religious studies.

### Contents

- On the 'notion of law'
- Popular justice/community justice
- Religious and customary law
- Alternative policing and private ordering

2001 > **SOFT COVER:** ISBN 978-0-7021-4579-7 > 258pp



## 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

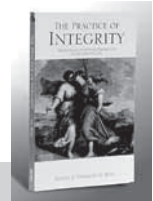
### About this Publication

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

2005 > **SOFT COVER:** ISBN 978-0-7021-6750-8 > 196pp



## Labour Law



## Alcohol, Drugs and Employment

2<sup>nd</sup> edition

**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

2011 > **SOFT COVER:** ISBN 978-0-7021-9406-1 > 420pp



## Annual Labour Law Update 2013, Juta's

**Authors:** J Grogan, B Jordaan, P Maserumule



**About this Publication**

This book is an essential and comprehensive review of labour and employment law developments for 2013. The workbook, a companion to *Juta's Annual Labour Law Seminar 2013*, 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 handy reference for dealing with issues in the workplace, or litigating in the CCMA or the courts. Topics are introduced in a user-friendly format. The contents of this workbook are also available on CD-ROM in a fully searchable electronic format.

- Retrenchment - *Puke Maserumule*
- Business Transfers - *Barney Jordaan*
- Employment equity and discrimination - *Barney Jordaan*
- Collective bargaining and organisational rights, strikes and lockouts - *Puke Maserumule*
- Social security law - *Stuart Harrison and Itayi Gwaunza*
- Pension law - *Stuart Harrison and Pranisha Maharaj*
- Labour-related legislation - *Daphne Burger*
- Table of Cases

**Contents**

- Individual employment law - *John Grogan*
- Dismissal - *John Grogan*

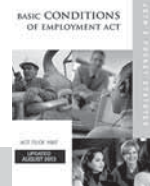
2013 > **SOFT COVER:** ISBN 978-1-4851-0098-0 > 161pp  
**CD-ROM:** 978-1-4851-0099-7 > ISBN > SET (soft cover & CD: JALLU2013-PACK)



## Basic Conditions of Employment Act 75 of 1997 & Regulations

Juta's Pocket Statutes

(Also available as part of the 5-volume *Juta's Labour Mini-Library* – ISBN 978-0-7021-7113-0)



**Authors:** Juta's Statutes Editors

**Contents**

- Key Addresses
- Quick Finder for Key Topics
- Basic Conditions of Employment Act 75 of 1997
- Regulations
- Codes of Good Practice
- Calculation of Employee's Remuneration in terms of section 35(5)
- Work for Expanded Public Works Programme
- Determination of Earnings Threshold



## Collective Bargaining in South Africa

**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?

2010 > **SOFT COVER:** ISBN 978-0-7021-8464-2 > 242pp

## 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

2010 > **SOFT COVER:** ISBN 978-0-7021-7790-3 > 160pp

## Collective Labour Law

**Author:** J Grogan

### About this Publication

*Collective Labour Law* deals with all the issues that may 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 volume is a companion to three others (*Employment Rights, Dismissal and Labour Litigation & Dispute Resolution*), which together provide a comprehensive overview of the entire body of current labour law.

### Contents

- Tables of cases and statutes
- 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
- Secondary strikes
- Protest action
- The extent of protection
- Unprotected strikes
- Picketing
- Lock-outs
- A subject index

2010 > **SOFT COVER:** ISBN 978-0-7021-8487-1 > 364pp

FORTHCOMING NEW EDITION IN 2014



## Dismissal

2<sup>nd</sup> edition

**Author:** J Grogan

### About this Publication

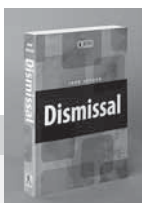
*Dismissal* deals with all the issues that may arise when employers decide to dispense with the services of their employees. Beginning with the 'conventional' dismissals – termination by the employer with or without notice – the book goes on to investigate the many other forms of dismissal now recognised in South African labour legislation, such as automatically unfair dismissals, constructive dismissals, selective re-employment, and failure to renew fixed-term contracts. The procedural requirements governing the various forms of dismissal are also described in detail, as are the remedies available to unfairly dismissed employees.

This volume is a companion to three others (*Employment Rights, Dismissal and Labour Litigation & Dispute Resolution*), which together provide a comprehensive overview of the entire body of current labour law.

### Contents

- Tables of cases and statutes
- Introduction and overview

- 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; fair procedure; selection and severance pay
- Closures, mergers, transfers and sales of businesses
- Unilateral change to terms and conditions of employment
- Other reasons for dismissal



- Dismissal of unprotected strikers
- Procedures for challenging dismissals
- Remedies

- Costs in dismissal matters
- A subject index

2010 > **SOFT COVER:** ISBN 978-0-7021-8486-4 > 608pp



## 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

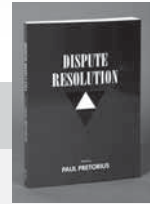
This book explains the processes and skills involved in alternative dispute resolution. Chapters are written by contributors who have been actively involved in pioneering work in his or her field.

### 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

1993 > **SOFT COVER:** ISBN 978-0-7021-2833-2 > 248pp



## Dispute Resolution Digest 2014, The: The Tokiso Report on the State of Labour Dispute Resolution in South Africa

**Author:** Tokiso (Pty) Ltd

**NEW  
edition**

### About this Publication

*The Dispute Resolution Digest* has become a source of pertinent and authoritative commentary on dispute resolution and labour market issues, and should make essential reading for anyone involved in the SA labour industry.

The issues debated in the 2014 Digest pick up on another eventful year in the labour market. They include the Labour Relations Act amendments (especially the position of contract workers and labour brokers), the mutual impacts between the amendments and the political and shop floor continued in 2013 especially in the mining industry to the more legal technical issue of legal representation at the CCMA. While some of these issues have been assigned dedicated chapters, others are overarching and their cross-cutting nature justifies coverage across the entire publication.

### Contents

- Overview - *Khanya Motshabi*
- Examination of Industrial Action: 2013 - *Andrew Levy*
- Disputes Referred to the CCMA, Bargaining Councils and Tokiso - *Andrew Levy & Tanya Venter*

- We have met the Enemy and He is Us: COSATU's War Against Itself in 2013 - *Steven Friedman*
- Organisational Rights and Trade Union Rivalry in South Africa - *John Brand*
- An Evaluation of the Labour Court - *Craig Bosch*
- Legal Representation in the CCMA - *Joe Campanella*
- Effective Engagement: Part 1 – A Future Role for Social and Tripartism in Addressing South Africa's Labour Market Challenges? - *Alistair Smith*
- Effective Engagement: Part 2 – Conciliation as a Dispute Resolution Mechanism: A Focus on its Role in Collective Bargaining - *Nerine Khan*
- Alternative Dispute Resolution in the Public Sector - *Letlhokwa George Mpedi*
- Disputes about Pay Equality – Lessons from the United Kingdom - *Sarah Levy*

2014 > **SOFT COVER:** ISBN 978-1-4851-0182-6



## Employment and the Law: A Practical Guide for the Workplace

**Authors:** H Landis, L Grossett

**NEW  
edition**

### 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 book 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

- Glossary of terms
- Employment equity
- Recruitment
- Contract of service

- Conduct management
- Capacity management
- Retrenchment
- Collective agreements
- Industrial action
- Dispute resolution
- Skills development
- Social security
- Promotion of access to information

2014 > **SOFT COVER:** ISBN 978-1-4851-0173-4



## Employment Equity Act 55 of 1998, Skills Development Act 97 of 1998, Skills Development Levies Act 9 of 1999 & Regulations

Juta's Pocket Statutes

(Also available as part of the 5-volume Juta's Labour Mini-Library – ISBN 978-0-7021-7113-0)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Employment Equity Act 55 of 1998
  - Regulations
  - Codes of Good Practice
- Skills Development Act 97 of 1998
  - PENDLEX: Act 37 of 2008
  - PENDLEX: Act 26 of 2011
- Related Substantive Provisions: Act 26 of 2011
- Regulations
- Skills Development Levies Act 9 of 1999
  - PENDLEX: Act 18 of 2009
  - PENDLEX: Act 28 of 2011
  - Regulations



## Employment Rights

**Author:** J Grogan

### About this Publication

*Employment Rights* deals with all the issues that may arise during the existence of an employment relationship, from the moment an employee applies for a job, to the moment the relationship is terminated. Topics covered include the nature, scope and effect of employment contracts, unfair labour practices, discrimination, affirmative action, unemployment insurance, health and safety in the workplace, and skills development.

This volume is a companion to three others (*Dismissal*, *Collective Labour Law* and *Labour Litigation & Dispute Resolution*), which together provide a comprehensive overview of the entire body of current labour law.

### Contents

- Preface
- Table of cases and statutes
- 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
- Employment Equity
- Victimisation
- Employment injuries and illness
- Unemployment benefits
- Skills development
- Subject index

2010 > **SOFT COVER:** ISBN 978-0-7021-8498-7 > 344pp



## Equality in the Workplace: Reflections from South Africa and Beyond

**Authors:** O Dupper, C Garbers (Editors)

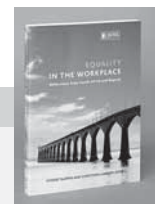
### About this Publication

This collection of essays evaluates the efficacy in achieving the goals stated by the Employment Equity Act against the background of South Africa and comparative experiences in India, Canada, the United Kingdom, Germany and the European Union.

It covers the general principles and grounds of discrimination, analyses the success or otherwise of affirmative action measures in South Africa and evaluates employment equity for the disabled, migrant workers, those with family responsibilities, women and the aged. Contributions are by eminent international and local experts.

### Contents

- Substantive equality: comparative and critical perspectives
- The aims and limits of equality laws - *Bob Hepple*
- Facing the future: substantive equality under the spotlight - *Sandra Fredman*
- The Supreme Court of Canada, substantive equality and inequality at work - *Judy Fudge*
- Unfair discrimination law – developments at European level (with specific reference to the new German Act on Equal Treatment) - *Manfred Weiss*
- Constitutional equality in South Africa - *Catherine Albertyn*
- Different routes to equality and empowerment - *Paul Benjamin*
- Plus ça change: re-inventing inequality in the post-apartheid workplace - *Jan Theron*
- General principles and grounds of discrimination
- The prohibition of unfair discrimination: applying s 3(d) of the Employment Equity Act 55 of 1998 - *Darcy du Toit*
- Age discrimination in South African labour law: a critical assessment of the law on 'retiring' older workers - *Craig Bosch*
- The New Disability Convention: implications for disability equality norms in the South African workplace - *Charles 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*

2010 > **SOFT COVER:** ISBN 978-0-7021-8457-4 > 332pp



## Essential Employment Discrimination Law



**Authors:** O C Dupper, C Garbers, A A Landman, M Christianson, A C Basson, E M L Strydom (Editors)

### About this Publication

*Essential Employment Discrimination Law* provides an in-depth account of current employment discrimination law. The book is divided into four parts. In Part One the current legislative framework regulating employment equity, namely the Constitution and the Employment Equity Act, is examined. Part Two of the book focuses on the general principles of employment discrimination law. It examines the concept of "unfair discrimination", the distinction between "direct" and "indirect" discrimination and "listed" and "unlisted" grounds of discrimination. This part also deals with the statutory defences against an allegation of unfair discrimination. Part Three examines issues such as dismissal on discriminatory grounds including race, sex, disability and HIV/AIDS; the principle of equal pay for work of equal value; discrimination against persons with disabilities; employment testing; sexual harassment; and affirmative action. Part Four of the book deals with the Promotion of Equality and Prevention of Unfair

Discrimination Act (PEPUDA) to the extent that it impacts on the workplace.

### Contents

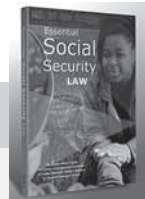
- Preliminary remarks
- The current legislative framework
- The prohibition of unfair discrimination
- Justifying discrimination
- Resolution of discrimination disputes
- Discriminatory dismissal
- Equal pay for equal work or work of equal value
- Disability discrimination in the workplace
- Employment testing
- Harassment in the workplace
- Affirmative action
- Unfair discrimination in terms of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA)

2004 > **SOFT COVER:** ISBN 978-0-7021-6548-1 > 360pp



## Essential Social Security Law

2<sup>nd</sup> edition



**Authors:** E M L Strydom (Editor), P A K le Roux, A A Landman, M A Christianson, O C Dupper, P Myburgh, F S Barker, C J Garbers, A C Basson, A Dekker, V Esselaar

### 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.

- 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

### Contents

- Introduction to social security law
- Old age and death

2006 > 2<sup>nd</sup> edition > **SOFT COVER:** ISBN 978-0-7021-7320-2 > 304pp



## HIV and Social Security Law: The SADC Region

NEW



**Author:** Y Jorens (Editor)

### 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*

2013 > SOFT COVER: ISBN 978-1-4851-0151-2 > 154pp



## Industrial Law Journal

(Incorporating the Industrial Law Reports. Also available electronically as part of Juta's Labour Library)



**Authors:** C Cooper, C Vosloo, L Williams-de Beer, J Wilson (Editors)

### 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

- All important 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

**SOFT COVER > MONTHLY PERIODICAL:** ISSN 0258 249X (*ILJ*)  
Approximately 3000pp per annum and an annual index  
Full set (1980-2013) as well as back issues are also available.



## Industrial Law Journal Cumulative Index (1980-2010)

**Author:** C Vosloo (Editor)

### About this Publication

This consolidated index provides easy reference to all subjects discussed in cases and articles in the Industrial Law Journal (incorporating the Industrial Law Reports) for the period 1980 to 2010. It provides the key to unlocking 27 years of labour law. The Index facilitates optimal usage of the *Industrial Law Journal*.

### Contents

- Contributors of articles and notes
- Titles of articles and notes
- Books reviewed
- Table of cases, alphabetical and per court:
  - Constitutional Court
  - Supreme Court/High Court

- Labour Appeal Court
- Industrial Court
- Labour Court of Namibia
- Agricultural Labour Court
- Commission for Conciliation, Mediation and Arbitration
- Bargaining Council arbitration
- Private arbitration
- Specialised subject index for cases
- Specialised subject index for articles and notes
- Case annotations

**HARD COVER** in 2 volumes: ISBN 978-0-7021-7894-8 > 3284pp



## Industrial Relations in South Africa

5<sup>th</sup> edition

**Author:** S Bendix

### About this Publication

*Industrial Relations in South Africa* is a leading and comprehensive reference work for industrial relations practitioners and students. It is a practical guide to South African industrial relations and introduces theoretical concepts and historical facts to enhance day-to-day practice. The fifth edition has been revised to include:

- Updated statutes and legislative requirements
- Updated unions and employer organisations (including unionism in the defence force)
- A new multi-faceted perspective of the labour relationship
- New case reviews on topics such as constructive dismissal, age discrimination, and demand for disclosure
- New Section 189A of LRA and revised Section 197 of LRA
- New analysis of developments for each stage in the history of the system
- New coverage of 1994 to 2009: The Mandela and Mbeki years, and after Polokwane

### Contents

- The labour relationship – a conceptual analysis
- Industrial relations systems
- The South African industrial relations system in societal and historical context
- The legislative framework governing the employment relationship
- Trade unions and employer organisations – theoretical basis
- South African trade union and employers' organisations – the tripartite relationship
- Collective bargaining
- Collective bargaining in South Africa
- Labour relations at the workplace
- Discipline, dismissal and unfair labour practices
- Retrenchment and other no-fault terminations, mergers and transfers





- Employment equity
- Basic principles of labour economics
- The South African labour market: issues and problems
- Traditional negotiation
- Dispute settlement
- Industrial action

- Intergroup conflict: analysis and facilitation
- Industrial democracy and workers' participation
- Organisational change and organisational development
- Comparative industrial relations

2009 > **SOFT COVER:** ISBN 978-0-7021-7773-6 > 900pp



## Labour Dispute Resolution

2<sup>nd</sup> edition

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

### About this Publication

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

### Contents

- Conflict, grievances and disputes
- An overview of the dispute system
- The disputes and their processes
- Definitions of dispute resolution processes
- Dispute resolution institutions
- Dispute resolution in the public service
- Administrative law and public sector employment

- Negotiation
- Conciliation, mediation and con-arb
- Facilitation
- Arbitration
- Arbitration by the CCMA
- Arbitration by Bargaining Councils and Statutory Councils
- Private arbitration
- Preparation for arbitration
- The law of evidence
- The award
- Appendices
  - Arbitration Act 42 of 1965
  - Promotion of Administrative Justice Act 2 of 2000
  - Standard Mediation Agreement
  - Pre-dismissal Arbitration Agreement
  - Relevant CCMA forms
- Table of statutes
- Table of cases

2009 > **SOFT COVER:** ISBN 978-0-7021-7955-6 > 354pp



## Labour Law Sectoral Determinations

Juta Legislation Service

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

**Authors:** 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](http://www.jutalaw.co.za).

### Contents

- \*Only Sectoral and Ministerial Determinations
- Table of cases

\*Indicates published in English only.

Published since 2009 > **LOOSE-LEAF:** ISBN 978-0-7021-8199-3  
Approximately 416pp



## Labour Law into the Future: Essays in Honour of D'Arcy du Toit

**Authors:** K Malherbe, J Sloth-Nielsen

### About this Publication

*Labour Law into the Future* is a volume of analytical pieces in honour of Professor D'Arcy du Toit.

The contributing authors are internationally recognised and leading researchers in the field of labour law. As a result, *Labour Law into the Future* offers the latest contributions on some of the most hotly debated issues in labour law, such as unfair discrimination, outsourcing, wage justice and labour brokers.

### Contents

- Equality in income differentials and wage justice - *Graham Giles*
- Can discrimination ever be fair? - *Bob Hepple*
- 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 978-0-7021-9423-8 > 300pp



## Labour Legislation – Poster Series

**Authors:** Juta Law Editors

- ✓ **Basic Conditions of Employment Act 75 of 1997, Summary of the**  
Contains Form BCEA 1A of General Regulation 2 of the BCEA, the summary of the Act in English.

**POSTER:** ISBN 978-0-7021-8531-1 > A1 size, laminated, full colour

- ✓ **Employment Equity Act 55 of 1998, Summary of the**  
Contains the summary, Form EEA3 under Regulation 5 of the General Administrative Regulations to the Act in English.

**POSTER:** ISBN 978-0-7021-8530-4 > A1 size, laminated, full colour

- ✓ **Occupational Health & Safety Act 85 of 1993, ss 7-39, Summary of the**  
Contains the key legislative provisions relating to occupational hazards, health and safety which employers and employees should be aware of in English.

**POSTER:** ISBN 978-0-7021-8539-7 > A1 size, laminated, full colour

- ✓ **Skills Development Act 97 of 1998, Summary of the**  
Contains the most important provisions for employers, workers and SETAs in English.

**POSTER:** ISBN 978-0-7021-8538-0 > A1 size, laminated, full colour

- ✓ **Schedule C of the General Machinery Regulations of the Occupational Health and Safety Act 85 of 1993**  
Schedule C of the General Machinery Regulations of the Occupational Health and Safety Act 85 of 1993 in English and Afrikaans.

**POSTER:** ISBN 978-0-7021-8533-5 > A3 size, laminated, full colour

- ✓ **Schedule D of the General Machinery Regulations of the Occupational Health & Safety Act 85 of 1993**  
Contains Schedule D of the General Machinery Regulations of the Occupational Health and Safety Act 85 of 1993 in English and Afrikaans.

**POSTER:** ISBN 978-0-7021-8532-8 > A3 size, laminated, full colour



## Labour Litigation and Dispute Resolution

**Author:** J Grogan

### About this Publication

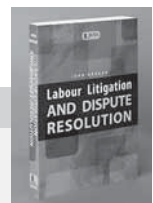
*Labour Litigation and Dispute Resolution* is a comprehensive exposition of practice and procedure in the various forums charged with the responsibility of resolving employment and labour disputes in South Africa. Written in a clear and lively style the book sets out the principles underlying each issue discussed, and illustrates them with examples drawn from decided cases. 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 volume is a companion to three others (*Employment Rights, Dismissal and Collective Labour Law*), which together provide a comprehensive overview of the entire body of current labour law.

### Contents

- Acronyms
- Tables of cases and statutes
- 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
- Litigation in the Labour Court: general issues
- Review of statutory arbitrations
- Review of private arbitrations
- Rules of the Labour Court, Labour Appeal Court and the CCMA
- Postscript: the Superior Courts Bill, 2003



2010 > **SOFT COVER:** ISBN 978-0-7021-8500-7 > 452pp



## Labour Mini-Library

Juta's Pocket Statutes

(These concise pocket-size books contain the full text of key labour legislation, including Acts, regulations and codes of good practice. Available individually, or in as a 5-volume set – ISBN 978-0-7021-7113-0)



**Authors:** Juta's Statutes Editors

### Juta's Pocket Statutes Labour Library – Full set

Set of all five volumes below in a stylish slipcase.

- ✓ **Basic Conditions of Employment Act 75 of 1997 & Regulations**  
Contains the Act, Regulations and codes of good practice issued thereunder
- ✓ **Employment Equity Act 55 of 1998, Skills Development Act 97 of 1998 and Skills Development Levies Act 9 of 1999 & Regulations (in one volume)**  
Contains the Act and codes of good practice issued thereunder. The regulations are also included.

- ✓ **Labour Relations Act 66 of 1995 & CCMA Related Material**  
Contains the Act and Codes of Good Practice.
- ✓ **Occupational Health and Safety Act 85 of 1993 & Regulations**  
Contains the Act and codes of good practice issued thereunder. The regulations are also included.
- ✓ **Regulations in terms of the Labour Relations Act 66 of 1995**  
Contains the regulations only.



## Labour Library, Juta's

### 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*

- 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 5-volume Juta's Labour Mini-Library – ISBN 978-0-7021-7113-0)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Labour Relations Act 66 of 1995
- Codes of Good Practice
  - 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
  - Code of Good Practice: Who is an Employee?
- CCMA related material
  - Rules for the Conduct of Proceedings before the CCMA
  - Guidelines for the Registration of Trade Unions and Employers' Organisations
  - Fines that may be imposed by Arbitrators
  - Facilitation Regulations
  - Bargaining Councils and Statutory Councils accredited by the CCMA
  - CCMA Tariff of Fees Regulations



## 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 looseleaf 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 that when applied will facilitate organisation growth through empowered 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 & 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
- Codes of good practice
- Includes a glossary of labour relations terminology to facilitate understanding
- Model icons explain key concepts

Published since 1989 > **LOOSE-LEAF:** ISBN 978-0-7021-2301-6  
Approximately 660pp



## Law of Arbitration, The

**Author:** P Ramsden

**About this Publication**

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

**Contents**

- Approaches to resolving disputes
- Alternative dispute resolution (ADR) methods
- Sources of the law of arbitration
- Matters not subject to arbitration
- Arbitration agreements
- Arbitrators (arbitral tribunals)

- Intervention by the court pending arbitration
- Arbitration proceedings
- The award
- Offences
- Appendices including the text of the UNCITRAL Model Law, the Arbitration Act, the English Arbitration Act and a number of internationally and locally used laws
- The 6th edition of *Rules for the Conduct of Arbitration* (The Association of Arbitrators of SA)

**ELECTRONIC Additional Contents and Features**

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

2009 > **SOFT COVER:** ISBN 978-0-7021-8192-4 > 396pp  
**INTERNET:** ISBN 978-0-7021-9498-6



## Managing Change: Negotiating Conflict

3<sup>rd</sup> edition

**Authors:** M Anstey

**About this Publication**

Managing change is about managing conflicting views and competing interests. Trading partners seek protectionism, even as they demand a levelling of the playing fields under tariff agreements. Consumers want quality goods at cheaper prices, while shareholders seek better returns on their investments. Nations want to expand their territories, whilst reclaiming historical losses or achieving greater regional security. People living under authoritarian regimes want their human rights and an end to oppression. Everywhere there are pushes to realign relations within and between nations, communities and organisations. Everywhere there are associated tensions.

The third edition of *Managing Change, Negotiating Conflict* examines the causes and characteristics of conflict and provides insights and skills to those who seek to manage such situations through negotiation, joint problem solving and mediation. Case studies, drawn from as far afield as Rwanda and Burundi, Iraq, Israel as well as from South Africa, explore the application of these conflict management skills in a variety of scenarios, including political transitions and civil demonstrations, and the transformation of organisations, in both the private and public sectors.

**Contents**

**Part 1 - Understanding conflict**

- Conflict and change
- Conflict profiles

**Part 2 - Conflict management skills**

- The nature of negotiation
- Competitive negotiation
- Creative alternatives to competitive negotiation
- Persuasive communication – the basic skill
- Mediation

**Part 3 - Applications**

- Managing political transitions through negotiation
- Managing civil protest to avoid violence
- Managing the transformation of organisations
- Relationship-building interventions (rbi) in troubled organisations

**Part 4 - Appendices**

- Universal Declaration of Human Rights
- The Millennium Development Goals of the United Nations (September 2000)

2006 > **SOFT COVER:** ISBN 978-0-7021-7196-3 > 469pp





## MEIBC Main Agreement and other Agreements

(Pocket version)

3<sup>rd</sup> edition  
(revised)



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

### Contents

- MEIBC Main Agreement
- Dispute Resolution Agreement
- Registration and Administration Expenses Agreement
- Levies Payable
- Bargaining Levy Agreement

- An explanatory schedule of the Main Agreement is included together with a comprehensive index

2012 > **SOFT COVER** > pocket size: ISBN 978-0-7021-9871-7 > 612pp



## 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

### [NEW] ELECTRONIC Additional Contents and Features

- Index to the Main Agreement
- What's new
- Previously what's new
- Prelex: Repealed, replaced and amended wording
- Powerful electronic searching allows for easy and rapid access to information

Published since 1987 > **LOOSE-LEAF:** ISBN 978-0-7021-1920-0  
Approximately 570pp  
**INTERNET:** ISSN 2307-7506 > Updated monthly



## Misconduct & Incapacity: Preparing for the Hearing

**Author:** M Opperman

**NEW**

### About this Publication

This book is designed to assist a relative novice in the investigations prior to disciplinary hearings and in presenting evidence in misconduct and incapacity disciplinary hearings. It sets out the process leading up to the disciplinary hearing in detail. It provides guidance with identifying and presenting the relevant facts at the hearing.

### Contents

- Understanding the parameters of the charge
- Burden of proof
- Investigation for misconduct
- Suspension
- Criminal investigation
- Interrogation
- Search and seizure
- Surveillance
- Intelligence
- Internet and cyber crimes
- Telephone tapping
- Constitutional rights
- Tainted evidence
- Entrapment
- Tools of investigation

- Professional assistance
- Incriminating actions
- Report writing
- Dissemination of information
- Company liability
- Recordings
- Declaration of interests
- How to give evidence
- How to prepare evidence
- Understanding cross questioning
- Preparation of evidence
- Presentation of evidence
- Opening and closing statements
- Specific offences

2014 > **SOFT COVER:** ISBN 978-1-4851-0176-5





## Motor Industry Bargaining Council Consolidated Agreements (MIBCO)



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

### 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

- Auto Workers' Provident Fund Collective 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 978-0-7021-2263-7  
(*PRODUCT CODE: MIBCO MV*) > Approximately 300pp  
Updated bi-annually  
**CD-ROM/INTRANET:** ISSN 1682-1068 > Updated quarterly



## Occupational Health and Safety Act 85 of 1993 & Regulations

Juta's Pocket Statutes

(Also available as part of the 5-volume *Juta's Labour Mini-Library* – ISBN 978-0-7021-7113-0)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Occupational Health and Safety Act 85 of 1993
- Regulations



## Occupational Health and Safety Act and Compensation for Occupational Injuries and Diseases Act: Text and Commentary

(An extract from *South African Labour Law*)



**Authors:** P Benjamin

### About this Publication

This loose-leaf work contains the Occupational Health and Safety and the Compensation for Occupational Injuries and Diseases Acts, with up-to-date commentary, in one useful compendium. It provides guidance on occupational injuries, health and safety policies, the reporting of incidents and formal inquiries into workplace injuries. The publication also features a discussion on work-related post-traumatic stress disorder and compensation.

### Contents

- Occupational Health and Safety Act 85 of 1993 and commentary
- Introduction
- Scope and definitions
- The Advisory Council on Occupational Health and Safety
- Duties under the Act and Regulations
- Safety representatives and safety committees
- The inspectorate
- Incidents: reporting, investigations and inquiries
- Employee protections
- Criminal offences
- Regulations

- Compensation for Occupational Injuries and Diseases Act 130 of 1993 and commentary
- Introduction
- Administration of the Act
- Employer's obligations
- Key definitions
- The claims process
- Occupational diseases
- Post-traumatic stress disorder
- Benefits
- Claims involving negligence
- Legal proceedings

Published since 2009 > **LOOSE-LEAF:** ISBN 978-0-7021-8157-3  
Approximately 420pp



## Occupational Health and Safety Handbook

(An extract from South African Labour Law)



**Authors:** P 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 978-0-7021-3265-0  
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.

- 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

### Contents

- Occupational Health and Safety Act, 1993
- Commentary, regulations and schedules

**CD-ROM/INTRANET:** ISSN 1024-2511 > Updated quarterly  
**INTERNET:** ISSN 1682-0738



## Practical Guide to Disciplinary Hearings, A

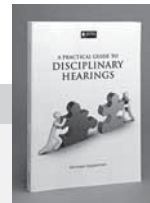
**Author:** M Opperman

### 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.

- Incapacity
- Processing evidence
- The decision-making process for misconduct
- Appeals
- Grievance procedures
- Legislation for referencing including:
  - The Constitution of the Republic of South Africa, 1996
  - Important legislation used in the labour environment, including the Labour Relations Act 66 of 1995, Basic Conditions of Employment Act 75 of 1997, Employment Equity Act 55 of 1998, Skills Development Act 97 of 1998, Occupational Health and Safety Act 85 of 1993, Protected Disclosures Act 26 of 2000 (whistle-blowing) and Codes of Good Practice



### Contents

- The basics
- Fairness
- Offence categories

2011 > **SOFT COVER:** ISBN 978-0-7021-8631-8 > 296pp



## Public Service Law Handbook

**Authors:** 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



- 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
  - 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

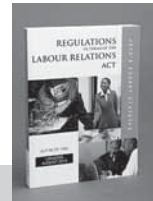
Published since 2001 > **LOOSE-LEAF:** ISBN 978-0-7021-5384-6  
Approximately 210pp



## Regulations in terms of the Labour Relations Act 66 of 1995

Juta's Pocket Statutes

(Also available as part of the 5-volume *Juta's Labour Mini-Library* – ISBN 978-0-7021-7113-0)



**Authors:** Juta's Statutes Editors

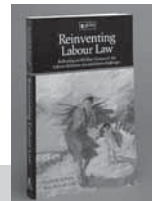
### Contents

- Key Addresses – of the Labour Courts and offices of the Commission for Conciliation, Mediation and Arbitration (CCMA)
- Quick Finder for Key Topics
- Labour Relations Regulations



## Reinventing Labour Law: Reflecting on the first 15 years of the Labour Relations Act and future challenges

(first published as *Acta Juridica* 2012)



**Authors:** R le Roux, A Rycroft

### About this Publication

Since the passing of the Labour Relations Act 66 of 1995 the dynamics of the labour market in South Africa and elsewhere have changed dramatically, and many of the assumptions on which the Act was founded no longer apply. *Reinventing Labour Law* is devoted to a critical review of the first 15 years of the 1995 Act, but it also asks whether the Act is capable of responding to the demands of, and the processes associated with, the modern workplace. Thus, while in many ways this volume reflects on the past, it also tracks the future of labour market regulation in South Africa.

The contributing authors include those who were present when the 1995 Act was first negotiated, as well as members of the emerging generation of labour law intellectuals.

### Contents

- Is South African labour law fit for the global economy? - *Bob Hepple*
- Labour law beyond employment - *Paul Benjamin*
- The new unfair labour practice - *Rochelle le Roux*
- Prisoners of a paradigm: labour broking, the 'new services' and non-standard employment - *Jan Theron*
- The relational contract of employment - *Tamara Cohen*
- Dismissal for misconduct – ghosts of justice past, present and future - *André van Niekerk*
- Labour dispute resolution under the 1995 LRA: problems, pitfalls and potential - *Anton Steenkamp and Craig Bosch*
- Precedent, separation of powers and the Constitutional Court - *Tembeka Ngcukaitobi*
- Refining review - *Emma Fergus and Alan Rycroft*
- The necessary evolution of strike law - *Darcy du Toit and Roger Ronnie*
- The state of centralised bargaining and possible future trends - *Shane Godfrey and Pamhidzai Bamu*
- The prohibition of unfair discrimination and the pursuit of affirmative action in the South African workplace - *Ockert Dupper and Christoph Garbers*
- The evolving relationship between labour law and social security - *L G Mpedi*
- People with disabilities inside (and outside) the South African workplace: the current status of the constitutional and statutory promises - *Marylyn Christianson*
- Changing the role of the corporation: a journey away from adversarialism - *Dennis Davis and Michelle le Roux*
- Linking trade to labour standards: a promising synergy or a double-edged sword? - *Debbie Collier and Pamhidzai Bamu*
- Reception of international labour standards in common-law legal systems - *Halton Cheadle*

2012 > **SOFT COVER:** ISBN 978-0-7021-9864-9 > 400pp



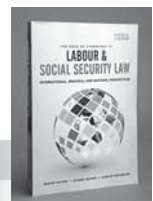
## Role of Standards in Labour & Social Security Law, The: International, Regional & National Perspectives

**Author:** M Olivier, O Dupper, A Govindjee (Editors)

### About this Publication

*The Role of Standards in Labour & Social Security Law* examines international standards, their interrelationship, and their inter-

action with national labour law, social security systems and regional regimes. The book approaches this vast subject from a number of different thematic and geographic



**NEW**

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.

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.

**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
- 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 plurality: 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
  - The role of international and regional standards in the development of an appropriate rehabilitation, reintegration and return-to-work policy framework in South Africa
  - Labour standards & foreign direct investment in SADC: a case study of Malawi
  - Social assistance and the right to social security: the case of Zimbabwe
  - Pre-dismissal procedures in terms of ILO Convention 158: South African and comparative perspectives
  - Reforming the South African social security adjudication system: the role and impact of international and regional standards
  - Learnerships and internships: relations of employment or learning?

2013 > SOFT COVER: ISBN 978-1-4851-0012-6 > 338pp



## Skills Development Handbook

(An extract from *South African Labour Law*)

**Authors:** P 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 978-0-7021-6076-9  
Approximately 220pp



## South African Human Resource Management – Theory and Practice

(Support material available at [www.jutaacademic.co.za](http://www.jutaacademic.co.za))

**Authors:** B J Swanepoel (Editor), B J Erasmus, H W Schenk

**About this Publication**

This revised 5th edition of *South African Human Resource Management* is geared towards meeting the ever-growing demand for an 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 up-

dated 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

Revised  
5th edition

NEW



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.

2013 > **SOFT COVER:** ISBN 978-1-4851-0207-6 > 1006pp  
**eBOOK:** 978-1-4851-0405-6



## South African Labour Law

**Authors:** C Thompson, P 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 three volumes:  
 ISBN 978-0-7021-3264-3 > Approximately 1860pp  
**INTERNET:** ISSN 2219-2700



## 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 978-0-7021-8491-8 > 228pp





## Understanding Sectoral Determination 9: Wholesale & Retail

Juta's Pocket Companions



**Author:** D Keith

### About this Publication

*Understanding Sectoral Determination 9: The Wholesale & Retail Sector* forms part of the *Juta's Pocket Companions* series, to complement Juta's highly successful *Pocket Statutes Series*.

The only book of its kind, it presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa in this sector. The key provisions of the sectoral determination are covered in a systematic manner, with Key Point summaries at the end of each section. *Understanding Sectoral Determination 9* also contains the text of the legislation for easy reference.

All employers in this sector are required, in terms of s36 of the determination, to have a copy of the determination available at the workplace. This book fulfils that requirement, as well as providing an explanation of the law.

### Contents

- Application of Sectoral Determination 9
- Wages
- Particulars of employment
- Hours of work
- Leave
- Prohibition of child and forced labour
- Termination of employment
- General provisions
- Key terms and definitions
- Text of Sectoral Determination 9
- Legislation and wage tables

2010 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8520-5 > 166pp



## Understanding Social Security Law

Juta's Pocket Companions



**Authors:** M Olivier, L Mpedi, E Kalula

### About this Publication

*Understanding Social Security Law* forms part of the *Juta's Pocket Companions* series. It deals with key elements of social security in its various facets, both private and public measures. Social security is defined and different elements such as social insurance, social assistance, pensions and unemployment insurance are set out. Relevant case law is explained for the reader. Selected comparative social security trends elsewhere, including developments in the Southern African Development Community (SADC) are also mentioned.

The book aims to present some relevant aspects of this growing area of the law and labour market policy in an accessible way. Key point summaries of law and frequently asked questions (FAQs) are covered to aid understanding.

### Contents

- The concept of social security
- Overview of the South African social security system

- Constitutional framework, regional perspectives and international standards
- Social assistance
- Social insurance
- Retirement
- Enforcement and adjudication
- Financing
- Bibliography
- Books, articles and reports
- Statutes and regulations

2009 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8165-8 > 236pp



## Understanding the Basic Conditions of Employment Act

Juta's Pocket Companions



**Authors:** E Kalula, B Jordaan, E Strydom (Editors)

### 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

- Definitions, purpose and application of the Basic Conditions of Employment Act 75 of 1997 (BCEA)
- Regulation of working time
- Leave
- Particulars of employment and remuneration

- Termination of employment
- Prohibition of employment of children and forced labour
- Variation of basic terms and conditions of employment
- Sectoral determinations
- Employment Conditions Commission
- Monitoring, enforcement and legal proceedings
- Provisions of a general nature

2009 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8162-7 > 220pp



## Understanding the CCMA Rules & Procedure

Juta's Pocket Companions

**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. Clear and concise explanations and summaries of each CCMA rule assist the reader in understanding a sometimes complicated and confusing set of rules. 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, as well as the templates for rescission and condonation applications.

### Contents

- Serving and filing of documents
- Conciliation of disputes
- Con-arb in terms of s 191(5A)

- Arbitrations
- Rules that apply to conciliations, arbitrations and con-arbs
- Applications
- Pre-dismissal arbitration in terms of section 188A of the Labour Relations Act
- General
- Annexures:
  - CCMA rules
  - CCMA tariff of fees
  - Index of labour dispute resolution forms for use in the CCMA, and bargaining or statutory councils
  - Template: Application for Condonation
  - Template: Application for Rescission

2011 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8618-9 > 146pp



## Understanding the Employment Equity Act

Juta's Pocket Companions

**Authors:** E Kalula, B Jordaan, E Strydom (Editors)

### 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.

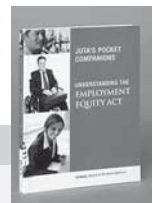
This book contains a systematic, accessible commentary on the EEA. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. Important areas such as definitions, purposes, interpretation, application, unfair dis-

crimination, affirmation 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

2009 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8163-4 > 135pp



## Understanding the Labour Relations Act

Juta's Pocket Companions

**Authors:** E Kalula, B Jordaan, E Strydom (Editors)

### About this Publication

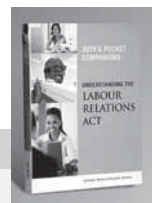
This book contains an accessible, non-legalistic commentary on the Labour Relations Act. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. The LRA is the main pillar of the South African labour relations system. 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
- Dispute resolution: the CCMA, Bargaining Councils, Accredited Agencies and the Labour Court
  - Commission for Conciliation, Mediation and Arbitration (CCMA)
  - The Labour Courts
- Unfair dismissal and unfair labour practice
  - Unfair dismissal
  - Unfair labour practices
  - Transfer of contracts of employment
- General provisions

2009 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8161-0 > 230pp





## 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 OHS Act 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.

The book is an ideal companion to the Occupational Health and Safety Act 85 of 1993 & Regulations and the Compensation for Occupational Injuries and Diseases Act 130 of 1993 & Regulations from the Pocket Statutes series.

### 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
- Incidents: reporting, investigations and inquiries
- Employee protections
- Criminal offences
- Regulations
- 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

2011 > **SOFT COVER** > pocket size: ISBN 978-0-7021-9429-0 > 226pp



## Understanding the Skills Development Act

Juta's Pocket Companions



**Authors:** S Hammond, V Mabena, E Strydom

### About this Publication

*Understanding the Skills Development Act* contains an accessible, non-legalistic commentary on the Skills Development Act, with explanations of the major re-alignments of the legislation. The Act is systematically covered with frequently asked questions and key point summaries to aid understanding.

### Contents

- Introduction
- Definitions, purpose and application of SDA
- National Skills Authority
- Sector Education and Training Authorities (SETAs)
- Learnerships
- Skills programmes
- Institutions in the Department of Labour and Employment Services
  - Artisan development
  - Skills Development Institutes
  - Quality Council for Trades and Occupations
  - Workplace productivity and competitiveness (DOL responsibility)

- Financing skills development
- General
  - National standard of good practice in skills development
  - Jurisdiction of the Labour Court
  - Monitoring, enforcement and legal proceedings
  - Offences
  - Penalties
  - Delegation
  - Regulations
  - Repeal of laws and transitional provisions
  - The Skills Development Act binds the state
- Schedules
  - Repeal of Laws
  - Repealed
  - Transitional provisions
  - Composition and constitution of QCTO
  - Schedule 4 Productivity South Africa
- List of revised SETAs

2011 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8519-9

FORTHCOMING NEW EDITION IN 2014



## Workplace Law

(Also available with quarterly updates on CD-ROM and the Internet as part of Juta's Labour Library)

10<sup>th</sup> edition



**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 10th edition has been extensively revised and supplemented to incorporate the latest case law. It deals with almost every issue likely to arise on the shop floor,

in court, or in arbitration proceedings – from unfair labour practices, through employment equity, dismissal and collective bargaining, to strikes.

**Contents**

- Origins and sources
- The parties to the employment relationship
- The individual contract of employment
- The duties of employers and employees
- Basic conditions of employment
- Unfair labour practices
- Unfair discrimination
- Affirmative action
- Workplace discipline
- Dismissal
- Dismissal under the LRA
- Automatically unfair dismissals

- Dismissal for misconduct: fair reason
- Dismissal for misconduct: fair procedure
- Dismissal for poor work performance or incapacity
- Dismissal for operational requirements
- Closures, mergers and sales of businesses
- Collective labour law: an introduction
- Bargaining agents
- Bargaining forums
- The bargaining process
- Collective agreements
- Strikes and 'protest action'
- Dismissal of unprotected strikers
- Lock-outs
- Dispute resolution

2010 > **SOFT COVER:** ISBN 978-0-7021-8185-6 > 512pp

## Legal Interpretation



### 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

2002 > **SOFT COVER:** ISBN 968-0-7021-5729-5 > 168pp



### Statutory Interpretation: An Introduction for Students Wetsuitleg: 'n Inleiding vir Studente

5<sup>th</sup> edition  
5<sup>de</sup> uitgawe

**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
- A practical, inclusive methodology: the five interrelated dimensions of interpretation

**Part 3: Some practical issues and tricks of the trade: Judicial law-making during interpretation, and preemptory and directory provisions**

- Judicial law-making during concretisation
- Preemptory and directory provisions

**Part 4: Constitutional interpretation**

- Bibliography
- Table of cases
- Index

2012 > **SOFT COVER (English):** ISBN 978-0-7021-9858-8 > 250pp  
**SAGTEBAND (Afrikaans):** ISBN 978-0-7021-9869-4 > 266bl





# 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



2009 > **SOFT COVER:** ISBN 978-0-7021-8211-2 > 192pp

NEW EDITION IN PREPARATION IN 2014



## Legal Aid Guide 2012

12<sup>th</sup> edition

**Authors:** 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



2012 > **SOFT COVER:** ISBN 978-0-7021-9500-6 > 430pp



## Morris: Technique in Litigation

6<sup>th</sup> edition

**Authors:** J Mullins, C da Silva

### About this Publication

The sixth edition of *Technique in Litigation* has been substantially revised and updated. The book is concerned with litigation in both the High Courts and the magistrates' courts, and provides useful, practical guidance on all aspects of litigation. It will be of value not only to young practitioners still learning the technique of litigation, but also to more experienced practitioners seeking to verify and enhance their courtroom techniques.

### Contents

- The law and the practitioner
- Preparing for practice, and aspects of practising
- How to approach cases: probabilities, and extracting the essence
- The technique of pleading
- Pre-trial procedure
- Advice on evidence
- Preparation 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



2010 > **SOFT COVER:** ISBN 978-0-7021-8458-1 > 448pp





## Practical Guide for Legal Support Staff, A

LegalEase: Essence series

**Author:** C Womack

NEW

### About this Publication

*A Practical Guide for Legal Support Staff* provides basic information about the issues that legal secretaries, legal support staff, paralegals and candidate attorneys will encounter when carrying out their duties in a law firm or similar environment. The book is a user-friendly textbook, with the emphasis placed on acquiring the necessary practice management skills. *A Practical Guide for Legal Support Staff* includes practical examples of the various forms required for different processes.

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

### Contents

- The legal profession
- The attorney's office
- Communication
- Accounts
- The South African judiciary
- Civil court documents and procedures
- Debt collections
- Administration of estates
- Legal instruments
- Notarial documents
- Conveyancing
- Annexures: Practical examples of the various forms required for different processes and documents

2013 > SOFT COVER: ISBN 978-0-7021-9528-0 > 375pp



## Survivor's Guide for Candidate Attorneys, The

2<sup>nd</sup> edition

NEW  
edition

**Authors:** B Hansjee, F Kader

### About this Publication

*The Survivor's Guide for Candidate Attorneys* provides candidate attorneys with the practical information that they need during articles. While the book is premised on litigation practices predominantly from the KwaZulu-Natal division, it contains information that will be useful to candidate attorneys across the country. The information in this guide bridges the gap between the university environment, where the emphasis is on theoretical knowledge, and the candidate attorney's new working environment, where the emphasis is on the practical, hands-on application of this knowledge, and learning fast!

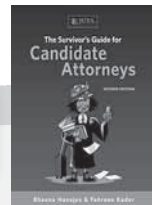
The book also contains very useful checklists for court work and a directory comprising over 100 pages of useful contacts: including the High Courts, Regional Courts and Magistrates' Courts, bargaining councils, sheriffs and sheriff service areas.

The second edition of *The Survivor's Guide for Candidate Attorneys* has been thoroughly revised and updated to include information on the Regional Courts, some new practical pointers on how to deal with litigation matters, and a motivational call to candidate attorneys to become more aware of the (sometimes harsh) reality of legal practice and the working world. The directory has also been updated.

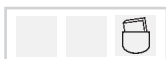
### Contents

- Calling all law students, graduates and candidate attorneys
- Getting through the doors: your first days in a law firm
- What will you be doing, Grasshopper?
- You and your principal
- Registering and ceding articles
- You and your clients
- You and counsel
- Issuing, serving and filing
- Applications and actions, practically speaking
- Indexing and paginating demystified
- The courts: what to do, where to go, and to whom you should speak
- After judgment
- Ethics, etiquette and administrative issues
- Being admitted as an attorney
- Checklists

2013 > SOFT COVER: ISBN 978-1-4851-0031-7 > 234pp



## Local Government



## Disaster Management Act 57 of 2002 & Regulations

Juta's Pocket Statutes

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

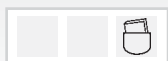
**Authors:** Juta's Statutes Editors

### Contents

- Quick Finder for Key Topics
- Key Addresses

- Disaster Management Act 57 of 2002
- Disaster Management Volunteer Regulations, 2010





## Division of Revenue Act 2 of 2013

Juta's Pocket Statutes

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



**Authors:** Juta's Statutes Editors

### Contents

- Quick Finder for Key Topics
- Division of Revenue Act 2 of 2013



## Failure of Decentralisation in South African Local Government, The: Complexity and unanticipated consequences

(Visit [www.uctpress.co.za](http://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

UCT PRESS > 2012 > **SOFT COVER:** ISBN 978-1-91989-505 5 > 320pp  
**Web PDF:** 978-1-92051-656-7  
**E-publication:** 978-1-92051-657-4



## 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)



**Authors:** 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

**Authors:** Juta's Statutes Editors

### About this Publication

A 4-volume set of essential Acts and regulations for local government in an adjustable slipcase.

### Contents

- Local Government: Municipal Systems Act 32 of 2000 & Regulations

- Local Government: Municipal Structures Act 117 of 1998 & Regulations; Preferential Procurement Policy Framework Act 5 of 2000 & Regulations; Local Government: Municipal Demarcation Act 27 of 1998



- Local Government: Municipal Finance Management Act 56 of 2003 & Regulations
- Local Government: Municipal Property Rates Act 6 of 2004 & Regulations; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations

SET: Product code LOCAL GOV LIB



## Local Government Library – Comprehensive Set

Juta's Pocket Statutes

Authors: Juta's Statutes Editors

### About this Publication

A 4-volume set of essential Acts and regulations for local government in an adjustable slipcase.

### Contents

- Disaster Management Act 57 of 2002 & Regulations
- Division of Revenue Act 2 of 2013
- The Constitution of the Republic of South Africa, 1996
- Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material
- Local Government: Municipal Electoral Act 27 of 2000 & Regulations; Electoral Act 73 of 1998 & Regulations; 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 & Regulations; Municipal Fiscal Powers and Functions Act 12 of 2007
- Local Government: Municipal Structures Act 117 of 1998 & Regulations; Preferential Procurement Policy Framework Act 5 of 2000 & Regulations; Local Government: Municipal Demarcation Act 27 of 1998
- Local Government: Municipal Systems Act 32 of 2000 & Regulations
- Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations
- White Paper on Local Government

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## Local Government: Municipal Electoral Act 27 of 2000 & Regulations; Electoral Act 73 of 1998 & Regulations; Electoral Commission Act 51 of 1996 & Regulations

Juta's Pocket Statutes

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

Authors: Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Local Government: Municipal Electoral Act 27 of 2000 – Municipal Electoral Regulations, 2000
- Electoral Act 73 of 1998
  - 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

- Electoral Commission Act 51 of 1996
  - 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 73 of 1998 and determinations of courts having jurisdiction
  - Regulations on the conditions of service, remuneration, allowances and other benefits of the chief electoral officer and other administrative staff
  - Regulations on the registration of political parties, 2004
  - Regulations relating the activities permissible outside voting stations on voting day



## Local Government: Municipal Finance Management Act 56 of 2003 & 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)

Authors: Juta's Statutes Editors

### Contents

- Quick Finder for Key Topics
- Local Government: Municipal Finance Management Act 56 of 2003
- Regulations in terms of the Local Government: Municipal

- Finance Management Act 56 of 2003
- Contact details for the National Treasury
- CD-ROM containing the Municipal Budget and Reporting Regulations, 2008 – Attachments to Schedules (GenN 393 of 17 April 2009) in pdf format





## Local Government: Municipal Property Rates Act 6 of 2004 & Regulations; 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)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Local Government: Municipal Property Rates Act 6 of 2004
  - 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
- Municipal Fiscal Powers and Functions Act 12 of 2007
  - Approval of Municipal Taxes Regulations, 2012



## Local Government: Municipal Structures Act 117 of 1998 & Regulations; Preferential Procurement Policy Framework Act 5 of 2000 & Regulations; Local Government: Municipal Demarcation Act 27 of 1998

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)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Local Government: Municipal Structures Act 117 of 1998
  - Policy Framework for the Adjustment of Division of Functions and Powers Regulations, 2000
  - Election of Municipal Office Bearers and Representatives to District Councils
  - Formulae for Determination of the Number of Councillors of Municipal Councils
  - Local Government Municipal Regulations for the Term of Office of Ward Committee Members, 2009
  - National Framework: Criteria for Determining Out of Pocket Expenses for Ward Committee Members, 2009
  - Policy framework for the Designation of full-time Councillors
- Policy framework for the Designation of Full-Time Councillors
- Preferential Procurement Policy Framework Act 5 of 2000
  - Notice in terms of section 1(iii)(f)
  - Preferential Procurement Regulations, 2011
  - Exemptions from the application of the Preferential Procurement Regulations, 2011
- Local Government: Municipal Demarcation Act 27 of 1998



## 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)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Local Government: Municipal Systems Act 32 of 2000
  - Local Government: Municipal Systems Regulations, 2001
  - Local Government: Municipal Planning and Performance Management Regulations, 2001
  - 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



## Municipal Management: Serving the People

**Authors:** G van der Walt (Editor), A Venter, 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
- Local government and service delivery
- Human resource management
- Municipal financial management
- Municipal supply chain management
- Local government disaster risk management

2007 > **SOFT COVER:** ISBN 978-0-7021-7122-2 > 272pp



## Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations

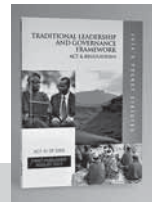
Juta's Pocket Statutes

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

**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Traditional Leadership and Governance Framework Act 41 of 2003
- Recognition of Kingships and Kings in the Republic of South Africa
- Guidelines for determination of number of members of traditional councils



## White Paper on Local Government

Juta's Pocket Statutes

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

**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- White Paper on Local Government



## Medical Law



## Aspects of Forensic Medicine: An Introduction for Healthcare Professionals

**Author:** K Joyner (Editor)

### About this Publication

This book provides the latest, most accurate information about forensic documentation to take the uncertainty out of dealing with legal issues. It explains how to identify and treat survivors of intimate partner violence comprehensively and compassionately discusses the legal obligations on healthcare professionals relating to child abuse and provides understanding of relevant legal responsibilities.

### Contents

- The expert witness and the J88 in criminal proceedings
- Forensic care in sexual offences
- Forensic care in child sexual abuse
- Forensic care in non-accidental injury of the child
- How to provide comprehensive, appropriate care for survivors of intimate partner violence
- Forensic wound identification





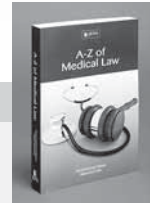
- The role of forensic healthcare professionals in the investigation of death
- The Death Notification Form
- Legislation

2010 > **SOFT COVER:** ISBN 978-0-7021-8658-5 > 160pp



## A-Z of Medical Law

2<sup>nd</sup> edition



**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.

- 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

### Contents

- Completely 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

2011 > **SOFT COVER:** ISBN 978-0-7021-8666-0 > 520pp



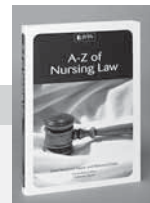
## A-Z of Nursing Law

**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.

- 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.



### Contents

- 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.

2011 > **SOFT COVER:** ISBN 978-0-7021-8898-5 > 480pp



## Bioethics, Human Rights and Health Law: Principles and Practice

**Authors:** A Dhai, D Mcquoid-Mason (Editors)



### 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.

- 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

### Contents

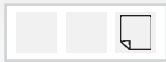
#### Part 1: Introduction to bioethics, human rights and health law – Background

- 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

2010 > **SOFT COVER:** ISBN 978-0-7021-8052-1 > 208pp



## Law of Medical Schemes in South Africa, The

**Author:** D Pearmain

### About this Publication

The *Law of Medical Schemes in South Africa* sets out the law applicable to medical schemes in a thorough and practical manner. This regularly updated loose-lead 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
- Full text of the Medical Schemes Act 131 of 1998
- Regulations in terms of the Medical Schemes Act
- Supplementary material
  - Model Rules
  - Explanatory memorandum to the Model Rules
  - Specimen bank guarantee
  - Selected circulars of the Council for Medical Schemes

Published since 2008 > **LOOSE-LEAF:** ISBN 978-0-7021-7919-8  
Approximately 570pp



## Psychology and Law

**Authors:** C Tredoux, D Foster, A Allan, A Cohen, D Wassenaar (Editors)

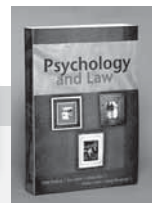
### About this Publication

Psychology and law are disciplines and professions that seem to be, at first glance, quite distinct and separate – but in reality their congruences are many and varied: psychologists frequently appear in court as expert witnesses; and they often actively research topics that are directly related to law and legal practice. Similarly, lawyers and other legal professionals often face questions in their professional practice that are inherently psychological in nature. This well researched, comprehensive and accessible text introduces the reader to some of the intersections of psychology and law. Each chapter includes learning objectives, exercises and a detailed reference section.

### Contents

- Psychological assessment in forensic settings
- Crime and policing
- Child custody assessment
- The detection of deception and truthfulness
- Eyewitness testimony and identification
- The role and treatment of child witnesses in legal proceedings
- Assessing dangerousness and the risk of violence
- The psychologist as expert witness
- Investigative psychology and psychological profiling
- Psychology and human rights
- Insanity and diminished capacity defences

2005 > **SOFT COVER:** ISBN 978-0-7021-6662-4 > 450pp



## 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

2011 > **SOFT COVER:** ISBN 978-0-7021-8597-7 > 224pp





## Mining & Minerals Law



### Commentary on the Mine Health and Safety Act and Regulations



**Authors:** P Masilo, G Rautenbach

#### About this Publication

The *Commentary* is informed by the authors' involvement in high-profile inspections and inquests. It offers clarity to all functionaries on how this vital piece of legislation works. Diagrams and chapter overviews set provisions in context. A section-by-section analysis of the Act brings details to the fore.

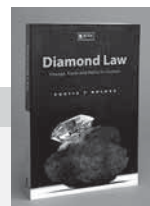
#### Contents

- Detailed analysis
- The full text of the Mine Health and Safety Act 29 of 1996 (as amended)
- Regulations in terms of the Mine Health and Safety Act and the Minerals Act
- A glossary of legal terms
- Index

Published since 2008 > **LOOSE-LEAF:** ISBN 978-0-7021-7904-4  
Approximately 572pp



### 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
- The Diamond Trade and the United Nations Convention on Contracts for International Sale of Goods, 1980
- 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

2012 > **SOFT COVER:** ISBN 978-0-7021-8594-6 > 422pp



### Mine Health and Safety Act 29 of 1996 & Regulations

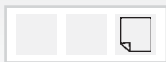
Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

#### Contents

- Key Addresses
- Quick Finder for Key Topics
- Mine Health and Safety Act 29 of 1996
  - PENDLEX: Pending amendments
  - 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
- Regulations relating to Machinery and Equipment
- CD-ROM containing forms and tables, including the Mine Health and Safety Regulations (Minerals Act) – Chapter 34 Forms, Mine Health and Safety Regulations – Chapter 21 Forms & 2006 Occupational Exposure Limits for Airborne Pollutants



## Mineral and Petroleum Law of South Africa: Commentary and Statutes



**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

Published since 2005 > **LOOSE-LEAF:** ISBN 978-0-7021-6721-8  
Approximately 960pp



## Mineral and Petroleum Resources Development Act 28 of 2002 & Related Material; Mineral and Petroleum Resources Royalty Act 28 of 2008; Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

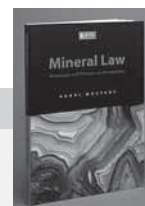
### Contents

- Quick Finder for Key Topics
- Mineral and Petroleum Resources Development Act 28 of 2002
  - Pendlex: Pending amendments
  - Codes of Good Practice for the Minerals Industry
  - Broad-Based Socio-Economic Empowerment Charter for the South African Mining Industry

- Mineral and Petroleum Resources Royalty Act 28 of 2008
- Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008



## Mineral Law: Principles and Policies in Perspective



**Author:** H Mostert

### About this Publication

*Mineral Law: Principles and Policies in Perspective* provides a unique look at the context of current mineral law. It examines the system introduced by the Mineral and Petroleum Resources Act 28 of 2002 by juxtaposing it with preceding generations of mineral law. It deals with the regulatory and proprietary aspects of mineral law, the constitutionality of the transitional provisions introducing the new mineral law order, its continuity with former generations of mineral law.

This book meets the need of scholars and practitioners for an accessible text that provides a broader view of the origins, roles and functions of current legislation on mineral resources.

### Contents

- Foundations of mineral law
- Piecemeal regulation in the Colonial and Union eras (ca 1860 to 1964)
- Regulation of mineral resources from 1964 to 1991: 'Conferral'
- The 'Custodianship' model (regulation in mineral law since 2004)

- Implications of the systemic change in mineral law
- Lessons from the past for the present
- Figures outlining the key mineral events in South Africa
- Maps showing mineral deposit areas in South Africa both past and present

2012 > **SOFT COVER:** ISBN 978-0-7021-8590-8 > 210pp



## Mining Library, Juta's

(Incorporating Badenhorst and Mostert's Mineral and Petroleum Law of South Africa)

### About this Publication

This valuable industry resource contains a collection of relevant, South African legal material. *Juta's Mining Library* is an ideal reference work containing all related Acts and selected ordinances and regulations. Also included is a comprehensive table of cases and relevant legislation judicially considered. This publication is an excellent reference for all those interested and involved in South African mining and minerals industries. Badenhorst and Mostert's *Mineral and Petroleum Law of South Africa* forms the backbone of the library.

### Contents

- Badenhorst and Mostert's *Mineral and Petroleum Law of South Africa*
- Sea-Shore Act 21 of 1935
- Explosives Act 26 of 1956 and Regulations
- Mines and Works Act 27 of 1956
- State Land Disposal Act 48 of 1961
- 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
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 and Regulations
- Mine Health and Safety Act 29 of 1996 and Regulations
- Land Survey Act 8 of 1997 and Regulations
- Marine Living Resources Act 18 of 1998 and Regulations
- National Water Act 36 of 1998 and Regulations
- National Environmental Management Act 107 of 1998 and Regulations
- National Heritage Resources Act 25 of 1999 and Regulations
- Gas Act 48 of 2001
- Mineral and Petroleum Resources Development Act 28 of 2002 and Regulations
- Gas Regulator Levies Act 75 of 2002
- Explosives Act 15 of 2003
- National Environmental Management Air Quality Act 39 of 2004
- National Energy Regulator Act 40 of 2004
- Guideline documents
- Legislation judicially considered
- Extracts from the *South African Law Reports*
- Indexes
- 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 1561-9982 • Updated monthly or quarterly  
INTERNET: ISSN 1562-3181



## Understanding the Mine Health and Safety Act

Juta's Pocket Companions

**Authors:** P Masilo, G Rautenbach

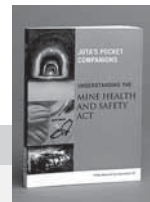
### About this Publication

*Understanding the Mine Health and Safety Act* is derived from the highly regarded Commentary on the Mine Health & Safety Act by Masilo and Rautenbach, the leading South African work on this Act. The book contains commentary on a variety of sections contained in the eight chapters of the Act, set out in a manner that ensures that discussions are accessible to all without sacrificing detail. All commentary is supported by footnotes containing further references as well as citation of relevant case law.

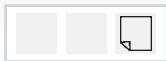
### Contents

- Objects of the Act
- Health and safety at mines
- Health and safety representatives and committees
- Tripartite institutions
- Inspectorate of Mine Health and Safety
- Minister's powers
- Legal proceedings and offences
- General provisions sections 96–106

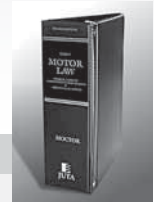
2011 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8572-4 > 184pp







## Cooper's Motor Law: Criminal liability, administrative adjudication and medico-legal aspects

2<sup>nd</sup> edition

**Author:** S Hoctor

### About this Publication

This updatable loose-leaf work provides a section-by-section commentary on road traffic legislation in South Africa, preceded by a comprehensive survey of the history, purpose and scope of the legislation. Provisions of the Act are interspersed with commentary, making for easy cross-reference between Act and commentary. In addition, it covers a number of matters governed by other Acts and by the common law. Provisions of the Road Traffic Act 29 of 1989 that are still in force are discussed separately. The work includes a chapter on medico-legal issues focusing on the measurement of blood alcohol levels of drivers of motor vehicles, and the evidentiary value of the results obtained.

### Contents

- History, purpose and scope of legislation
- Commentary on Act 93 of 1996
  - Interpretation of National Road Traffic Act 93 of 1996
  - Application of Act, appointment of registering authorities and minimum requirements
  - Registration and licensing of motor vehicles and registration of manufacturers, builders, importers and manufacturers of number plates
  - Fitness of drivers
- Fitness of vehicles
- Operator fitness
- Road safety
- Dangerous goods
- Road traffic signs and general speed limit
- Accidents and accident reports
- Offences
- Presumptions and legal procedure
- 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 regarding motor law

Published since 2008 > **LOOSE-LEAF:** ISBN 978-0-7021-7887-0  
Approximately 400pp



## Road Traffic and Transport Library, Juta's

**Authors:** 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
- South African National Roads Agency Limited and National Roads Act 7 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
- Including Regulations and related notices pertaining to all the Acts listed above
- 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

**Authors:** 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
- Index: Act 93 of 1996; Regulations, 2000 and Act 46 of 1998

Published since 1990 > **LOOSE-LEAF** in three volumes:  
ISBN 978-0-7021-2430-3 > Approximately 1600pp > Updated bi-annually

## > Pension Fund Law



### Guide for Pension Fund Trustees, A

LegalEase: Essentials series

**Author:** H Dul

**NEW**

#### About this Publication

*A Guide for Pension Fund Trustees* provides invaluable assistance to trustees by explaining the trusteeship of pension funds in understandable language. Pension fund trustees are often laypersons who must deal with the legal complexities and responsibilities of millions of Rands in pension funds. The book is a practical guide for the trustee and principal officer who must manage the affairs of a pension or provident fund. The author uses examples, charts and illustrations to assist the reader. The author of *A Guide for Pension Fund Trustees* played a leading role in preparing the occupational curriculum development for principal officers.

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

- Types of retirement funds
- Types of benefits payable
- Communication
- The board of trustees
- The legal framework
- The roleplayers
- The fund
- Distribution of death benefits in retirement funds
- Retirement fund Investments

2014 > **SOFT COVER:** ISBN 978-1-4851-0181-9 > Approximately 160pp



### Pension Funds Act 24 of 1956 & Regulations; General Pensions Act 29 of 1979; Government Employees Pension Law, 1996 (Proclamation 21 of 1996)

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

#### Contents

- Key Addresses
- Quick Finder for Key Topics
- Pension Funds Act 24 of 1956 and Regulations
- General Pensions Act 29 of 1979
- Government Employees Pension Law, 1996 (Proclamation 21 of 1996)
- Appendices
  - Definitions from the Income Tax Act 58 of 1962
  - Excerpts from the National Credit Act 34 of 2005
- CD-ROM containing Categorisation of Funds and Prescribed Annual Financial Statements and amendments



## Child Justice Act 75 of 2008 & Regulations

Juta's Pocket Statutes

(Also available as part of a two volume set together with the Children's Act 38 of 2005 & Regulations – ISBN 978-0-7021-8497-0)



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Child Justice Act 75 of 2008
  - Pendlex: Act 7 of 2013
- 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 capacity of a child and the allowances and remuneration payable in respect of such persons.
- National Instruction 2 of 2010: Children in conflict with the law
- Accredited diversion programmes and service providers (GN 828 of 2011)
- Accredited diversion programmes and service providers (GN 49 of 2012)
- Accredited diversion programmes and service providers (GN 973 of 2012)
- Designation of area of jurisdiction of the Matlosana One Stop Child Justice Centre



## Child Law in South Africa

**Author:** T Boezaart (Editor)

### About this Publication

*Child Law in South Africa* is the updated and greatly expanded successor to *Introduction to Child Law in South Africa* (2000). In recent years child law has developed into a well-defined field, both in legal practice and in research. Child Law in South Africa, with its eighteen new and seven entirely updated chapters, is intended as a source of first reference for all legal questions pertaining to children.

This publication is aimed at addressing some of the burning issues that are frequently dealt with in a multi-disciplinary way. It provides insight into the profound influence of recent legislation - e.g. the Children's Act 38 of 2005, the Child Justice Act 75 of 2008 and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 - and comments on ground-breaking case law and the latest research findings in the field.

### Contents

#### Part I: Aspects of private law pertaining to children

- Child law, the child and South African private law
- Maintenance for children
- Parental responsibilities and rights
- Legal representation of children
- Child-focused mediation
- Adoption of children
- The child in need of care and protection
- Special child protective measures in the Children's Act
- Upholding the best interests of the child in South African customary law
- The theory of children's rights

#### Part II: Constitutional and international protection of children's rights

- Constitutional protection of children's rights
- Children's socio-economic rights
- The United Nations Convention on the rights of the child: maintaining its value in international and South African child law
- The African Charter on the rights and welfare of the child
- The Hague Convention on the civil aspects of international child abduction
- Inter-country adoption

#### 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



2009 > **SOFT COVER:** ISBN 978-0-7021-8212-9 > 772pp



## 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 978-0-7021-8497-0)



**Authors:** Juta's Statutes Editors

### Contents

- Quick Finder for Key Topics
- Children's Act 38 of 2005
- Regulations
  - General Regulations regarding Children, 2010
  - Regulations relating to Children's Courts and International Child Abduction, 2010
- CD-ROM containing the General Regulations regarding Children, 2010 consolidated forms and Regulations relating to Children's Courts and International Child Abduction, 2010 forms



## Commentary on the Children's Act

**Authors:** C J Davel, A Skelton (Editors)

### 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 Mosikatsana and Jackie Loffell*
- Inter-country adoption - *Sonia Human*
- Child abduction - *Christopher Woodrow and Carina du Toit*
- Trafficking in children - *Daksha Kassan*
- Surrogate motherhood - *Anne Louw*
- Relevant international charters and conventions
- Regulations

### ELECTRONIC Additional Contents and Features

- Relevant legislation
- Repealed legislation which was in operation prior to the new Children's Act
- International instruments
- An extensive bibliography for further reading
- Hyperlinks to head and fly-notes of child law cases and additional material, and to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

Published since 2007 > **LOOSE-LEAF:** ISBN 978-0-7021-7883-2  
Approximately 1100pp  
**CD-ROM/INTRANET:** ISSN 2071-9051 > Updated quarterly  
**INTERNET:** ISSN 2071-9043



## Family Law: Volume I – Children, Parts A & B / Familiereg: Volume I – Kinders, Dele A & B

Juta Legislation Service

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

**Authors:** 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](http://www.jutalaw.co.za).

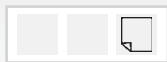
### Contents

- Social Assistance Act
- \*Children's Act

\*Indicates published in English only.

Published since 1989 > **LOOSE-LEAF:** ISBN 978-0-7021-2276-7  
Approximately 318pp





## Family Law: Volume II – Marriages & Unions, Parts A & B / Familiereg: Volume II – Huwelike en Verbintenisse, Dele A & B

Juta Legislation Service

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



**Authors:** 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](http://www.jutalaw.co.za).

### Contents

- Marriages & \*Unions
- Divorce
- Maintenance
- Births & Deaths
- Family, Domestic Violence & Harassment

\*Indicates published in English only.

Published since 1990 > **LOOSE-LEAF:** ISBN 978-0-7021-2343-6  
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*

2003 > **SOFT COVER:** ISBN 978-0-7021-6074-5 > 200pp



## Immigration Act 13 of 2002 & Regulations

Juta's Pocket Statutes

(Also available as part of a two volume set together with the Refugees Act 130 of 1998 & Rules and Regulations – ISBN 978-1-4851-0184-0)

**Author:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Immigration Act 13 of 2002
  - Pendlex: Immigration Amendment Act 3 of 2007; Immigration Amendment Act 12 of 2011 and Prevention and Combating of Trafficking in Persons Act 7 of 2013
- Regulations on CD-ROM:
  - Immigration Regulations, 2002
  - Regulations on Fees, 2005
- Immigration Regulations, 2005
- Specific Professional Categories and Specific Occupational Classes, 2009

**NEW**







## Law of Marriage, The

**Author:** J D Sinclair

### About this Publication

This work challenges the efficacy of the traditional definition of marriage and goes on to explain the law of engagement, capacity to marry, the wedding ceremony, minors' marriages, nullity and the invariable consequence of marriage, including a full discussion of household necessities and the duty of support.

### Contents

- The state, marriage and women: families in transition under a new constitution
- The definition and formation of marriage
- The invariable consequences of marriage
- Matrimonial property law
- Dissolution of marriage

1996 > **HARD COVER:** ISBN 978-0-7021-3601-6 > 577pp



## Law of Persons Personereg

5<sup>th</sup> edition  
5<sup>de</sup> uitgawe



**Author:** T Boezaart

### About this Publication

The 5th edition of *Law of Persons and Personereg* addresses *inter alia* the revolutionary changes brought about by the Children's Act 38 of 2005. Available in English and Afrikaans, the book seeks to make this dynamic area of the law accessible to students, including first-year students. This informative book can also be used for research and reference purposes by anyone who is interested in this field.

It is recommended that these books be used in conjunction with *Personeregbronnebundel / Law of Persons Sourcebook*.

### Contents

- Definition of concepts
- Beginning of legal subjectivity
- 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

2010 > 5th edition > **SOFT COVER: (English)**  
ISBN 978-0-7021-8511-3 > 248pp  
**SAGTEBAND: (Afrikaans)** ISBN 978-0-7021-8512-0 > 260bl



## Law of Persons Sourcebook / Personereg Bronnebundel

5<sup>th</sup> edition



**Author:** T Boezaart

### About this Publication

The 5th edition of this bilingual sourcebook contains the most important decisions in the law of persons, providing an analysis of the decisions pertaining to this subject as well as judgments which illustrate the application of the substantive legal rules in a practical manner. It has been thoroughly reviewed and rewritten so that it can be used in conjunction with the *Law of Persons and Personereg*.

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

Children's Act which has introduced revolutionary changes to this area of the law.

### Contents

- The law of persons and constitutional reform
- Beginning of legal subjectivity
- Domicile
- Effect of age on status
- Children of unmarried parents
- Diverse factors which influence status
- Termination of legal subjectivity

2011 > **SOFT COVER:** ISBN 978-0-7021-8513-7 > 540pp



## Older Persons Act 13 of 2006 & Regulations

Juta's Pocket Statutes

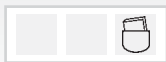
**Authors:** Juta's Statutes Editors



### Contents

- Key Addresses
- Quick Finder for Key Topics

- Older Persons Act 13 of 2006
- Regulations regarding Older Persons, 2010



## Refugees Act 130 of 1998 & Rules and Regulations

Juta's Pocket Statutes

(Also available as part of a two volume set together with the *Immigration Act 13 of 2002 & Regulations* – ISBN 978-1-4851-0184-0)



**Author:** Juta's Statutes Editors

**NEW**

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Refugees Act 130 of 1998
  - Pendlex: Refugees Amendment Act 33 of 2008 and Refugees Amendment Act 12 of 2011
- Refugee Regulations (Forms and Procedure), 2000
- Refugee Appeal Board Rules, 2003

- **[NEW]** Legislation Alert: Refugee Appeal Board Rules, 2013 included



## Trials & Tribulations, Trends & Triumphs: Developments in International, African and South African Child and Family Law

**Authors:** J Sloth-Nielsen, Z du Toit



### About this Publication

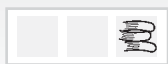
This collection of papers, selected from successive Miller du Toit Cloete Inc/University of the Western Cape child and family law conferences since 2001, reflects the spectrum of issues that have concerned practitioners, law reformers and academics during this exciting period of development. Some papers focus on international and regional developments in comparative context, while others deal with practical concerns around mediation, specialisation in child and family law services, and courts. The book also contains papers on contemporary law reform and related challenges, for instance in relation to Islamic marriages, the publication of divorce proceedings, the Children's Act 38 of 2005, and domestic partnerships.

### Contents

- Introduction - Zenobia du Toit, *Prof. Julia Sloth-Nielsen and Judy Cloete*
- The state of the nation's child and family law and their institutions for the administration of justice - *Prof. Julia Sloth-Nielsen*
- Globalisation of child and family law - *Dr Willie McCarney*
- Recognising relationships: The new role of the state - *Madame Justice Claire L'Heureux-Dube*
- The co-ordination of European child and family law and the revised Brussels II Regulation - *Henry Setright QC*
- Regional developments and the Hague Children's Conventions, and the draft Convention on the International Recovery of Child Support and other forms of Family Maintenance - *Prof. William Duncan*
- The case for judicial activism - *The Rt. Hon Lord Justice Thorpe*
- Law reform - the emerging protection of children in Botswana? - *Monica Tabengwa, Awuah Khan & Partners*
- The Lesotho Child Protection and Welfare Bill 2004: Why the delays in enacting the children's law? - *Dr Itumeleng Kimane*
- The child law reform process in Southern Sudan - *Akur Magot*
- Muslim personal law: An update - *Judge M S Navsa*
- Making rights real: Facing the challenges of recognising Muslim marriages in South Africa - *Rashida Manjoo*
- Still out in the cold? The Domestic Partnership Bill and the (non)protection of marginalised woman - *Prof. Pierre de Vos*
- Mediation in the Children's Act 38 of 2005, and in family law - *Craig Schneider*
- Revolutionary changes to the parent-child relationship in South Africa - *Dr Amanda Boniface*

- The increased jurisdiction of the children's courts and implications for family law practice in light of the new mechanisms that promote alternative dispute resolution - *Denni Leppan and Dr Jacqui Gallinetti*
- 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 - *Seamus MacRoibin*
- The development of family / divorce mediation in South Africa - *Adv. Praveena Sukhraj-Ely*
- Information pertaining to divorce proceedings - *Ananda Louw*

2008 > **SOFT COVER:** ISBN 978-0-7021-7948-8 > 288pp



## Should We Consent?: Rape Law Reform in South Africa

**Authors:** L Artz, D Smythe (Editors)

### About this Publication

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

### Contents

- Introduction - *Lillian Artz and Dee Smythe*
- The politics of a definition - *Nikki Naylor*
- Rape and HIV/Aids: Who's protecting whom? - *Sarai Chisala*
- The revision of a few evidence rules - *P J Schwikkard*
- Disclosure of rape complainants personal records - *Bronwyn Pithey*
- The psycho-social impact of rape and its implications for expert evidence in rape trials - *Anastasia Maw, Gail Womersley and Michelle O'Sullivan*

- Children and sexual offences - *Jacqui Gallinetti and Daksha Kassan*
- Half-hearted HIV – related services for victims - *Stefanie Roehrs*
- Policing sexual offences: Policies, practices and potential pitfalls - *Dee Smythe and Samantha Waterhouse*
- Sentencing and management of sexual offenders - *Yonina Hoffman-Wanderer*
- Victims' Rights in the Sexual Offences Act - *Heléne Combrinck*
- Table of cases



2008 > SOFT COVER: ISBN 978-0-7021-7938-9 > 300pp



## Women's Social and Economic Rights: Developments in South Africa

**Authors:** B Goldblatt, K McLean

### 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 Claassens 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 Mushariwa*
- The Right to food – addressing women's needs as individuals, wombs and mothers - *Karen Kallmann*
- Gender equality and education in South Africa - *Faranaaz Veriava*
- Women and the right to work - *Carole Cooper*
- Table of cases



2011 > SOFT COVER: ISBN 978-0-7021-8577-9 > 292pp



## ABC of Conveyancing

**Authors:** L Kilbourn, M Botha

### About this Publication

This 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
- The legal nature of clients
- Marriage law and conveyancing
- Companies, close corporations, trusts, partnerships
- Information and documents required
- Monitoring and reporting
- Drafting and signing of transfer documents
- Managing the finances in the transfer file
- Transfer duty and VAT
- Rates / levy clearance, beetle and electrical compliance certificates
- Introduction to mortgage bonds
- Different types of bonds and drafting of bond documents
- Finances, lodgment, registration and winding up the file
- Cancellation of mortgage bonds

Published since 2008 > **LOOSE-LEAF:** ISBN 978-0-7021-7876-4  
Approximately 850pp



## Compulsory Acquisition of Rights, The: By Expropriation, Way of Necessity, Prescription, Labour Tenancy and Restitution

**Authors:** M Southwood

### About this Publication

The law of expropriation has been changed by the Constitution in important respects, including the circumstances in which expropriation may be used for land reform, and the measure of compensation. It will feature prominently in South Africa's land reform programme, and is considered in the first eight chapters of the book. Three chapters are devoted to the acquisition of rights by labour tenants under the Land Reform (Labour Tenants) Act. The restitution of land rights, under the Restitution of Land Rights Act, to people deprived of, or prevented from owning, land, by racially discriminatory laws or practices after 1913, is given detailed analysis. Acquisition of rights by ways of necessity and prescription are each dealt with in separate chapters.

### 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

2002 > **SOFT COVER:** ISBN 978-0-7021-5371-6 > 476pp



## Constitutional Property Law

Juta's Property Law Library

**Author:** A J van der Walt

3<sup>rd</sup> edition

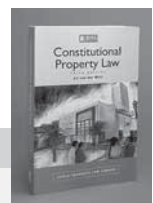
### About this Publication

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

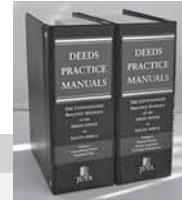
**ELECTRONIC Additional Contents and Features**

- Hyperlinks allow for easy navigation within the product
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Fully searchable electronic functionality
- Follows page numbering of print version for ease of reference

2011 > **SOFT COVER:** ISBN 978-0-7021-9419-1 > 682pp  
**INTERNET:** ISSN 2227-2046



## Deeds Practice Manuals: The Consolidated Practice Manuals of the Deeds Office of South Africa



**Authors:** The Deeds Office of South Africa

**About this Publication**

*Deeds Practice Manuals* provide an extensive and modern survey of the entire field of deeds registration, practice and procedure. Written over a period of more than a decade, and endorsed by the Deeds Office, it is a uniform practical guide that serves as an invaluable tool for anyone involved in conveyancing. While the underlying legal principles are addressed, the focus is on specific procedures, with numerous examples of endorsements and other specimen documents accompanied by the guidelines for deeds examiners.

**Contents**

- Conventional deeds
- Sectional title
- Diverse legislation
- Notarial practice
- Township development
- Useful tables containing easy references to:
  - Case law
  - Legislation

- Chief Registrar's Circulars
- Registrars' Conference Resolutions

**ELECTRONIC Additional Contents and Features**

- The *Deeds Practice Manuals*
- Text of the main Acts relevant to deeds registry, extracts from other Acts
- Regulations in terms of the main Acts
- Flynotes and headnotes of reported judgments referred to in the *Manuals*
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

Published since 2007 > **LOOSE-LEAF** in 2 volumes:  
 ISBN 978-0-7021-7416-2 > Approximately 1800pp  
**CD-ROM/INTRANET:** ISSN 1993-3126 > Updated quarterly  
**INTERNET:** ISSN 1993-3126



## Deeds Registries Act / Registrasie van Aktes Wet

Juta Legislation Service

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



**Authors:** 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](http://www.jutalaw.co.za).

**Contents**

- Deeds Registries Act & Regulations

Published since 1985 > **LOOSE-LEAF:** ISBN 978-0-7021-1642-1  
 Approximately 454pp



## Deeds Registries Act 47 of 1937, Sectional Titles Act 95 of 1986 & Regulations / Registrasie van Aktes Wet 47 van 1937, Wet op Deeltitels 95 van 1986 & Regulasies

4<sup>th</sup> edition

**NEW  
edition**



**Author:** Juta's Statutes Editors

**About this Publication**

This book contains the Acts and regulations in one bilingual volume. It reflects the law as at 30 August 2013.

**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
- Sectional Titles Act 95 of 1986 / Wet op Deeltitels 95 van 1986
  - Sectional Titles Regulations / Deeltitel Regulasies

2013 4th edition > **SOFT COVER**: ISBN 978-1-4851-0116-1 > 584pp

## Estate Agency Affairs Act 112 of 1976 & Regulations

Juta's Pocket Statutes

**Authors:** Juta's Statutes Editors**Contents**

- Quick Finder for Key Topics
- Key Addresses
- Estate Agency Affairs Act 112 of 1976
- Regulations
  - Issue of Fidelity Fund and Registration Certificates, 2006
  - Regulations regarding Conduct deserving of Sanction, 2001
  - Trust Account of an Estate Agent and Investment of Trust Moneys, 1977
  - Investment of Moneys in the Estate Agents Fidelity Fund not immediately required for the purposes of the Fund, 1978

- Specification of Services, 1981
- Specification of Services, 1986
- Prescribed Examination Fee, 1983
- 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



## Introduction to the Law of Property Inleiding tot die Sakereg

6<sup>th</sup> edition  
6<sup>de</sup> uitgawe**Authors:** A J van der Walt, G J Pienaar**About this Publication**

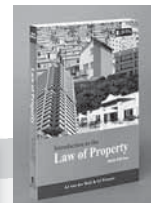
The reworked and updated new edition of this widely-prescribed bestseller has been written specifically for second year students following a first course on the subject. Extensive use is made of examples and references to case law and the authors take cognisance of and accommodate the varying needs and teaching approaches at different universities.

Available in English and Afrikaans, the 6th edition of this textbook endeavours to provide a picture of the new law of property. It therefore includes chapters concerning the protection of rights in property in terms of the Constitution of the Republic of South Africa, 1996.

This book should be used with the seventh edition of Van der Walt's bilingual *Casebook for Students: Law of Property / Vonnisbundel vir Studente: Sakereg*.

**Contents**

- Introduction to the law of property
- Ownership
- Possession and holdership
- Limited real rights and other rights in property
- Constitutional property law

2009 > 6th edition > **SOFT COVER (English)**: ISBN 978-0-7021-8200-6 > 498pp  
6de uitgawe > **SAGTEBAND (Afrikaans)**: ISBN 978-0-7021-8201-3 > 498bl

## Jones' Conveyancing in South Africa

4<sup>th</sup> edition**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

1991 > **SOFT COVER**: ISBN 978-0-7021-3382-4 > 576pp



## Land Reform

Juta's Property Law Library

**Author:** J M Pienaar

NEW



### About this Publication

Part of the *Juta's Property Law Library series*, this book covers all legal developments spanning the first phase or exploratory land reform programme that was embarked upon in 1991, followed by the all-encompassing land reform programme that coincided with the constitutional dispensation, until July 2013.

Land reform is approached with reference to its various contexts, drawing the broad categories of state land and private land that are further subdivided into urban and rural contexts, where relevant. All relevant legislative measures and policy documents are set out and major court decisions are analysed accordingly.

### 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

2014 > **SOFT COVER:** ISBN 978-1-4851-0142-0



## Land Tenure Law

**Authors:** A Mahomed et al

### 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.

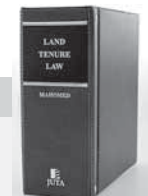
Relevant case law is explained in an accessible, non-legalistic and user-friendly manner. The work sets out the nature and scope of legal protection available to occupiers and labour tenants living in rural and peri-urban areas. It also contains a section on access to the courts, including the Land Claims 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

- Regulations under the Extension of Security of Tenure Act 62 of 1997
- Land Reform Act (Labour Tenants Act) 3 of 1996
- Regulations to the Land Reform Act (Labour Tenants Act) 3 of 1996
- Labour Tenancy Arbitration Rules
- Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998
- Contact details for the Department of Rural Development and Land Reform
- Legislation
- Case digest
- Table of cases
- Index

Published since 2010 > **LOOSE-LEAF:** ISBN 978-0-7021-8213-6  
Approximately 220pp



## Land Title in South Africa

**Authors:** 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

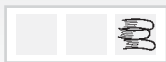
- The 1991 land law reforms
- The Constitutional basis of the reform agenda
- Restitution
- Redistribution
- Tenure reform

#### Part IV: General overview

- Analysis of reform in context

2000 > **SOFT COVER:** ISBN 978-0-7021-5120-0 > 710pp





## Land, Power and Custom: Controversies generated by South Africa's Communal Land Rights Act

**Authors:** A Claassens, B Cousins (Editors)

### About this Publication

Land is a burning issue in South Africa, as in Africa more widely. One particularly controversial aspect is reform of land tenure in the former homelands. The legislation governing the redistribution and restitution of jointly owned land is the Communal Land Rights Act of 2004.

*Land, Power and Custom* is written from research generated in the course of preparing a legal challenge to the constitutionality of the Act. It combines chapters written by experts in the fields of land tenure, customary law, history and land reform, and detailed case studies collected from rural communities. They explain the impact that provisions of the Act will have on current problems, and how it is likely to exacerbate them and introduce new forms of conflict and instability. Many of the chapters argue that the Act entrenches key distortions that derive from colonialism and apartheid.

### Contents

#### Part I – Introduction

- Situating the CLRA case and the articles in the context of broader policies and theoretical debates - *Ben Cousins*
- Summary and analysis of the Act - *Henk Smith*
- Tagging the Bill, gagging the provinces: the Communal Land Rights Act in Parliament - *Prof Christina Murray* and *Richard Stacey*

#### Part II: Land rights and customary law – Land

##### in indigenous law in Africa - *Prof Hastings Okoth-Ogendo*

- The nature of customary systems and tenure - *Prof Tom Bennett*
- 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 Gilfillan*
- Makuleke - *Aninka Claassens* and *Moray Hathorn*
- Makgobistad - *Aninka Claassens* and *Henk Smith*
- Rabula and Fingo Village - *Rosalie Kingwill*
- Conclusion - *Aninka Claassens*
- Table of cases

UCT PRESS > 2008 > SOFT COVER: ISBN 978-1-91989-505-5 > 448pp



## Law of Neighbours, The

Juta's Property Law Library

**Author:** A J van der Walt

### About this Publication

*The Law of Neighbours* provides a substantive analysis of this area of law. It covers traditional areas of neighbour law, such as party walls and fences, lateral support, encroachment, interference with the natural flow of water, nuisance, and dangers caused by neighbours as well as chapters on neighbour conflicts caused by building, the influence of the new Constitution and the notion of living together as neighbours in the new democracy.

The book aims to establish the current state of the law seen against the context of its historical development in South Africa and in the perspective of foreign law. It is also determines whether and how the current position is consistent with the Constitution.

### Contents

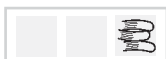
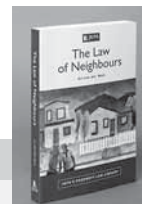
- Living together as neighbours
- Mutual boundaries, party walls and fences
- Lateral support

- Encroachment
- Natural flow of water
- Nuisance
- Dangers and threats posed by neighbours
- Neighbour disputes about building
- Future development
- Bibliography
- Legislation
- Case law

### ELECTRONIC Additional Contents and Features

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

2010 > SOFT COVER: ISBN 978-0-7021-8551-9 > 454pp  
INTERNET: ISSN 2226-342X



## Law of Property Casebook for Students / Sakereg Vonnisbundel vir Studente

7th edition

**Author:** A J van der Walt

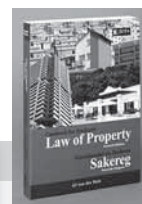
### About this Publication

The purpose of this casebook is to provide an elementary case law reader for a first course in property law. The casebook should be used together with Van der Walt and Pienaar's *Introduction to the Law of Property*, but references to other

textbooks have been included. This edition has been comprehensively updated with new cases.

### Contents

- Ownership
- Possession and holdership



- Limited real rights and other property rights
- Constitutional property law
- Selected legislation

2009 > 7th edition > **SOFT COVER:** ISBN 978-0-7021-8206-8 > 470pp

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

**Authors:** R Zimmermann, D Visser, K Reid**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 remoulded 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.

**Contents**

- Contract
- Delict and other obligations by law
- Property

2005 > **HARD COVER:** ISBN 978-0-7021-6726-3 > 390pp

## Planning Law

Juta's Property Law Library

2<sup>nd</sup> edition**Author:** J van Wyk**About this Publication**

Now part of the *Juta's Property Law Library* series, the 2nd edition provides a comprehensive discussion of the core aspects of South African planning law.

This edition has been revised and entirely reworked to reflect the major changes in planning law. It not only focuses on values and equity, but also on the development of an entirely new vision and structure for planning in all three spheres of government. It gives detailed attention to spatial planning, land use management and land development management. The effect of the new constitutional dispensation is discussed, as well as landmark Constitutional Court decisions that were handed down in early 2012. The foreword concisely explains the new Spatial Planning and Land Use Management Bill 2012 and refers to the relevant chapters where it is discussed at length. The book also deals with related administrative, environmental, local government, housing and informal settlement issues. It introduces some basic principles, addresses the roots of planning law in South Africa as well as some of the results of its apartheid history.

**Contents**

- Principles and devices underpinning planning law
- Place of planning law in the legal system
- History and development of planning law
- National and provincial planning administration
- Removal or amendment of restrictive conditions
- Enforcement of restrictive conditions
- Planning and the environment
- Explanation of the new Spatial Planning and Land Use Management Bill 2012
- Landmark Constitutional Court decisions

**ELECTRONIC Additional Contents and Features**

- Hyperlinks allow for easy navigation within the product
- 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

2012 > **SOFT COVER:** ISBN 978-0-7021-9420-7 > 762pp  
**INTERNET:** ISSN 2309-0359

## Planning Law in Namibia

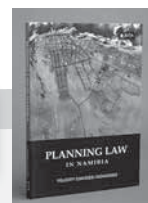
**Author:** F !Owoses-/Goagosos**NEW****About this Publication**

*Planning Law in Namibia* focuses on the emerging discipline of town planning in terms of law and practice in a Namibian context. The book unveils the interdisciplinary nature of town planning with its links to land-use planning, urban design,

transport and infrastructure planning, the environment, policy making and implementation.

**Contents**

- Situational analysis
- Definition, sources and history of planning law

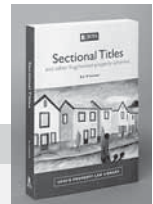


- Town planning
- Township establishment and subdivision of land
- Amendment or removal of restrictive conditions
- Planning and the environment
- Regulation of town and regional planners
- Table of Statutes
- Table of Cases
- Index
- Annexures on CD-ROM:
  - Town Planning Ordinance 18 of 1954
  - Township and Division of Land Ordinance 11 of 1963
  - Town and Regional Planners Act 9 of 1996
  - Townships Board Guidelines for Applications under the Township and Division Land Ordinance, 1963
- Regulations relating to Fees Charged
- Notice of Declaration of an Approved Township
- Notice of Extension of Boundaries
- Qualification Prescribed under Section 14(I)(b) of the Township Regional Planners Act, 1996
- Work Reserved for Town and Regional Planners
- Determination of Minimum Fees which Town and Regional Planner or Town and Regional Planner in Training shall Charge for Professional Services

2013 > **SOFT COVER:** ISBN 978-1-4851-0081-2 > 228pp

## 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
- Case law
- Legislation

### ELECTRONIC Additional Contents and Features

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

2010 > **SOFT COVER:** ISBN 978-0-7021-8553-3 > 582pp  
**INTERNET:** ISSN 2226-3438

## Sectional Titles Act / Wet op Deeltitels

Juta Legislation Service

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

**Authors:** 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](http://www.jutalaw.co.za).

### Contents

- Sectional Titles Act
- \*Sectional Titles Schemes Management Act

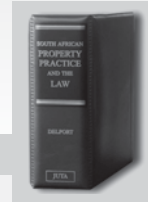
\*Indicates published in English only.

Published since 1988 > **LOOSE-LEAF:** ISBN 978-0-7021-2065-7  
Approximately 420pp





## South African Property Practice and the Law: A Practical Manual for Property Practitioners



**Author:** H J Delpont

### 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 alike with an in-depth exposition of all aspects of property and the law. The work includes an extensive commentary on the Estate Agents Act, updated regularly by comprehensive revision services, as well as useful guidelines on the legal aspects of immovable property. An entire section is devoted to setting learning objectives for candidates preparing to write the Estate Agents Board Examination.

### Contents

- Immovable property and interests in immovable property
- Sectional titles, share blocks and time-share

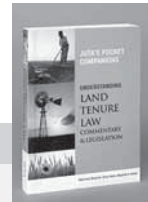
- Statutory control over property
- Contracts
- Estate agents and statutory control over estate agents
- Estate Agents Affairs Act 112 of 1976 with commentary

Published since 1987 > **LOOSE-LEAF:** ISBN 978-0-7021-1899-9  
Approximately 1140pp



## Understanding Land Tenure Law: Commentary & Legislation

Juta's Pocket Companions



**Authors:** A Mahomed et al

### About this Publication

*Understanding Land Tenure Law* (an extract from *Land Tenure Law* loose-leaf) contains a commentary on land tenure law in South Africa together with the three key pieces of legislation: the Labour Tenants Act, the Extension of Security of Tenure Act and the Prevention of Illegal Eviction Act. The text explains key definitions in the law and provides useful, practical guidelines on land rights disputes. The relevant case law is explained in an accessible, non-legalistic manner. *Understanding Land Tenure Law* also sets out the nature and scope of legal protection available to occupiers of land and labour tenants, with a section on access to the courts, including the Land Claims Court.

### Contents

- Tenure reform in a constitutional context
- Tenure security in SA law
- Limits to tenure reform
- The scope of the Extension of Security of Tenure Act
- Type of land

- Type of occupier
- Jurisdictional issues
- 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

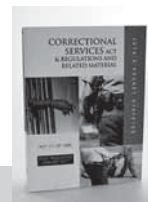
2009 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8164-1 > 263pp

## > Security Law



## Correctional Services Act 111 of 1998 & Regulations and Related Material

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- 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 to Persons in Certain Posts (2008)
  - 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 – ISBN: COMP LOCAL GOV LIB)



**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



**Authors:** 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.

- 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

### Contents

- Areas and scope of application
- Definitions of key terms and words
- Remuneration
- Payment of remuneration

2010 > **SOFT COVER** > pocket size: ISBN 978-0-7021-8491-8 > 228pp

## Shipping Law



## Admiralty Jurisdiction: Law and Practice in South Africa

2<sup>nd</sup> edition

**Authors:** 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

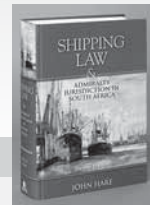
- The action *in rem*
- Security arrests
- The action *in personam*
- Description of parties, representation and *locus standi*
- Miscellaneous statutory powers and excessive claims and proceedings brought without reasonable and probable cause
- Maritime liens
- Judicial sales, the creation of a fund and its distribution and the ranking of claims
- Appendices
- Index

2012 > **HARD COVER:** ISBN 978-0-7021-8225-9 > 546pp





## Shipping Law and Admiralty Jurisdiction in South Africa

2<sup>nd</sup> edition**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
- A table of applicable websites
- CD-ROM including Part One of the book and over 100 appendices of source materials on local and international shipping law
- A useful table of applicable websites

**ELECTRONIC Additional Content and Features**

- Hyperlinks allow for easy navigation within the product
- 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

2009 > **HARD COVER:** ISBN 978-0-7021-4812-5  
**INTERNET:** ISSN 2079-1674



## South African Ports Law Handbook

**Author:** R C Botha**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

Published since 2005 > **LOOSE-LEAF:** ISBN 978-0-7021-7312-7



## > Special Collections



## Essential Legal Practitioner Bundle, The

**About this Publication**

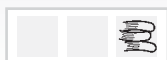
The *Essential Legal Practitioner Bundle* is a collection of the key publications required by legal practitioners covering law reports, statutes and regulations and Juta's two iconic civil procedure reference works.

**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

Published since 2012 > **INTERNET:** ELPB



## Capital Gains Tax: A Practitioner's Manual

**Author:** R C Williams

### About this Publication

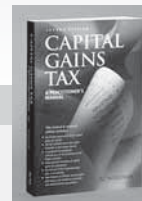
This work is designed to meet the needs of attorneys, accountants, tax consultants, investment advisers, and other professionals. The manual explains, in depth and in detail, the conceptual basis and the practical implications of capital gains tax. The book includes a paragraph-by-paragraph commentary 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)

2005 > **SOFT COVER:** ISBN 978-0-7021-6731-7 > 498pp



## 2014 Compendium of Tax Legislation, Juta's

**Authors:** Juta's Statutes Editors

### About this Publication

The 2014 edition of *Juta's Compendium of Tax Legislation* represents a further advance to the *Compendium* in respect of access to tax information and ease of use. The 2014 *Compendium* covers all taxes and levies introduced (and adjusted) by the Minister of Finance, other than Customs and Excise. This publication is essential for tax practitioners who must review detailed aspects of the tax law on a daily basis. The *Compendium* has the advantage of informally consolidating all of these laws so that the law remains accessible despite the multitude of ongoing annual amendments. In this vein, the *Compendium* integrates pending and expiring provisions (*pendlex and prelex*) into the main text so that the reader can easily contextualise all outgoing and incoming adjustments. This contextualisation includes easy access to effective dates and related information so that practitioners can accurately determine start and end dates as applied to particular transactions.

South African tax law also contains a growing body of official secondary authorities – regulations, interpretation notes and even advanced binding rulings, to name but a few. All of this clarifying information has become part of the regular landscape requiring an additional layer of research. The comprehensive nature of these secondary authorities contained within the *Compendium* and all of the indexes therein will undoubtedly make life easier for practitioners.

In the 2014 edition, the amendments contained in the following new pieces of legislation have been incorporated in the relevant principal Acts in Volumes 1 and 3:

- Tax Administration Laws Amendment Act, 2013
- Taxation Laws Amendment Act, 2013
- Rates and Monetary Amounts and Amendment of Revenue Laws Act 23 of 2013
- Employment Tax Incentive Act 26 of 2013

Demystifying the myriad of tax legislation, the 2014 edition is a reliable and invaluable resource for all tax practitioners.

### Contents

#### Volume 1

- Income Tax Act
- Value-Added Tax Act
- Tax Administration Act
- Employment Tax Incentive Act
- Rates of normal tax and rebates
- Monetary thresholds subject to periodic legislative change

#### Volume 2

- Income Tax Act – supplementary material
  - Explanatory Memorandum on the Taxation Laws Amendment Bill, 2013
  - Regulations
  - Practice notes
  - Interpretation notes
  - Binding private rulings
  - Binding general rulings
- Value-Added Tax Act – supplementary material
  - Regulations
  - Practice notes
  - Interpretation notes
  - Binding private rulings
  - Binding general rulings
- Tax Administration Act – supplementary material

#### Volume 3

- Estate Duty Act and related material
  - Estate Duty Act
  - Regulations
- Transfer Duty Act and related material
  - Transfer Duty Act
  - Interpretation note
- South African Revenue Service Act
- Tax on Retirement Funds Act
- Securities Transfer Tax Act
- Skills Development Levies Act
- Unemployment Insurance Contributions Act
- Securities Transfer Tax Administration Act
- Mineral and Petroleum Resources Royalty Act
- Mineral and Petroleum Resources Royalty (Administration) Act



- Extracts from Acts
  - Taxation Laws Amendment Act 20 of 1994
  - Income Tax Act 21 of 1995
  - Revenue Laws Amendment Act 35 of 2007
  - Voluntary Disclosure Programme and Taxation Laws Second Amendment Act 8 of 2010
- A comprehensive case digest containing summaries of the most important tax cases from 2007 to 2013

**SOFT COVER** – Volume 1 (2014): 978-1-4851-0144-4  
 Volume 2 (2014): 978-1-4851-0143-7  
 Volume 3 (2014): ISBN 978-1-4851-0186-4



## Income Tax, Juta's

**Authors:** R Engels-Van Zyl, L Olivier, J Roeleveld (current authors); D M Davis, G Urquhart (founding authors)

### About this Publication

*Juta's Income Tax* is unique in its approach to income tax. The publication provides a section-by-section commentary of the Income Tax Act, combined with concise overviews where appropriate, comprehensive indexing and cross-referencing to case law and other sources. The use of graphic aids, such as flowcharts and diagrams, and extensive examples, make the text accessible and easy to understand to the specialist as well as the occasional user.

Subscribers also receive a free quarterly e-newsletter entitled *Juta's Tax Law Review*.

### Contents

#### Volume I and II

- Act and commentary, sections 1–112

#### Volume III

- Schedules
- Regulations
- Rates
- Forms
- Table of cases

### Volume IV

- Practice notes
- Press releases
- Interpretation notes
- General notes and Government notices
- Double taxation agreements
- Appendices
- Includes a free subscription to *Juta's Tax Law Review*, a quarterly e-newsletter containing an exposition of the latest developments in various areas of local and international tax.



Published since 1999 > **LOOSE-LEAF** in four volumes:  
 ISBN 978-0-7021-5455-3 > Approximately 2748pp



## Tax Administration

**Authors:** B Croome, L Olivier

### About this Publication

This book provides all tax practitioners with clear and authoritative guidance on aspects such as the registration and submissions of tax returns, assessments, requests for information, penalties and interest, privilege, reportable arrangements, dispute resolution, advance tax rulings and remedies.

Showing how areas of law interrelate and noting best international practice, the authors set out the rules of tax collection in a well-structured and theoretically sound way.

### Contents

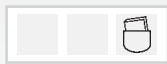
- General powers of administration and confidentiality of information supplied by taxpayers to the commissioner
- Administrative justice
- Requirement to register and submit tax returns
- Assessments
- Request for information from taxpayers
- Access to information held by SARS
- Additional taxes
- Administrative and criminal penalties
- Refunds
- Interest
- Collection of outstanding debts
- Dispute resolution
- Advance tax rulings
- Taxpayer's remedies
- Annexures
  - Promotion of Administrative Justice Act 3 of 2000, Regulations on fair administrative procedures and rules of procedure of judicial review of administrative action

- Website terms & conditions
- Procedures for submitting returns in electronic format and requirements for electronic signatures
- Promotion of Access to Information Act 2 of 2000 and regulations
- Form A (Request for Access to Record of SARS) Section 18(1) of the Promotion of Access to Information Act
- Form B (Notice of Internal Appeal) Section 75 of The Promotion of Access To Information Act
- Rules of Procedure for Application to Court in terms of the Promotion of Access to Information Act 2 of 2000
- Procedures to be observed in lodging objections and noting appeals
- SARS Service Charter
- Table of cases



2010 > **SOFT COVER:** ISBN 978-0-7021-8475-8 > 464pp





## Tax Administration Act 28 of 2011 & Related Material

Juta's Pocket Statutes



**Authors:** Juta's Statutes Editors

### Contents

- Key Addresses
- Quick Finder for Key Topics
- Tax Administration Act 28 of 2011
- Related Material
  - Determination of the dates on which certain provisions of the Tax Administration Act, 2011 (Act 28 of 2011) must come into operation
  - **[NEW]** Interpretation Note 68, issue 2: Provisions of the Tax Administration Act that did not commence on 1 October 2012
  - Electronic form of record keeping in terms of section 30 (1) (b) of the Act
  - Form and manner of a report to a taxpayer on the stage of completion of an audit in terms of section 42 (1) of the Act
  - Distance above which a person may decline to attend an interview in terms of section 47 (4) of the Act
  - Incidences of non-compliance by a person in terms of section 210 (2) of the Act that are subject to a fixed amount penalty in accordance with sections 210 and 211 of the Act
  - **[NEW]** Public notice listing reportable arrangements for purposes of section 35 (2) of the Act
  - **[NEW]** Application and cost recovery fees for binding private rulings and binding class rulings
  - **[NEW]** Additional considerations in terms of section 80 (2) of the Act in respect of which an application for a binding private ruling or a binding class ruling may be rejected



## Tax Law – An Introduction

(Lecturer support material available)



**Authors:** B Croome (Editor), A Oguttu, E Muller, T Legwaila, M Kolitz, R C Williams, C Louw

**NEW**



### 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.

*Tax Law: An Introduction* explains the South African tax system and important policy considerations, clearly setting out the key objectives and essential principles of taxation. It covers the areas of tax collection, taxation in the context of the South African Constitution and the interpretation of the Income Tax Act and the Taxation Laws Amendment Act of 2012.

The book also sets out the principles and explains the practices of the South African Revenue Services (SARS). It provides practical guidance on the Income Tax Act and applicable case law, and hones in on problem areas where students seek a greater understanding.

### Contents

- The origin and historical development of taxation
- Structure of income tax

- Jurisdiction to tax
- Gross income
- Exempt income
- Deductions
- Capital allowances
- Avoidance or evasion
- Employees' tax and provisional tax
- Capital gains tax and PAYE
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2013 > **SOFT COVER:** ISBN 978-0-7021-9985-1 > 708pp



## 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
- Relevant statutes and regulations
- Special income tax court cases
- Revenue and revenue-related enactments
- Wording of statutes prior to amendment or repeal
- International double taxation treaties
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CD-ROM/INTRANET: ISSN 1017-1193 > Updated monthly or quarterly  
INTERNET: ISSN 1682-0797



## 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

2010 > **SOFT COVER:** ISBN 978-0-7021-8202-0 > 362pp



## Value-Added Tax, Juta's

**Authors:** M Botes, C de Wet

### 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
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Published since 1999 > **LOOSE-LEAF:** ISBN 978-0-7021-5370-9  
Approximately 1100pp



# > 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 *Condictioes*)
- 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 *Condictio 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

2012 &gt; SOFT COVER: ISBN 978-0-7021-9474-0 &gt; 480pp



## Unjustified Enrichment

**Author:** D Visser

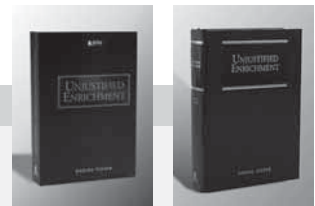
### About this Publication

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

2008 > SOFT COVER: ISBN 978-0-7021-7691-3 > 837pp  
HARD COVER: ISBN 978-0-7021-7925-9 > 837pp

## Wills, Estates and Trusts



## Administration of Estates and Drafting of Wills

4<sup>th</sup> edition

**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 Moseneke and Bhe cases and the establishment of service points are dealt with in this edition. Forms, standard documents and specimen letters have also been updated.

### Contents

- Reporting the estate
- Preliminary work
- Receipt of letters of executorship
- The liquidation and distribution account
- On approval of the account
- Section 18(3) estates
- South African estates of non-residents
- General
- Estate duty

- Wills
- An extensive list of appendices with cross-references including:
  - Examples of a standard liquidation and distribution account and variations required by collation, a bequest price or a section 38 taking over
  - Calculations of estate duty
  - Specimen letters, powers of attorney, and adiation and repudiation certificates
  - Reproductions of the latest available forms and standard documents encountered in practice
  - The full text of relevant legislation, with the latest amendments
  - A list of the various Master's offices and other government departments



2007 &gt; HARD COVER: ISBN 978-0-7021-7409-4 &gt; 400pp



## Drafting of Wills, The

**Author:** H J Barker

### About this Publication

The Law of Succession Amendment Act 43 of 1992 created fundamental changes in South African testamentary law. This book, written by a lawyer with nearly 60 years of practical experience, analyses the Wills Act as amended. It deals among other things with language usage generally, taking instructions from would-be testators, the structure of wills, estate duty, the limits to freedom of testation, the interpretation of wills, donation of human tissues, the so-called living will, traps to avoid in drafting, testamentary trusts and the many other problems which practitioners commonly have to handle. It discusses most of the important cases which have shaped testamentary law and gives many examples of wills and testamentary trusts.

### Contents

- The Wills Act
- 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 978-0-7021-3012-0 > 146pp



## Handbook for Executors, Trustees and Curators

**Authors:** W D Geach

### About this Publication

This book deals with the appointment, rights, duties and accounts of executors, trustees, curators and tutors, and is essential reading for all professionals and students who deal with the administration of deceased estates, estate duty, testamentary trusts, tutors and curators. The book is based on a previous work by the late professor Walter Fairburn, author of the well-known *Handbook for Executors and Administrators*, the fourth edition of that text by G L H Noel-Barham and P A Summers. It has been rewritten to accommodate changes to the Administration of Estates Act and Estate Duty Act, the Wills Act, the law of intestate succession, the matrimonial property law, trust law and income tax law. New chapters introduced deal specifically with wills, testamentary trusts and matrimonial property law. The text is referenced to decided case law and individual cases are, wherever possible, discussed in some detail to give readers an insight into the issues that arise from the application of various statutes.

- The appointment, rights, duties and accounts of trustees
- The appointment, rights, duties and accounts of tutors and curators
- The making of a valid will
- The Matrimonial Property Act: the accrual system
- The legal nature of a testamentary trust and "pour-over" trusts
- Appendices – The Administration of Estates Act and its regulations – The Intestate Succession Act – The Estate Duty Act – The Income Tax Act (sections 7, 25, 25B) – The Wills Act – The Trust Property Control Act – The Matrimonial Property Act (sections 1 to 13) – The Insolvency Act (sections 92 to 96) – The Insurance Act (sections 39 to 48)

1993 > **SOFT COVER:** ISBN 978-0-7021-2871-4 > 510pp



## Honoré: The South African Law of Trusts

5<sup>th</sup> edition

**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.

- 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 978-0-7021-5590-1 > 725pp





## Law of Succession Erfreg

4<sup>th</sup> edition  
4<sup>de</sup> uitgawe



**Authors:** M J de Waal, M C Schoeman-Malan

### About this Publication

This is the fourth edition of the book entitled, in former editions, *Law of Succession: Student's Handbook and Introduction to the Law of Succession*. The book is still primarily intended as a textbook for students in the law of succession. However, the nature of the book has changed to such an extent through its different editions that a more general title for this edition was considered justified. Since the previous edition a number of important developments in the law of succession have taken place, especially through case law. These include the influence of the Constitution of the Republic of South Africa, 1996 (particularly the Bill of Rights) on freedom of testation, the extension of the application of the Intestate Succession Act 81 of 1987 and the power of condonation of the court at the execution, amendment and revocation of wills. The fourth edition aims at reflecting these and also other developments in the law of succession.

### Contents

- Introduction
- The law of intestate succession

- Testamentary capacity
- Formalities in the execution and amendment of wills
- Invalid wills and revocation of wills
- Capacity to inherit
- The contents of wills
- Joint/mutual wills, adiation, repudiation, election and massing of estates
- Accrual
- Collation
- Succession by contract
- Interpretation and rectification of wills
- Administration of estates
- Appendices
  - Wills Act 7 of 1953
  - Intestate Succession Act 81 of 1987

2008 > **SOFT COVER** (English): ISBN 978-0-7021-7949-5 > 310pp  
**SAGTEBAND** (Afrikaans): ISBN 978-0-7021-7718-7 > 320bl



## Law of Succession in South Africa, The

2<sup>nd</sup> edition

**Authors:** M M Corbett, H R Hahlo (General Editor), G Hofmeyr, E Kahn

### About this Publication

This work is the undisputed authority in its field providing a comprehensive discussion of all aspects of the law of succession. The second edition incorporates the important legislation relating to wills and intestate succession enacted over the last twenty years, and takes note of significant judgments and new literature on the subject. It reflects the law as at 30 June 2001.

### Contents

- General
- Testamentary succession

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

2002 > **HARD COVER:** ISBN 978-0-7021-5585-7 > 808pp



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## Meyerowitz on Administration of Estates and their Taxation

10<sup>th</sup> edition

**Author:** D Meyerowitz

### About this Publication

*Meyerowitz on Administration of Estates and their Taxation* has become the standard work on these two subjects since publication of the first edition in 1949. It comprehensively covers the drafting and execution of wills, intestate succession, minors, absent persons, mental patients, trusts and trustees, fiduciaries and usufructuaries.

### Contents

- Guide to liquidation of a deceased estate
- Method of citation
- Tables of cases cited
- The structure and functions of the Master's Office
- Reporting of deaths
- Registration of wills
- Execution, validity and revocation of wills
- The drafting of wills
- Inventories
- Custody of estates
- Letters of executorship
- Appointment of executor
- Foreign executors
- Removal and discharge of executors
- Rights, powers and duties of executors
- Transfer of landed property
- Remuneration of executors
- The account
- Creditors' claims and objections to accounts
- Insolvent estates
- Heirs and legatees
- Intestate succession
- Minors' portions and claims against the estate
- Minors
- Absent persons and mental patients





- Trustees (administrators)
- Fiduciaries and usufructuaries
- The Guardian's Fund
- Appraisers
- Estate duty: dutiable estate
- Allowable deductions
- Valuation of property
- Assessment and liability for estate duty

- Double death duties
- Appendices: relevant Acts, regulations, forms and documents

2010 > **SOFT COVER:** ISBN 978-1-4851-0115-4 > 772pp



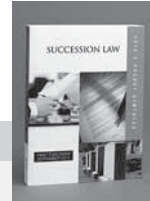
## Succession Law

Juta's Pocket Statutes

**Authors:** 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



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## Trusts: Law and Practice

**Authors:** W Geach, J Yeats (Consulting Editor)

### About this Publication

This work elucidates trust law and serves as a practical guide for all stakeholders. It sets out best practice by using examples. Written in a clear and engaging style, it demystifies recent cases that profoundly impact on all trustees, planners and beneficiaries. It helps planners decide if a trust is indeed the most effective way to achieve their objectives. The book guides readers authoritatively through danger areas and intricate tax implications. *Trusts: Law and Practice* is also essential reading for those providing legal and accounting services to trusts as well as those contracting with trusts in the course of their business.

### Contents

- Setting up a valid trust: law and best practice
- Recent developments in trust law and their practical significance
- 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 9780-7021-7865-8 > 321pp





## Acta Juridica 2013

(Also available as part of Juta's Electronic Law Journals 2000 to date on CD-ROM or the Internet)

**Authors:** D Smythe, A Claassens

NEW

### 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 2013* focuses 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.



2013 > **HARD COVER:** ISBN 978-1-4851-0136-9  
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- *Acta Juridica* 2009: Global Administrative Law
- *Acta Juridica* 2010: Modern Company Law

- *Acta Juridica* 2011: Pluralism and Development – Studies in Access to Property in Africa
- *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

**Author:** Africa Nazarene University

NEW

### 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 – Volume 1(2) 2013:

- Application of the Kenyan Bill of Rights: legal insights from comparative constitutional law and jurisprudence
- Whose marriage is it anyway? An analysis of the compatibility of polygamy with international human rights Law
- Revisiting the principle of the best interests of the child in the law on children: Its history, meaning, legal prescriptions and minimum operational standards

- The right to fair administrative action in Kenya: lessons from South Africa's experience
- Integrative constitutionalisation of international soft law: a case study on the application of the United Nations business and human rights framework and its implication for business corporations in Kenya
- Truth-seeking in Kenya: assessing the effectiveness of the Truth, Justice and Reconciliation Commission of Kenya
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SOFT COVER PERIODICAL > two issues per annum: ISSN 2308-1325  
Approximately 320pp per issue





## African Yearbook on International Humanitarian Law

2012 edition



NEW  
edition

**Authors:** G Abraham, H Strydom

### 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.

Ideally, through its encouragement of interest and research, the publication will contribute to the prevention of violations of international humanitarian law.

### Contents

- The combatant status of 'under-aged' child soldiers recruited by irregular armed groups in international armed conflicts
- Implementation of international humanitarian law in Tanzania: a legal enquiry

- The elements of the crime of genocide and the imperative to protect certain groups – normative shapers in criminal law and the humanitarian perspective
- Localised armed conflict: a factual reality, a legal misnomer
- The Erga Omnes obligation to prevent and prosecute gross human rights violations with special emphasis upon genocide and persecution as a crime against humanity
- Legal regulation of belligerent reprisals in international humanitarian law: historical development and present status

(2012 Annual Edition) **SOFT COVER:** ISSN 1997-8391 (AYIHL0005)



## Annual Survey of South African Law 2011

(Also available on CD-ROM and the Internet as part of Juta's Review of South African Law)



NEW  
edition

**Authors:** C Visser (Editor-in-Chief), J Heaton, R Kelbrick, P Stoop (Assistant Editor)

### 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
- Bill of Rights jurisprudence
- Civil and constitutional procedure and jurisdiction
- Conflict of laws
- Constitutional law
- Constitutional property law
- Corporate law (including stock exchanges)
- Criminal law
- Criminal procedure
- Environmental law
- Family law
- Financial institutions and stock exchanges
- The 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 (carriage, deposit, donation, loan, partnership, service, and suretyship)
- Pension funds law
- Public international law
- Sentencing
- Taxation
- Unjustified enrichment
- Table of statutes
- Table of cases
- Index of Sections

**HARD COVER:** ISBN 978-1-4851-0041-6 > 1340pp



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

**Authors:** M King, A van Wyk, M Kuper (Editors)

NEW



### 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

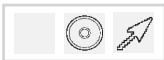
judgement calls, and corporate reporting. It also sets out to provide information that is relevant for today's company operating in a new economy created by the crises of global finance, climate change and ecological overshoot.

**Contents**

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- The judiciary and its role in regulating the business environments
- 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
- Taxation and finance
- Consumer protection and the legislation that governs it

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## 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**

- South African Law Journal
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- Journal of South African Law/Tydskrif vir die Suid-Afrikaanse Reg
- South African Journal on Human Rights
- South African Journal on Criminal Justice

- Stellenbosch Law Review
- South African Mercantile Law Journal
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**CD-ROM/INTRANET:** ISSN 1995-2171 > Updated quarterly  
**INTERNET:** ISSN 1995-2163



## Industrial Law Journal

*(Incorporating the Industrial Law Reports. Also available electronically as part of Juta's Labour Library)*

**Authors:** C Cooper, C Vosloo, L Williams-de Beer, J Wilson (Editors)

**NEW**



**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**

- All important 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

**SOFT COVER > MONTHLY PERIODICAL:** ISSN 0258 249X (*ILJ*)  
Approximately 3000pp per annum and an annual index  
Full set (1980–2013) as well as back issues are also available.



## Industrial Law Journal – Cumulative Index 1980–2010

**Author:** C Vosloo (Editor)

**About this Publication**

This consolidated index provides easy reference to all subjects discussed in cases and articles in the Industrial Law Journal (incorporating the Industrial Law Reports) for the period 1980 to 2010. It provides the key to unlocking 27 years of labour law. The Index facilitates optimal usage of the *Industrial Law Journal*.

**Contents**

- Contributors of Articles and Notes
- Titles of Articles and Notes
- Books reviewed
- Table of cases, alphabetical and per court:
  - Constitutional Court
  - Supreme Court/High Court
  - Labour Appeal Court



- Industrial Court
- Labour Court of Namibia
- Agricultural Labour Court
- Commission for Conciliation, Mediation and Arbitration
- Bargaining Council arbitration
- Private arbitration

- Specialised subject index for cases
- Specialised subject index for articles and notes
- Case annotations

**HARD COVER** in 2 volumes: ISBN 978-0-7021-7894-8



## Insurance Law Bulletin, Juta's



**Author:** J P van Niekerk

### 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 (ILB)



## Journal of South African Law / Tydskrif vir die Suid-Afrikaanse Reg

(Also available as part of *Juta's Electronic Law Journals 2000 to date on CD-ROM or the Internet*)



**Author:** J C Sonnekus (Editor)

### About this Publication

This multilingual periodical is published quarterly by Juta for the Faculty of Law, University of Johannesburg. This scholarly and practical journal covers a broad spectrum of topics pertinent to the legal community.

### Contents

- Articles
- Commentary and notes
- Book reviews
- Consolidated index

### ELECTRONIC Additional Contents and Features

- All issues from 2000 to date
- Special searches by title, author or citation

- Handy hyperlinks facilitate easy navigation
- Powerful electronic searching allows for easy and rapid access to information

**SOFT COVER** > QUARTERLY PERIODICAL: ISSN 0258-249X (TSAR)  
Approximately 800pp per annum  
**INTERNET:** ISSN 1996-2207



## Review of South African Law, Juta's

(Incorporating *Juta's Quarterly Review and Annual Survey of South African Law 2000-2010*)

### 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

- *Annual Survey of South African Law (2000 to 2010)*
  - An electronic version of the well-respected print publication published since 1946
  - Covers 31 areas of the law
- *Juta's Quarterly Review of South African Law (2006 to date)*
  - Covers more than 20 areas of the law

- Hyperlinks from *South African Law Reports* and *South African Criminal Law Reports* citations to the headnotes and flynotes of the cases
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

**CD-ROM/INTRANET:** ISSN 1997-6283 > Updated quarterly  
**INTERNET:** ISSN 1997-6291





## SADC Law Journal, The

**Authors:** E Kalula, N Horn

**NEW**

### About this Publication

Previously published by UCT/Unam and the Konrad Adenauer Stiftung, the *SADC Law Journal* is an annual peer-reviewed journal which provides a forum for legal themes of relevance to the SADC legal fraternity.

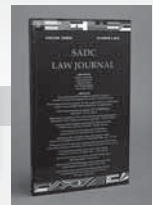
The *SADC Law Journal* is an important tool in creating greater awareness about the law in the SADC region and providing readers with latest legal debates in this area. The journal serves as a platform where prominent scholars and distinguished legal practitioners alike can share their views on various aspects of the SADC Treaty, SADC Protocols, other SADC norms, shape the legal discourse on regional integration and examine core legal issues in the SADC integration process.

### Contents

- Does SADC provide a remedy for environmental rights violations in weak legal regimes? A case study of iron ore mining in Swaziland
- Effectiveness of flexible land tenure in unplanned urban areas in the SADC region: a case study of Tanzania and experiences from Zambia and Namibia
- Joint management as an emerging norm in international water courses law: the case of the SADC
- Reconciling the notion of sovereignty with SADC's human rights protection mandate

- Off the beaten track into the Savannah: *The Mike Campbell (Pvt) Ltd v The Republic of Zimbabwe* ruling imperils SADC investment law
- Sub-Saharan Africa and climate change: revisiting the 'multiple stresses' factor and adaptation strategies of ECOWAS and SADC zones
- The prospect of SADC-parliamentary forum transformation into a regional parliament: too big too soon?
- Harmonisation or unification of laws in the context of SADC regional integration
- Using local legal cultures to evaluate the Ohada regime as a precedent for business law integration in the SADC
- Evolving regional standards on the rights of labour migrants: perspectives from the EAC and the SADC
- Aligning regional integration efforts in the EU – SADC interim EPA with the African Economic Community
- WTO special and differential treatment: Africa's golden fleece or Trojan horse?

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



## South African Intellectual Property Law Journal (IPLJ)

**Author:** L Tong, C Ncube

**NEW**

### 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 keep IP practitioners at the forefront of the law.

### Contents – 2013 issue:

- Articles
  - Deprivation of trademarks through state interference in their usage - *Owen Dean*
  - Some comments on the infringement of registered trademarks by advertisement of goods on the internet - *Bernard Martin*
  - Justifications for copyright: the moral justifications - *Sadulla Karjiker*
  - Rights in a performance in Kenya - *Ben Sihanya*
  - Reconciling repair and reconstruction of patented articles in the US, UK, Germany and South Africa - *Sophia Czarnocki*
  - Is compliance enough: can the goals of intellectual property rights be achieved in South Africa? - *Bernard Maister, Caspar van Woensel*
- Sport as a brand and its legal protection in South Africa - *Owen Dean*
- Notes and updates
  - Comment on the Green Paper for post-school education and training - *Shihaam Shaikh*
  - Confusion and the bounds of trade mark monopolies: *Foschini v Coetzee* - *Jeremy Speres*
  - The panados and panadon'ts of trade mark registrations – recent developments regarding trademarks used in the pharmaceutical industry - *Marius Roetz*
- Book reviews
  - Susan Isiko Strba: International Copyright Law and Access to Education in Developing Countries: *Exploring Multilateral Legal and Quasi-Legal Solutions*
  - E du Plessis, S Brown and D Tanziani (eds): *Adams and Adams: Practitioners' Guide to Intellectual Property Law*

**SOFT COVER – ANNUAL PERIODICAL: ISSN 2309-4532**  
Approximately 180pp per annum



## South African Journal of Criminal Justice

(Also available as part of Juta's Electronic Law Journals 2000 to date on CD-ROM and the Internet)

**Authors:** S V Hoorntje (Editor-in-Chief), S S Terblanche (Editor)

### About this Publication

This publication provides an arena for discussion of issues affecting the criminal justice system. The journal focuses on criminal law, criminal procedure, evidence, international criminal law and criminology. International scholars in criminal justice are represented on the editorial panel.

### Contents

- Articles
- Comments
- Analysis of recent cases by specialists
- Book reviews
- Consolidated index



**ELECTRONIC Additional Contents and Features**

- Issues from 2000 to date
- Hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

**SOFT COVER** > QUARTERLY PERIODICAL: ISSN 1011-8627 (SAJCH)  
 Approximately 700pp per annum  
**INTERNET:** ISSN 1996-2118



## South African Journal on Human Rights

(Also available as part of Juta's Electronic Law Journals 2000 to date on CD-ROM or the Internet)



**Authors:** C Albertyn, L Chenwi, N Dyani-Mhango, J Dugard, B Goldblatt, R Keightley, B Meyersfeld, M Mushariwa, S Sibanda (Editors)

**About this Publication**

The *SAJHR* is a tri-annual journal which 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. However, it is hoped that it has a wider appeal and is read by others equally concerned about the standards of justice in South Africa. Thus it endeavours to strike a balance between a high quality legal periodical and a magazine for human rights proponents in search of information and advice.

**Contents**

- Articles, cases and comments on human rights
- Book reviews
- Human rights index

**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** > 3 issues per annum: ISSN 0258-7203 (SAJHR)  
 Approximately 600pp per annum  
**INTERNET:** ISSN 0258-7203



## South African Law Journal

(Also available as part of Juta's Electronic Law Journals 2000 to date on CD-ROM or the Internet)



**Authors:** G Glover (Managing Editor), H Corder, D Bhana, J Heaton, P Andanda, H Kruuse (Editors)

**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
- Separate index issued annually as part of a subscription

**ELECTRONIC Additional Contents and Features**

- Issues from 2000 to date
- Handy hyperlinks facilitate easy navigation with the product
- Powerful electronic searching allows for easy and rapid access to information

**SOFT COVER** > QUARTERLY PERIODICAL: ISSN 0258-2503 (SALJ)  
 Approximately 800pp per annum > Back issues are also available  
**INTERNET:** ISSN 1996-2177



## Cumulative Index to the South African Law Journal (1998–2010)

(Includes a free 1973-1997 Cumulative Index)



**Author:** D Burger (Editor)

**About this Publication**

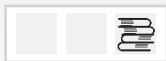
This consolidated index provides easy reference to all subjects discussed in cases and articles appearing in the *South African Law Journal* during the period 1998-2010.

**Contents**

- Subject index
- List of articles and notes
- Tables of cases and legislation
- List of contributors of articles
- List of book reviews

- Free Index to the *South African Law Journal* (1973-1997) with every 1998-2010 Index purchased

**HARD COVER:** ISBN 978-0-7021-8622-6 > 580pp



## Index to the South African Law Journal (1973–1997)

**Authors:** P Cobbledeick (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
- Table of legislation

- List of articles
- Contributors of articles
- Table of cases
- Book reviews

**HARD COVER:** ISBN 978-0-7021-3045-8 > 512pp



## South African Mercantile Law Journal

(Also available as part of *Juta's Electronic Law Journals 2000 to date on CD-ROM or the Internet*)

**Author:** A Smith (Editor)

### 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 (*SAMLJ*)  
Approximately 800pp per annum  
**INTERNET:** ISSN 1996-2185



## Stellenbosch Law Review

(Also available as part of *Juta's Electronic Law Journals 2000 to date on CD-ROM and the Internet*)

**Author:** R Stevens (Editor)

### 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 (*SLR*)  
Approximately 600pp per annum  
**INTERNET:** ISSN 1996-2193



## Law Reports



## Burrell's Intellectual Property Law Reports (Print) Burrell's Intellectual Property Law Library (Electronic)

**Authors:** Dr Tim Burrell

### About this Publication

This publication is South Africa's only printed series of law reports on intellectual property law, with the full text of judgments, many of which are not included in any other series of law reports.

### Contents

- Patent cases
- Trademark cases
- Design cases
- Copyright cases



- Common law cases in restraint of trade
- An index of judgments published in Burrell's Patent Law Reports

#### ELECTRONIC Additional Contents and Features

- Burrell's Patent Law Reports from 1953 to 1996
- Burrell's Intellectual Property Law Reports from 1997 to 2012
- 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
- An index 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

HARD COVER: ISSN 1560-0211  
CD-ROM/INTRANET: ISSN 1500-4594 > Updated quarterly  
INTERNET: ISSN 1682-0614



## Case Law of Zimbabwe

#### About this Publication

This electronic resource provides a source of selected case law for Zimbabwe.

#### Contents

- *Zimbabwe Law Reports* (1980–2000)
- Indexes to the *Zimbabwe Law Reports*
- *Juta's Law Reports of Zimbabwe*
- Extracts from the *South African Law Reports*
- Extracts from the *South African Appellate Division Reports*

- Indexes to the extracted Reports
- 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 1560-1714 > Publication is not updated  
INTERNET: ISSN 1682-1017



## Digest of South African Law, Juta's

**Authors:** Juta's Law Reports Editors

#### About this Publication

*Juta's Digest of South African Law* aims at providing advance notice of cases considered for publication in *The South African Law Reports* and *The South African Criminal Law Reports*, keeping the busy practitioner up to date on all aspects of the law. This publication incorporates three useful digests – a Case Digest, a Legislation Digest and a Bibliography Digest.

#### Contents

- A case digest which carries summaries of recent and relevant cases, presented in a concise but informative style, and published well in advance of *Juta's South African Law Reports* and the *South African Criminal Law Reports*
- A legislation digest which is a bi-monthly update relating to legislation published in the *Government Gazette*; a list of Parliamentary and Provincial Bills published during the

fortnight under review; and regulations and rules made in terms of the Acts and laws promulgated by Parliament and the Provincial legislatures

- A bibliography digest containing short summaries of articles and case notes published in legal journals
- Copies of judgments and acts may be ordered at a nominal fee

#### ELECTRONIC Additional Contents and Features

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

SOFT COVER > FORTNIGHTLY PERIODICAL: ISSN 1025-983X (*DOSAL*)  
CD-ROM/INTRANET: ISSN 1560-4608 > Updated monthly or quarterly  
INTERNET: ISSN 1682-0703 > Updated fortnightly



## 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

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



## Index and Annotations to the South African Criminal Law Reports, The

**Authors:** Juta's Law Reports Editors

### About this Publication

These useful publications provides easy access to *The South African Criminal Law Reports*, saving hours in research time by advising the reader whether subsequent cases have been overruled, distinguished or approved in earlier cases.

*The Index and Annotations to the South African Criminal Law Reports* is available consolidated from 1990 to 2006, 2007 to 2009 and 2010 to 2012 respectively. Six month indexes are included in the reports, twice a year, in the June and December issues.

### Contents

- Table of cases
- Case annotations
  - Southern African cases
  - Foreign cases

- Legislation judicially considered
  - Alphabetical list of short titles of Acts
  - Chronological list of annotated statutes
- Subject Index (alphabetically arranged fly-notes)

(1990–2006) **HARD COVER:** ISBN 978-0-7021-7877-1 > 1310pp  
 (2007–2009) **SOFT COVER:** ISBN 978-0-7021-8481-9 > 263pp  
 (2010–2012) **SOFT COVER:** ISBN 978-1-4851-0052-2 > 242pp

NEW EDITION IN 2014



## Index and Annotations to the South African Law Reports, The

**Authors:** Juta's Law Reports Editors

**NEW  
edition**

### About this Publication

Prepared by the editors of the *South African Law Reports*, this publication greatly improves access to the reports. Subject index entries have been realigned to reflect current trends, and comprehensively encapsulate the past 5 years of case law. Annotations have been presented in a columnar structure and practitioners can now see at a glance all annotations for a particular judgment.

*The Index and Annotations to the South African Law Reports 2009–2013* supplements the 7 volume set that covers 1947–2008. Annual indexes are included in the subscription to *The South African Law Reports*, and may also be purchased separately.

### 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

2009 > (1947 to 2008 Consolidated Index) **HARD COVER** in 7 volumes:  
 ISBN 978-0-7021-8133-7 > 8636pp  
 2014 > (2009 to 2013 Consolidated Index) **HARD COVER:**  
 ISBN 978-1-4851-0156-7 > 1152pp  
 (2013 Annual Edition) **SOFT COVER:** ISBN 978-1-4851-0177-2  
**CD-ROM/INTRANET:** ISSN 1560-1633 > Updated monthly or quarterly  
**INTERNET** (1947–date): ISSN 1682-0649



## Index to the Namibian Law Reports (1990–2013)

**Authors:** Lynita Conradie (Editor); Legal Assistance Centre – Namibia; Assisted by Juta's Law Reports Editors

**NEW**

### About this Publication

This useful publication provides easy access to The Namibian Law Reports, saving hours in research time by advising the user whether subsequent cases have been overruled, distinguished or approved in earlier cases.

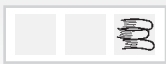
### Contents

- Table of cases
- Case annotations
- Table of contents of subject headings

- Subject index
- Legislation considered

2014 > **SOFT COVER:** ISBN 978-1-4851-0157-4 > 532pp





## Industrial Law Journal

(Incorporating the Industrial Law Reports. Also available electronically as part of Juta's Labour Library)



**Authors:** C Cooper, C Vosloo, L Williams-de Beer, J Wilson (Editors)

### 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

- All important 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

**SOFT COVER > MONTHLY PERIODICAL:** ISSN 0258 249X (*ILJ*)  
Approximately 3000pp per annum and an annual index  
Full set (1980–2013) as well as back issues are also available.



## Insurance Law Bulletin, Juta's

**Author:** J P van Niekerk

### 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 (ILB)



## Namibian Law Reports, The

**Authors:** The Law Reform and Development Commission and Juta Law Reports Editors

### About this Publication

Published in collaboration with the Law Reform and Development Commission, this series of law reports is the official and authoritative series, covering precedent-setting case law since 1990. Now issued in four volumes a year, the series covers the judgments of the Supreme Court, High Court, 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
- Legislation
- Annotations

- Case annotations: Southern African and foreign cases
- Full text of judgments

### ELECTRONIC Additional Contents and Features

- Chronological listing of cases (1990 to date)
- Table of Namibian cases reported in the *Criminal Law Reports* and the *South African Law Reports* with links to the reported judgments
- Hyperlinks from the table of cases to relevant law reports
- Powerful electronic searching allows for easy and rapid access to information

**SOFT COVER > QUARTERLY PERIODICAL:** ISSN 1024 6991 > Full set from 1990–2013: NLR-PACK  
**CD-ROM/INTRANET:** ISSN 1680-4953 > Updated bi-annually  
**INTERNET:** ISSN 1682-1009



## Privy Council Reports (1833–1950)

**Authors:** J Taitz, I Ackermann, O J Barrow (Editors)

### 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

- South African appeals digest
- Privy Council Reports
- A table of civil appeals from the Cape of Good Hope to the King in Council
- A table of Privy Council Decisions in appeals originating in southern Africa

**HARD COVER:** ISBN 978-0-7021-3604-7 > 659pp



## 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

CD-ROM/INTRANET: ISSN 1810-8539 > Updated monthly or quarterly  
INTERNET: ISSN 1682-0754



## South African Case Law (1838 to date)

### 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.)

**Authors:** Juta's Law Reports Editors; P J Schabert (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
- Lists of judges

### 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)



**Authors:** Juta's Law Reports Editors; C M E O`Regan, MS Navsa, DS 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
- Detailed case and statutory annotations
- Monthly index and annotations
- Expertly crafted headnotes with cross-references to the precise location of *rationes* and *dicta*
- Unrivalled accuracy and reliability

### ELECTRONIC Additional Contents and Features

- Full text of judgments from 1990 to date or 1947 to date
- Various indexes to the *South African Law Reports* (consolidated from 1990 to date OR 1947 to date)
- The most recent issue of *Juta's Quarterly Review of South African Law*
- Hyperlinks from table of cases to relevant law reports
- Presented with identical page breaks and marginal lettering as in the original printed reports, making citations standard
- Powerful electronic searching allows for easy and rapid access to information
- Subscribers can register to *Juta's Law Reports Advance Notification*, a free electronic newsletter providing advance notification of the table of cases and flynote entries ahead of the publication of the printed volumes.

**SOFT COVER > MONTHLY PERIODICAL:** ISSN 0038 2396 (SALRUR)  
 Approximately 4000pp per annum > FULL SET (SALRUFULLPACK)  
**CD-ROM/INTRANET (1990 to date):** ISSN 1017-5164 > DVD-ROM  
 (1947 to date only)  
**INTRANET:** ISSN 1017-5164 > Updated monthly or quarterly  
**INTERNET (1947 to date only):** ISSN 1682-0762



## 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
- 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 0-7021-5594-2 > This publication is not updated



## Tanzania Law Reports (1983–1997)

**Authors:** (Editorial Board) The Hon Justice F L Nyalali (Chairman), J T Mwaibusu, The Hon Justice B A Samatta, The Hon Justice H M Hamid, The Hon Justice H A Msumi, G P Shaidi, A M Miskiry, K Oriyo, S J Jadeja, B Luanda, M Shangali, P J Kabudi (Assistant Editor)

### About this Publication

Published on behalf of the Government of Tanzania the *Tanzania Law Reports* contain judgments from the High Courts of Tanzania and Zanzibar and the Appeal Court of Tanzania from the period 1983 to 1997.

### Contents

- Chronological listing of cases 1983-1997
- Index to the Tanzania Law Reports
- Cases reported – alphabetically and by court
- Digest of cases reported
- East African cases judicially considered
- Foreign cases judicially considered
- Statutes judicially considered

- Words and phrases judicially considered
- Fully annotated
- Carefully written headnotes and flynotes
- Judgments comprehensively dealt with in the digest of reported cases

### ELECTRONIC Additional Contents and Features

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

**HARD COVER:** ISSN 1028 9186  
**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*)

**Authors:** Juta's Law Reports Editors

### About this Publication

This unrivalled online database of over 20 000 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*
- Powerful electronic searching allows for easy and rapid access to information

**INTERNET:** 1997-048X > Updated daily



## Zambia Law Reports

(Available from 1988–1997 in print, and from 1963–1997 on CD-ROM, Internet and Intranet)

**Authors:** (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 (Editors)

### 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

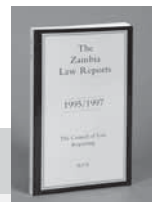
- Zambia Law Reports in print from 1988 to 1997
- A list of judges
- Index of reported cases
- Index of subject matter

- 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
- Zambia Law Reports from 1963 to 1997
- Chronological and alphabetical listing of cases 1963-1997
- Hyperlinks to referenced case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information
- Table of cases – alphabetical and by court

**SOFT COVER** in 4 volumes: ISBN 978-0-7021-5788-2  
**CD-ROM/INTRANET:** ISSN 1560-1668 > This publication is not updated  
**INTERNET:** ISSN 1682-105X



## > Legislation Collections



### Foodstuffs, Cosmetics and Disinfectants Act, Regulations and Standards

#### 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

- The Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972
- The Standards Act 8 of 2008
- Consolidated Regulations
- Selected draft notices
- Compulsory specifications

**DVD-ROM/INTRANET:** ISSN 1563 0579 > Updated monthly and quarterly  
**INTERNET:** ISSN 1563-0587



### Government Gazettes of South Africa

#### About this Publication

Provides access to the full text, in English only, of the *Government Gazettes* from 1994 to date, as reproduced under the Government Printer's Copyright Authority 10045.

#### Contents

- Bills
- Acts
- Amendments

- Government notices
- Powerful electronic searching by subject or keyword allows for easy and rapid access to information
- **[NEW]** Hyperlinks to notices within the product

**DVD-ROM/INTRANET:** ISSN 1560-6422 > Updated daily, monthly and quarterly  
**INTERNET:** ISSN 1560-6414



### Index to the Government Gazettes of South Africa

**Author:** Compiled by D Burger

#### About this Publication

This detailed and uncomplicated guide lists all notices gazetted from 1990 to date. An alphabetical subject index provides access to individual notices and proclamations, an overview of legislation and detailed summaries of recently promulgated Acts. A numerical index lists Gazette numbers and dates of publication of all notices and proclamations.

#### Contents

- Index to the Government Gazettes (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
- **[NEW]** Hyperlinks to the *Government Gazettes of South Africa* for subscribers to this publication

**CD-ROM/INTRANET:** ISSN 1024-2538 > Updated monthly and quarterly  
**INTERNET:** ISSN 1682-0630



### Juta-State Library Index to the Government Gazette

**Author:** Compiled by D Burger

#### 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
  - Alphabetical subject index
  - White Papers
  - Alphabetical list

Published since 1990 (2013 Annual Edition) **HARD COVER:** ISBN 978-1-4851-0040-9  
(2014 Quarterly Subscription) **THREE SOFT COVER ISSUES AND ONE HARD COVER ISSUE:** ISBN JSLIQ > Most back issues are available







## Juta Legislation Service

**Authors:** 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](http://www.jutalaw.co.za).

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

- Criminal Law (Sexual Offences and Related Matters) Amendment Act
- Sexual Offences Act

LOOSE-LEAF: ISBN 978-0-7021-8183-2

#### ✓ Criminal Law - Criminal Procedure/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

LOOSE-LEAF: ISBN 978-0-7021-1633-9

ONLINE: ISSN 2310-6948

#### ✓ Deeds Registries Act/Registrasie van Aktes Wet

- Deeds Registries Act

LOOSE-LEAF: ISBN 978-0-7021-1642-1

#### ✓ Family Law/Familiereg: Volume I

[Children - Parts A & B](#)

- Social Assistance Act; \*Children's Act

LOOSE-LEAF: ISBN 978-0-7021-2276-7

#### ✓ Family Law/Familiereg: Volume II

[Marriages & Unions - Parts A & B](#)

- Marriages & \*Unions; Divorce; Maintenance; Births & Deaths; Family, Domestic Violence & Harassment

LOOSE-LEAF: ISBN 978-0-7021-2343-6

#### ✓ Labour Law - Sectoral Determinations

- \*Only Sectoral and Ministerial Determinations
- Table of Cases

LOOSE-LEAF: ISBN 978-0-7021-8199-3

#### ✓ Liquor Legislation of South Africa (Volumes I & II)

- \*Liquor Act; \*Liquor Products Act; \*Provincial Liquor Acts (excluding Limpopo & North West – not yet promulgated)

LOOSE-LEAF: ISBN 978-0-7021-6734-8

#### ✓ Magistrates' Courts Act/Wet op Landdroshowe

- Magistrates' Courts Act; South African Judicial Education Institute Act; Jurisdiction of Regional Courts Amendment Act; Small Claims Court Act

LOOSE-LEAF: ISBN 978-0-7021-1646-9

#### ✓ Sectional Titles Act/Wet op Deeltitels

- Sectional Titles Act; \*Sectional Titles Schemes Management Act

LOOSE-LEAF: ISBN 978-0-7021-2065-7

#### ✓ Superior Courts Act/Wet op Hoër Howe

- Superior Courts Act; Admiralty Jurisdiction Regulation Act; Constitutional Court Rules; High Court Rules; Admiralty Proceedings Rules

LOOSE-LEAF: ISBN 978-0-7021-1643-8



## Laws of Tanzania

(Principal and Subsidiary Legislation Revised Edition 2002)

### About this Publication

This 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. There are ten main volumes and a supplementary volume, which contains the index, alphabetical and chronological tables and certain omitted Acts which were not in force at the completion of the Law Revision of 2002. The revised edition of the subsidiary legislation has been arranged in a similar fashion and consists of ten volumes. The edition 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.

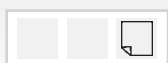
### Contents

- 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

### ELECTRONIC Additional Contents and Features

- Handy hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

**HARD COVER** in 21 volumes: ISBN TANZ LAWS 2002-PACK  
**CD-ROM:** ISSN 1813-3142 > This publication is not updated



## Provincial Legislation Service, Juta's

Eastern Cape Provincial Legislation / Western Cape Provincial Legislation



**Authors:** 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 assignment of ordinances and Acts of Parliament to the respective provinces

(Eastern Cape) **LOOSE-LEAF** in 6 volumes: ISBN 978-0-7021-3534-7  
(Western Cape) **LOOSE-LEAF** in 7 volumes: ISBN 978-0-7021-3450-0  
Published since 1963



## Provincial Legislation of South Africa, Juta's

Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, and Western Cape

**Authors:** Juta's Statutes Editors

### About this Publication

*Juta's Provincial Legislation*, originally based on the consolidated Ordinances as published by Juta Law and Lex Patria, was expanded and enhanced to form a new comprehensive and authoritative provincial legislation service, including the full text of Ordinances, new provincial Acts, regulations, related notices and assigned legislation.

### Contents

- The Acts of the provincial legislature
- Regulations published in terms of these Acts

- Provincial Ordinances and regulations
- Related notices published by the provinces
- Assigned National legislation
- Selected unassigned Acts which affect the provinces eg. the South African Schools Act 84 of 1996
- Provincial Appropriation and Finance Acts from 2011
- Alphabetical and chronological indexes (including Ordinances not produced with repealed details, if applicable)

**CD-ROM/INTRANET:** ISSN 1560-165X > Updated monthly or quarterly  
**INTERNET:** 1027-7080



## Statutes and Case Law of Zimbabwe

(Also available separately as *Statutes of Zimbabwe* and *Case Law of Zimbabwe*)

### About this Publication

This publication is a single comprehensive source of primary law of Zimbabwe.

### Contents

- Statutes of Zimbabwe
  - Statutes from 1996
  - tables of old and new parts, sections and schedule numbers
- Case law of Zimbabwe
  - Zimbabwe Law Reports from 1980 to 2000
  - *Juta's Law Reports of Zimbabwe*

- Judgments from *Zimbabwean Law Courts* reported in the *South African Appellate Division Reports* 1910 to 1946
- Extracts from the *South African Law Reports* of 1947 to date
- Statutes presented in fully consolidated and annotated form
- Powerful electronic searching allows for easy and rapid access to information

**CD-ROM:** ISSN 1560-1684 > This publication is not updated



## Statutes of Namibia

**Authors:** Juta's Statutes Editors

### About this Publication

This publication provides a consolidation of Namibian principal Acts passed from 1990 to date. An alphabetical subject index provides access to the Acts and a chronological index lists regulations and notices published since 2006.

### Contents

- Namibian Acts from 1990 to date
- Pre-1990 legislation assigned to Namibia, updated where possible
- Alphabetical and chronological table of Acts including details of repeals

- Regulations from 2006 onwards
- Hyperlinks from the table of contents to the relevant sections

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

CD-ROM/INTRANET: ISSN 2306-6032 > Updated bi-annually  
INTERNET: 2306-0867

NEW EDITION IN 2014



## Statutes of South Africa, Juta's (2012/13)

(Also available on CD-ROM and the Internet as *Juta's Statutes and Regulations of South Africa*)



NEW  
edition

**Authors:** Juta's Statutes Editors

### About this Publication

Comprising seven cased volumes plus an index volume, this publication is produced with attention to detail and insistence on accuracy. It is updated to 1 March 2013. 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 previous week, and a quarterly newsletter providing a consolidated record of legislative changes.

### Contents

- All unrepealed Acts of Parliament since 1910, fully consolidated
- Related Acts grouped together for ease of reference
- The full text of new statutory provisions not yet in force
- Useful index volume containing indexes, table of legislation judicially considered, and tables of national and provincial Acts, ordinances and regulations

HARD COVER in 8 volumes > ISBN 978-1-4851-0025-6 > 11242pp



## 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

Accurate and comprehensive, this electronic publication is the ideal research tool for this indispensable text. It 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
- Selected regulations prior to 1994
- The full text of new statutory provisions not yet in force
  - The full text of amended provisions
  - The full text of provisions prior to amendment or repeal
  - Rules of court
  - Regulations in terms of Acts promulgated from 1990 to date

- Selected regulations in terms of other important Acts (prior to 1990)
- Related notices from 2003
- Selected related notices prior to 2003
- Legislation judicially considered, listing judgments in which legislative provisions and rules of court have been considered
- Free statutes monitoring service. Subscribers receive *Juta's Weekly Statutes Bulletin*, a supplementary service comprising a weekly summary of the Government Gazette contents – promptly emailed each Monday
- Statutory material classified into groups and subgroups for ease of use
- **[NEW]** Hyperlinks from the Updating Services to the relevant National Acts, and to flynotes and headnotes of judgments
- Links to flynotes and headnotes of judgments
- Electronic searching allows for easy and rapid access to information

DVD-ROM/INTRANET: ISSN 1017-1185 > Updated fortnightly, monthly or quarterly  
INTERNET: ISSN 1682-0789



## Statutes of Zimbabwe

(Also available electronically as part of *Statutes and Case Law 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.

### Contents

- Contents of revised statutes
- *Statutes of Zimbabwe*, revised edition 1996
- Alphabetical list of short titles of Acts
- Chronological table of Acts
- Selected reportable Supreme Court decisions
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications

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

CD-ROM: ISSN 1560-1676 > This publication is not updated  
INTERNET: ISSN 1682-1033



## Weekly Statutes Bulletin, Juta's

(Free weekly service for registered website newsletter subscribers)

**Authors:** Juta's Statutes Editors

### About this Publication

This bulletin is an invaluable aid for busy practitioners and librarians. It provides a concise overview of legislative developments from week to week, promptly e-mailed each Monday.

### Contents

- Summary of legislative amendments, commencement dates and new legislation published in the *Government Gazettes* (National Government) and *Provincial Gazettes* (for all 9 provinces) every week

- Linking to Bills made available that week. Bills are available free of charge at [www.jutalaw.co.za](http://www.jutalaw.co.za)

WEEKLY EMAIL PERIODICAL: ISSN 1022-6397



## Legislation Collections: Pocket Statutes



**Authors:** Juta's Statutes Editors

### About this Publication

This range of titles meets the information requirements of all who perform specific functions within the statutory framework. These useful pocket sized statutes are regularly revised and include the Act/s, Regulations, a 'Quick Finder' providing easy access to contents and a useful list of key addresses.

- ✓ **Basic Conditions of Employment Act 75 of 1997 & Regulations**  
(Also available as part of the 5-volume Labour-Mini Library)
- ✓ **Broad-Based Black Economic Empowerment Act 53 of 2003 & Related Material**
- ✓ **Child Justice Act 75 of 2008 & Regulations**  
(Also available as part of a two-volume set together with the Children's Act 38 of 2005 & Regulations, or as part of the 5-volume Criminal Law Pocket Library)
- ✓ **Children's Act 38 of 2005 & Regulations**  
Includes a CD-ROM containing the General Regulations Regarding Children, 2010 consolidated forms and Regulations Relating to Children's Courts and International Child Abduction, 2010 forms.  
(Also available as part of a two-volume set together with the Child Justice Act 75 of 2008 & Regulations)
- ✓ **Companies Act 71 of 2008 & Regulations**  
Includes a CD-ROM containing the Companies Regulations, 2011 – Forms.  
(Also available as part of the 4-volume Corporate Pocket Library)
- ✓ **Competition Act 89 of 1998 & Rules**  
(Also available as part of the 4-volume Corporate Pocket Library)
- ✓ **Constitution of the Republic of South Africa, 1996, The**  
(Also available as part of the 11-volume Comprehensive Local Government Library)
- ✓ **Consumer Protection Act 68 of 2008 & Rules and Regulations**  
(Also available as part of the 4-volume Corporate Pocket Library)
- ✓ **Correctional Services Act 111 of 1998 & Regulations and Related Material**
- ✓ **Corporate Pocket Library (4-volume set in a complimentary slipcase)**
  - Companies Act 71 of 2008 & Regulations (incl. CD containing the Companies Regulations, 2011 forms)
  - Competition Act 89 of 1998 & Rules
  - Consumer Protection Act 68 of 2008 & Rules and Regulations
  - Financial Markets Act 19 of 2012 & Rules
- ✓ **Criminal Law Pocket Library (5-volume set in a complimentary slipcase)**
  - Criminal Procedure Act 51 of 1977 & Regulations
  - Child Justice Act 75 of 2008 & Regulations
  - Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations
  - Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention & Combating of Torture of Persons Act 13 of 2013 & Regulations
  - Probation Services Act 116 of 1991 & Regulations
- ✓ **Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957**
- ✓ **Criminal Procedure Act 51 of 1977 & Regulations**  
(Also available as part of the 5-volume Criminal Law Pocket Library)
- ✓ **Disaster Management Act 57 of 2002 & Regulations**  
(Also available as part of the 11-volume Comprehensive Local Government Library)
- ✓ **Division of Revenue Act 2 of 2013**  
(Also available as part of the 11-volume Comprehensive Local Government Library)

- ✔ **Domestic Violence Act 116 of 1998 & Regulations**  
*(Also available as part of a two-volume set together with the Protection from Harassment Act 17 of 2011 & Regulations)*
- ✔ **Employment Equity Act 55 of 1998 & Regulations, Skills Development Act 97 of 1998 & Regulations, and Skills Development Levies Act 9 of 1999 & Regulations**  
*(Also available as part of the 5-volume Labour-Mini Library)*
- ✔ **Estate Agency Affairs Act 112 of 1976 & Regulations**
- ✔ **Financial Intelligence Centre Act 38 of 2001 & Regulations**  
*(Also available as part of a two-volume set together with the Financial Advisory and Intermediary Services Act 37 of 2002)*
- ✔ **Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations**  
 Includes a CD-ROM containing compliance reports and related material  
*(Also available as part of a two-volume set together with the Financial Intelligence Centre Act 38 of 2001 & Regulations)*
- ✔ **Financial Markets Act 19 of 2012 & Rules**  
*(Also available as part of the 4-volume Corporate Pocket Library)*
- ✔ **Grondwet van die Republiek van Suid-Afrika, 1996, Die**
- ✔ **Intellectual Property Law**  
 Trade Marks Act 194 of 1993; Copyright Act 98 of 1978; Designs Act 195 of 1993; Counterfeit Goods Act 37 of 1997; Merchandise Marks Act 17 of 1941; Registration of Copyright in Cinematograph Films Act 62 of 1977; Performers' Protection Act 11 of 1967; Intellectual Property Rights from Publicly Financed Research and Development Act 51 of 2008 & Related material; Supplement incorporating recent legislative amendments.
- ✔ **Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material**  
 Also available as part of the 11-volume Comprehensive Local Government Library
- ✔ **IoDSA Pocket Library (4-volume set in slipcase)**

  - King III Report
  - King Code; Companies Act 71 of 2008
  - Regulations for the Companies Act 71 of 2008 with CD-ROM containing forms
- ✔ **Labour Mini-Library (5-volume set in a complimentary slipcase)**

  - Basic Conditions of Employment Act 75 of 1997 & Regulations
  - Employment Equity Act 55 of 1998 & Regulations, Skills Development Act 97 of 1998 & Regulations and Skills Development Levies Act 9 of 1999 & Regulations
  - Labour Relations Act 66 of 1995 & CCMA Related Material
  - Regulations in terms of the Labour Relations Act
  - Occupational Health and Safety Act 85 of 1993 & Regulations
- ✔ **Labour Relations Act 66 of 1995 & CCMA Related Material**  
*(Also available as part of the 5-volume Labour-Mini Library)*
- ✔ **Local Government Library - Basic Set (4-volume set in a complimentary slipcase)**

  - Local Government: Municipal Systems Act 32 of 2000 & Regulations
  - Local Government: Municipal Structures Act 117 of 1998 & Regulations; Preferential Procurement Policy Framework Act 5 of 2000 & Regulations; Local Government: Municipal Demarcation Act 27 of 1998
  - Local Government: Municipal Finance Management Act 56 of 2003 & Regulations
  - Local Government: Municipal Property Rates Act 6 of 2004 & Regulations; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations
- ✔ **Local Government Library – Comprehensive Set (11–volume set in slipcase)**

  - Disaster Management Act 57 of 2002 & Regulations
  - Division of Revenue Act 2 of 2013
  - Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material
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# Author Index

I'Owoses-/Goagoses, F	137	Cooper, C	98, 152, 159	Glazewski, J	65, 92
Abraham, G	151	Corbett, M M	60, 148	Gloppen, S	30, 64
Ackermann, I	34, 159	Corder, G	1	Glover, G	155
Ackermann, L	34	Corder, H	1, 155	Godfrey, S	93
Ajibola, B	12	Cornell, D	91	Goldblatt, B	131, 155
Allan, A	120	Correia, C	72	Gonin, H L	61, 62
Ally, D	45	Cousins, B	136	Gordon-Davis, L	82
Andanda, P	155	Cowen, S	11	Govindjee, A	106
Anstey, M S	2, 95, 102, 94	Cowling, M G	55	Gravett, W H	113
Antrobus, D M	2, 95	Croome, B	143, 144, 145	Grogan, J	93, 94, 96, 100, 111
Armstrong, C	85, 86	Cumberlege, P	82	Grossett, L	95
Artz, L	54, 131	Currie, I	29, 36	Hahlo, H R	148
Badenhorst, P J	122, 123	Da Silva, C	113	Hamid, H M	162
Barker, F S	97	Dada, M	119	Hammond, S	111
Barker, H J	147	Davel, C J	127	Hansjee, B	114
Barnard-Naudé, J	91	Davis, D M	143	Hare, J	141
Barrow, O J	159, 162	De Beer, J	85, 86	Harker-Burnham, N	92
Barry, B	63, 105, 107	De Jager, F J	46	Harris, A	24
Bascerano, E	4	De Jager, N	34	Havenga, M	22, 26
Basdeo, V	50	De la Harpe, R	17	Havenga, P	21, 83
Basson, A C	97	De Waal, J	29, 36	Hawthorne, L	41
Bekker, P M	50	De Waal, M J	147, 148	Heaton, J	151, 155
Bendix, S	98	De Wet, C	145	Henderson, P G W	66
Benjamin, P S	14, 104, 105, 107, 108, 111	De Wit, M	67	Hewett, M L	51
Bennett, T W	28, 56, 88	Deale, P	101	Hiemstra, V G	61, 62
Bentley, K	33	Dean, O H	85	Hocor, S V	12, 13, 55, 124, 154
Bertelsmann, E	24	Deeds Office of South Africa, The	133	Hoexter, C	1
Beukes, J	26	Dekker, A	97	Hofmeyr, G	140, 148
Bhana, D	44, 155	Delport, A	22	Honey, D P	60
Bhoola, U	92	Delport, H J	139	Horn, N	154
Bishop, M	4, 31	Delport, P A	26	Hsieh, A	35
Blackman, M <sup>1</sup>	17	Dendy, M	156	Hurter, E	21
Bleazard, J	1	Dhai, A	119	Institute of Directors in Southern Africa, The (IoDSA)	81
Blignaut, J	67	Diedrich, F	28, 57	Jadeja, S J	162
Boezaart, T	126, 129	Dissel, A	53	Jagwanth, S	33
Bonthuys, E	44, 74	Du Bois, F	90, 91, 92	Jearey, J H	162
Booyesen, S F	70	Du Plessis, J	13, 43, 145	Jooste, R	17, 18, 19, 23
Boshoff, E	62, 77	Du Plessis, L M	89	Jordaan, B	93, 109, 110
Botes, M	145	Du Plessis, M	32	Jorens, Y	97
Botha, C	112	Du Toit, D	93	Joubert, C	44
Botha, M	132	Du Toit, E <sup>1</sup>	46	Joubert, J J	50
Botha, R C	141	Du Toit, P	34	Joyner, K	118
Bradfield, G	43, 65	Du Toit, Z	130	Kabudi, P J	162
Brand, H	20	Dugard, J	30, 64, 87, 155	Kader, F	114
Brand, J W D	2, 3, 17, 95, 99	Dul, H	125	Kahn, E	13, 43, 147, 148
Brassey, M	18	Dupper, O C	96, 97, 106	Kalideen, S	23
Brickhill, J	4, 31, 32	Dyani-Mhango, N	155	Kalula, E	26, 33, 92, 109, 110, 154
Budlender S	36	Dyzenhaus, D	39	Kana, S P	70, 77
Burchell, J M	46, 47, 52, 54, 59, 60	Engels-Van Zyl, R	143	Karels, M	50
Burger, A J	112	Erasmus, A	47	Kawooya, D	85
Burger, D	155, 163	Erasmus, B J	107	Keightley, R	155
Burman, S	128	Erasmus, H J	4	Keith, D	108, 109, 110, 140
Burrell, T	156	Esselaar, V	97	Kelbrick, R	21, 151
Calland, R	33	Esser, I M	26	Kelly-Louw, M	19, 24
Cameron, E	147	Evans, R G	24	Kemp, G	49
Campbell, J	18	Everingham, G K	17, 70, 77	Kernick, L A	146
Campbell, N	77	Fagan, A	92	Khalo, T	118
Carey Miller, D L	135	Farlam, P	4	Khan, F	88
Carnelley, M	20	Finsen, E	2, 40, 95	Kidd, M	13, 85
Carstens, P	120	Fisher, D S	161	Kiggundu, J	15, 24
Cascarino, R	73	Floyd, T B	61	Kilbourn, L	132
Cassim, F H I	17, 19, 23, 26	Flynn, D K	72	King, M	76, 81, 151
Cassim, M F	19, 23, 26	Fombad, C M	12	King, N D	66
Cassim, R	19, 23	Forsyth, C F	41, 88	Kleyn, D	89
Chenwi, L	155	Foster, D	120	Koelble, T	115
Chirwa, D M	29, 35	Francis-Subbiah, R	10	Kok, A	90
Christianson, M A	97	Freedman, W	39	Kolitz, M	144
Christie, R H	15	Frimpong, K	48	Kotzé, L	64
Cilliers, A C	6	Garbers, C J	96, 97	Kritzinger, K M	43
Claassens, A	74, 136, 150	Gardner, B T	162	Kruise, H	155
Clarke, A	62, 79	Gauntlett, J J	60	Kuper, M	76, 151
Cobbedick, P	156	Geach, W D	21, 26, 147, 149	Lake, R	27
Cohen, A	120	Geldenhuys, T	50	Landis, H	95
Cohen, C H	2, 95	Geyer, N	119	Landman, A A	97
Conradie, L	158, 159	Glaser, P F	2, 95		

Larkin, M <sup>†</sup> .....	17	O'Sullivan, M .....	74	St Q Skeen, A <sup>†</sup> .....	46
Le Roux, P A K .....	97	Oelofse, A N .....	73	St. Clair, A L .....	30, 64
Le Roux, R .....	106	Oguamanam, C .....	86	Stander, L .....	24
Legal Aid South Africa, The .....	113	Oguttu, A .....	144	Steadman, F J .....	2, 3, 17, 95, 99
Legh, R .....	18	Okorafor, N .....	26	Stein, N .....	31
Legwaila, T .....	144	Okpaluba, C .....	58	Stevens, R .....	156
Lehmann, K .....	43, 92	Olivier, L .....	143	Steyn, D J .....	53
Liebenberg, S .....	27, 38	Olivier, M .....	106, 109	Steyn, L .....	22, 24
Lochner, H .....	69	Ombudsman for Banking Services .....	72, 79	Steynberg, L .....	61
Locke, N .....	26	Opperman, I .....	27	Stoop, B C .....	51
Logan, S .....	77	Opperman, M .....	103, 105	Stoop, P .....	19, 21, 151
Loots, C .....	6	Oppermann, H R B .....	70	Strug, J .....	88
Lötter, C .....	3, 99	Oriyo, K .....	162	Strydom, E .....	96, 109, 110, 111
Loubser, A .....	16, 24	Osode, P .....	58	Strydom, H .....	66, 151
Loubser, M M .....	5, 60	Paizes, A .....	46	Sullivan, L .....	23
Louw, C .....	144	Parmentier, S .....	53	Sutherland, R T .....	2, 95
Luanda, B .....	162	Paterson, A .....	64	Swanepoel, B J .....	107
Lubbe, G F .....	13, 42, 43	Pearmain, D .....	120	Swanepoel, J P .....	50
Lyster, R .....	2, 95	Penfold, G .....	32	Taitz, J .....	159
M'Paradzi, A .....	26	Phutiagae, K .....	118	Taylor, M .....	14
Mabena, V .....	111	Pienaar, G J .....	134, 138	Tennant, S-L .....	81
Mahomed, A .....	135, 139	Pienaar, J M .....	135	Terblanche, S S .....	49, 50, 68, 154
Mahony, D P .....	26, 78, 80	Pistorius, D .....	8	Theron, J .....	93
Malan, F R .....	73	Pithey, B .....	54	Thompson, C .....	108
Malherbe, K .....	12, 99	Pons, A .....	101, 135	Thompson, H .....	67
Manamela, E .....	21	Potgieter, C .....	61	Todd, C .....	17
Manamela, T .....	21	Potgieter, J M .....	58, 59, 61	Tokiso (Pty) Ltd .....	95
Maree, J .....	16, 93	Prabhala, A .....	85	Tong, L .....	87, 154
Maserumule, P .....	93	Prest, C B .....	7	Tredoux, C .....	120
Masilo, P .....	121, 123	Pretorius, C-J .....	41	Uliana, E .....	72
Matthias, C .....	128	Pretorius, J T .....	21, 22, 26, 41, 73	Unterhalter, D .....	18
McCall Smith, A .....	48	Pretorius, P J .....	2, 95	Urquhart, G .....	143
McCann, M .....	92	Quinot, G .....	1, 2, 27	Van Blerk, P .....	7
McDonald, D A .....	65	Rademeyer, C H .....	17	Van de Vijver, L .....	1
McKenzie, H .....	40	Radford, E J .....	2, 95	Van den Heever, P .....	8, 120
McLean, K .....	131	Raditapole, T N .....	14	Van der Berg, J .....	45
Mcquoid-Mason, D .....	11, 119	Rajab-Budlender, N .....	36	Van der Linde, K .....	22
Meintjes-van der Walt, L .....	68	Ramsden, P .....	3, 40, 85, 102	Van der Merwe N .....	70
Meyerowitz, D .....	148	Rautenbach, G .....	121, 123	Van der Merwe, D P .....	68
Meyersfeld, B .....	155	Reid, E .....	36, 60	Van der Merwe, S E .....	46, 50, 69
Millard, D .....	84	Reid, K .....	137	Van der Merwe, S W .....	42
Milton, J R L .....	46, 55	Reinecke, M F B .....	42	Van der Spuy, E .....	53
Miskiry, A M .....	162	Roberts, L .....	81	Van der Walt, A J .....	33, 132, 134, 136
Moellendorf, D .....	91	Roederer, C .....	91	Van der Walt, C .....	89, 118
Mokoena, M T .....	45, 51	Roehrs, S .....	35	Van der Walt, G .....	118
Mokoena, T .....	50	Roeleveld, J .....	143	Van Esch, S .....	73
Mongalo, T H .....	25	Roestoff, M .....	24	Van Huyssteen, L F .....	42
Moodley, K .....	68	Rossini, L .....	16	Van Jaarsveld M .....	21
Moosa, N .....	57, 75	Rycroft, A .....	106	Van Loggerenberg, D E .....	4, 6
Morkel, P .....	62, 77	Sachs, A .....	64	Van Niekerk, D .....	118
Moses, J .....	51	Samatta, B A .....	162	Van Niekerk, J P .....	83, 153, 159
Mostert, H .....	28, 56, 122, 123	Schabot, P J .....	160	Van Wyk, A .....	76, 151
Mpedi, L .....	109	Schärf, W .....	92	Van Wyk, C .....	14
Msumi, H A .....	162	Schenk, H W .....	107	Van Wyk, J .....	137
Mubangizi, J C .....	37	Schoeman-Malan, M C .....	148	Van Zyl, D .....	12
Muller, E .....	144	Schonwetter, T .....	85, 86	Van Zyl, F .....	71
Mullins, J .....	113	Schreier, T .....	88	Venter, A .....	118
Munalula, M .....	162	Schulze, H .....	21	Venter, F .....	31
Murray, C .....	74	Schwikkard, P J .....	12, 68, 69, 92	Vermaas, M .....	22, 26
Mushariwa, M .....	155	Scott, S .....	41	Viljoen, F .....	89, 90
Musonda, P .....	162	Scott, T J .....	58	Visser, C .....	21, 151
Muzyamba, W M .....	162	Shaidi, G P .....	162	Visser, D .....	36, 58, 137, 146
Mwaibusu, J T .....	162	Shangali, M .....	162	Visser, P J .....	59
Myburgh, P .....	97	Sharrock, R .....	16, 21, 22	Vosloo, C .....	98, 152, 159
Naldi, G J .....	33	Shev, J .....	19, 23	Wadee, Z .....	70, 77
Nathan, L .....	33	Sibanda, S .....	155	Wassenaar, D .....	120
Naudé, B C .....	68	Siddle, A .....	115	Watney, M M .....	49
Navsa, M S V .....	161	Simbyakula, N .....	162	Wiggins, H .....	14
Ncube, C .....	87, 154	Simkins, C .....	18	Williams, R C .....	142, 144
Ndlovu, P F .....	121	Sinclair, J D .....	85, 129	Williams-de Beer, L .....	98, 152, 159
Nealer, E .....	118	Skelton, A .....	127	Wilson, J .....	18, 98, 152, 159
Neethling, J .....	58	Sloth-Nielsen, J .....	12, 99, 128, 130	Woker, T .....	42
Nel, H C .....	6	Smith, A D .....	22, 24, 156	Womack, C .....	90, 114
Nel, H S .....	134	Smythe, D .....	35, 54, 74, 131, 150	Woolman, S .....	31, 38
Ngcukaitobi, T .....	3, 31, 94, 99	Snyman, C R .....	47, 48	Wormald M .....	72
Nienaber, A .....	89, 90	Solomon, P .....	147	Wunsh, B .....	147
Nijzink, L .....	29	Sonnekus, J C .....	153	Yeats, J .....	17, 19, 23, 149
Nina, D .....	92	South African Institute of Chartered Accountants, The (SAICA) .....	78, 82	Zaal, N .....	128
Nortje, M .....	44	South African Institute of Professional Accountants, The (SAIPA) .....	25	Zimmermann, R .....	137
Nupen, C D .....	2, 95	Southwood, M .....	132		
Nyalali, F L .....	162				
O'Regan, C M E .....	161				



# Title Index

2014 Compendium of Tax Legislation, Juta's .....	75, 142	Applied Law for Police Officials .....	44
ABC of Conveyancing .....	132	Arbitration, Rules for the Conduct of .....	3
Access to Knowledge in Africa: The Role of Copyright .....	85	Aspects of Forensic Medicine: An Introduction for Healthcare Professionals .....	118
Accountable Government in Africa: Perspectives from Public Law and Political Studies .....	29	A-Z of Medical Law .....	119
Accounting Standards .....	70	A-Z of Nursing Law .....	119
Acta Juridica (2000 to date) (Electronic) .....	150	Bail: A Practitioner's Guide .....	45
Acta Juridica 1999: Environmental Justice and the Legal Process .....	65, 150	Banking Ombudsman, The Handbook of the .....	72
Acta Juridica 2000: Developing Delict: Essays in Honour of Robert Feenstra .....	58, 150	Banking Legislation, South African .....	73
Acta Juridica 2001: Equality Law – Reflections from South Africa and Elsewhere .....	33, 150	Basic Conditions of Employment Act 75 of 1997 & Regulations (Juta's Pocket Statutes) .....	93, 101, 167, 168
Acta Juridica 2002: Revenue Law .....	150	Basic Conditions of Employment Act 75 of 1997, Summary of the .....	100, 170
Acta Juridica 2003: Criminal Justice in a New Society .....	47, 150	Basic Guide to Civil Procedure in the Magistrates' Courts, A (LegalEase: Essence series) .....	4
Acta Juridica 2004: Practice of Integrity – Reflections on Ronald Dworkin and South African Law .....	92, 150	Basic Guide to Criminal Procedure, The: A Rights-based Approach (LegalEase: Elements series) .....	45
Acta Juridica 2005: Advancing Women's Rights .....	74, 150	Beginner's Guide for Law Students .....	89
Acta Juridica 2006: Comparing Administrative Justice across the Commonwealth .....	1, 150	Beginnersgids vir Regstudente .....	89
Acta Juridica 2007: Restorative Justice – Politics, Policies and Prospects .....	53, 150	Beginnels van Bewysreg .....	69
Acta Juridica 2008: Dignity, Freedom and the Post-Apartheid Legal Order: The Critical Jurisprudence of .....	91, 150	Bewysreg, Die: Hofsaak en Wetgewing/Law of Evidence, The: Cases and Statutes .....	68
Acta Juridica 2009: Global Administrative Law .....	1, 150	Bill of Rights Handbook, The .....	29
Acta Juridica 2010: Modern Company Law for a Competitive South African Economy .....	25, 150	Bill of Rights of the Constitution of South Africa .....	30, 170
Acta Juridica 2011: Pluralism and Development – Studies in Access to Property in Africa .....	56, 150	Bioethics, Human Rights and Health Law: Principles and Practice .....	119
Acta Juridica 2012: Reinventing Labour Law – Reflecting on the first 15 years of the Labour Relations Act and future challenges .....	106, 150	Black Economic Empowerment Scorecard Manual, The .....	14
Acta Juridica 2013: Marriage, Land and Custom – Essays on Law and Social Change in South Africa .....	74, 150	Black Economic Empowerment: Commentary, Legislation and Charters .....	14
Administration of Estates Act 66 of 1965 & Regulations; Administration of Estates Laws Interim Rationalisation Act 20 of 2001; Maintenance of Surviving Spouses Act 27 of 1990; Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009; Trust Property Control Act 57 of 1988 & Regulations .....	149, 169	Board Evaluations, How to do (LegalEase: Essentials series) .....	80
Administration of Estates and Drafting of Wills .....	146	Botswana Company Law Service .....	15
Administrative Justice across the Commonwealth, Comparing .....	1	Botswana Company Law Service, Supplement to the .....	15
Administrative Law in South Africa .....	1	Broad-Based Black Economic Empowerment Act 53 of 2003 & Related Material (Juta's Pocket Statutes) .....	15, 167
Administrative Law, Global: Innovation and Development .....	1	Building and Engineering Contracts and Arbitration, McKenzie: The Law of .....	40
Administrative Law: Cases and Materials .....	1	Building Contract, The: A Commentary on the JBCC Agreements .....	40
Admiralty Jurisdiction: Law and Practice in South Africa .....	140	Burrell's Intellectual Property Law Reports (Print and electronic) .....	156
Advancing Women's Rights .....	74	Business Entities, Student Casebook on .....	26
Afneem van Doeltreffende Getuieverklaringe (LegalEase: Essence series) .....	69	Business in the 21st Century, Integrate: Doing .....	81
Africa Nazarene University Law Journal .....	150	Business Law in Zimbabwe .....	15
African Human Rights Law Journal (2001 to 2012) .....	32	Business Management for Financial Planners: A Guide to Creating a Sustainable Service-based Financial Planning Business .....	16
African Human Rights Law Reports (2000 to 2004) .....	32	Business Transactions Law .....	16
African Yearbook on International Humanitarian Law .....	151	Candidate Attorneys, The Survivor's Guide for .....	114
Alcohol, Drugs and Employment .....	92	Caney's The Law of Suretyship .....	41
Algemene Beginsels van Komersiële Reg .....	21	Capital Gains Tax: A Practitioner's Manual .....	142
Annual Labour Law Update 2013, Juta's .....	93	Case Law of Zimbabwe .....	157, 166
Annual Survey of South African Law .....	151, 153	Case Law, South African (1838 to date) .....	160
Appellate Division Reports, South African (1910 to date) .....	160	Casebook on the Law of Delict/Vonnisbundel oor die Deliktereg .....	58
		Casebook on the Law of Partnership, Company Law and Insolvency Law/Vonnisbundel oor die Vennootskapsreg, Maatskappyereg en Insolvensiereg .....	16
		Cases and Materials on Criminal Law .....	46
		Cession for Students (LegalEase: Elements series) .....	41

Child Justice Act 75 of 2008 & Regulations (Juta's Pocket Statutes) .....	46, 48, 126, 127, 167
Child Law in South Africa .....	126
Child, The Fate of the: Legal Decisions on Children in the New South Africa .....	128
Children's Act, Commentary on the .....	127
Children's Act 38 of 2005 & Regulations (Juta's Pocket Statutes) .....	127, 167
Civil Practice of the Magistrates' Courts in South Africa, Jones & Buckle: The .....	6
Civil Procedure in the Magistrates' Courts, A Basic Guide to (LegalEase: Essence series) .....	4
Civil Procedure Library, Juta's .....	4
Climate Talk - Rights, Poverty and Justice .....	30, 64
Close Corporations Act and Regulations, Guide to the .....	21
Collective Bargaining in South Africa .....	93
Collective Bargaining in the Workplace .....	94
Collective Labour Law .....	94
Commentary on the Children's Act .....	127
Commentary on the Companies Act .....	17
Commentary on the Criminal Procedure Act .....	46
Commentary on the Mine Health and Safety Act and Regulations .....	121
Commercial Law, General Principles of .....	21
Commercial Mediation: A User's Guide .....	17
Companies Act 71 of 2008 & Regulations .....	17, 20, 81, 82, 167, 168
Companies Act 71 of 2008, The Practitioner's Guide to the .....	25
Companies Act and Regulations, Guide to the .....	21
Companies Act, Commentary on the .....	17
Companies Acts, The Comparative Guide to the Old and New .....	18
Company Law for a Competitive South African Economy, Modern .....	25
Company Law through the Cases: A Source Book, Hahlo's South African .....	22
Company Law, Contemporary .....	19
Comparative Guide to the Old and New Companies Acts, The .....	18
Comparing Administrative Justice across the Commonwealth .....	1
Competition Act 89 of 1998 & Rules (Juta's Pocket Statutes) .....	18, 20, 167
Competition Law .....	18
Comprehensive Local Government Library .....	114, 115, 116, 117, 118, 140, 167, 168, 169
Compulsory Acquisition of Rights, The: By Expropriation, Way of Necessity, Prescription, Labour Tenancy and Restitution .....	132
Constitution of South Africa, Bill of Rights of the .....	30
Constitution of the Republic of South Africa, 1996 .....	30, 167, 168
Constitution of the Republic of South Africa, Understanding the (Juta's Pocket Companions) .....	39
Constitution, Human Rights under the Malawian .....	35
Constitution, South African – Falls the Shadow: Between the Promise and the Reality of the .....	33
Constitutional and Administrative Law, The New (Volume I: Constitutional Law) .....	36
Constitutional Comparison: Japan, Germany, Canada, South Africa as Constitutional States .....	31
Constitutional Law Casebook, The .....	31
Constitutional Law of South Africa .....	31
Constitutional Library, Juta's .....	32
Constitutional Litigation .....	32
Constitutional Property Law (Juta's Property Law Library) .....	33, 132
Constitutional Rights in Namibia: A Comparative Analysis with International Human Rights .....	33
Consumer Credit Regulation in South Africa .....	19
Consumer Protection Act 68 of 2008 and Rules & Regulations (Juta's Pocket Statutes) .....	19, 20, 167
Consumer Protection Act, Understanding the (Juta's Pocket Companions) .....	27
Contemporary Company Law .....	19
Contract Law Casebook / Kontraktereg Vonnisbundel .....	41
Contract, Student's Guide to the Law of (LegalEase: Elements series) .....	44
Contract: General Principles .....	42
Conveyancing in South Africa, Jones' .....	134
Conveyancing, ABC of .....	132
Cooper's Motor Law: Criminal liability, administrative adjudication and medico-legal aspects .....	124
Copyright Act 98 of 1978 .....	86, 168
Copyright Law, Handbook of South African Corporate Business Administration, South African .....	20, 26
Corporate Library, Juta's .....	20
Corporate Pocket Library (Juta's Pocket Statutes) .....	20, 168
Corporate Report, The: Facilitating Business in South Africa .....	76, 151
Corporate Reporting .....	70, 77
Correctional Services Act 111 of 1998 & Regulations and Related Material (Juta's Pocket Statutes) .....	139, 167
Counterfeit Goods Act 37 of 1997 .....	86, 168
Cowen on Law: Selected Essays .....	11
Credit Guide, The: Manage your Money with the National Credit Act .....	77
Criminal Justice in a New Society .....	47
Criminal Justice, South African Journal of .....	154
Criminal Law - Criminal Procedure / Strafreg – Strafproses (Juta Legislation Service) .....	49
Criminal Law – Sexual Offences/Strafreg – Seksuele Misdrywe (Juta Legislation Service) .....	47
Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957 .....	167
Criminal Law and Procedure, South African (Common-law Crimes) .....	55
Criminal Law and Procedure, South African (General Principles of Criminal Law) .....	54
Criminal Law and Procedure, South African (Statutory Offences) .....	55
Criminal Law Casebook/Strafregsakebundel .....	47
Criminal Law of Botswana, The .....	48
Criminal Law Pocket Library, The (Juta's Pocket Statutes) .....	48, 167, 169
Criminal Law Reports, The Index and Annotations to the South African .....	158
Criminal Law Reports, The South African .....	160
Criminal Law Workbook (LegalEase: Elements series) .....	48
Criminal Law, Cases and Materials on .....	46
Criminal Procedure Act 51 of 1977 & Regulations (Juta's Pocket Statutes) .....	48, 49, 167
Criminal Procedure Act, Commentary on the .....	46
Criminal Procedure Casebook / Strafprosesreg Vonnisbundel .....	49
Criminal Procedure Handbook .....	50
Criminal Procedure, The Basic Guide to: A Rights-based Approach (LegalEase: Elements series) .....	45
Cumulative Index to the South African Law Journal (1998–2010) .....	155
Customary Law in South Africa .....	56
Damages in Bodily and Fatal Injury Cases, The Quantum of .....	60

Damages through the Cases, Law of .....	59	Equality Law – Reflections from South Africa and Elsewhere .....	33
Deeds Practice Manuals: The Consolidated Practice Manuals of the Deeds Office of South Africa .....	133	Erasmus: Superior Court Practice .....	4
Deeds Registries Act/Registrasie van Aktes Wet (Juta Legislation Service) .....	133	Erfreg .....	148
Deeds Registries Act 47 of 1937, Sectional Titles Act 95 of 1986 & Regulations / Registrasie van Aktes Wet 47 van 1937, Wet op Deeltitels 95 van 1986 & Regulasies .....	133	Essays on the Law of Botswana .....	12
Designs Act 195 of 1993 .....	86, 168	Essential Employment Discrimination Law .....	97
Developing Delict – Essays in Honour of Robert Feenstra .....	58	Essential Legal Practitioner Bundle, The .....	5, 141
Diamond Law: Change, Trade and Policy in Context .....	121	Essential Social Security Law .....	97
Dictionary, Trilingual Legal .....	62	Estate Agency Affairs Act 112 of 1976 & Regulations (Juta's Pocket Statutes) .....	134, 168
Digest of Cases on South African Insurance Law 1828-1909 .....	83	Estate Duty Act 45 of 1955 & Regulations .....	149, 169
Digest of South African Law, Juta's Dignity, Freedom and the Post-Apartheid Legal Order: The critical jurisprudence of Laurie Ackermann .....	91	Estates and Drafting of Wills, Administration of .....	146
Director Inductions, How to do (LegalEase: Essentials series) .....	80	Evidence, Principles of .....	69
Disaster Management Act 57 of 2002 & Regulations (Juta's Pocket Statutes) .....	114, 140, 167, 168	Evidence, The Law of: Cases and Statutes / Bewysreg, Die: Hofsaak en Wetgewing .....	68
Dismissal .....	94	Exemplary Scholar, The: Essays in Honour of John Milton .....	12
Dispute Resolution .....	2, 95	Extinctive Prescription .....	5
Dispute Resolution Digest 2014, The: The Tokiso report on the State of Labour Dispute Resolution in South Africa .....	2, 95	Failure of Decentralisation in South African Local Government, The: Complexity and Unanticipated Consequences .....	115
Dispute Resolution, Labour .....	3, 99	Falls the Shadow: Between the Promise and the Reality of the South African Constitution .....	33
Dispute Resolution, Labour Litigation and .....	100	Family Law: Volume I - Children, Parts A & B / Familiereg: Volume I - Kinders, Dele A & B (Juta Legislation Service) .....	127
Division of Revenue Act 2 of 2013 (Juta's Pocket Statutes) .....	115, 167, 168	Family Law: Volume II – Marriages & Unions, Parts A & B / Familiereg: Volume II – Huwelike en Verbintenisse, Dele A & B (Juta Legislation Service) .....	128
DNA in the Courtroom: Principles and Practice .....	68	Fate of the Child, The: Legal Decisions on Children in the New South Africa .....	128
Domestic Violence Act 116 of 1998 & Regulations (Juta's Pocket Statutes) .....	4, 168	Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations (Juta's Pocket Statutes) .....	71, 168
Drafting of Wills, The .....	147	Financial Advisory and Intermediary Services Manual .....	71
Eastern Cape Provincial Legislation .....	165	Financial Intelligence Centre Act 38 of 2001 & Regulations (Juta's Pocket Statutes) .....	71, 168
Education Law and Policy Handbook, Juta's .....	62, 77	Financial Management .....	72
Electronic Law Journals, Juta's (2000 to date) .....	152	Financial Markets Act 19 of 2012 & Rules (Juta's Pocket Statutes) .....	20, 72, 167, 168
Employment and the Law: A Practical Guide for the Workplace .....	95	Foodstuffs, Cosmetics and Disinfectants Act, Regulations and Standards .....	163
Employment Discrimination Law, Essential .....	97	Franchise Relationship under South African Law, The .....	42
Employment Equity Act 55 of 1998 & Regulations, Skills Development Act 97 of 1998 & Regulations, and Skills Development Levies Act 9 of 1999 & Regulations .....	96, 100, 168	Friend or Foe? Dominant Party Systems in Southern Africa: Insights from the Developing World .....	34
Employment Equity Act 55 of 1998, Summary of the .....	100, 170	Fundamental Principles of Effective Trial Advocacy, The .....	113
Employment Rights .....	96	Gambling Laws of South Africa .....	20
Engels – Afrikaanse Regswoordeboek .....	61	Gender, Law and Justice .....	74
English for Law Students .....	89	General Principles of Commercial Law .....	21
English Reports, The .....	157	Getuieverklarings, Afneem van Doeltreffende (LegalEase: Essence series) .....	69
Environmental Compliance and Enforcement in South Africa: Legal Perspectives .....	64	Gibson's South African Mercantile and Company Law .....	21
Environmental Economics, Sustainable Options: Development Lessons from Applied .....	67	Global Administrative Law: Innovation and Development .....	1
Environmental Justice and the Legal Process .....	65	Government Gazette, Juta-State Library Index to the .....	163
Environmental Justice in South Africa .....	65	Government Gazettes of South Africa .....	163
Environmental Law .....	65	Government Gazettes of South Africa, Index to the .....	163
Environmental Laws of South Africa .....	66	Government Liability: South Africa and the Commonwealth .....	58
Environmental Library, Juta's .....	66	Green II: Why Corporate Leaders need to Embrace Sustainability to Ensure Future Profitability .....	78
Environmental Management in South Africa, Fuggle & Rabie's .....	66	Grondwet van die Republiek van Suid-Afrika, 1996 (Juta se Sakpaswette) .....	30, 168
Equality in the Workplace: Reflections from South Africa and Beyond .....	96		

Guide for Pension Fund Trustees, A (LegalEase: Essentials series) .....	125	Intellectual Property Law Reports, Burrell's .....	156
Guide to Bail Applications, A (LegalEase: Essence series) .....	51	Intellectual Property Law, Guide to .....	85
Guide to Intellectual Property Law .....	85	Intellectual Property Rights from Publicly Financed Research and Development Act 51 of 2008 & Related material .....	86, 168
Guide to Legislative Drafting in South Africa, A .....	112	Interdicts, The Law and Practice of .....	7
Guide to Meetings A-Z: LegalEase: Essentials series .....	78	Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material (Juta's Pocket Statutes) .....	115, 168
Guide to the Close Corporations Act and Regulations .....	21	Internal Auditing – An Integrated Approach .....	73
Guide to the Companies Act and Regulations .....	21	International Law, Introduction to .....	88
Hahlo's South African Company Law through the Cases: A Source Book .....	22	International Law, Private .....	88
Handbook for Executors, Trustees and Curators .....	147	International Law: A South African Perspective .....	87
Handbook for School Governors, The .....	62, 79	Intestate Succession Act 81 of 1987 .....	149, 169
Handbook of School Management, The .....	62, 79	Introduction to International Law .....	88
Handbook of South African Copyright Law .....	85	Introduction to Law, An .....	89
Handbook of the Banking Ombudsman, The .....	72, 79	Introduction to the Law of Property .....	134
Herbstein and Van Winsen: The Civil Practice of the High Courts and the Supreme Court of Appeal of South Africa .....	6	IoDSA Pocket Library (4-volume set) .....	81, 168
HIV & Social Security Law: The SADC Region .....	97	J C de Wet, The Life and Legacy of / JC de Wet, Die Lewe en Nalatenskap van (A Man of Principle) .....	13
Hockly's Insolvency Law .....	22	Jones & Buckle: The Civil Practice of the Magistrates' Courts in South Africa Volumes I and II .....	6
Hockly se Insolvensiereg .....	22	Jones' Conveyancing in South Africa .....	134
Hockly's Insolvency Law Casebook .....	22	Journal of South African Law/Tydskrif vir die Suid-Afrikaanse Reg .....	153
Honoré: The South African Law of Trusts .....	147	Judges in Conversation: Landmark Human Rights Cases of the Twentieth Century .....	36
Hospitality Industry Handbook on Legal Requirements for Hospitality Businesses, The .....	82	Judiciary in Africa, The .....	12
How to do Board Evaluations (LegalEase: Essentials series) .....	80	Jurisprudence .....	91
How to do Director Inductions (LegalEase: Essentials series) .....	80	Juta Legislation Service .....	164
Human Dignity: Lodestar for Equality in South Africa .....	34	Juta Legislation Service: Criminal Law – Criminal Procedure / Strafreë – Strafproses .....	49, 164
Human Rights Law Journal, African (2001 to 2012) .....	32	Juta Legislation Service: Criminal Law – Sexual Offences / Strafreë – Seksuele Misdrywe .....	47, 164
Human Rights Law Reports, African (2000 to 2004) .....	32	Juta Legislation Service: Deeds Registries Act / Registrasie van Aktes Wet .....	133, 164
Human Rights under the Malawian Constitution .....	35	Juta Legislation Service: Family Law: Volume I – Children, Parts A & B / Familiereg: Volume I – Kinders, Dele A & B .....	127, 164
Human Rights, South African Journal on .....	32, 155	Juta Legislation Service: Family Law: Volume II – Marriages & Unions, Parts A & B / Familiereg: Volume II – Huwelike en Verbintenisse, Dele A & B .....	128, 164
Humanitarian Law, African Yearbook on International Law .....	151	Juta Legislation Service: Labour Law Sectoral Determinations .....	99, 164
Huwelike en Verbintenisse, Dele A & B, Familiereg: Volume II (Juta Legislation Service) .....	128	Juta Legislation Service: Liquor Legislation of South Africa .....	24, 164
Immigration Act 13 of 2002 & Regulations (Juta's Pocket Statutes) .....	128, 130	Juta Legislation Service: Magistrates' Courts Act / Wet op Landdroshowe .....	8, 164
In Search of Equality: Case Studies on Women, Law and Society in Africa .....	35	Juta Legislation Service: Sectional Titles Act / Wet op Deeltitels .....	138, 164
Income Tax, Juta's .....	143, 144	Juta Legislation Service: Superior Courts Act / Wet op Hoër Howe .....	9, 164
Index and Annotations to the South African Criminal Law Reports, The .....	158	Juta-State Library Index to the Government Gazette .....	163
Index and Annotations to the South African Law Reports .....	158	Juta's Electronic Law Journals 2000 to date .....	152
Index to the Government Gazettes of South Africa .....	163	Juta's Income Tax .....	144
Index to the Namibian Law Reports (1990–2013) .....	158	Juta's Labour Library .....	98, 101
Index to the South African Law Journal (1973–1997) .....	156	Juta's Labour Mini-Library .....	101
Industrial Law Journal .....	98, 152, 159	Juta's Pocket Companions: Understanding Broad-based Black Economic Empowerment .....	26
Industrial Law Journal – Cumulative Index .....	98, 152	Juta's Pocket Companions: Understanding Land Tenure Law: Commentary & Legislation .....	139
Industrial Law Reports .....	98, 152, 159	Juta's Pocket Companions: Understanding Sectoral Determination 6: Private Security .....	108
Industrial Relations in South Africa .....	98	Juta's Pocket Companions: Understanding Sectoral Determination 9: Wholesale & Retail .....	109
Inleiding tot die Reg .....	89	Juta's Pocket Companions: Understanding Social Security Law .....	109
Inleiding tot die Sakereg .....	134		
Innovation and Intellectual Property in Africa .....	86		
Insolvency in South Africa, Mars: The Law of .....	24		
Insolvency Law Casebook, Hockly's .....	22		
Insolvency Law, Hockly's .....	22		
Insolvensiereg, Hockly se .....	22		
Insurance Law Bulletin, Juta's .....	153, 159		
Intellectual Property in Africa, Innovation and .....	86		
Intellectual Property Law Journal, South African (IPLJ) .....	87, 154		
Intellectual Property Law (Juta's Pocket Statutes) .....	86, 168		

Juta's Pocket Companions: Understanding the Basic Conditions of Employment Act .....	109	Juta's Pocket Statutes: Labour Relations Act 66 of 1995 & CCMA Related Material .....	101
Juta's Pocket Companions: Understanding the CCMA Rules & Procedure .....	110	Juta's Pocket Statutes: Local Government Library – Basic Set .....	115
Juta's Pocket Companions: Understanding the Employment Equity Act .....	110	Juta's Pocket Statutes: Local Government Library – Comprehensive Set .....	116
Juta's Pocket Companions: Understanding the Labour Relations Act .....	110	Juta's Pocket Statutes: Local Government: Municipal Electoral Act 27 of 2000 & Regulations; Electoral Act 73 of 1998 & Regulations; Electoral Commission Act 51 of 1996 & Regulations .....	116
Juta's Pocket Companions: Understanding the Mine Health and Safety Act .....	123	Juta's Pocket Statutes: Local Government: Municipal Finance Management Act 56 of 2003 & Regulations .....	116
Juta's Pocket Companions: Understanding the Occupational Health and Safety Act and the Compensation for Occupational Injuries and Diseases Act .....	111	Juta's Pocket Statutes: Local Government: Municipal Property Rates Act 6 of 2004 & Regulations; Municipal Fiscal Powers and Functions Act 12 of 2007 .....	117
Juta's Pocket Companions: Understanding the Skills Development Act .....	111	Juta's Pocket Statutes: Local Government: Municipal Structures Act 117 of 1998 & Regulations; Preferential Procurement Policy Framework Act 5 of 2000 & Regulations; Local Government: Municipal Demarcation Act 27 of 1998 .....	117
Juta's Pocket Companions: Understanding Sectoral Determination 6: Private Security .....	140	Juta's Pocket Statutes: Local Government: Municipal Systems Act 32 of 2000 & Regulations .....	117
Juta's Pocket Companions: Understanding the Constitution of the Republic of South Africa .....	39	Juta's Pocket Statutes: Long-term Insurance Act 52 of 1998 & Regulations .....	83
Juta's Pocket Companions: Understanding the Consumer Protection Act .....	27	Juta's Pocket Statutes: Magistrates' Courts Act 32 of 1944 & Rules .....	8
Juta's Pocket Statutes: Basic Conditions of Employment Act 75 of 1997 & Regulations .....	101	Juta's Pocket Statutes: Mineral and Petroleum Resources Development Act 28 of 2002 & Related Material, Mineral and Petroleum Resources Royalty Act 28 of 2008, Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008 .....	122
Juta's Pocket Statutes: Broad-Based Black Economic Empowerment Act 53 of 2003 .....	15	Juta's Pocket Statutes: National Credit Act 34 of 2005 & Regulations .....	25
Juta's Pocket Statutes: Child Justice Act 75 of 2008 & Regulations .....	46, 48	Juta's Pocket Statutes: National Environmental Management Act 107 of 1998 & Regulations; Environment Conservation Act 73 of 1989 & Regulations .....	67
Juta's Pocket Statutes: Children's Act 38 of 2005 & Regulations .....	127	Juta's Pocket Statutes: Occupational Health and Safety Act 85 of 1993 & Regulations .....	101, 104
Juta's Pocket Statutes: Companies Act 71 of 2008 & Regulations .....	17, 20	Juta's Pocket Statutes: Older Persons Act 13 of 2006 & Regulations .....	129
Juta's Pocket Statutes: Competition Act 89 of 1998 & Rules .....	18, 20	Juta's Pocket Statutes: Pension Funds Act 24 of 1956 & Regulations; General Pensions Act 29 of 1979; Government Employees Pension Law, 1996 (Proclamation 21 of 1996) .....	125
Juta's Pocket Statutes: Constitution of the Republic of South Africa, 1996 .....	30	Juta's Pocket Statutes: Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention & Combating of Torture of Persons Act 13 of 2013 & Regulations (Juta's Pocket Statutes) .....	48, 52
Juta's Pocket Statutes: Consumer Protection Act 68 of 2008 and Rules & Regulations .....	19, 20	Juta's Pocket Statutes: Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations .....	48, 52
Juta's Pocket Statutes: Corporate Pocket Library .....	20	Juta's Pocket Statutes: Probation Services Act 116 of 1991 & Regulations .....	48, 52
Juta's Pocket Statutes: Correctional Services Act 111 of 1998 & Regulations and Related Material .....	139	Juta's Pocket Statutes: Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 & Regulations, Promotion of Access to Information Act 2 of 2000 and Rules & Regulations, Promotion of Administrative Justice Act 3 of 2000 and Rules & Regulations .....	37
Juta's Pocket Statutes: Criminal Law Pocket Library, The .....	48	Juta's Pocket Statutes: Protection from Harassment Act 17 of 2011 & Regulations .....	9
Juta's Pocket Statutes: Criminal Procedure Act 51 of 1977 & Regulations .....	48, 49	Juta's Pocket Statutes: Protection of Personal Information Act 4 of 2013 .....	38
Juta's Pocket Statutes: Disaster Management Act 57 of 2002 & Regulations .....	114, 140		
Juta's Pocket Statutes: Domestic Violence Act 116 of 1998 & Regulations .....	4		
Juta's Pocket Statutes: Employment Equity Act 55 of 1998, Skills Development Act 97 of 1998 and Skills Development Levies Act 9 of 1999 & Regulations .....	96		
Juta's Pocket Statutes: Estate Agency Affairs Act 112 of 1976 & Regulations .....	134		
Juta's Pocket Statutes: Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations .....	71		
Juta's Pocket Statutes: Financial Intelligence Centre Act 38 of 2001 & Regulations .....	71		
Juta's Pocket Statutes: Financial Markets Act 19 of 2012 & Rules .....	20, 72		
Juta's Pocket Statutes: Grondwet van die Republiek van Suid-Afrika, 1996 .....	30		
Juta's Pocket Statutes: Immigration Act 13 of 2002 & Regulations .....	128		
Juta's Pocket Statutes: Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material .....	115		
Juta's Pocket Statutes: Labour Mini-Library .....	101		



Juta's Pocket Statutes: Refugees Act 130 of 1998 & Rules and Regulations .....	128, 130	Law of Damages, Visser & Potgieter .....	61
Juta's Pocket Statutes: Regulations in terms of the Labour Relations Act 66 of 1995 .....	101, 106	Law of Evidence, The: Cases and Statutes / Bewysreg, Die: Hofsaake en Wetgewing .....	68
Juta's Pocket Statutes: Rights for All – The South African Bill of Rights in All Official Languages .....	38	Law of Insurance Intermediaries, The .....	83
Juta's Pocket Statutes: Schools - Law and Governance .....	63	Law of Marriage, The .....	129
Juta's Pocket Statutes: Succession Law .....	149	Law of Medical Schemes in South Africa, The .....	120
Juta's Pocket Statutes: Sexual Offences: Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957 .....	53	Law of Neighbours, The (Juta's Property Law Library) .....	136
Juta's Pocket Statutes: Short-term Insurance Act 53 of 1998 & Regulations .....	84	Law of Partnership, Company Law and Insolvency Law, Casebook on the /Vennootskapsreg, Maatskapperyeg en Insolvensiereg, Vonnisbundel oor die .....	16
Juta's Pocket Statutes: Superior Courts Act 10 of 2013 & Rules .....	9	Law of Persons .....	129
Juta's Pocket Statutes: Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations .....	118	Law of Persons Sourcebook/Personereg Bronnebundel .....	129
Juta's Pocket Statutes: White Paper on Local Government .....	118	Law of Property Casebook for Students / Sakereg Vonnisbundel vir Studente .....	136
Juta's Quarterly Review .....	153	Law of Succession .....	148
Juta's Review of South African Law .....	153	Law of Succession in South Africa, The .....	148
Juta's Tax Law Review .....	143, 145	Law Reports Index and Annotations to the South African .....	158
Juta's Tax Library .....	144	Law Reports, African Human Rights (2000 to 2004) .....	32
Juta's Value-added Tax .....	145	Law Reports, Index to the Namibian (1990–2013) .....	158
Juta's Property Law Library: Constitutional Property Law .....	33, 132	Law Reports, Tanzania (1983–1997) .....	162
Juta's Property Law Library: Land Reform .....	135	Law Reports, The South African .....	161
Juta's Property Law Library: Law of Neighbours, The .....	136	Law Reports, The South African Criminal .....	160
Juta's Property Law Library: Planning Law .....	137	Law Reports, Zambia .....	162
Juta's Property Law Library: Sectional Titles and Other Fragmented Property Schemes .....	138	Legal Accounting (LegalEase: Elements series) .....	23
Kinders, Dele A & B, Familiereg: Volume I (Juta Legislation Service) .....	127	Legal Aid Guide 2012 .....	113
King Code .....	81, 168	Legal Drafting: Civil Proceedings .....	7
King III Report .....	81, 168	LegalEase - Elements series: Basic Guide to Criminal Procedure, The: A Rights-based Approach .....	45
Knowledge in Africa, Access to: The role of copyright .....	85	LegalEase - Elements series: Cession for Students .....	41
Kommersiele Reg, Algemene Beginsels van .....	21	LegalEase - Elements series: Criminal Law Workbook .....	48
Kontraktereg: Algemene Beginsels .....	42	LegalEase - Elements series: Legal Accounting .....	23
Labour & Social Security Law, The Role of Standards in: International, Regional & National Perspectives .....	106	LegalEase - Elements series: Strafprosesreg Werkboek .....	50
Labour Dispute Resolution .....	3, 99	LegalEase - Elements series: Student's Guide to the Law of Contract .....	44
Labour Law – Sectoral Determinations (Juta Legislation Service) .....	99	LegalEase - Essence series: Afneem van Doeltreffende Getuieverklarings .....	69
Labour Law into the Future: Essays in Honour of D'Arcy du Toit .....	12, 99	LegalEase - Essence series: Basic Guide to Civil Procedure in the Magistrates' Courts, A .....	4
Labour Law Update 2013, Juta's Annual .....	93	LegalEase - Essence series: Guide to Bail Applications, A .....	51
Labour Law, South African .....	108	LegalEase - Essence series: Modern Insurance Law in South Africa .....	84
Labour Legislation – Poster Series .....	100	LegalEase - Essence series: Practical Guide for Legal Support Staff, A .....	90, 114
Labour Library, Juta's .....	101	LegalEase - Essence series: Questioning: The Undefended Accused: Practical Examples for Magistrates .....	53
Labour Litigation and Dispute Resolution .....	100	LegalEase - Essence series: Taking Effective Witness Statements .....	69
Labour Mini-Library (Juta's Pocket Statutes) .....	101, 168	LegalEase - Essentials series: Guide for Pension Fund Trustees, A .....	125
Labour Relations Act 66 of 1995 & CCMA Related Material (Juta's Pocket Statutes) .....	101, 168	LegalEase - Essentials series: Guide to Meetings A-Z .....	78
Labour Relations Handbook, The .....	101	LegalEase - Essentials series: How to do Board Evaluations .....	80
Land Reform (Juta's Property Law Library) .....	135	LegalEase - Essentials series: How to do Director Inductions .....	80
Land Tenure Law .....	135	Legislation of South Africa, Juta's Provincial: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, and Western Cape .....	165
Land Title in South Africa .....	135	Legislation Service, Juta's Provincial .....	165
Land, Power and Custom: Controversies Generated by South Africa's Communal Land Rights Act .....	136	Legislation Service, The Juta .....	164
Law and Poverty: Perspectives from South Africa and Beyond .....	27	Legislation, Eastern Cape Provincial .....	165
Law and Practice of Interdicts, The .....	7	Legislation, Western Cape Provincial .....	165
Law Journals 2000 to date, Juta's Electronic .....	152	Legislative Drafting in South Africa, A Guide to .....	112
Law of Arbitration, The .....	3, 102	Liquor Legislation of South Africa (Juta Legislation Service) .....	24
Law of Botswana, Essays on the .....	12	Litigation, Morris: Technique in .....	113
Law of Business Structures, The .....	23	Local Government Library – Basic Set (Juta's Pocket Statutes) .....	115, 168
Law of Damages through the Cases .....	59		

Local Government Library – Comprehensive Set (Juta's Pocket Statutes) .....	116, 168	Misconduct & Incapacity: Preparing for the Hearing .....	103
Local Government: Municipal Electoral Act 27 of 2000 & Regulations; Electoral Act 73 of 1998 & Regulations; Electoral Commission Act 51 of 1996 & Regulations (Juta's Pocket Statutes) .....	116, 168	Mixed Legal Systems in Comparative Perspective: Property and Obligations in Scotland and South Africa .....	137
Local Government: Municipal Finance Management Act 56 of 2003 & Regulations (Juta's Pocket Statutes) .....	116, 168	Modern Company Law for a Competitive South African Economy .....	25
Local Government: Municipal Property Rates Act 6 of 2004 & Regulations; Municipal Fiscal Powers and Functions Act 12 of 2007 (Juta's Pocket Statutes) .....	117, 168	Modern Insurance Law in South Africa (LegalEase: Essence series) .....	84
Local Government: Municipal Structures Act 117 of 1998 & Regulations; Preferential Procurement Policy Framework Act 5 of 2000 & Regulations; Local Government: Municipal Demarcation Act 27 of 1998 (Juta's Pocket Statutes) .....	117, 168	Morris: Technique in Litigation .....	113
Local Government: Municipal Systems Act 32 of 2000 & Regulations (Juta's Pocket Statutes) .....	117, 168, 169	Mortgage, Pledge and Lien, Principles of the Law of .....	43
Long-term Insurance Act 52 of 1998 & Regulations (Juta's Pocket Statutes) .....	83, 169	Motor Industry Bargaining Council Consolidated Agreements (MIBCO) .....	104
Magistrates' Courts Act / Wet op Landdroshowe (Juta Legislation Service) .....	8	Motor Law, Cooper's: Criminal liability, administrative adjudication and medico-legal aspects .....	124
Mars: The Law of Insolvency in South Africa .....	24	Municipal Management: Serving the People .....	118
Magistrates' Courts Act 32 of 1944 and Small Claims Court Act 61 of 1984 & Rules (Juta's Pocket Statutes) .....	8, 169	Namibia, Statutes of .....	165
Managing Change: Negotiating Conflict .....	102	Namibian Law Reports, Index to the (1990–2013) .....	158
Man of Principle, A / 'n Man van Beginsel: The Life and Legacy of J C de Wet/Die Lewe en Nalatenskap van JC de Wet .....	13, 43	Namibian Law Reports, The .....	159
Marriage, Land and Custom: Essays on Law and Social Change in South Africa .....	74	National Credit Act 34 of 2005 & Regulations (Juta's Pocket Statutes) .....	25, 169
Marriage, The Law of .....	129	National Credit Act and Consumer Protection Act, The: A Guide for Credit Providers and Suppliers .....	81
Marriages & Unions, Parts A & B, Family Law: Volume II (Juta Legislation Service) .....	128	National Environmental Management Act 107 of 1998 & Regulations; Environment Conservation Act 73 of 1989 & Regulations (Juta's Pocket Statutes) .....	67, 169
Matthaeus: De Criminibus (Vol. IV) .....	51	New Constitutional and Administrative Law, The (Volume I: Constitutional Law) .....	36
McKenzie: The Law of Building and Engineering Contracts and Arbitration .....	40	Nursing Law, A-Z of .....	119
Medical Law, A-Z of .....	119	Objections in Civil Litigation .....	8
Medical Negligence, Res Ipsa Loquitur &: A Comparative Survey .....	120	Occupational Health & Safety Act 85 of 1993 (ss 7-39), Summary of the .....	100, 170
Medical Schemes in South Africa, The Law of .....	120	Occupational Health and Safety Act 85 of 1993 & Regulations (Juta's Pocket Statutes) .....	101, 104, 168, 169
Meetings A-Z, Guide to: LegalEase: Essentials series .....	78	Occupational Health and Safety Act and Compensation for Occupational Injuries and Diseases Act: Text and Commentary .....	104
MEIBC Main Agreement and other Agreements (Pocket version) .....	103	Occupational Health and Safety Handbook .....	105
Mercantile and Company Law, Gibson's South African .....	21	Occupational Health and Safety Library, Juta's .....	105
Mercantile Law in Botswana: Cases and Materials .....	24	Older Persons Act 13 of 2006 & Regulations (Juta's Pocket Statutes) .....	129, 169
Mercantile Law Journal, South African .....	156	Other Law, The: Non-state Ordering in South Africa .....	92
Merchandise Marks Act 17 of 1941 .....	86, 168	Padverkeerswetgewing/Road Traffic Legislation .....	124
Metal and Engineering Industries Bargaining Council Consolidated Agreements (MEIBC) .....	103	Parole in South Africa .....	51
Meyerowitz on Administration of Estates and their Taxation .....	148	Patents Act 57 of 1978 and Regulations (Juta's Pocket Statutes) .....	87, 169
Mine Health and Safety Act 29 of 1996 & Regulations (Juta's Pocket Statutes) .....	121, 169	Pension Fund Trustees, A Guide for (LegalEase: Essentials series) .....	125
Mine Health and Safety Act and Regulations, Commentary on the .....	121	Pension Funds Act 24 of 1956 & Regulations; General Pensions Act 29 of 1979; Government Employees Pension Law, 1996 (Juta's Pocket Statutes) .....	125, 169
Mine Health and Safety Act, Understanding the (Juta's Pocket Companions) .....	123	Performers' Protection Act 11 of 1967 .....	86, 168
Mineral and Petroleum Law of South Africa: Commentary and Statutes .....	122	Personality Rights and Freedom of Expression: The Modern Actio Injuriarum .....	59
Mineral and Petroleum Resources Development Act 28 of 2002 & Related Material, Mineral and Petroleum Resources Royalty Act 28 of 2008, Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008 (Juta's Pocket Statutes) .....	122	Personereg Bronnebundel/Law of Persons Sourcebook .....	129
Mineral Law: Principles and Policies in Perspective .....	122	Personereg .....	129
Mining Library, Juta's .....	123	Persons, Law of .....	129
		Persons Sourcebook, Law of /Personereg Bronnebundel .....	129
		Planning Law (Juta's Property Law Library) .....	137
		Planning Law in Namibia .....	137
		Pluralism and Development: Studies in Access to Property in Africa .....	28, 56
		Police Officials, Applied Law for .....	44
		Polisiebeamptes, Toegepastereg vir .....	44
		Pollak on Jurisdiction .....	9
		Ports Law Handbook, South African .....	141
		Practical Guide for Legal Support Staff, A (LegalEase: Essence series) .....	90, 114
		Practical Guide to Disciplinary Hearings, A .....	105
		Practice of Integrity, The: Reflections on Ronald Dworkin and South African Law .....	92

Practitioner's Guide to the Companies Act 71 of 2008, The .....	25	Regulations in terms of the Labour Relations Act 66 of 1995 (Juta's Pocket Statutes) .....	101, 106, 168
Presumption of Innocence .....	68	Reinventing Labour Law: Reflecting on the first 15 years of the Labour Relations Act and Future Challenges .....	106
Prevention & Combating of Trafficking in Persons Act 7 of 2013; Prevention & Combating of Torture of Persons Act 13 of 2013 (Juta's Pocket Statutes) .....	48, 52, 167, 169	Rekeningkundige Standaard .....	70
Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations (Juta's Pocket Statutes) .....	48, 52, 167, 169	Res Ipsa Loquitur & Medical Negligence: A Comparative Survey .....	120
Principles of Criminal Law .....	52	Restorative Justice - Politics, Policies and Prospects .....	53
Principles of Delict .....	59	Review of South African Law, Juta's .....	153
Principles of Evidence .....	69	Rights for All: The South African Bill of Rights in All Official Languages (Juta's Pocket Statutes) .....	38, 169
Principles of South African Law, Wille's .....	90	Rights, Advancing Women's .....	74
Principles of the Law of Mortgage, Pledge and Lien .....	43	Road Traffic and Transport Library, Juta's .....	124
Principles of the Law of Sale and Lease .....	43	Road Traffic Legislation / Padverkeerswetgewing .....	124
Private International Law .....	88	Role of Standards in Labour & Social Security Law, The: International, Regional & National Perspectives .....	106
Private Law and Human Rights .....	36	Rules for the Conduct of Arbitration .....	3
Privy Council Reports (1833–1950) .....	159	SADC Law Journal, The .....	154
Probation Services Act 116 of 1991 & Regulations (Juta's Pocket Statutes) .....	48, 52, 167	SAICA Guide to the Companies Act 71 of 2008, The .....	82
Product Liability in South Africa .....	60	Sakereg, Inleiding tot die .....	134
Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 & Regulations, Promotion of Access to Information Act 2 of 2000 and Rules & Regulations, Promotion of Administrative Justice Act 3 of 2000 and Rules & Regulations (Juta's Pocket Statutes) .....	37, 169	Sale and Lease, Principles of the Law of .....	43
Property and Obligations in Scotland and South Africa – Mixed Legal Systems in Comparative Perspective: .....	137	Schedule C of the General Machinery Regulations of the Occupational Health and Safety Act 85 of 1993 .....	100, 170
Property Casebook for Students, Law of / Sakereg Vonnisbundel vir Studente .....	136	Schedule D of the General Machinery Regulations of the Occupational Health & Safety Act 85 of 1993 .....	100, 170
Property, Introduction to the Law of .....	134	School Governors, The Handbook for .....	62, 79
Protection from Harassment Act 17 of 2011 & Regulations (Juta's Pocket Statutes) .....	9, 168, 169	School Management, The Handbook of .....	62, 79
Protection of Human Rights in South Africa, The: A Legal and Practical Guide .....	37	Schools and the Law .....	63
Protection of Personal Information Act 4 of 2013 (Juta's Pocket Statutes) .....	38, 169	Schools: Law and Governance (Juta's Pocket Statutes) .....	63, 169
Provincial Legislation of South Africa, Juta's: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, and Western Cape .....	165	Sectional Titles Act / Wet op Deeltitels (Juta Legislation Service) .....	138
Provincial Legislation Service, Juta's .....	165	Sectional Titles and Other Fragmented Property Schemes (Juta's Property Law Library) .....	138
Psychology and Law .....	120	Sectoral Determination 6, Understanding: Private Security (Juta's Pocket Companions) .....	140
Public Finance Management Act 1 of 1999 & Regulations (Juta's Pocket Statutes) .....	73, 169	Selfless Constitution, The: Experimentalism and Flourishing as Foundations of South Africa's Basic Law .....	38
Public Service Law Handbook .....	105	Sexual Offences Commentary .....	53
Quantum conversion Tables and Medical Diagrams – Quick Guide, The .....	61	Sexual Offences: Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957 (Juta's Pocket Statutes) .....	53
Quantum of Damages in Bodily and Fatal Injury Cases, The .....	60	Shipping Law and Admiralty Jurisdiction in South Africa .....	141
Quarterly Review, Juta's .....	153	Short-term Insurance Act 53 of 1998 & Regulations (Juta's Pocket Statutes) .....	84, 169
Quest for Justice, The: Essays in Honour of Michael McGregor Corbett – Chief Justice of the Supreme Court of South Africa .....	13	Should We Consent? Rape Law Reform in South Africa .....	54, 131
Questioning: The Undefended Accused: Practical Examples for Magistrates (LegalEase: Essence series) .....	53	Skadevergoedingsreg, Visser & Potgieter .....	61
Quick Guide, The: Quantum conversion tables and medical diagrams .....	61	Skills Development Act 97 of 1998, Summary of the .....	100, 170
Rape Law Reform in South Africa - Should We Consent? .....	131	Skills Development Handbook .....	107
Refugee Law in South Africa .....	88	Skills Workbook for Law Students .....	90
Refugees Act 130 of 1998 & Rules and Regulations (Juta's Pocket Statutes) .....	128, 130, 169	Social and Economic Rights, Women's: Developments in South Africa .....	131
Registration of Copyright in Cinematograph Films Act 62 of 1977 .....	86, 168	Social Security Law, Essential .....	97
Regswoordeboek, Drietalige .....	62	Social Security Law, The Role of Standards in Labour &: International, Regional & National Perspectives .....	106
Regswoordeboek, Engels – Afrikaanse .....	61	Socio-Economic Rights: Adjudication Under a Transformative Constitution .....	38
Regulations for the Companies Act 71 of 2008 with CD-ROM containing forms .....	168	South African Appellate Division Reports (1910 to date) .....	160
		South African Banking Legislation .....	73
		South African Case Law (1838 to date) .....	160
		South African Corporate Business Administration and Supplementary Volume .....	26
		South African Criminal Law and Procedure (Volume 1: General Principles of Criminal Law) .....	54
		South African Criminal Law and Procedure (Volume 2: Common-law Crimes) .....	55
		South African Criminal Law and Procedure (Volume 3: Statutory Offences) .....	55
		South African Criminal Law Reports, The .....	160

South African Human Resource Management – Theory and Practice .....	107	Trial Advocacy, The Fundamental Principles of Effective .....	113
South African Intellectual Property Law Journal (IPLJ) .....	87, 154	Trials & Tribulations, Trends & Triumphs: Developments in International, African and South African Child and Family Law .....	130
South African Journal of Criminal Justice .....	154	Trilingual Legal Dictionary / Drietalige Regswoordeboek .....	62
South African Journal on Human Rights .....	32, 155	Trusts: Law and Practice .....	149
South African Labour Law .....	108	Truth, Reconciliation and the Apartheid Legal Order .....	39
South African Law Journal .....	155	Ubuntu, Good Faith & Equity: Flexible Legal Principles in Developing a Contemporary Jurisprudence .....	28, 57
South African Law Journal, Cumulative Index to the (1998–2010) .....	155	Understanding Broad-based Black Economic Empowerment (Juta's Pocket Companions) .....	26
South African Law Journal, Index to the (1973–1997) .....	156	Understanding Land Tenure Law: Commentary & Legislation (Juta's Pocket Companions) .....	139
South African Law of Unjustified Enrichment, The .....	145	Understanding Sectoral Determination 6: Private Security (Juta's Pocket Companions) .....	108, 140
South African Law Reports, The .....	161	Understanding Sectoral Determination 9: Wholesale & Retail (Juta's Pocket Companions) .....	109
South African Mercantile Law Journal .....	156	Understanding Social Security Law (Juta's Pocket Companions) .....	109
South African Ports Law Handbook .....	141	Understanding the Basic Conditions of Employment Act (Juta's Pocket Companions) .....	109
South African Property Practice and the Law: A Practical Manual for Property Practitioners .....	139	Understanding the CCMA Rules & Procedure (Juta's Pocket Companions) .....	110
South African Schools Act 84 of 1996 & Regulations; National Education Policy Act 27 of 1996 & Regulations; Employment of Educators Act 76 of 1998, & Regulations .....	63, 169	Understanding the Constitution of the Republic of South Africa (Juta's Pocket Companions) .....	39
State Commercial Activity: A Legal Framework .....	2	Understanding the Consumer Protection Act (Juta's Pocket Companions) .....	27
State Trials, The (1163–1858) .....	161	Understanding the Employment Equity Act (Juta's Pocket Companions) .....	110
Statutes and Case Law of Zimbabwe .....	165	Understanding the Labour Relations Act (Juta's Pocket Companions) .....	110
Statutes and Regulations of South Africa, Juta's .....	166	Understanding the Mine Health and Safety Act (Juta's Pocket Companions) .....	123
Statutes of Namibia .....	165	Understanding the Occupational Health and Safety Act and the Compensation for Occupational Injuries and Diseases Act (Juta's Pocket Companions) .....	111
Statutes of South Africa, Juta's (print) .....	166	Understanding the Skills Development Act (Juta's Pocket Companions) .....	111
Statutes of Zimbabwe .....	166	Unjustified Enrichment .....	146
Statutory Interpretation: An Introduction for Students .....	112	Unreported Judgments, Juta's .....	162
Stella Iuris: Celebrating 100 years of Teaching Law in Pietermaritzburg .....	13	Unveiling the Mind: The Legal Position of Women in Islam – A South African Context .....	57, 75
Stellenbosch Law Review .....	156	Vaardighedewerkboek vir Regstudente .....	90
Strafprosesreg Handboek .....	50	Value-added Tax, Juta's .....	145
Strafprosesreg Vonnisbundel / Criminal Procedure Casebook .....	49	Visser & Potgieter Law of Damages .....	61
Strafprosesreg Werkboek (LegalEase: Elements series) .....	50	Visser & Potgieter Skadevergoedingsreg .....	61
Street Law South Africa – Educator's Manual: Practical Law for South Africa .....	11	Water Law .....	67
Street Law South Africa – Learner's Manual .....	11	Weekly Statutes Bulletin, Juta's .....	167
Student Casebook on Business Entities .....	26	Western Cape Liquor Act 4 of 2008 & Regulations (Juta's Pocket Statutes) .....	27, 169
Student's Guide to the Law of Contract (LegalEase: Elements series) .....	44	Western Cape Provincial Legislation .....	165
Succession Law (Juta's Pocket Statutes) .....	149	Wetsuitleg: 'n Inleiding vir Studente .....	112
Superior Courts Act / Wet op Hoër Howe (Juta Legislation Service) .....	9	White Paper on Local Government .....	118, 168, 169
Superior Courts Act 10 of 2013 & Rules (Juta's Pocket Statutes) .....	9, 169	Wille's Principles of South African Law .....	90
Superior Courts Act 10 of 2013 & Rules and Magistrates' Courts Act 32 of 1944 and Small Claims Court Act 61 of 1984 & Rules (2-volume set) .....	9, 169	Wills Act 7 of 1953 .....	149, 169
Suretyship, Caney's The Law of .....	41	Witness Statements, Taking Effective (LegalEase: Essence series) .....	69
Survivor's Guide for Candidate Attorneys, The .....	114	Women's Social and Economic Rights: Developments in South Africa .....	131
Sustainable Options: Development Lessons from Applied Environmental Economics .....	67	Workplace Law .....	111
Taking Effective Witness Statements (LegalEase: Essence series) .....	69	Zambia Law Reports .....	162
Tanzania Law Reports (1983–1997) .....	162	Zimbabwe, Business Law in .....	15
Tax Administration .....	143	Zimbabwe, Case Law of .....	157, 166
Tax Administration Act 28 of 2011 & Related Material (Juta's Pocket Statutes) .....	144, 169	Zimbabwe, Statutes and Case Law of .....	165
Tax Law – An Introduction .....	144		
Tax Law Review, Juta's .....	143, 145		
Tax Legislation, Juta's 2014 Compendium of .....	75, 142		
Tax Library, Juta's .....	144		
Taxation of Legal Costs in South Africa .....	10		
Taxpayers' Rights in South Africa .....	145		
Toegepastereg vir Polisiebeamptes .....	44		
Trade Marks Act 194 of 1993 .....	86, 168		
Traditional African Religions in South African Law .....	56		
Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations (Juta's Pocket Statutes) .....	39, 118, 168, 169		