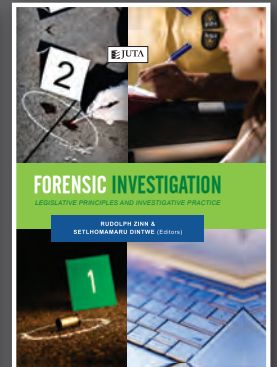
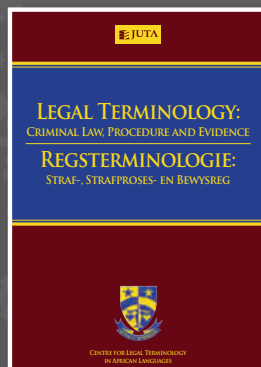
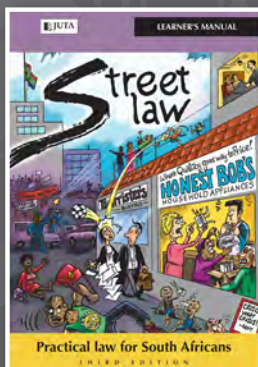
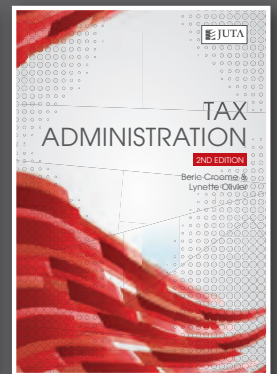
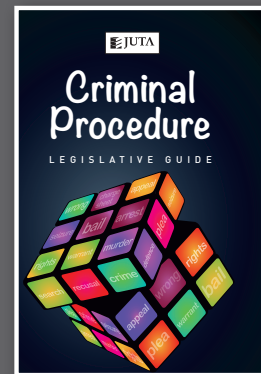


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Administrative Law



Administrative Law in South Africa

2nd 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 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
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- Remedies
- Appendices
- Index

2012 > **SOFT COVER:** ISBN 978 0 70219 427 6 > 694pp
eBOOK: ISBN 978 0 70219 925 7



Administrative Law: Cases and Materials

Author: G Quinot

About this Publication

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

Contents

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

2009 > **SOFT COVER:** ISBN 978 0 70217 952 5 > 732pp



Comparing Administrative Justice across the Commonwealth

(First published as *Acta Juridica* 2006)

Editors: H Corder, assisted by L van de Vijver

About this Publication

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

development of administrative justice and the jurisprudential as well as practical questions to be considered in promoting it.

Contents

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

2007 > **SOFT COVER:** ISBN 978 0 70217 419 3 > 458pp



Global Administrative Law: Innovation and Development

(First published as *Acta Juridica* 2009)

Editors: H Corder, assisted by J Bleazard

About this Publication

This volume brings together papers given at a workshop held in Cape Town in March 2008 – a joint venture between the New York University Law School and the Faculty of Law at the University of Cape Town. The papers critically explore the concept of Global Administrative Law in theory and its

relevance to developing countries, the efficacy of regulatory regimes focused on international trade and finance, and recent developments in the crucially important area of intellectual property law.



Contents

- Opening Address - *Trevor Manuel*
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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.

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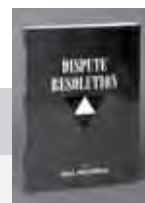
2009 > **SOFT COVER:** ISBN 978 0 70218 207 5 > 348pp
eBOOK: ISBN 978 0 70219 891 5**Arbitration Law****Dispute Resolution****Editors:** P J Pretorius; Contributors: M S Anstey, C D Nupen, E J Radford, P F Glaser, C H Cohen, J W D Brand, C Albertyn, F J Steadman, R Lyster, D M Antrobus, R T Sutherland, 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 70212 833 2 > 248pp
eBOOK: ISBN 978 0 70219 916 5**Dispute Resolution Digest 2015, The: The Tokiso Report on the State of Labour Dispute Resolution in South Africa**

2015 edition

Author: Tokiso (Pty) Ltd**About this Publication**

In keeping with past editions, the *Dispute Resolution Digest* 2015 reports on the state of dispute resolution in South Africa, and aims to improve our collective understanding of how well the dispute resolution systems and institutions are working. The book contains the opinions of respected experts

and statistical analysis of data in dispute information gathered from the reports and case management records of the Labour Court, CCMA, Bargaining Councils and Tokiso.

**NEW
edition**

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2015 > **SOFT COVER:** ISBN 978 1 48510 752 1 > 140pp**Labour Dispute Resolution**2nd 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. Useful checklists and flowcharts assist the reader to prepare for the various processes.

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eBOOK: ISBN 978 0 70219 944 8**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.

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

LegalEase – Essence series

Author: E Bascerano**About this Publication**

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

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2013 > **SOFT COVER:** ISBN 978 0 70219 457 3 > 229pp
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Civil Procedure Library, Juta's

Authors: H J Erasmus, D E van Loggerenberg, P Farlam**About this Publication**

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

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(*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*)

2nd edition**Author:** D E van Loggerenberg (Constitutional Court parts in Volume 1 revised by E Bertelsmann)**About this Publication**

Erasmus Superior Court Practice has over the past 50 years (since the release of its predecessor, Nathan, Barnett and Brink

Uniform Rules of Court) established itself as the leading and most indispensable authority in its field.

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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.

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- 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 (vervaltermeyne)
- Prescription and the conflict of laws

1996 > **HARD COVER:** ISBN 978 0 70213 717 4 > 239pp





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

5th 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 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 > **HARD COVER** in 2 volumes:
ISBN 978 0 70217 933 4 > 2000pp
INTERNET: ISSN 2224 7319



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

(Jones & Buckle The Civil Practice of the Magistrates' Courts in South Africa is a loose-leaf 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)

10th 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 70219 443 6
(Volume II) ISBN 978 0 70218 607 3 > (Set of two volumes)
ISBN 978 0 70214 241 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 > **SOFT COVER:** ISBN 978 0 70217 309 7 > 405pp



Legal Drafting: Civil Proceedings

Author: P van Blerk

2nd edition

**NEW
edition**

About this Publication

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

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

Contents

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

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



2015 > **SOFT COVER:** ISBN 978 1 48510 612 8 > 180pp
eBOOK: ISBN 978 1 48510 963 1



Magistrates' Courts Act / Wet op Landdroshowe

Juta Legislation Service

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



Editors: Juta's Statutes Editors

About this Publication

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

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

Contents

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

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ISBN 978 0 70211 646 9 > Approximately 830pp



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

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick finder for Key Topics
- **Part A:**
 - Magistrates' Courts Act 32 of 1944
 - Pendlex: Act 120 of 1993, Act 67 of 1998
 - Rules Regulating the Conduct of the Proceedings of the Magistrates' Courts of South Africa
- Periodic Time Chart indicating the periods prescribed by the Act and Rules for various procedures
- **Part B:**
 - Small Claims Courts Act 61 of 1984
 - Pendlex: Act 120 of 1993
 - Rules Regulating Matters in respect of Small Claims Courts



Maintenance Act 99 of 1998 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Maintenance Act 99 of 1998
 - Pendlex: Act 9 of 2015
- Regulations relating to Maintenance

NEW



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 70218 452 9 > 189pp
eBOOK: ISBN 978 0 70219 949 3



Pollak on Jurisdiction

2nd 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 70212 953 7 > 201pp



Protection from Harassment Act 17 of 2011 & Regulations

Juta's Pocket Statutes

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

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Protection from Harassment Act 17 of 2011
- Regulations
 - Protection from Harassment Regulations, 2013

- Tariff on compensation payable to electronic communications
- Directives in terms of section 20(3) of the Act
- National instruction on protection from harassment



South African Sheriffs' Guide, The: Practice and Procedure

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

NEW

About this Publication

The South African Sheriffs' Guide: Practice and Procedure is the definitive text on the work and methodology of the Sheriffs' profession. Commissioned by the South African Board for Sheriffs, the book offers invaluable information to Sheriffs, legal professionals, researchers and members of the public.

Care has been taken with the layout and writing style to ensure that as a reference guide it is reader friendly and accessible.

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

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

Contents

- Generic job description and professional ethics
- The South African Board for Sheriffs
- The appointment of sheriffs
- Disciplinary measures against a sheriff
- The Fidelity Fund, Fidelity Fund certificates and levies to the board
- Court processes
- Service of process
 - General
 - Service in the High Court
 - Service in the magistrates' courts

- Execution
 - Execution in the High Court
 - Miscellaneous aspects of the High Court procedure
 - Execution in the magistrates' courts
 - Miscellaneous aspects of the magistrates' courts procedure
 - The Consumer Protection Act and sales in execution
- Admiralty jurisdiction
 - Arrests *in rem*
 - Attachments *in personam*
 - The purpose behind arrests *in rem* and attachments *in personam*
 - The role of the fund following a judicial sale of maritime property
- Annexures
 - Annexure 1
 - Sheriffs Act 90 of 1986
 - Sheriffs Amendment Act
 - Regulations
 - Forms in terms of legislation
 - Code of conduct for sheriffs
 - Description of an area of jurisdiction of a lower or superior court
 - Annexure 2
 - Returns of service
 - Service returns
 - Execution returns



- Removal returns
- Payments
- Claims
- Releases/lapses/suspension
- Non-service/execution returns
- Stays/suspensions/unsuccessful services/unsuccessful executions
- Technical defects
- Annexure 3
- Miscellaneous forms
- Forms emanating from magistrates' courts procedure
- Forms emanating from High Court procedure

- Forms emanating from various legislation
- Forms emanating from admiralty jurisdiction
- Table of cases
- Table of statutes
- Index

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Superior Courts Act / Wet op Hoër Howe

Juta Legislation Service

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



Editors: Juta's Statutes Editors

About this Publication

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

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

Contents

- Superior Courts Act 10 of 2013
- Admiralty Jurisdiction Regulation Act 105 of 1983

- Uniform, High Court & Supreme Court of Appeal Rules
- Admiralty Proceedings Rules
- Periodic Time Chart indicating the periods prescribed by the Act and Rules for various procedures

Published since 1985 > **LOOSE-LEAF:** ISBN 978 0 70211 643 8
Approximately 830pp



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

Editors: Juta's Statutes Editors

About this Publication

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

Contents

- **Part A**
- Superior Courts Act 10 of 2013
- Rules of Court
 - Uniform Rules
 - Rules regulating the conduct of the proceedings of the several Provincial and Local Divisions of the High Court of South Africa
 - Other Rules
 - Rules of the Supreme Court of Appeal
 - Circuit Court Rules
 - Eastern Cape, Orange Free State, Natal, Cape, Transvaal, Northern Cape and Venda Rules
 - Constitutional Court Rules, 2003
- **Part B**
 - Magistrates' Courts Act 32 of 1944
 - PENDLEX: Magistrates' Courts Amendment Act 120 of 1993; Magistrates' Courts Amendment Act 67 of 1998

- Rules regulating the conduct of proceedings of the Magistrates' Courts of South Africa

- **Part C**
 - Extract from the Constitution of the Republic of South Africa, 1996
 - Chapter 8 - Courts and Administration of Justice
- **Part D**
 - Periodic Time Charts giving quick information as to the periods prescribed by the Acts and Rules for various procedures
 - Superior Courts Act 10 of 2013
 - Magistrates' Courts Act 32 of 1944
- Updated tables of cases decided under the Acts and the Rules of Court
- Comprehensive subject indexes

2016 > **SOFT COVER:** ISBN 978 1 48510 986 0 > 636pp

2016 edition

NEW
edition





Superior Courts Act 10 of 2013 & Rules

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Superior Courts Act 10 of 2013
- Rules Regulating the Conduct of the Proceedings of the Several Provincial and Local Divisions of the High Court of South Africa
- Rules Regulating the Conduct of the Proceedings of the Supreme Court of Appeal of South Africa
- Rules Regulating the Conduct of the Proceedings of the Several Provincial and Local Divisions of the High Court of South Africa relating to Circuit Courts
- Rules Regulating the Conduct of the Proceedings of the various provincial divisions of the High Court of South Africa
- Rules of the Constitutional Court of South Africa
- Periodic Time Chart indicating the periods prescribed by the Acts and Rules for various procedures



Taxation of Legal Costs in South Africa

Author: R Francis-Subbiah

About this Publication

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

Contents

- Table of cases
- Table of statutes
- 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 – tariff rules

2014 > **SOFT COVER:** ISBN 978-0-7021-9997-4 > 492pp
eBOOK: ISBN 978 1 48511 830 5



Clinical Law



Street Law South Africa – Educator's Manual

Practical Law for South Africa

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

About this Publication

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

Contents

- Introduction to South African law and the legal system
- Criminal law and child justice
- Consumer law
- Family law

3rd edition

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- Socio-economic rights
- Employment law

2015 > **SOFT COVER:** ISBN 978 0 70218 555 7 > 384pp
ePub/Web PDF: ISBN 978 1 48510 894 8



Street Law South Africa – Learner's Manual

3rd edition

NEW
edition



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

About this Publication

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

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

Contents

- Introduction to South African law and the legal system
- Criminal law and child justice
- Consumer law
- Family law
- Socio-economic rights
- Employment law

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

Collected Essays



A Man of Principle / 'n Man van Beginsel

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

Editors: J du Plessis, G Lubbe

About this Publication

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

Contents

- Voorwoord/Preface
- Lys van bydraers/List of contributors
- Inleiding/Introduction - *Jeremy Gauntlett*
- 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 straffereg - *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 48510 075 1 > 478pp



Cowen on Law: Selected Essays

Author: S Cowen

About this Publication

Denis Cowen (1917–2007) is renowned for his work on negotiable instruments. *Selected Essays* presents readers with

other facets of his life's work. His seminal essays and articles helped define areas of law such as environmental law and the law of competition.



His work on law of property and statutory interpretation has also proved to be ahead of its time. As a public intellectual in the liberal tradition, he spoke with great timeliness, insight and insistence, during apartheid, about freedom of academe and the press.

Cowen on Law: Selected Essays spans more than 50 years of his lively, contentious and beautifully constructed texts. Leading legal thinkers introduce newly-accessible texts and provide us with a contemporary, evaluative lens. The book reveals to readers a fascinating mind. It also serves as an 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 70217 895 5 > 397pp



Essays on the Law of Botswana

Editor: C M Fombad

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 70217 896 2 > 300pp



Exemplary Scholar, The: Essays in Honour of John Milton

Editors: S V Hoor, P J Schwikkard

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 70217 897 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 70214 673 2 > 236pp

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

Authors: K Malherbe, J Sloth-Nielsen

About this Publication

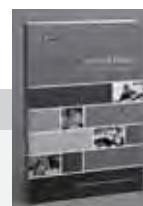
Labour Law into the Future is a volume of analytical pieces in honour of Professor D'Arcy du Toit.

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 70219 423 8 > 300pp

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

Author: E Kahn

About this Publication

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

Contents

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

1995 > **HARD COVER:** ISBN 978 0 70213 440 1 > 390pp

Stella Iuris: Celebrating 100 years of Teaching Law in Pietermaritzburg

Editors: M Kidd, S Hooror

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 Hooror*
- On the shoulders of father and son – academic leadership in the Law Faculty of the Natal University College (later University of Natal) in Pietermaritzburg: 1920 to 1982 - *Jonathan Burchell*
- From Chirwa to Gcaba: an administrative lawyer's view - *Cora Hoexter*
- The exercise of administrative power in the era of human rights protection - *Christopher Forsyth*

- Setting a bad example: the state's compliance with environmental law in South Africa - *Michael Kidd*
- A centenary offering: the double sale dilemma – time to be laid to rest? - *David Carey Miller*
- Judicial control of unfair contract terms: the implications of the Consumer Protection Act - *Robert Sharrock*
- The future of suretyship - *JT Pretorius*
- Constitutional promises to the accused, arrested and detained: fulfilled or failed? - *Pamela-Jane Schwikkard*
- One hundred years of adultery – re-assessment required? - *Marita Carnelley*
- Administrative justice in South Africa: a snapshot survey of developments since 1994 - *Clive Plasket*
- Regulating nanotechnology in South Africa - *Michael Lupton*
- Shooting Bambi – Reflections on the Dalai Lama saga and the casualty of the rule of law - *Max du Plessis*
- 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 Hoor*

2010 > **HARD COVER:** ISBN 978 0 70218 547 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 70218 482 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

ELECTRONIC Additional Contents and Features

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

Published since 2005 > **LOOSE-LEAF:** ISBN 978 0 70217 102 4
Approximately 460pp > **INTERNET:** ISSN 2313 6340





Botswana Company Law Service

2nd editionNEW
edition**Author:** J Kiggundu

About this Publication

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

Contents

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

- Companies Regulations
- Companies (Fees) Regulations
- Income Tax Act 1995
- Insolvency Act 1929
- Collective Investment Undertakings Act 1999
- Collective Investment Undertakings Regulations 2001
- Botswana Stock Exchange Listings Requirements
- Securities Act 2014

2015 > **SOFT COVER:** ISBN 978 1 48510 848 1 > 552pp

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

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Broad-Based Black Economic Empowerment Act 53 of 2003
 - Pendlex: Act 46 of 2013
- Related Material
 - Codes of Good Practice on Broad-Based Black Economic Empowerment
 - Procedures for the application, administration and allocation of export permits under the trade,

development and co-operation agreement between the European Union and the Republic of South Africa for the year 2015

- Application for market access permits for agricultural products in terms of the W.T.O Agreement for 2015
- Broad-Based Black Economic Empowerment Verification Certificates
- CD-ROM containing Sector Codes on Broad-Based Black Economic Empowerment



FORTHCOMING NEW EDITION IN 2016



Business Law in Zimbabwe

2nd 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 70214 921 4 > 560pp

Business Transactions Law

8th 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

ELECTRONIC Additional Contents and Features

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

2011 > **SOFT COVER:** ISBN 978 0 70218 543 4 > 972pp
INTERNET: ISSN 2309 0383
eBOOK: ISBN 978 0 70219 878 6



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



Author: A Loubser

About this Publication

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

Contents

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

1992 > **SOFT COVER:** ISBN 978 0 70213 840 9 > 251pp
eBOOK: ISBN 978 0 70219 915 8



Commentary on the Companies Act

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

About this Publication

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

This work will be updated in 2015 to incorporate new commentary on the 2008 Companies Act.

PRINT Contents

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

- Insider Trading Act 135 of 1998
- Index to Companies Act and commentary

ELECTRONIC Additional Contents and Features

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

Published since 2003 > **LOOSE-LEAF** in three volumes:
 ISBN 978 0 70215 583 3 (**PRODUCT CODE: COCA-PACK**)
 Approximately 3300pp
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 70219 549 5 > 135pp
eBOOK: ISBN 978 0 70219 933 2



Companies Act 71 of 2008 & Regulations

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Companies Act 71 of 2008
 - Chapter XIV of the Companies Act 61 of 1973
- Companies Regulations, 2011
 - Forms on CD-ROM
- Regulations for the Winding-Up and Judicial Management of Companies, 1973, in terms of Chapter XIV of the Companies Act 61 of 1973
- Electronic Filing of Company and External Company Annual Returns
- Designation of Facsimile Numbers for Public Contact with the Companies and Intellectual Property Commission
- Notice of authorised signature for purposes of applications

submitted to the Companies and Intellectual Property Commission

- Notice of alternative methods for incorporating a short standard private company and maintaining company and close corporation information with the Companies and Intellectual Property Commission
- Updated Practice Notes and Guidance Notes



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 70218 614 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 48510 128 4)



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Competition Act 89 of 1998
 - PENDLEX: Act 10 of 2009
 - Rules
 - Competition Appeal Court Rules
 - Competition Commission Rules
 - Competition Tribunal Rules
 - Determination of threshold
- Corporate Leniency Policy
- Determination of merger thresholds and method of calculation
- Guideline on small merger notification
- Guidelines for the Determination of Administrative Penalties for Prohibited Practices



Competition Law

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

About this Publication

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

Contents

- Introduction
- A history of South African competition law
- 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 70215 906 0 > 826pp



Contemporary Company Law

2nd 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

ELECTRONIC Additional Content and Features

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

2012 > **SOFT COVER:** ISBN 978 0 70218 565 6 > 1204pp
eBOOK: 978 0 70219 934 9 > **INTERNET:** ISSN 2309 0375





Corporate Governance in South Africa: With International Comparisons

Author: T Wiese

NEW



About this Publication

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

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

Contents

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

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



Corporate Library, Juta's

About this Publication

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

Contents and Features

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

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

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

Current editions



Corporate Pocket Library

Juta's Pocket Statutes

(These concise pocket-size books, housed in a complimentary slipcase, contain the full text of key legislation for the corporate sector. Available individually, or as a 4-volume set)



Editors: Juta's Statutes Editors

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

SOFT COVER – pocket size: ISBN 978 1 48510 128 4



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

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



General Principles of Commercial Law Algemene Beginsels van Kommersiële Reg

8th edition
8ste uitgawe



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

About this Publication

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

The 8th edition is updated to include statutory and other developments in commercial law and includes:

- A revised chapter on credit agreements to reflect the effect of the National Credit Amendment
- Act 19 of 2014.
- A revised and expanded chapter on banking law, including a discussion of the 2012 version of the South African Code of Banking Practice.
- An expanded chapter on methods of payment which includes a discussion of selected modern types of electronic payment.
- A discussion on the application of the Consumer Protection Act 68 of 2008.

Contents

- The South African legal system
- Introduction to the science of law
- Introduction to the law of contract
- Consensus
- Capacity to perform juristic acts
- The agreement must be possible

- Formalities
- Terms of the contract
- Interpretation of the contract
- Breach of contract
- Remedies for breach of contract
- Transfer and termination of personal rights
- The contract of sale
- The contract of lease
- The contract of insurance
- Credit agreements
- Labour law
- Intellectual property law and franchising
- Alternative dispute resolution
- Law of agency
- Forms of business enterprise
- Law of competition
- Security
- Banking law: selected topics
- Payment: negotiable instruments
- Payment: other methods
- Law of trusts
- Law of insolvency
- Law of administration of estates
- Consumer protection

2014 > **SOFT COVER** (English): ISBN 978 1 48510 629 6 > 608pp
SAGTEBAND (Afrikaans): ISBN 978 0 70218 515 1 > 608bl
eBOOK (English): ISBN 978 1 48510 777 4
eBOOK (Afrikaans): ISBN 978 1 48510 784 2



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

- Contract, sale and credit agreements
- Letting and hiring of immovable property
- Commercial agency
- Partnership
- Companies
- Close corporations

- Negotiable instruments
- Insurance
- Security
- Insolvency

- Labour law
- Competition, trade-mark, copyright and patent law

2004 > **SOFT COVER:** ISBN 978 0 70215 809 4 > 832pp



Guide to the Close Corporations Act and Regulations

Authors: W D Geach, T Schoeman (Consulting)

About this Publication

The Companies Act 71 of 2008 secures the continued existence of close corporations that were formed prior to the Act's commencement. This work provides a practical guide to this popular business entity and deals with its functioning and winding-up in light of corporate law reform. It also offers assistance on the conversion of a close corporation into a company.

Contents

- Introduction to close corporations
- The Close Corporations Act
- Regulations, notices and practice notes

- Prescribed forms, draft association agreement, and other specimen documents
- Commentary

Published since 1984 > **LOOSE-LEAF:** ISBN 978 0 70211 550 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 70210 466 4
Approximately 1000pp



Hahlo's South African Company Law through the Cases: A Source Book

6th 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

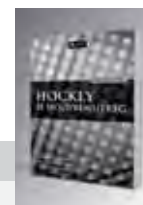
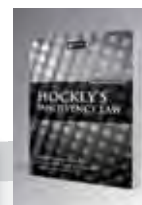
1999 > **SOFT COVER:** ISBN 978 0 70215 142 2 > 680pp
eBOOK: 978 0 70219 542 6





Hockly's Insolvency Law Hockly se Insolvensiereg

9th edition
4^{de} 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 70219 866 3 > 602pp
SAGTEBAND (Afrikaans): ISBN 978 0 70219 868 7 > 630bl
eBOOK (English): ISBN 978 1 48510 187 1
 (Afrikaans): ISBN 978 1 48510 199 4



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 70214 982 5 > 441pp



Journal of Corporate and Commercial Law & Practice, The

Managing Editors: T Mongalo, H Kawadza

NEW

About this Publication

The *Journal of Corporate and Commercial Law & Practice (JCCLP)* is a bi-annual periodical published by Juta for the University of Witwatersrand Law School.

This journal covers the area of corporate and commercial law, with specific emphasis on how constitutional law, foreign law and public policy imperatives help improve and develop corporate and commercial law principles.

The *JCCLP* is supported by an eminent editorial committee and editorial advisory board of thought leaders in academics and practice.

Contents

- Editorial
- Articles
- Practice notes

SOFT COVER PERIODICAL - two issues per annum:
 ISSN 2412 2998 (Product code: *JCCLP*) > Approximately 270pp per annum





Law of Business Structures, The

(Lecturer support material available)

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

About this Publication

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

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

Contents

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

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

2012 > **SOFT COVER:** ISBN 978 0 70219 548 8 > 630pp
eBOOK: ISBN 978 1 48510 771 2



Legal Accounting

LegalEase – Elements series

Authors: S Kalideen, L Sullivan

About this Publication

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

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

and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents

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

2013 > **SOFT COVER:** ISBN 978 0 70219 458 0 > 144pp



Liquor Legislation of South Africa

Juta Legislation Service

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

Editors: Juta's Statutes Editors

About this Publication

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

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



Contents**Volume I**

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

Volume II

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

*Indicates published in English only.

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



Mars: The Law of Insolvency in South Africa

9th 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 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

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



Mercantile Law in Botswana: Cases and Materials

Author: J Kiggundu

About this Publication

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

Contents

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

1998 > **SOFT COVER:** ISBN 978 0 70214 564 3 > 410pp



Modern Company Law for a Competitive South African Economy

(First published as *Acta Juridica* 2010)

Editor: T H Mongalo

About this Publication

Modern Company Law for a Competitive South African Economy presents a progressive discussion of selected corporate law matters brought about by the new Companies Act 71 of 2008.

The book covers the areas of corporate formation and corporate finance, corporate governance and mergers and takeovers, business rescue, and the enforcement and regulatory regime.



Contents

- Corporate formation and corporate finance
- Corporate governance and mergers and takeovers
- Business rescue incorporating a critical analysis of the

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

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

Namibian Companies Act 28 of 2004 & Regulations

Juta's Namibian Pocket Statutes

Editors: Juta's Statutes Editors**NEW****Contents**

- Key Addresses
- Quick Finder for Key Topics
- Companies Act 28 of 2004

- Companies Administrative Regulations, 2010
- CD-ROM containing Companies Administrative Regulations, 2010 – Annexures



New Derivative Action in the Companies Act: Guidelines for Judicial Discretion

Author: M F Cassim**NEW****About this Publication**

The proper protection of minority shareholders is a cornerstone of any well-developed corporate law system. Pivotal to the minority shareholder's armoury is the derivative action. Section 165 of the South African Companies Act 71 of 2008 introduces the new statutory derivative action, and entrusts the court with a key function as the gatekeeper to the derivative action. The courts have an important filtering function and may disallow applications for derivative actions that are frivolous, vexatious or without merit. The vital judicial discretion to grant or refuse leave to an applicant to bring a derivative action is the crux of the new statutory derivative action. The court is required to exercise its discretion with reference to three important but vague guiding criteria for the grant of leave to institute a derivative action. Thus the courts have been entrusted by the legislature to flesh out the details, the contours, and the practical application of these guiding criteria. This crucially endows the courts with a dominant and decisive role in shaping the effectiveness of this much-needed new remedy.

The New Derivative Action under the Companies Act is primarily aimed at developing guidelines for the exercise of the judicial discretion in the field of the new statutory derivative

action. It takes into account valuable principles gleaned from other comparable jurisdictions such as Canada, Australia, New Zealand, the United Kingdom and the United States of America. The book also discusses the overlap between the derivative action and the oppression remedy.

Contents

- Introduction
- The procedure for the statutory derivative action
- Discretion of the court to grant leave for a derivative action: foundational policies and principles
- The criterion of good faith
- Trial of a serious question
- The best interests of the company
- The rebuttable presumption: defects and cures
- Shareholder ratification
- Orders of costs, and other hurdles and obstacles
- Overlap with the oppression remedy
- Appendix: statutory provisions

2016 > **SOFT COVER:** ISBN 978 1 48510 975 4 > 290pp

Perspectives on the Law of Partnerships in South Africa

Author: J J Henning**NEW****About this Publication**

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

Aspects of the law in general that are discussed in detail include:

- legal status and its attendant entity and aggregate theories
- representation and mutual mandate

- partnerships en commandite
- anonymous, limited and limited liability partnerships
- the removal of the limit on the number of partners
- partnership sequestration
- the dual priorities rule.

Perspectives on the Law of Partnership in South Africa is offered as a scholarly book for the subject specialist with the expectation that it will also invigorate interest in and advance research on the law of partnership.

Contents

- History and sources
- Leonine partnership
- Triple contract
- Repeal of twenty-partner limit
- Universal and general partnerships
- Limiting liability



- Legal status
- Mutual mandate and agency
- A partnership of juristic persons in insolvency
- Dual priorities rule in insolvency

ELECTRONIC Additional Contents and Features

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

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

2015 > SOFT COVER: ISBN 978 1 48510 640 1 > 336pp
eBOOK: 978 1 48510 983 9 > INTERNET: ISSN 2415 0150



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.

Contents

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

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

2011 > SOFT COVER: ISBN 978 0 70218 899 2 > 200pp



Student Casebook on Business Entities

3rd edition

Editors: J T Pretorius (General Editor), P A Delpont, 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 70216 724 9 > 310pp
eBOOK: 978 1 48510 701 9



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 70218 187 0 > 190pp

Comparative Law



Comparative Law in Africa: Methodologies and Concepts

Comparative Law in Africa Series

Editors: S Mancuso, C M Fombad**NEW**

About this Publication

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

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

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

Contents

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

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

2015 > **SOFT COVER:** ISBN 978 1 48510 745 3 > 196pp

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

Editor-in-Chief: S Mancuso**NEW**

About this Publication

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

Contents

- Articles
- Notes
- Book reviews

SOFT COVER BI-ANNUAL PERIODICAL: ISSN: 2311 6889
(product code: JCLA0001) > Approximately 120pp per issue



Kenyan-South African Dialogue on Devolution

Editors: N Steytler, Y Ghai

NEW



About this Publication

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

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

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

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

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

Contents

- South African and Kenyan Systems of Devolution: A Comparison - *Yash Pal Ghai*
- Fudging Federalism: Devolution and Peace-making in South Africa's Transition from Apartheid to a Constitutional Democratic State (1990-1996) - *Derek Powell*

- Devolution in Kenya: Background and Objectives - *Yash Pal Ghai*
- Drawing Non-Racial, Non-Ethnic Boundaries in South Africa - *Yonatan Fessha, Jaap de Visser*
- Number, Size and Character of Counties in Kenya - *Abraham Rugo Muriu*
- Devolved Political Structures in South Africa: A Void Waiting to be Filled by Subnational Politics - *Yonatan Fessha*
- Political Structures and Politics of Counties in Kenya - *Conrad Mugoya Bosire*
- The Functions and Powers of South Africa's Provinces and Municipalities - *Jaap de Visser, Annette May*
- Powers and Functions of County Governments in Kenya - *Conrad Mugoya Bosire*
- South Africa's Intergovernmental Fiscal Relations System - *Bongani Khumalo, Ghalieb Dawood, Jugal Mahabir*
- Financing Counties in Kenya - *Njeru Kirira*
- Governing Metropolitan Areas in South Africa - *Philip van Ryneveld*
- Governing Metropolitan and Urban Areas in Kenya - *Jill Cottrell Ghai*
- National Cohesion and Intergovernmental Relations in South Africa - *Nico Steytler*
- National Cohesion and Intergovernmental Relations: The Framework and Emerging Practice in Kenya - *Conrad Mugoya Bosire*
- Inclusion of Marginalised Groups through Devolution in South Africa - *Zemelak Ayele, Phindile Ntiliziywana*
- Real or Mirage? Devolution as Empowerment for Marginalised Groups in Kenya - *Korir Sing'Oei*
- Implementing Provincial and Local Government in Post-Apartheid South Africa - *Derek Powell, Phindile Ntiliziywana*
- The Implementation of Kenya's System of Devolved Government - *Peter Wanyande*
- Devolution: What can Kenya learn from South Africa? - *Nico Steytler, Yash Ghai*

2015 > **SOFT COVER:** ISBN 978 1 48510 745 3 > 196pp



Law and Poverty: Perspectives from South Africa and Beyond

Editors: S Liebenberg, G Quinot

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 70219 445 0 > 490pp
eBOOK: ISBN 978 0 70219 946 2



OHADA au service de l'économie et de l'entreprise

Efficacité et compétitivité (1993–2013)

Hommage aux doctinaires et pionniers de l'OHADA

Comparative Law in Africa Series



Editors: Centre for Comparative Law in Africa

About this Publication

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

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

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 - Exposé de cadrage - *Pr. J Diffo Tchunkam*
 - Le soutien de l'AUF aux manifestations scientifiques - *Pr. A Ondoua*
 - Le dispositif de formation et de recherche de l'ERSUMA: outil d'appropriation du droit OHADA - *Dr. F Onana Etoundi*
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 - o Aspects juridiques de la cybersécurité dans l'espace OHADA - *Me T Piette-Coudol, J Monnier*
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- Allocutions de clôture
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2014 > **SOFT COVER:** ISBN 978 1 48510 735 4 > 400pp

Pluralism and Development: Studies in Access to Property in Africa

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

About this Publication

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

Contents

- Access to property in Africa: an introductory survey - *Thomas Bennett and Hanri Mostert*
- Absolute ownership and legal pluralism in Roman law: two arguments - *Helen Scott*
- Legal pluralism in Africa: the implications of state recognition of customary laws illustrated from the field of land law - *Gordon Woodman*
- Legal pluralism and access to land in Nigeria - *Enyinna 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 Mbuzini 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 70219 532 7 > 339pp

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

Editor: F Diedrich

About this Publication

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

Contents

- Preface - *Frank Diedrich*
- Ubuntu as a legal principle in an ever-changing world - *Yvonne Mokgoro*
- Ubuntu: an African equity - *Tom Bennett*
- Ubuntu: ethno-philosophy and core constitutional value(s) - *Ilze Kevv*



- The contribution of *ubuntu* to the development of constitutional jurisprudence in a democratic South Africa - *S F Khunou and Seth Nthai*
- 'Just say sorry?' *Ubuntu*, Africanisation and the child justice system in the Child Justice Act 75 of 2008 - *Julia Sloth-Nielsen and Jacqui Gallinetti*
- Towards constitutionalism and democratic governance: *ubuntu* and equity as a basis for regulating public functionaries in common-law Africa - *Mwiza Jo Nkhata*

- *Ubuntu* in the traditional justice mechanisms of South Africa - *Inga Svarca*
- The procedural relationship between state law and customary law in civil and commercial matters - *Frank Diedrich*
- Individualism and the balancing of interests in German civil law - *Ulrich Spellenberg*

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

Constitutional Law



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

Editors: D M Chirwa, L Nijzink

About this Publication

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

This book presents new knowledge about legal and political developments in a number of African countries – Ghana, Malawi, Mali, South Africa, Tanzania, Uganda and Zambia, with further references to Mozambique, Kenya and Swaziland – bringing the policy goal of developing and deepening democratic governance and accountable government on the continent up to date.

Contents

- Accountable government in Africa: introduction - *Danwood Chirwa and Lia Nijzink*
- Post-apartheid accountability: the Transformation of a political idea - *Andrew Nash*
- The politics of constitutional reform in Zambia: from executive dominance to public participation? - *Neo Simutanyi*
- Judicial independence and the judicialisation of electoral politics in Malawi and Uganda - *Siri Gløppen 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

6th edition

Authors: I Currie, J de Waal

About this Publication

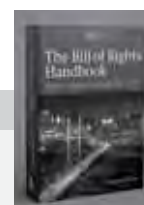
The Constitution informs every aspect of our legal system and every instance of interpretation and application of that system. *The Bill of Rights Handbook's* detailed coverage of all aspects of Bill of Rights jurisprudence and practice has made it the standard reference work for this important area 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
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- Equality
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- Privacy
- Religion, belief and opinion
- Expression
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- Association
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- Citizenship
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- Freedom of trade, occupation and profession
- Labour relations
- Environment
- Property
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- Children

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2013 > **SOFT COVER:** ISBN 978 0 70219 999 8 > 902pp
INTRANET/INTERNET: ISSN 2079 7087
eBOOK: ISBN 978 1 48510 117 8



Bill of Rights, of the Constitution of the Republic of South Africa, 1996

Juta's Posters

Editors: Juta's Statutes Editors

Contents

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

2010 > **POSTER:** ISBN 978 0 70218 534 2 > A1



Climate Talk - Rights, Poverty and Justice

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

About this Publication

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

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

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

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

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 48510 064 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)



Editors: Juta's Statutes Editors

About this Publication

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

Contents

- Quick Finder for Key Topics
- South Africa in Brief
- The Constitution of the Republic of South Africa: An Overview
- Structure and Functions of the South African government
- South African Parliament
- Groundbreaking Judgments of the Constitutional Court
- Key Addresses
- Sessions of the Constitutional Court
- National Anthem of South Africa
- 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 70215 372 3 > 312pp



Constitutional Court Review

Editor: S Woolman (Editor-in-Chief)

About this Publication

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

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

Contents

- Essays
- Articles
- Notes



SOFT COVER > ANNUAL PERIODICAL: ISSN 2073 6215
(Product code: CCRJ) Over 460 pages per annum



Constitutional Law Casebook, The

Authors: T Ngcukaitobi, J Brickhill, N Stein



About this Publication

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

Contents

Part I: Constitutional history

- The adoption of the Constitution
- The amnesty process

Part II: The Bill of Rights

- Development of the common law
- Interpretation
- Application

- 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 70218 560 1 > 443p
eBOOK: ISBN 978 0 70219 956 1



Constitutional Law of South Africa

2nd edition

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



About this Publication

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

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

Contents

Part 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

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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* (1985 to 2015), the *African Human Rights Law Journal* (2001 to 2012) and the *African Human Rights Law Reports* (2000 to 2004).

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 2015)*
- The *African Human Rights Law Journal* (2001 to 2012)*
- The *African Human Rights Law Reports* (2000 to 2004)*
- Table of cases

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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 48510 005 8 > 248pp
eBOOK: ISBN 978 1 48510 763 7



Constitutional Property Law

Juta's Property Law Library

3rd 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
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2011 > **SOFT COVER:** ISBN 978 0 70219 419 1 > 682pp
INTERNET: ISSN 2227 2046



Constitutional Rights in Namibia

A Comparative Analysis with International Human Rights

Author: G J Naldi

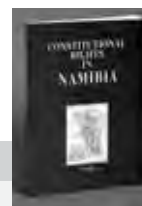
About this Publication

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

Contents

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

1995 > **SOFT COVER:** ISBN 978 0 70213 380 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.

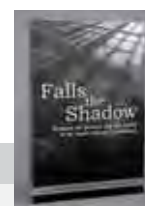
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- **Part 1:** Achieving substantive equality in South Africa – the law and theory
- **Part 2:** Achieving substantive equality in the South African employment context
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2002 > **SOFT COVER:** ISBN 978 0 70215 711 0 > 272pp



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



Editors: K Bentley, L Nathan, R Calland

About this Publication

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

The chapters in the book explore what kind of impacts the Constitution has, explain what accounts for the differences, examine the consequences, and consider whether there are any general observations and hypotheses that emerge from comparative perspectives.

Contents

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

- Access to justice: the role of legal aid and civil society in protecting the poor - *Dr Kristina Bentley*
- 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
eBOOK: ISBN 978 1 77582 058 1



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



Editors: N de Jager, P du Toit

About this Publication

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

Fundamental Rights in South Africa: A Brief Introduction

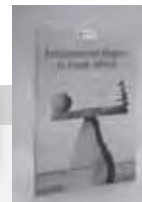
Author: F Venter**NEW****About this Publication**

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

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

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 883 2 > 92pp

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 consti-

tutionally 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 70219 901 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 70218 609 7 > 632pp
eBOOK: ISBN 978 0 70219 942 4



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

Editors: D Smythe, S Roehrs, A Hsieh

About this Publication

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



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

Editors: N Rajab-Budlender, S Budlender

About this Publication

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

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

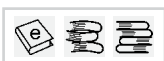
This book presents a record of fresh and inspiring perspectives on human rights law. Lively, engaging, responsive and open-ended discussions place cases in context while mapping their trajectories in society and across boundaries.

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 70217 936 5 > 208pp



Judiciary in South Africa, The

Contributing Editors: C Hoexter, M Olivier

About this Publication

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

Contents

- List of contributors
- Table of contents
- Table of cases
- Introduction - *C Hoexter, M Olivier*
- The structure of the courts - *C Hoexter*
- The judiciary under apartheid - *C Forsyth*

- Transformation and the judiciary - *M Mhango*
- Governance and administration of the judicial system - *H Ebrahim*
- The selection and appointment of judges - *M Olivier*
- The Judicial Service Commission - *M Olivier, C Hoexter*
- Judicial accountability - *H Corder*
- Judicial diversity - *C Alibertyn*
- Non-judicial functions and activities - *C Hoexter*
- The magistracy - *M Olivier*
- The Constitutional Court - *H Corder, J Brickhill*
- The Constitutional Court: a judge's perspective - *K O'Regan*

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



Namibian Constitution

Juta's Namibian Pocket Statutes

Editors: Juta's Statutes Editors

Contents

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

NEW



New Constitutional and Administrative Law, The (Volume I: Constitutional Law)

Editors: I Currie, J de Waal

About this Publication

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

Contents

- Introduction to constitutional and administrative law
 - Constitutions and constitutionalism
 - A constitutional history of South Africa

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

2002 > **SOFT COVER:** ISBN 978 0 70215 812 4 > 448pp



Private Law and Human Rights

Editors: E Reid, D Visser

About this Publication

Scotland and South Africa are mixed jurisdictions, combining features of common law and civil law traditions. Over the last decade a shared feature in both Scotland and South Africa has been a new and intense focus on human rights. In Scotland, the European Convention on Human Rights now constitutes an important element in the foundation of all domestic law. Similarly, the Constitution of the Republic of South Africa, adopted in 1996, has as its cornerstone a Bill of Rights which binds not only the legislature, the executive, the judiciary and all organs of state, but also private parties. Of course, the 'constitutional moments' from which these documents sprang were very different and the Scottish and South African experience in some aspects could not be more dissimilar. Yet in many respects the parallels are close

and compelling. This book, written by experts from both jurisdictions, examines exactly how human-rights provisions influence private law, looking at all branches of the subject. Moreover, it gives a unique perspective by comparing the approach in these kindred legal systems, thus providing a benchmark for both.

Contents

- Introduction - *Elspeth Reid and Daniel Visser*
- Private Law in the Age of Rights - *François Du Bois*
- 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; Promotion of Access to Information Act 2 of 2000; Promotion of Administrative Justice Act 3 of 2000 & Related Material

Juta's Pocket Statutes



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:**
 - Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000
 - Regulations
 - Regulations relating to the Promotion of Equality and Prevention of Unfair Discrimination, 2003
 - Designation of Magistrates' Courts as Equality Courts, 2009
- **Part B:**
 - Promotion of Access to Information Act 2 of 2000
 - PENDLEX: Act 4 of 2013
 - Rules & Regulations
 - Regulations regarding the Promotion of Access to Information, 2002
- Designation of Magistrates' Courts under the definition of 'court' in the PAIA, 2004
- Promotion of Access to Information Rules
- Exemptions and Determinations for purposes of Section 22(8)
- Exemption of Certain Private Bodies from Compiling the Manual
- **Part C:**
 - Promotion of Administrative Justice Act 3 of 2000
 - Rules & Regulations:
 - Regulations on Fair Administrative Procedures, 2002
 - Rules of Procedure for Judicial Review of Administrative Action, 2009



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

2nd 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 70219 917 2 > 278pp
eBOOK: ISBN 978 1 48510 736 1





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

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

About this Publication

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

Contents

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



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

(This book as well as reviews and comments are available for free download at www.selflessconstitution.co.za; the print version is available from Juta Law)

Author: S Woolman

About this Publication

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

Contents

- The basic structure and the methodology of the argument
- Why rethinking the foundations of South African constitutional law is necessary
- How rethinking our understanding of the self and the social services a better constitutional theory
- A theory of the self: consciousness and radically heterogeneous selves as feedback mechanisms
- A theory of the social: constraint, friction and change

- A theory of the constitutional: experimental constitutionalism
- Experimental constitutionalism in South Africa: institutions and doctrines
- Experimental constitutionalism in South Africa: the evolution of law and policy in housing and education
- Flourishing and fundamental rights under the South African Constitution
- Tweaking doctrine: Constitutional Court cases revisited and revised
- Coda
- Bibliography: books, articles, chapters and reports
- Constitutions and covenants - international
- Legislation, regulations and policy documents - national
- Table of cases
- Glossary

2013 > **SOFT COVER:** ISBN 978 1 48510 007 2 > 648pp
eBOOK: ISBN 978 1 48510 180 2



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 70218 480 2 > 565pp
INTERNET: ISBN 978 0 70219 499 3
eBOOK: ISBN 978 1 48510 737 8





Transformative Justice, A: Essays in Honour of Pius Langa

(First published as *Acta Juridica* 2015)

Editors: A Price, M Bishop

NEW



About this Publication

A Transformative Justice: Essays in Honour of Pius Langa pays tribute to this remarkable man and lawyer. The book has three sections: first, a series of personal tributes to Justice Langa; second, reflections on the work of the Constitutional Court under Langa's leadership as well as aspects of his philosophy as a judge; and third, explorations of a variety of specific themes in his judgments, writings and speeches.

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

Contents

- Preface - *Alistair Price and Michael Bishop*
- **Part I: Personal tributes**
 - Personal tribute to former Chief Justice Pius Langa - *Dikgang Mosenene*
 - Tribute to Pius Langa - *Albie Sachs*
 - Tribute to Chief Justice Pius Langa - *Marumo Moerane*
 - Working with Justice Langa on press freedom - *Anshal Bodasing*
- **Part II: Reflections on Justice Langa's court and philosophy**
 - The Langa Court: Its distinctive character and legacy - *Theunis Roux*
 - The people, the court and Langa constitutionalism - *James Fowkes*
 - Humility, dissent and community: Exploring Chief Justice Langa's political and judicial philosophy - *David Bilchitz*
 - The importance of dissent: Two judgments in administrative law - *Cora Hoexter*
 - Transformative constitutionalism - Guiding light or empty slogan? - *Jason Brickhill and Yana van Leeve*
 - Legal transformation and legal education: Congruence or conflict? - *Dennis Davis*
 - Bridging the gap between people and the law: Transformative constitutionalism and the right to constitutional literacy - *Tim Fish Hodgson*

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

2015 > **SOFT COVER:** ISBN 978 1 48510 876 4 > 514pp



Truth, Reconciliation and the Apartheid Legal Order

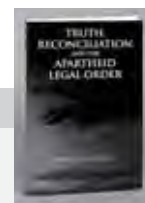
Author: D Dyzenhaus

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 70214 905 4 > 208pp



Understanding the Constitution of the Republic of South Africa

Juta's Pocket Companions



Author: W Freedman

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 48510 110 9 > 408pp

Construction Law



Building Contract, The: A Commentary on the JBCC Agreements

2nd 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 70217 310 3 > 375pp





McKenzie's: Law of Building and Engineering Contracts and Arbitration

7th edition**Author:** H McKenzie; Revised & updated by P Ramsden**About this Publication**

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

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

Contents

- The formation of a contract
- The construction or interpretation of a contract
- Rights and liabilities of the parties during building operations
- Excuses for non-performance.
- Effect of insolvency, death and forfeiture clauses
- Remedies on breach
- The architect
- The quantity surveyor
- Engineers
- Delictual liability of building and construction professionals for negligent misrepresentation causing pure economic loss
- Sub-contractors, contractors and home builders
- Time of completion, delay and penalty clauses
- Extras and variations
- Prime cost and provisional sums
- Price adjustment clauses
- Approval and certificates
- Defects and retention money
- Payment in terms of the contract and quantum meruit
- Introduction to arbitration
- Arbitration agreements and their effect
- Functions of and proceedings at arbitration tribunals
- The award
- Costs
- Annexures
 - JBCC Principal Building Agreement (6th edition, 2014)
 - General Conditions of Contract for Construction Works (2nd edition, 2010)
 - The Association of Arbitrators Standard Procedures Rules
 - Arbitration Act 42 of 1965

2014 > **SOFT COVER:** ISBN 978 1 48510 614 2 > 468pp

Consumer Law



Advertising Law: A Guide to the Code of Advertising Practice

LegalEase: Essence series

**Author:** G Schimmel**About this Publication**

Advertising Law: A Guide to the Code of Advertising Practice is a practical guide to the Code and the practices of the Advertising Standards Authority (ASA).

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

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

2014 > **SOFT COVER:** ISBN 978 1 48510 672 2 > 175pp



Commentary on the Consumer Protection Act

Managing Editors: T Naudé, S Eiselen

About this Publication

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

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

Contents

- Table of Cases
- Introduction and overview of the Consumer Protection Act (CPA)
- The impact of the CPA on the law of contract and on specific contracts
- The impact of the CPA on franchising
- The regulation of marketing under the CPA
- Interpretation, purpose and application
- Fundamental consumer rights

- Protection of consumer rights and consumers' voice
- Business names and industry codes of conduct
- National consumer protection institutions
- Enforcement of the CPA
- General provisions
- Schedules
 - Amendment of laws
 - Transitional provisions

ELECTRONIC Additional Contents and Features

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

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



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
- Supplementary CD

ELECTRONIC Additional Contents and Features

- Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications
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2012 > **SOFT COVER:** ISBN 978 0 70219 551 8 > 692pp
INTERNET: ISSN 2309 9690





Consumer Protection Act 68 of 2008 & Rules and Regulations

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

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
- Consumer Product Safety Recall Guidelines
- CD-ROM containing related material



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

Authors: N Campbell, S Logan

About this Publication

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

Contents

- The credit process in terms of the National Credit Act
- Consumer credit information
- Consumers' rights and obligations
- Credit agreements
- 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 70217 931 0 > 202pp



Guide to the Protection of Personal Information Act, A

LegalEase: Essence series

Authors: E de Stadler, P Esselaar

NEW

About this Publication

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

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

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 816 0 > 190pp





National Credit Act 34 of 2005 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- National Credit Act 34 of 2005
 - Pendlex: Act 4 of 2013
- Regulations
 - National Credit Regulations, 2006
 - Prescribed time-frame for free Credit Records, and Determination of Application and Registration fees
 - Annual finance charge rates
 - Debt Counselling Regulations, 2012
- Removal of Adverse Consumer Information and Information relating to paid up Judgments Regulations, 2014
- National Credit Regulations including Affordability Assessment Regulations
- CD-ROM: Rules & Related Material
 - Verification, review and removal of Consumer Credit Information Regulations, and amendments to the National Credit Regulations
 - Regulations for matters relating to the functions of the Tribunal and Rules for the conduct of matters before the National Consumer Tribunal, 2007



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

Author: S Tennant

About this Publication

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

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

Contents

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

ELECTRONIC Additional Contents and Features

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

2011 > **SOFT COVER:** ISBN 978 0 70219 403 0 > 362pp
INTERNET: ISSN 2308 3786
eBOOK: ISBN 978 1 84510 055 3



Protection of Personal Information Act 4 of 2013

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

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



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 70219 509 9 > 262pp

> Contract Law



Caney's The Law of Suretyship

6th 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

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2010 > **SOFT COVER:** ISBN 978 0 70218 456 7 > 268pp
INTERNET: ISSN 2226 3349
eBOOK: ISBN 978 0 70219 517 4



Cession for Students

LegalEase – Elements series

2nd 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 make the law easier to understand without losing the context in which it operates. *Legal Elements* books are practical workbooks or reference tools to support students and those who must understand

and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the *Elements* series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents

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

2013 > **SOFT COVER:** ISBN 978 1 48510 011 9 > 172pp



Contract Law Casebook / Kontraktreg Vonnisbundel

3rd 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 70218 542 7 > 448pp

NEW EDITION FORTHCOMING IN 2016



Contract / Kontraktereg

General Principles / Algemene Beginsels

4th edition
4^{de} 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

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2012 > **SOFT COVER** (English): ISBN 978 0 70218 628 8 > 616pp
SAGTEBAND (Afrikaans): ISBN 978 0 70218 629 5 > 616bl
INTERNET: ISSN 2309 0383
eBOOK (English): ISBN 978 0 70219 881 6
 (Afrikaans): ISBN 978 0 70219 943 1



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 70219 527 3 > 276pp
eBOOK: ISBN 978 0 70219 923 3



A Man of Principle / 'n Man van Beginsel

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



Editors: J du Plessis, G Lubbe

About this Publication

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

Contents

- Voorwoord/Preface
- Lys van bydraers/List of contributors
- Inleiding/Introduction - *Jeremy Gauntlett*
- 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 straffereg - *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 48510 075 1 > 478pp



Principles of the Law of Mortgage, Pledge and Lien

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

About this Publication

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

Contents

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

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



Principles of the Law of Sale and Lease

3rd edition

Authors: G Bradfield, K Lehmann

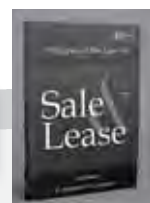
About this Publication

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

Contents

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

- 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

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2013 > **SOFT COVER:** ISBN 978 0 70219 859 5 > 270pp
INTERNET: ISSN 2309 0391
eBOOK: ISBN 978 1 48510 601 2



Student's Guide to the Law of Contract

LegalEase: Elements series

Authors: D Bhana, M Nortje, E Bonthuys

About this Publication

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

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

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

Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Legal Elements* books are practical workbooks or reference tools to support students and those who must understand and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear

and reliable explanations of all major concepts in law. Titles in the *Elements* series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 889 4 > 632pp
eBOOK: ISBN 978 1 48510 929 7



Criminal Law and Procedure



Applied Law for Police Officials Toegepastereg vir Polisiebeamptes

Editor: C Joubert

About this Publication

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

Contents

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

4th edition
3^{de} uitgawe



- 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 48510 107 9 > 530pp
 2014 > **SAGTEBAND** (Afrikaans): ISBN 978 1 48510 108 6 > 580bl
eBOOK (English): ISBN 978 1 48510 739 2
 (Afrikaans): ISBN 978 1 48510 740 8



Bail: A Practitioner's Guide

3rd 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 extrajudicially
- 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 70219 546 4 > 420pp
eBOOK: ISBN 978 0 70219 928 8



Basic Guide to Criminal Procedure, The A Rights-based Approach

LegalEase: Elements series

Authors: D Ally, M T Mokoena

About this Publication

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

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

Contents

- Basic concepts in criminal procedure
- The pre-trial phase

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

2013 > **SOFT COVER**: ISBN 978 1 48510 087 4 > 176pp





Cases and Materials on Criminal Law

3rd 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.

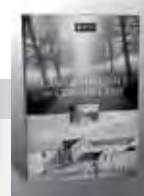
Substantially revised by Jonathan Burchell, this third edition covers the general principles of specific crimes, including new sections on the reform of sexual offences and organised crime. Over 50 new extracts and a companion CD-ROM containing an additional 17 extracts from cases and legislation have 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 70217 725 5 > 1165pp



Child Offenders in South African Criminal Justice: Concepts and Process

LegalEase: Essence series

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

About this Publication

Child Offenders in South African Criminal Justice: Concepts and Process explains the Child Justice Act 75 of 2008 for the various sectors involved in the administration of child justice in South Africa.

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

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

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

Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Legal Elements* books are practical workbooks or reference tools to support students and those who must understand

and implement the law in their legal studies. These books offer a quick and easy entry into the world of law, providing clear and reliable explanations of all major concepts in law. Titles in the *Elements* series can be used with prescribed handbooks and sourcebooks, and can serve as study enhancements when students prepare for tests and examinations.

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 667 8 > 378pp



Child Justice Act 75 of 2008 & Regulations

Juta's Pocket Statutes

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

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:**
 - Child Justice Act 75 of 2008
 - Pendlex: Act 14 of 2014

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



criminal 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; GN 49 of 2012; GN 973 of 2012; GN 686 of 2013)

- Designation of area of jurisdiction of the Matlosana One Stop Child Justice Centre
- Establishment of Nerina One-Stop Child Justice Centre and definition of its area of jurisdiction
- Accredited diversion programmes and diversion service providers



Commentary on the Criminal Procedure Act

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

About this Publication

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

Contents

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

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

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

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INTERNET: ISSN 1819 8775



Criminal Justice in a New Society

(First published as *Acta Juridica* 2003)

Editors: J M Burchell, A Erasmus

About this Publication

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

criminal law and the disputed definition of aggression; and raise some central issues facing the transnational and international onslaught of organised crime.

Contents

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

2003 > **SOFT COVER:** ISBN 978 0 70216 358 6 > 359pp



Criminal Law - Criminal Procedure & Child Justice / Strafrecht - Strafprozes

Juta Legislation Service

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

Editors: Juta's Statutes Editors

About this Publication

This predominantly bilingual (Afrikaans & English) loose-leaf work comprises four components: The Acts (including pending amendments – if applicable); rules / regulations; table of

cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.



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Contents

Volume I: Criminal Procedure/Strafproses

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

Volume II: *Child Justice

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

* Indicates published in English only.

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Juta Legislation Service

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



Editors: Juta's Statutes Editors

About this Publication

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

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

Contents

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

- *National Directives - Forensic Examination
- *List, designated public health establishments - compulsory HIV testing
- *National Policy Framework - Management - Sexual Offences
- *Establishment - additional services, victims - compulsory HIV testing, alleged offenders: Mpumalanga and Western Cape

* Indicates published in English only

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



Criminal Law Casebook / Strafreësaakbundel

Author: C R Snyman

About this Publication

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

Contents

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

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

2013 > **SOFT COVER:** ISBN 978 0 70219 996 7 > 304pp
eBOOK: ISBN 978 0 70219 964 6





Criminal Law of Botswana, The

Authors: K Frimpong, A McCall Smith

About this Publication

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

Contents

- Criminal responsibility
- Parties to an offence

- Defences
- Offences against the person
- Inchoate offences
- Offences relating to property

1992 > **SOFT COVER:** ISBN 978 0 70212 670 3 > 153pp



Current editions



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

- Prevention of Organised Crime Act 121 of 1998 & Regulations; Prevention and Combating of Corrupt Activities Act 12 of 2004 & Regulations
- Probation Services Act 116 of 1991 & Regulations
- Regulations in terms of the Prevention and Combating of Trafficking in Persons Act 7 of 2013
- Sexual Offences - Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 & Regulations; Sexual Offences Act 23 of 1957

SOFT COVER – pocket size: 978 1 48510 188 8



Criminal Law Workbook Strafreg Werkboek*

LegalEase: Elements series

Author: C R Snyman

NEW*



About this Publication

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

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

Contents

- List of figures and tables
- **Section A:** guidelines for students and lecturers

- **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

2013 > **SOFT COVER** (English): ISBN 978 1 48510 150 5 > 140pp
2015 > **SAGTEBAND** (Afrikaans): ISBN 978 1 48510 728 6 > 148bl



Criminal Procedure Act 51 of 1977 & Regulations

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Criminal Procedure Act 51 of 1977
 - PENDLEX (pending amendments): Act 122 of 1991; Act 86 of 1996; Act 66 of 2008
 - Schedule of commencements relating to magisterial districts
- Regulations
- Related legislation
 - Criminal Procedure Act 56 of 1955 (extant provisions)
 - Criminal Law Amendment Act 105 of 1997 (excerpt)
 - PENDLEX (pending amendments): Act 27 of 2006



Criminal Procedure Casebook / Strafprosesreg Vonnisbundel

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

About this Publication

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

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

Contents

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



2010 > **SOFT COVER:** ISBN 978 0 70218 226 6 > 366pp



Criminal Procedure Handbook Strafprosesreg Handboek

11th edition
11^{de} uitgawe

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

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SAGTEBAND (Afrikaans): ISBN 978 1 48510 062 1 > 540bl
eBOOK: ISBN 978 1 48510 749 1





Criminal Procedure Legislative Guide

Editors: Juta Law Editors

NEW



About this Publication

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

Contents

- **Section A:**
 - Introductory commentary
 - Examples of documentation frequently encountered in the criminal process

- Infographics of the criminal process for an adult accused and child offender
- Survey of the content of the Criminal Procedure Act and Child Justice Act
- **Section B**
 - Criminal Procedure Act 51 of 1977
- **Section C**
 - Child Justice Act 75 of 2008
- **Section D**
 - Constitution of the Republic of South Africa 1996

2015 > **SOFT COVER:** ISBN 978 1 48510 881 8 > 608pp



Criminal Procedure Workbook Strafprosesreg Werkboek

LegalEase: Elements series

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



About this Publication

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

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

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

Contents

Section A: Pre-trial issues

- 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 70219 512 9 > 192pp
(Afrikaans): 978 0 70219 425 2 > 192bl





Drugs and Drug Trafficking Act 140 of 1992; Prevention of and Treatment for Substance Abuse Act 70 of 2008 & Regulations

Juta's Pocket Statutes

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Editors: Juta's Statutes Editors

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- Quick Finder for Key Topics
- Drugs and Drug Trafficking Act 140 of 1992

- Prevention of and Treatment for Substance Abuse Act 70 of 2008
 - Regulations for the Prevention of and Treatment for Substance Abuse, 2013



Guide to Bail Applications, A

LegalEase: Essence series

Author: M T Mokoena

About this Publication

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

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

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 70219 451 1 > 226pp
eBOOK: ISBN 978 0 70219 873 1



Matthaeus: De Criminibus (Volume IV)

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

About this Publication

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

Contents

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

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



Parole in South Africa

Author: J Moses

About this Publication

Parole in South Africa focuses on parole as an integral part of the broader criminal justice system in post-apartheid South Africa. It serves as a guide for everyone in the practice and administration of parole and correctional supervision. It reflects on and analyses the law regarding parole in South

Africa in terms of the Correctional Services Act 111 of 1998 and the ever expanding jurisprudence that has emerged under the interim Constitution of 1993 and the current Constitution.



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 70219 434 4 > 210pp
eBOOK: ISBN 978 0 70219 536 5



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

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Editors: Juta's Statutes Editors

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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



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Editors: Juta's Statutes Editors

NEW

Contents

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



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

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

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

- Directions by the National Head of the Directorate for Priority Crime Investigation (DPCI) within the South African Police Service in terms of section 34(3)(a) of the Act



Principles of Criminal Law

4th edition
(revised)



Author: J M Burchell

About this Publication

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

Contents

- Introduction to criminal justice
- General principles of criminal liability
 - Unlawful conduct
 - Defences excluding unlawfulness
 - Capacity

- Fault (*mens rea*)
- Special forms of liability
- Participation in crime
- Incomplete (inchoate) crimes
- Specific crimes
 - Crimes against human life; the person; family life; property; community interests; sexual morality; the administration of justice
 - Collective welfare
 - Maintenance of the government of the state
 - Organised crime

2014 > **SOFT COVER:** ISBN 978 1 48510 755 2 > 1042pp
eBOOK: ISBN 978 1 48510 622 7



Probation Services Act 116 of 1991 & Regulations

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

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



Restorative Justice: Politics, Policies and Prospects

(First published as *Acta Juridica* 2007)



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

About this Publication

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

Contents

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

2008 > **SOFT COVER:** ISBN 978 0 70217 899 3 > 285pp



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

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

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:**
 - Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007
 - Pendlex: Act 43 of 2013
 - Regulations
 - Criminal Law (Sexual Offences and Related Matters) Regulations
 - National Instruction on Sexual Offences
 - National Directives and Instructions on conducting a Forensic Examination on Survivors of Sexual Offence cases in terms of the Act

- List of designated public health establishments for purposes of providing post exposure prophylaxis and carrying out compulsory HIV testing
- National Policy Framework on the Management of Sexual Offences

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

- **Part B:**
 - Sexual Offences Act 23 of 1957



Sexual Offences Commentary

Editors: B Pithey, D Smythe

About this Publication

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

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

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

Published since 2011 > **LOOSE- LEAF:** ISBN 978 0 70218 602 8 > 600pp
CD-ROM/INTRANET: ISSN 2224 3860 > Updated annually
INTERNET: ISSN 2224 3879



Should We Consent? Rape Law Reform in South Africa

Editors: L Artz, D Smythe

About this Publication

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

Contents

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

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

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



South African Criminal Law and Procedure

Volume I: General Principles of Criminal Law

4th 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

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2011 > **HARD COVER:** ISBN 978 0 70218 611 0 > 658pp
 2011 > **SOFT COVER:** ISBN 978 0 70218 612 7 > 658pp
INTERNET: ISSN 2219 2700
eBOOK: ISBN 978 0 70219 520 4



South African Criminal Law and Procedure

Volume II: Common-law Crimes

3rd 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
 - Heft and kindred crimes
 - Fraud and kindred crimes
 - Damage to property
 - Intrusion upon property

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



South African Criminal Law and Procedure

Volume III: Statutory Offences

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

About this Publication

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

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

Contents

Part I: Crimes against the State and community

- Dignity, prerogatives and safety of the State
- Public safety and order
- Administration of justice
- Public administration
- Public morality
- Public welfare
- Public facilities
- Environment and natural resources
- Crimes against bodily integrity

Part II: Commerce, trade and industry

- Commerce
- Property
- Labour relations
- Industry

Table of cases

Table of statutes

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 70212 036 7
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CD-ROM/INTRANET: 2218 127X
INTERNET: 2218 113X > Updated annually



Understanding Money Laundering and Illicit Financial Flows

Juta's Pocket Companions

Author: C Goredema

NEW

About this Publication

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

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

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

Contents

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

2015 > **SOFT COVER** – pocket size: ISBN 978 1 48510 898 6 > 188pp



Customary Law



Customary Law in South Africa

Author: T W Bennett

About this Publication

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

Contents

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

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



Pluralism and Development: Studies in Access to Property in Africa

(First published as *Acta Juridica* 2011)

Editors: H Mostert, T Bennett

About this Publication

This title comprises a collection of papers presented at a conference held at the University of Cape Town in 2010, which consider how development in Africa may best be achieved by

concentrating on access to property from a pluralist perspective, with emphasis on land, the most important economic resource.



Contents

- Access to property in Africa: an introductory survey - *Thomas Bennett and Hanri Mostert*
- Absolute ownership and legal pluralism in Roman law: two arguments - *Helen Scott*
- Legal pluralism in Africa: the implications of state recognition of customary laws illustrated from the field of land law - *Gordon Woodman*
- Legal pluralism and access to land in Nigeria - *Enyinna 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 Mbuzini 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 70219 532 7 > 339pp

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

Authors: C Himonga, E Moore**NEW****About this Publication**

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

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

The findings presented in *Reform of Customary Marriage, Divorce and Succession in South Africa* about the implementation of the Act and the *Bhe* rules will be of interest to a wide range of individuals, court and state officials, and

scholars. The authors provide evidence-based research on the implementation of the laws and they outline what remains to be done to improve the implementation of these laws.

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 729 3 > 392pp

Traditional African Religions in South African Law

Editor: T W Bennett**About this Publication**

Traditional African beliefs, together with African cultural traditions, are enjoying a new-found respect in South Africa, due in large part to the advent of the country's democratic constitution. In fact, a large majority of the South African population adheres to some form of traditional belief, often in combination with observance of other religions. Even so, the traditional faiths are poorly understood and, in spite of constitutional guarantees, receive far from equal treatment, a situation quite at odds with the country's commitment to equality and religious and cultural diversity. While there are numerous works on the subject of religion in Africa, there are no works on traditional African religions and their legal implications. The issue is nevertheless of serious political and legal concern in South Africa, since it raises diverse questions involving freedom of religion, the equal treatment

of religions, traditional healing, witchcraft, animal sacrifice, circumcision, marriage and burial. The overall purpose of the book is to consider whether indigenous African religions, independent African churches and traditional practices deserve constitutional protection and recognition by the state. If recognised, they will then become subject to certain state controls and benefits: the need for registration; the licensing of ministers as marriage officers (with consequences for the validity of customary and other marriages); and significantly, of course, tax exemptions. This book thus explores the legal and constitutional implications of traditional religion and, in particular, the state's intervention in religious matters.

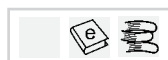


Contents

- 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



Editor: F Diedrich

About this Publication

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

Contents

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

- 'Just say sorry?' *Ubuntu*, Africanisation and the child justice system in the Child Justice Act 75 of 2008 - *Julia Sloth-Nielsen* and *Jacqui Gallinetti*
- Towards constitutionalism and democratic governance: *ubuntu* and equity as a basis for regulating public functionaries in common-law Africa - *Mwiza Jo Nkhata*
- *Ubuntu* in the traditional justice mechanisms of South Africa - *Inga Svarca*
- The procedural relationship between state law and customary law in civil and commercial matters - *Frank Diedrich*
- Individualism and the balancing of interests in German civil law - *Ulrich Spellenberg*

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



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 70218 648 6 > 210pp
eBOOK: ISBN 978 0 70219 521 1



Casebook on the Law of Delict / Vonnisbundel oor die Deliktereg

5th edition

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

About this Publication

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

Contents

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

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

2012 > **SOFT COVER:** ISBN 978 0 70218 565 6 > 1204pp
eBOOK: ISBN 978 1 48510 899 3



Developing Delict – Essays in Honour of Robert Feenstra

(First published as *Acta Juridica* 2000)

Editors: T J Scott, D Visser

About this Publication

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

Contents

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

2000 > **SOFT COVER:** ISBN 978 0 70215 709 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 70218 215 0 > 632pp
eBOOK: ISBN 978 0 70219 940 0





Law of Damages through the Cases

3rd 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 70215 922 0 > 569pp
eBOOK: ISBN 978 0 70219 542 6



Personality Rights and Freedom of Expression: The Modern Actio Injuriarum

Author: J M Burchell

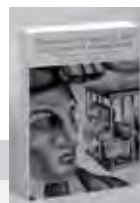
About this Publication

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 70214 810 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 70212 941 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 70219 852 6 > 224pp
eBOOK: ISBN 978 1 48510 746 0



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.
- Volume VII by P Corbett, C Potgieter and J Daffue contains cases reported from 2014, also grouped according to the type of injury.

ELECTRONIC Additional Contents and Features

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

HARD COVER: (Volume I) ISBN 978 0 70213 391 6 > Published since 1993
LOOSE-LEAF: (Volume II) ISBN 978 0 70215 470 6
 (Volume III) ISBN 978 0 7021 116 X > (Volume IV) ISBN 978 0 70212 790 8
 (Volume V) 978 0 70215 617 5 > (Volume VI) ISBN 978 0 70218 489 5
 (Volume VII) 978 1 48510 671 5 (Full set) ISBN 978 0 70211 604 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

About this Publication

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

The *Quick Guide* includes references to cases contained in the latest revision service to Volume VI of the *Quantum of Damages*. Awards are listed by category of injury as well as

alphabetically, allowing readers to research comparative cases in a variety of ways. All tables use a quick referencing system, pointing the user towards the volume and page of each case, providing quantum figures, updated annually.

Contents

- Awards by category (spine and brain, head injuries, neck and back, upper limbs, lower limbs, hip and pelvis, face, internal organs, the senses, multiple injuries, miscellaneous injuries/conditions)
- Combined alphabetical list
- Alphabetical list by volume

2016 edition

**NEW
edition**



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

2016 > **SOFT COVER:** ISBN 978 1 48510 946 4 > 288pp

Visser & Potgieter Law of Damages Visser & Potgieter Skadevergoedingsreg

3rd edition
3^{de} 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

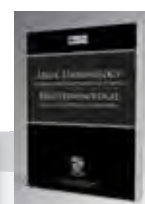
2012 > **SOFT COVER** (English): ISBN 978 0 70219 413 9 > 724pp
SAGTEBAND (Afrikaans): ISBN 978 0 70219 412 2 > 724bl
eBOOK (English): ISBN 978 0 70219 514 3
 (Afrikaans): ISBN 978 0 70219 515 0



Dictionaries and Glossaries



Legal Terminology / Regsterterminologie Criminal Law, Procedure and Evidence / Straf-, Strafbproses en Bewysreg

Authors: Centre for Applied Legal Terminology in African Languages (CLTAL)**NEW****About this Publication**

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

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

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

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

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 716 3 > 662pp



Trilingual Legal Dictionary / Drietalige Regswoordeboek

3rd 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 70212 781 6 > 498pp
CD-ROM/INTRANET: ISBN 0 6202 3001 0 > **INTERNET:** 0 7021 2781 7
 This publication is not updated

Education Law



Education Law and Policy Handbook, Juta's

Authors: J Deacon, J Merabe

About this Publication

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

Contents

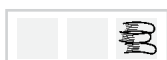
- National Education Policy Act of 1996
- South African Schools Act 84 of 1996, with regulations
- Employment of Educators Act, 1998, with regulations and Personnel Administration Measures
- South African Council for Educators:
 - Registration procedures
 - Constitution
 - Code of conduct
 - Disciplinary powers and procedures

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

ELECTRONIC Additional Contents and Features

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

Published since 1999 > **LOOSE-LEAF:** ISBN 978 0 70214 815 6
 Approximately 550pp
INTERNET: ISSN 2305 3119



School Governance / Skoolbeheer

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

Author: J Deacon

NEW

About this Publication

School governance: common issues and how to deal with them and *Skoolbeheer: Antwoorde op alle daagse uitdaginge* is a clear and comprehensive guide to effective school governance.

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

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

Contents

- Framework for governance
- Functioning of governing bodies

- Risk management and accountability
- The business of governing bodies
- Financial management
- Properties
- Hostels
- Educators
- School governing body staff
- Discipline
- Extra-curricular activities

2015 > **SOFT COVER (English):** ISBN 978 1 48510 847 4 > 213pp
 2015 > **SAGTEBAND (Afrikaans):** ISBN 978 1 48510 890 0 > 213bl





Schools and the Law

Author: B Barry

About this Publication

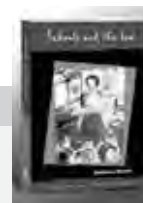
Since 1994, a stream of national and provincial education laws and policies has altered the landscape of South African schooling dramatically – replacing the discriminatory and fragmented legal framework under apartheid with a uniform system aimed at making the constitutional right to education a reality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

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

Contents

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

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



Schools: Law and Governance

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:**
 - South African Schools Act 84 of 1996
 - Regulations and Related Material
 - Norms and Standards for Language Policy in Public Schools
 - Guidelines for the Consideration of Governing Bodies in Adopting a Code of Conduct for Learners
 - Regulations for Safety Measures at Public Schools
 - Regulations to Prohibit Initiation Practices in Schools
 - National Guidelines on School Uniforms
 - Regulations for the Exemption of Parents from the Payment of School Fees, 2005
 - Devices to be used and Procedure to be followed for Drug Testing
 - Regulations Relating to Minimum Uniform Norms and Standards for Public School Infrastructure
- **Part B:**
 - National Education Policy Act 27 of 1996
 - Policies
 - Admission Policy for Ordinary Public Schools
 - National Policy on HIV/AIDS, for Learners and Educators in Public Schools, and Students and Educators in Further Education and Training Institutions
 - National Policy on the Management of Drug Abuse by Learners in Public and Independent Schools and Further Education and Training Institutions
 - National Policy on Religion and Education
 - Policy on Learner Attendance
- **Part C:**
 - Employment of Educators Act 76 of 1998
 - Related Material
 - Personnel Administration Measures (PAM)
- **Part D:**
 - Bill of Rights
 - Sections 7 to 39 of the Constitution of the Republic of South Africa, 1996



Energy Law



Electricity Law in South Africa

Author: A Klees

About this Publication

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

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

Contents

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

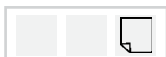


ELECTRONIC Additional Contents and Features

- 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

2014 > **SOFT COVER:** ISBN 978 1 48510 666 1 > 400pp
INTERNET: ISSN 2414 1798

Environmental Law



Climate Change: Law & Governance in South Africa

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

NEW

About this Publication

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

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

Contents

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

- Climate change and the African Union (AU)
- Climate change litigation
- South Africa and climate change ethics
- Climate change commitments and regulatory response potential
- Water resources management and climate change
- Climate change and coastal zone management
- Urban adaptation
- Local disaster risk reduction and management in South Africa's response to climate change
- Climate change and insurance law
- Public health perspectives and climate change law and governance
- Climate change and human mobility
- Biodiversity, protected areas and climate change
- Climate change and agriculture
- South Africa's energy mix – towards a low carbon economy
- Waste management in South Africa – challenges and opportunities for climate change mitigation
- Carbon pricing in South Africa
- Climate change and international trade: A South Africa perspective
- Mining and climate change

2016 > **LOOSE-LEAF:** ISBN 978 1 48511 820 6 > Approximately 800pp



Climate Talk – Rights, Poverty and Justice

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

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 Flottum 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 Maferika 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 48510 064 5 > 256pp



Environmental Compliance and Enforcement in South Africa: Legal Perspectives



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

About this Publication

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

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

Contents

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

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

ELECTRONIC Additional Content and Features

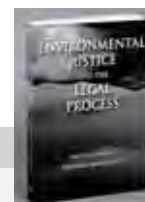
- Hyperlinks to footnotes, endnotes and cross-chapter referencing, and to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

2009 > **SOFT COVER:** ISBN 978 0 70217 962 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 70215 076 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**2nd 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 70218 545 8 > 418pp
eBOOK: ISBN 978 0 70219 883 0**Environmental Law and Local Government in South Africa****Managing Editor:** A du Plessis**About this Publication**

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

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

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

Contents

- **Part 1:** The local government sustainability interface
 - An introduction
 - Key elements for municipal action
 - Instrumentation for local environmental governance
 - Municipal integrated development planning
 - Local economic development and pursuit of a green economy
- **Part 2:** The local government environmental law interface - notions and perspectives
 - Environmental rights protected in the Constitution of the Republic of South Africa

- The regulation of environmental pollution
- Conservation, sustainable use of natural resources and the notion of public trusteeship
- Environmental law compliance and enforcement
- Municipal service delivery and the environment
- Cooperative government and the intergovernmental division of environmental powers and functions
- **Part 3:** Sector-based perspectives
 - Air quality management
 - Solid waste management
 - Water services provision and the protection of water resources
 - Environmental health and municipal public health services
 - Land-use management and planning
 - Soil conservation and land management
 - Hazardous substances management and control
 - Biodiversity
 - Urban ecology
 - Marine and coastal management
 - Heritage resources management
 - Disaster risk reduction and climate change adaptation and resilience
 - Energy
 - Green building
 - Green procurement



- **Part 4:** Case study showcasing some of the initiatives of one South Africa's well-resourced municipal champions: The City of Cape Town
- Index

2015 > **SOFT COVER:** ISBN 978 1 48510 050 8 > 1066pp

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

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 3 volumes:
ISBN 978 0 70213 777 8 > Approximately 1100pp
INTERNET: ISSN 2306 9171



Environmental Library, Juta's

Editors: Juta's Statutes Editors

About this Publication

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

Contents

- Environmental Acts
- Regulations and related notices

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

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



Environmental Management in South Africa, Fuggle & Rabie's

2nd edition**Editors:** H A Strydom, N D King

About this Publication

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

Contents

- 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

- New chapters dealing with biodiversity, sustainable lending, trade, marine law, amongst others

- 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 70218 134 4 > 1142pp
INTERNET: 2076 3689



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

Juta's Pocket Statutes



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A**
 - National Environmental Management Act 107 of 1998
 - Regulations
 - Regulations relating to Identification of Environmental Management Inspectors
 - Environmental Management Framework Regulations 2010
 - Environmental Impact Assessment Regulations, 2014
 - National Appeal Regulations, 2014
 - National Exemption Regulations, 2014
- **Part B**
 - Environment Conservation Act 73 of 1989
 - Regulations
 - Regulations in terms of section 25—noise control
 - General Environmental Policy in terms of the Act
 - Classification of Terrestrial and Marine Protected Areas
 - Waste Disposal Sites
 - Control and management of general communal and general small waste disposal sites
- **CD-ROM: Related Material**
 - National Environmental Management Act 107 of 1998
 - Regulations for the Establishment of a Designated National Authority for the Clean Development Mechanism
 - Qualification Criteria, Training and Identification of, and Forms to be used by, Environmental Management Inspectors
 - Companion Guideline for the Implementation of the Environmental Impact Assessment Regulations, 2010 (Guideline 5)
 - Environmental Management Framework: Guideline for Implementation (Guideline 6)
 - Public Participation Guideline for the Environmental Impact Assessment Process (Guideline 7)
 - Environmental Impact Assessment Guideline for Aquaculture in South Africa
 - National Aquaculture Policy Framework for South Africa, 2013
 - Fees for consideration and processing of applications for environmental authorisations and amendments thereto
 - Regulations to phase-out the use of PCB materials and PCB contaminated materials, 2014
 - Environmental Impact Assessment Regulations Listing Notice 1, 2 and 3 of 2014
 - Environment Conservation Act 73 of 1989
 - Plastic carrier bags and plastic flat bags Regulations
 - Regulations for the Prohibition of the Use, Manufacturing, Import and Export of Asbestos and Asbestos Containing Materials, 2007
 - Waste Tyre Regulations, 2009



Sustainable Options: Development Lessons from Applied Environmental Economics

Editors: J Blignaut, M de Wit

About this Publication

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

Contents

- A perspective on the South African economy
- Reflecting on economic growth
- 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 70216 732 4 > 769pp
eBOOK: ISBN 978 0 70219 961 5



> Evidence, Law of



Expert Evidence in Clinical Negligence: A Practitioner's Guide

Authors: P van den Heever, N Lawrenson

NEW

About this Publication

Expert medical evidence is often essential and pivotal in support or defence of medical negligence. Such cases invariably involve questions of technical and factual complexity requiring the evaluation of conflicting expert medical testimony.

In this book, the first standalone textbook on expert evidence in South Africa, the authors expound and extrapolate the whole process from the initial obtaining of the relevant health records to the eventual testimony of the medical expert witness in court.

The authors offer an instructive guide to busy practitioners to assist them with –

- identifying the correct expert speciality or sub-speciality
- the construction of a medico-legal opinion
- the status of joint minutes of such experts
- the preparation of an expert's examination-in-chief
- cross- and re-examination of an expert

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

Contents

- Health records
- The nature of opinion and expert evidence
- The production of expert evidence
- Obtaining the expert opinion/report
- Preparing the expert to testify
- Qualifying costs of the expert witness and related fees
- Grading the quality of expert evidence and statistical medical evidence
- The role of medical experts in alternative dispute resolution
- Training and accreditation of experts
- Templates:
 - Request for clinical notes
 - Request for access to records (public body)
 - Request for access to records (private body)
 - Recognition of specialities
 - Letter of instruction to expert
- Postscript: *Oppelt v Head: Health, Department of Health Provincial Administration: Western Cape*

2015 > **SOFT COVER:** ISBN 978 1 48510 891 7 > 164pp



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

4th edition

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

About this Publication

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

Contents

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

2009 > **SOFT COVER:** ISBN 978 0 70218 216 7 > 418pp
eBOOK: ISBN 978 0 70219 522 8





Presumption of Innocence

Author: P J Schwikkard

About this Publication

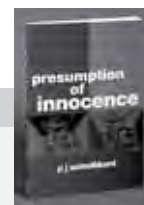
The presumption of innocence is widely accepted as a fundamental principle of criminal justice. In some countries (like South Africa and Canada) it has been elevated to a constitutionally guaranteed right, subject to a general limitations clause. The presumption of innocence is also found in international 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 70215 144 6 > 215pp



Principles of Evidence Beginsels van die Bewysreg

Authors: P J Schwikkard, S E van der Merwe

About this Publication

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

Contents

- Introduction to the law of evidence
- Admissibility of relevant evidence
- Exclusion of relevant evidence: privilege
- Exclusion of relevant evidence: unconstitutionally obtained evidence
- Hearsay
- Admissibility and proof of the contents of relevant

detrimental statements

- Kinds of evidence and the presentation thereof
- Witness
- Proof without evidence
- Weight of evidence and standards and burdens of proof
- Appendices of relevant legislation

ELECTRONIC Additional Contents and Features

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

2016 > **SOFT COVER** (English): ISBN 978 1 48510 924 2 > 800pp
2009 > **SAGTEBAND** (Afrikaans): ISBN 978 0 70217 951 8 > 750bl
INTERNET (Afrikaans): 2074 6911
eBOOK (English - 4th edition): ISBN 978 1 48511 813 8

4th edition
2^{de} uitgawe

NEW
edition



Financial Services



Accounting Standards Rekeningkundige Standaarde

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

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

About this Publication

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

intended to satisfy the students' requirements while at the same time reducing the lecturers' workload.

Contents

- Conceptual framework for financial reporting
- IAS 1 presentation of financial statements
- IAS 2 inventories
- IAS 7 statement of cash flows
- IAS 8 accounting policies, changes in accounting estimates and errors
- IAS 10 events after the reporting period
- IAS 12 income taxes

16th edition
16^{de} uitgawe

NEW
edition



- IAS 16 property, plant and equipment
- IAS 17 leases
- IAS 19 employee benefits
- IAS 20 accounting for government grants and disclosure of government assistance
- IAS 21 the effects of changes in foreign exchange rates
- IAS 23 borrowing costs
- IAS 24 related party disclosures
- IAS 27 separate financial statements
- IAS 28 investments in associates
- IAS 29 financial reporting in hyperinflationary economies
- IAS 32 financial instruments: presentation
- IAS 33 earnings, headline earnings and dividend per share
- IAS 34 interim financial reporting
- IAS 36 impairment of assets
- IAS 37 provisions, contingent liabilities and contingent assets
- IAS 38 intangible assets
- IAS 39 financial instruments: recognition and measurement
- IAS 40 investment property
- IFRS 2 share-based payment
- IFRS 3 business combinations

- IFRS 5 non-current assets held for sale and discontinued operations
- IFRS 7 financial instruments: disclosure
- IFRS 8 operating segments
- IFRS 9 financial instruments
- IFRS 10 consolidated financial statements and separate financial statements
- IFRS 11 joint arrangements
- IFRS 12 disclosure of interests in other entities
- IFRS 13 fair value measurement
- IFRS 15 revenue from contracts with customers

2013 > **SOFT COVER** (English): ISBN 978 1 48510 279 3 > 728pp
 (Afrikaans): ISBN 978 1 48510 280 9 > 718pp
WEB PDF (English): ISBN 978 1 48510 497 1
 (Afrikaans): 978 1 48510 498 8



Financial Advisory and Intermediary Services Act 37 of 2002 & Regulations

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Financial Advisory and Intermediary Services Act 37 of 2002
- Regulations
 - Selected Codes of Conduct
 - Selected Exemptions
 - Selected Determinations
- CD-ROM containing Ombud Rules and Related Material



Financial Advisory and Intermediary Services Manual

Author: F van Zyl

About this Publication

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

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

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

Contents

- Fit and proper requirements for licensees
- Licence application forms
- Codes of conduct
- Regulations

- Particulars as regards compliance officers and their reports
- Particulars on proceedings before the Ombud for Financial Services Providers
- Fees and levies payable to the Financial Services Board
- Explanatory summaries of FAIS Ombud determinations
- CD-ROM containing additional selected notices

ELECTRONIC Additional Contents and Features

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



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 ISBN 978 0 70216 574 0 (product code: FAIS MV)
INTERNET: ISSN 2411 4847



Financial Intelligence Centre Act 38 of 2001 & Regulations

Juta's Pocket Statutes

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

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Financial Intelligence Centre Act 38 of 2001
- Regulations
 - Money Laundering and Terrorist Financing Control Regulations
 - Various Exemptions
 - Various Guidance Notices
 - Various Directives



Financial Management

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

8th edition

NEW
edition



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

About this Publication

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

The principles and requirements of SAICA's SA Competency Framework have been adhered to, as far as it relates to financial management. The book also incorporates all the current developments and relevant legislation that affect corporate finance, corporate governance, capital markets and tax legislation, namely the Companies Act of 2008, King III and International Financial Reporting Standards (IFRS), and official guidelines on corporate valuations and integrated reporting. The 8th edition further expands on corporate strategy and financial risk management.

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

Contents

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

2015 > **SOFT COVER:** ISBN 978 1 48510 277 9



Financial Markets Act 19 of 2012 & Rules

Juta's Pocket Statutes

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

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Financial Markets Act 19 of 2012
- Rules
 - Rules of Strate Limited, 1999
 - Code of Conduct for authorised users, 2005
 - Equities Rules, 2005
 - Requirements imposed by the Financial Services Board for nominees to operate in South Africa, 2007
 - Application for approval of the acquisition or the holding of shares or any other interest in a market infrastructure, 2013
 - Conditions applicable to the demutualisation of an exchange, central securities depository or independent clearing house, 2013
 - Conditions applicable to the inclusion by an exchange of securities issued by it in its own list, 2013
 - Accounting records to be maintained by a regulated person, 2013
 - Determination of fit and proper requirements for market infrastructures, 2013
 - Prescribed fees, 2013
 - Penalties to be imposed by the registrar, 2013
 - Matters to be reported on by auditor of a regulated person, 2013
 - Report by a market infrastructure to the registrar, 2013
 - Reporting of transactions in listed securities, 2013
 - Conditions applicable to the amalgamation, merger, transfer or disposal of market infrastructures, 2013
 - Requirements applicable to the granting of a market infrastructure licence, 2013
 - Directive and Guideline 1 of 2014: Directive and Guideline regarding infrastructures provided by companies facilitating trading in their own securities
 - Notice regarding conflicts of interest





GRAP Handbook: Standards of Generally Recognised Accounting Practice

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

Author: Accounting Standards Board

NEW

About this Publication

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

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

Contents

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

2016 > **SOFT COVER:** ISBN 978 1 48510 943 3 > 976pp



Handbook of the Banking Ombudsman

Author: Ombudsman for Banking Services

About this Publication

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

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

Contents

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

- The proactive role of the Ombudsman for Banking Services
- The 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 70218 541 0 > 156pp



Internal Auditing – An Integrated Approach

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

Author: R Cascarino

3rd edition

NEW

edition

About this Publication

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

It is also suitable for internal and external auditors employed in internal departments or professional practices providing outsourced internal audit or management assurance services, as well as senior financial personnel responsible for corporate governance, risk management and internal controls. It will also be of interest to Chartered Accountants with a specialist interest in governance and control issues.

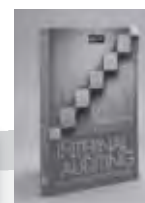
Some new information in this edition includes:

- The changing role of Internal Audit in today's business environment

- The Free Market and the Marxist critique of the free market system
- Corporate Morality and Ethical Management
- The "Cube" approach to risk assessment
- ERM and Internal Audit
- Auditing Business Process Cycles
- Auditing Business Environments
- Current and emerging technology issues for internal auditors.

Contents

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



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

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

2015 > **SOFT COVER:** ISBN 978 1 48511 059 0 > 436pp



Public Audit Act 25 of 2004 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

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



Public Finance Management Act 1 of 1999 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Public Finance Management Act 1 of 1999
- Regulations
 - 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
 - Regulations Prescribing Standards of Generally Recognised Accounting Practice



South African Banking Legislation

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

About this Publication

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

Contents

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

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

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

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Understanding Banking Law in Zambia: Commentary and Legislation

Juta's Pocket Companions

Editor: G M Kanja

NEW

About this Publication

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

Contents

- What is a bank?
- Introduction to bank regulation
- Organisation and administration of banks and financial institutions
- Central banking
- Banks and their customers
- Bank's duty of confidentiality
- Types of accounts

- Opening of accounts and termination of relationships
- Cheques
- Banks and finance
- Security for bank loans
- Other types of securities for bank loans
- Money laundering and financial crime and banks
- Insolvency, dissolution and liquidation of banks and financial institutions
- Appendices
 - The Bank of Zambia Act 43 of 1996
 - The Bank of Zambia Foreign Currency Regulations
 - The Bank of Zambia (Minimum Liquidity Ratios and Reserve Requirements) Notice
 - The Bank of Zambia Credit Guarantee Scheme Regulations

2015 > **SOFT COVER** – pocket size: ISBN 978 1 48510 884 9 > 554pp



Understanding Securities Law and Regulation in Zambia Commentary and Legislation

Juta's Pocket Companions

Editor: K K Mwenda

NEW

About this Publication

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

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

Contents

- Competent authority for securities regulation
- Market structure for public distribution of securities

- Registration and listing of securities
- Disclosure requirements
- Collective investment schemes
- Prohibition of market abuses
- Mergers and takeovers
- Conduct of securities business
- Conclusion
- Securities Act 13 of 1994
- Rules
- Regulations

2015 > **SOFT COVER** – pocket size: ISBN 978 1 48510 861 0 > 472pp



Forensic Law



Crime Scene Investigation

LegalEase: Essence series

Authors: H Lochner, R Zinn

NEW

About this Publication

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

The book pays particular attention to the administrative process involved in the handling of evidence. This includes:

- the responsibilities of the investigating officer who has to deal with the incident
- the various ways in which a scene of incident can be documented
- the handling of people who may be present at the scene
- the proper identification, collection, packaging and dispatch of evidence.

Two of the unique features of the book is the introduction and explanation of a new investigation principle, namely the Lochner principle, and a new search method, namely the Lochner/Zinn search method.



Contents

- Management of a scene of incident
- Scenes of incident
- Investigation aids
- Methods used to search a scene
- Managing extraordinary scenes of incident
- Addendum A: Exhibits for examination

- Addendum B: Example of an autopsy report
- Addendum C: Section 212 statement (drugs)
- Addendum D: Section 212 statement (ballistics)

2015 > **SOFT COVER:** ISBN 978 1 48510 642 5 > 192pp
eBOOK: ISBN 978 1 48510 956 3



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 70218 227 3 > 188pp
eBOOK: ISBN 978 0 70219 902 8



Forensic Investigation: Legislative Principles and Scientific Practice

Editors: S Dintwe, R Zinn

About this Publication

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

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

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

Contents

- Table of cases
- Table of Statutes
- Acronyms and abbreviations
- Forensic investigation of crime, regularities and transgressions - *B Benson, G Jones and J Horne*
- Principles of investigation - *T Budhram and J van Graan*
- Medico-legal evidence - *J Smith and R J Mokwena*
- Serological evidence and DNA analysis - *M S Manamela, J H Smith and R J Mokwena*
- Imprint evidence and other specialties - *M S Manamela and R J Mokwena*
- The preliminary investigation phase - *M van der Watt*
- The further investigation phase - *T van Niekerk, H Lochner and Y Naidoo*
- The judicial phase of investigation - *J Jordaan and S Dintwe*
- Criminal investigative analysis: an applied perspective - *G Labuschagne*
- Forensic geography - *P M U Schmitz and A K Cooper*
- Digital forensics and cybercrime - *J Jordaan*
- Developments in forensic technology - *J H Smith and R Zinn*
- Annexures
 - Example of a Section 212 statement (drugs)
 - Example of a Section 212 statement (ballistics)
 - Example of the structure of a statement
 - Example of a detailed statement with annexures
- Glossary
- Index

2015 > **HARD COVER:** ISBN 978 0 70218 647 9 > 544pp
eBOOK: ISBN 978 1 48510 922 8





Taking Effective Witness Statements Afneem van Doeltreffende Getuieverklarings

LegalEase: Essence series



Author: H Lochner

About this Publication

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

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

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

Titles in the *Legal-Ease* series make the law easier to understand without losing the context in which it operates. *Legal Essence* books shed light, in a practical and contextual way, on the legal issues that candidate attorneys and legal practitioners can expect to encounter in practice. The books

set out clear frameworks without losing the intricate details of the law. Written by experts in practice, these books are full of useful tips and helpful hints to equip the reader with knowledge that can be applied in practice.

Contents

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

2014 > **SOFT COVER:** (English) ISBN 978 1 48510 104 8 > 174pp
SAGTEBAND: (Afrikaans) ISBN 978 1 48510 105 5 > 174pp

> Gender Law



Advancing Women's Rights

(First published as *Acta Juridica* 2005)

Editors: C Murray, M O'Sullivan

About this Publication

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

Contents

- Women's rights in South Africa's first decade of democracy - *Michelle O'Sullivan and Christina Murray*
- Women, customary law and discrimination: the impact of the Communal Land Rights Act - *Aninka Claassens*
- Expanding equality - *Saras Jagwanth*
- The reform of the customary law of marriage and succession - *Chuma Himonga*
- Domestic partnership and marital status discrimination - *Craig Lind*
- Denial of the means of subsistence as an equality violation - *Gwen Brodsky and Shelagh Day*

- The dark side of the rainbow: violence against women in South Africa after ten years of democracy - *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 70217 315 8 > 308pp





Gender, Law and Justice

Editors: E Bonthuys, C Albertyn

About this Publication

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

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

rules. Thirdly, it suggests changes to the law, and evaluates those changes that have already occurred, with a view to developing the law so that it is better able to ensure justice and meet the diverse needs of women in South Africa.

Contents

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

2007 > **SOFT COVER:** ISBN 978 0 70217 664 7 > 496pp
eBOOK: ISBN 978 0 70219 885 4



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

(First published as *Acta Juridica* 2013)

Editors: A Claassens, D Smythe

About this Publication

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

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

Contents

- Marriage, land and custom: what's law got to do with it? - Aninka 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 48510 152 9 > 416pp





Governance, Risk and Compliance



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

1st edition
(revised)



Authors: D Taylor, F Cronjé

About this Publication

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

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

Contents

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

2014 > **SOFT COVER** > pocket size: ISBN 978 1 48510 760 6 > 216pp



Business of Financial Advice, The: A Guide for Financial Advisers to Building a Service-based Business

Authors: L Rossini, J Maree

NEW



About this Publication

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

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

Contents

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

- Reinventing the business
- Financial advice as a service-based business
- **Part II:** Building a sustainable financial advice business
 - The foundations of a service business
 - Identifying the right target market
 - Developing a service model
 - Service delivery
 - Employing the right staff
 - Marketing the business
 - The financial aspects of a business
 - Risk and business continuity planning
 - Exit and succession planning
 - Other important issues
- **Index**

2015 > **SOFT COVER:** ISBN 978 1 48510 821 4 > 310pp
eBOOK: ISBN 978 1 48510 941 9



Company Secretarial Practice

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

NEW

About this Publication

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

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

Contents

- The developing role of the company secretary
- **Part A:** Company formation and structure
- The legal nature of a company
- Types of companies
- The formation and registration of a company
- Company constitutional documents
- Holding and subsidiary companies
- **Part B:** Director and board accountability
- Corporate governance
- Directors and other officers
- Board committees
- Director inductions and board evaluations
- **Part C:** Securities and share capital
- Corporate debt
- Securities and share capital
- Central securities depositories and uncertificated securities (to be issued with first revision service)
- Transfer of securities
- Changes to existing shares
- Exchange listings
- **Part D:** Meetings
- Basic principles of meetings
- Procedural aspects relating to meetings
- Shareholder and board meetings
- Minutes and reports

- **Part E:** Transparency and disclosure
- Company records
- External auditors and statutory audits
- **Part F:** Significant and fundamental company actions
- Public offering of securities
- Fundamental transactions
- Takeovers and offers
- Business rescue and compromises (to be issued with first revision service)
- Insolvency and deregistration (to be issued with first revision service)
- **Part G:** Governance of information
- Governance of information (to be issued with first revision service)
- **Part H:** Governance of state-owned institutions
- Governance of state-owned institutions (to be issued with first revision service)

ELECTRONIC Additional Content and Features

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

2016 > **LOOSE-LEAF:** ISBN 978 1 48510 964 8 > Approx. 900pp



Compliance: Protecting your Licence to Operate

Authors: P Chilwane, L Vilakazi

NEW

**About this Publication**

Former US Deputy Attorney General Paul McNulty once said: 'If you think compliance is expensive, try non-compliance!' The impact of non-compliance has serious consequences that extend beyond Rands and cents. In a fast evolving legislative and governance landscape, many executives are faced with the challenge of setting up compliance divisions within their organisations.

The increased demand for legal compliance within organisations has placed industry leaders in a position where they have to evolve and restructure their business strategies to focus more on ensuring compliance within a legislative framework.

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

Contents

- **Chapter 1**
 - Corporate compliance in modern day business
 - New corporate order
 - Defining compliance
 - Defining statutory and regulatory compliance
 - What is corporate compliance?
 - The evolution of compliance
 - The external environment
 - External pressures on the organisation to comply
 - Response to the pressure
 - Industry footprint
 - Influence of geography
 - Compliance trends
- **Chapter 2**
 - Corporate immune system
 - Global trends
 - Widening risk exposure
 - The relevance and theoretical foundations
 - The need to converge

- Pressure from the top
- Executive and senior management support
- Beyond compliance - explaining businesses participation
- The need to converge
- Pressure from the top
- Executive and senior management support
- Beyond compliance - explaining businesses participation

- **Chapter 3**
 - The bottom line
 - Corporate resilience
 - Defining the role
 - Vision of compliance – the mandate
 - What is the intended scope?
 - Defining the compliance function
 - Enabling the Chief Compliance Officer
 - Determining the governance structure
 - Who is the Chief Compliance Officer?
 - Chief Compliance Officer vs Chief Ethics & Compliance Officer
 - Potential benefits of outsourcing
 - Optimised benefits
 - Strategic relationships
- **Chapter 4**
 - Your current landscape
 - Role players – Who is accountable and responsible for compliance?
 - Regulators
 - Board of directors
 - Board committee's
 - Executives and senior management
 - Line management
 - Employees
 - Risk Management Department
 - Internal Audit Department
 - The framework: getting from here to there
 - A compliance culture
 - Essential elements of enabling culture of compliance

- Designing your roadmap
- Best practice principles
- Integration
- An effective compliance programme
- How regulators evaluate compliance programmes
- **Chapter 5**
 - Return on investment ("ROI")
 - Measuring value add
 - Transparency
 - Board oversight
 - Talent planning and recruitment
 - Ensuring a high-performance culture
 - Prioritising leadership behaviours that matter
 - Developing employees

- Talent reviews and succession planning
- Networking and collaboration
- Continued separation of the compliance function and the Legal Department
- Increased board supervision
- Technology – a focus on compliance analytics and tools
- Increased focus on ethical leadership
- Chief Compliance Officers as rising stars
- Whistle-blowers
- Compliance professionals as monitors
- Due diligence and monitoring

2015 > **SOFT COVER:** ISBN 978 1 48510 900 6 > 112pp
eBOOK: ISBN 978 1 48510 842 9



Corporate Governance Handbook: Principles and Practice

2nd edition

NEW

Authors: J W Hendrikse, L Hefer-Hendrikse

About this Publication

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

Contents

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

- Power of The Board
- Composition of The Board
- Conduct of The Board
- Conduct of Directors
- Board Committees
- Board Performance
- Directors' Performance and Remuneration
- The Board Chairman
- The Chief Executive Officer (CEO)
- The Company Secretary
- Assurance and Audit
- Risk Management
- Business Rescue
- Information Technology Governance
- Corporate Social Responsibility Governance
- Sustainable Development Governance
- Internal Audit
- External Auditors
- Disclosure and Transparency
- Financial Responsibility Reporting
- Accounting Standards and Reporting
- Integrated Reporting
- Public Sector Corporate Governance
- Non-Profit Sector Corporate Governance
- Small And Medium Business Governance
- Corporate Citizenship

2010 > **SOFT COVER:** ISBN 978 0 70217 759 0 > 608pp



Corporate Governance: Practical Risk Management

LegalEase: Essentials series

Author: D P Mahony

NEW

About this Publication

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

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

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

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

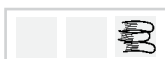
books are definitive reference works to ensure compliance, good governance and the management of organisational risks. Titles in the *Essentials* series provide clear and concise explanations of the law and detailed help for specific compliance-related tasks. Written for practical use, these titles show readers how to apply the law efficiently in day-to-day operations.

Contents

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

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

2015 > **SOFT COVER:** ISBN 978 1 48510 845 0 > 110pp



Corporate Report, The: Facilitating Business in South Africa

Editors: M King, A van Wyk, M Kuper

About this Publication

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

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

Contents

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



Corporate Reporting

9th 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 70218 862 6 > 688pp
2014 > **Web PDF:** ISBN 978 0 70219 574 7 > 688pp





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

Authors: N Campbell, S Logan

About this Publication

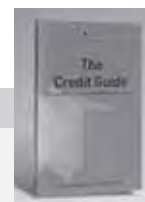
The Credit Guide empowers consumers to get optimal value from credit. Using consumer rights as a vantage point, it guides consumers through the life-cycle of credit. The book shows the context in which the National Credit Act operates and with applications, types of credit agreements, credit bureau information, 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 70217 931 0 > 202pp



Financial Reporting for Directors in South Africa

Author: G Coppin

NEW

About this Publication

In terms of South African legislation, company directors are responsible for ensuring that financial statements comply with the relevant legal requirements. *Financial Reporting for Directors in South Africa* covers the most important areas that busy directors should consider when approving financial reports.

Financial Reporting for Directors in South Africa offers company directors, members of audit committees, company secretaries, financial managers and other interested parties a practical and comprehensive understanding of the drive for financial reporting requirements in South Africa, and the legal and Stock Exchange requirements for financial reporting.

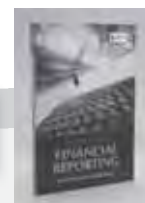
This book is destined to become an indispensable guide to the major issues and debates around financial reporting in South Africa. It provides clear and lucid explanations of directors' legal responsibilities in terms of financial reporting, as well as those areas on which they should focus in respect of accounting standards. It also discusses the various types of financial reports companies may be required to produce, and, since financial statements are often required to be audited,

it looks at what an audit is, when an audit is necessary, how to prepare for an audit and what to expect of auditors.

Contents

- Preface
- The responsibility of directors for financial reporting
- The requirements for financial reporting
- Types of financial reports
- Accounting frameworks used in preparing financial reports
- Financial reporting requirements not contained in accounting standards
- Audits and auditors
- Non-compliance with requirements
- Areas of judgement in applying accounting standards
- Improving the quality of financial reports
- Appendix – commonly used abbreviations and terms in financial reporting

2015 > **SOFT COVER:** ISBN 978 1 48510 796 5 > 192pp



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

2nd edition

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

About this Publication

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



- Sustainability reporting - *Graham Terry*
- Integrated reporting - *Leigh Roberts*
- Insights into King III and the code for responsible investing in South Africa - *Ansie Ramalho*

Part III

- The implications of assurance on sustainability reports - *Kelly Gilman*
- Management accounting implications - *Dewald Joubert and Jonathan Streng*

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

2012 > **SOFT COVER:** ISBN 978 0 70219 462 7 > 400pp



Guide to Meetings A-Z

LegalEase: Essentials series

Author: D P Mahony

About this Publication

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

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

Contents

- Index
- Guide to meetings
- Contents
- Preface
- Adjournment
- Agenda
- Amendments
- Annual General Meeting (AGM)
- Apologies
- Attendance of non-members
- Attendance register
- Business of a meeting
- Chairman's casting vote
- Chairman's election
- Chairman's powers and duties
- Chairman and his role
- Class meetings
- Committees
- Conflict of interest
- Constitution
- Counter motion

- 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

ELECTRONIC Additional Content and Features

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

2011 > **SOFT COVER:** ISBN 978 0 70218 642 4 > 88pp
INTERNET: ISSN 2308 376X
eBOOK: ISBN 978 1 48510 054 6



How to do Board Evaluations

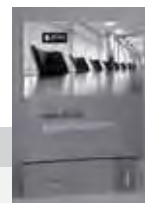
LegalEase: Essentials series

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

ELECTRONIC Additional Content and Features

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

2012 > **SOFT COVER:** ISBN 978 0 70219 449 8 > 72pp
INTERNET: ISSN 2308 3573
eBOOK: ISBN 978 1 48510 053 9



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.

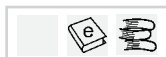
Titles in the *LegalEase* series make the law easier to understand without losing the context in which it operates. *Essentials* titles provide A-Z instruction on how to comply with the law and achieve best practice within an organisation.

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
- Policies
- Remuneration
- Risk management
- Written resolutions

2013 > **SOFT COVER:** ISBN 978 1 48510 056 0 > 98pp



Integrate: Doing Business in the 21st Century

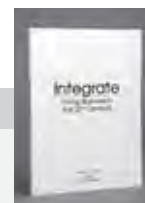
Authors: M King, L Roberts

About this Publication

Integrate is an easy read guide for people in business about the new way of thinking in running a company today. Businesses, large and small, have the same issues to contend with: greater expectations of their stakeholders, rising consumer power in the digital information age, environmental constraints, economic uncertainty in the aftermath of the global financial crisis, and social uncertainty on rising income inequality. Doing business today is quite different from the past. Different corporate tools are needed.

One of the four corporate tools for today's business is integrated thinking. This extends strategy and daily manage-

ment 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 48510 091 1 > 150pp
eBOOK: ISBN > 978 1 48510 111 6

**IoDSA Pocket Library**

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

2nd edition

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

About this Publication

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

Contents**King III Report**

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

King Code

- Introduction and background
- Code of Governance Principles

Companies Act

- Quick Finder for Key Topics
- Companies Act 71 of 2008

Regulations

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

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



National Credit Act and Consumer Protection Act, The

A Guide for Credit Providers and Suppliers

Author: S Tennant

NEW

About this Publication

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

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

Contents

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

Effect and annexures A–M of the regulations annexed)

- Index

ELECTRONIC Additional Content and Features

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

2011 > **SOFT COVER:** ISBN 978 0 70219 403 0 > 362pp
INTERNET: ISSN 2308 3786
eBOOK: ISBN 978 1 48510 055 3





Practical Governance – Retirement Funds

LegalEase: Essentials series



Author: D P Mahony

About this Publication

Practical Governance: Retirement Funds aims to provide trustees of pension and retirement funds with a solid understanding of the business of retirement funds.

When faced with thick law books and files of practice notes, many trustees are uncertain where to start in tackling the daunting task that lies ahead of them. This guide offers an easy-to-understand approach that breaks issues down in bite-sized chunks.

The book includes recent changes to the Pension Funds Act, the requirements of the Financial Services Laws General Amendment Act 45 of 2013 and relevant recommendations of the King Code.

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

Contents

- Glossary and definitions
- Accounts
- Actuary
- Administrator
- Amalgamations and transfers
- Annuities
- Approved versus unapproved benefits
- Audit – independent external
- Bargaining Council funds
- Beneficiary nomination form
- Beneficiary funds/trusts
- Benefit statement
- Board of trustees
- Board minutes and resolutions
- Chairman
- Certificate of existence
- Code of Conduct
- Combined funds
- Committees
- Commutation
- Complaints procedure
- Corporate governance
- Custodian
- Deferred pensioner
- Defined benefit fund (DB)
- Defined contribution Fund (DC)
- Dependants
- Disability insurance
- Disclosure and transparency
- Early retirement
- Evidence of health
- Expression of wish
- Financial planners and consultants
- Financial Services Board (FSB)
- Free cover limit
- Fund interest declaration
- Fund rules
- Fund objectives
- Funds not in sound financial position
- Group life assurance
- Housing loans
- Insured personal risks
- Investing in participating employers' equity
- Investments
- Late retirement
- Liability of trustees
- Lump sum allocations to dependants
- Lump sums on withdrawal
- Member enquiry – do I have enough?
- Non contributory fund
- Normal retirement date (NRD)
- Participating employer
- Pensionable salary
- Pension funds
- Pension Funds Adjudicator
- Policies and procedures
- Preservation funds
- Principal officer
- Promotion of access to information
- Provident funds
- Registered office
- Risk management
- Service level agreements
- Spouses and orphans pension
- Spouses cover
- Stakeholders
- Surpluses
- Tax payable on withdrawal of funds
- Trustees
- Umbrella funds
- Unitised portfolio
- Untraceable ex-members
- Valuator
- Vesting
- Voluntary contributions
- Whistleblowing

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



SAICA Companies Act 71 of 2008 and SAICA Regulations to the Companies Act 71 of 2008

(2-volume pocket set)

(Also available as part of the SAICA Guide to the Companies Act 71 of 2008 **launch edition bundle** together with the loose-leaf Guide & DVD)

2nd edition



Compiled and edited by: Jutta's Statutes Editors, The South African Institute of Chartered Accountants (SAICA)

About this Publication

The 2nd edition of these pocket-sized titles are available as a 2-volume set, and also form part of the SAICA Guide to the Companies Act Launch Edition bundle.

The SAICA Companies Act 71 of 2008 (2nd edition) includes updates and amendments up to and including 13 June 2014. The 2nd edition of the SAICA Regulations to the Companies Act 71 of 2008 includes regulations issued since the 1st edition of the SAICA Companies Act pocket, published in August 2012, as well as Practice Notes and Guidance Notes, which were previously not included, updated JSE Listings Requirements and a new Guide on Section 90.

Contents

SAICA Companies Act 71 of 2008

- Companies Act 71 of 2008
 - Arrangement of sections
 - Interpretation, purpose and application
 - Enhanced accountability and transparency
 - Public offerings of company securities
 - Fundamental transactions, takeovers and offers
 - Business rescue and compromise with creditors
 - Remedies and enforcement
 - Regulatory agencies and administration of Act

- Offences, miscellaneous matters and general provisions
- Provisions concerning non-profit companies Conversion of close corporations to companies
- Amendment of laws
- Legislation to be enforced by Commission
- Transitional arrangements
- Chapter XIV of the Companies Act 61 of 1973
 - Winding-up of companies

SAICA Regulations to the Companies Act 71 of 2008

- Companies Regulations, 2011
- Forms – on CD-ROM
- **[NEW]** Guidance Notes
- **[NEW]** Practice Notes
- SAICA material – annexures:
 - Alterable provisions
 - JSE Listings Requirements
 - Comparisons of forms (old and new Acts)
 - **[NEW]** List of special resolutions required
 - **[NEW]** Guidance on Section 90 of the Companies Act, 2008

2014 > **SOFT COVER** > pocket size: ISBN 978 0 70219 511 2



SAICA Guide to the Companies Act 71 of 2008, The:

(**Launch edition bundle** comprising the loose-leaf Guide, DVD, Companies Act and Regulations pocket books)



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

About this Publication

The SAICA Guide to the Companies Act 71 of 2008 is based on selected sections from the Companies Act 71 of 2008 and includes information on matters which are practical and relevant to SAICA members and other individuals in business who engage with company law. The aim of the Guide is to summarise certain provisions of the Act and to refer to applicable regulations.

The launch edition also includes the Companies Act and Companies Regulations pocket books (2nd edition) and a DVD, The Companies Act Made Simple. Users can refer to read the Guide in conjunction with the pocket statutes, and view the accompanying DVD for interesting discussions and debates relating to this definitive Act.

Contents

The SAICA Guide to the Companies Act 71 of 2008 – loose-leaf subscription in binder

- Introduction
- Glossary
- Important information
- Memorandum of Incorporation (MOI)
- External companies
- Accounting, company records, financial statements and auditing

- Accounting, company records, financial statements and auditing
- Capitalisation of companies
- Governance of companies
- Chapter 3 (important information) application
- Existing share incentive scheme
- Appointment of a compliance officer for an employee share scheme
- Business rescue
- Whistle blowers
 - Annexures:
 - Alterable provisions
 - Considerations relating to MOI
 - Decision tree on audit or review
 - Audit, review and reporting standards
 - JSE Listings Requirements
 - UN Global Compact
 - Comparison of forms (old and new Acts)
 - List of new prescribed forms not replacing other forms
 - List of special resolutions required

Complimentary with the launch edition bundle:

- The Companies Act 71 of 2008 (2nd edition, reflecting the law as at 13 June 2014) – soft cover: pocket size

- The Regulations to the Companies Act 71 of 2008 (2nd edition, reflecting the law as at 13 June 2014), including forms on CD-ROM – soft cover: pocket size
- *The Companies Act Made Simple* DVD-ROM

Published since 2012 > **LOOSE-LEAF:** ISBN 978 0 70219 531 0
Approximately 230pp

> Hospitality Law



Hospitality Industry Handbook on Legal Requirements for Hospitality Businesses, The

3rd edition



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

- 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 70219 800 7 > 416pp
eBOOK: ISBN 9780 70219 680 5 > 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 70218 570 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 70215 627 4 > 272pp
eBOOK: ISBN 978 0 70219 503 7



Long-term Insurance Act 52 of 1998 & Regulations

Juta's Pocket Statutes

(Also available as part of a 2-volume set together with the Short-term Insurance Act 53 of 1998 & Regulations – ISBN 978 070219 507 5)



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Long-term Insurance Act 52 of 1998
 - Pendlex: Act 27 of 2008; Act 45 of 2013
- Regulations under the Long-term Insurance Act, 1998
 - Procedure for the imposition of penalties by the Registrar of Long-term Insurance in terms of section 68(2)
 - Policyholder Protection Rules (Long-term Insurance), 2004
 - Documents which a person may inspect or obtain a copy of or an extract from in terms of section 3(4) of the Act
 - Prescribing of Transnet Pension Funds as 'funds' for purposes of the Act
 - Maximum amount of benefit to be provided by a 'friendly society', as envisaged in section 7(2)(b)
- Notice on the Prescribed Requirements for the Calculation of the Value of Assets, Liabilities and Capital Adequacy Requirement of Long-term Insurers, 2010
- Prescribed Long-term Insurance Fees
- Maximum amount contemplated in the definition of 'assistance policy'
- CD-ROM: Related Material
 - Requirements imposed by the Financial Services Board for nominees to operate in South Africa, 2007
 - Returns by long-term insurers to Registrar



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

2013 > **SOFT COVER:** ISBN 978 1 48510 043 0 > 170pp





Short-term Insurance Act 53 of 1998 & Regulations

Juta's Pocket Statutes

(Also available as part of a 2-volume set together with the Long-term Insurance Act 52 of 1998 & Regulations – ISBN 978 070219 507 5)



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Short-term Insurance Act 53 of 1998
 - PENDLEX: Act 27 of 2008; Act 45 of 2013
- Regulations under the Short-term Insurance Act, 1998
 - Procedure for the imposition of penalties by the Registrar of Short-term Insurance in terms of section 66(2)
 - Policyholder Protection Rules (Short-term Insurance), 2004
 - Documents which a person may inspect or obtain a copy of or an extract from in terms of section 3(4) of the Act
 - Maximum amount of benefit to be provided by a 'friendly society', as envisaged in section 7(2)(b)
 - Return by independent intermediary
- Notice on the Prescribed Requirements for the minimum amount of the security to be provided by or on behalf of a Lloyd's underwriter, 2010
- Notice on the Prescribed Requirements for the Calculation of the Value of Assets, Liabilities and Capital Adequacy Requirement of Short-term Insurers, 2011
- Prescribed Short-term Insurance Fees
- CD-ROM: Related Material
 - Requirements imposed by the Financial Services Board for nominees to operate in South Africa, 2007
 - Returns by short-term insurers to Registrar

> Intellectual Property Law



Access to Knowledge in Africa: The role of copyright

Editors: C Armstrong, J de Beer, D Kawooya, A Prabhala, T Schonwetter, J D Sinclair

About this Publication

The emergence of the Internet and the digital world has changed the way people access, produce and share information and knowledge. Yet people in Africa face challenges in accessing scholarly publications, journals and learning materials in general. At the heart of these challenges, and solutions to them, is copyright, the branch of intellectual property rights that covers written and related works. This book gives the reader an understanding of the legal and practical issues posed by copyright for access to learning materials in Africa, and identifies the relevant lessons, best policies and best practices that would broaden and deepen this access. This book is based on the work of the African Copyright and Access to Knowledge (ACA2K) research network, launched in late 2007 as a network of researchers committed to probing the relationship between copyright and learning materials access in eight African countries: Egypt, Ghana, Kenya, Morocco, Mozambique, Senegal, South Africa and Uganda.

Contents

- Introduction
- 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

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



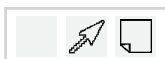
- IP cases are summarised for each section
- Exam questions for each section are included for lecturers, as well as for students revising for exams

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 70218 552 6 > 486pp
INTERNET: ISSN 2305 2966
eBOOK: ISBN 978 0 70219 895 3



Handbook of South African Copyright Law

Author: O H Dean

About this Publication

First published in 1987 in loose-leaf format, *Handbook of South African Copyright Law* is now also available online. This comprehensive work has established itself as the leading authority in its field, quoted in court judgments and relied upon by legal practitioners and professionals in diverse fields. Written by a leading academic and commentator, *Handbook of South African Copyright Law* is a rare marriage of practical experience and meticulous scholarship.

The publication is regularly updated to reflect the latest developments in copyright law.

Contents

- Synopsis of the law of copyright and ancillary matters
- Digest of South African authorities

- Transitional provisions of the Copyright Act, 1978
- Compendium of relevant domestic and international legislation
- Precedents

ELECTRONIC Additional Content and Features

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

Published since 1987 > **LOOSE-LEAF:** ISBN 978 0 70211 907 1
 Approximately 650pp **INTERNET:** ISSN 2313 3120



Innovation and Intellectual Property in Africa

Editors: J de Beer, C Armstrong, C Oguamanam, T Schonwetter

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 Cocchiari, 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 91989 599 4 > 376pp
eBOOK: ISBN 978 1 77582 143 4





Intellectual Property Law

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics

Part A:

- Trade Marks Act 194 of 1993
 - PENDLEX: Act 28 of 2013
- Trade Mark Regulations, 1995
- Notice in terms of regulation 4(3)

Part B:

- Copyright Act 98 of 1978
 - PENDLEX: Act 28 of 2013
- Copyright Regulations, 1978
- Regulations on the establishment of collecting societies in the music industry

Part C:

- Designs Act 195 of 1993
 - PENDLEX: Act 28 of 2013
- Designs Regulations, 1999

Part D:

- Counterfeit Goods Act 37 of 1997
- Related Material: Appointment certificate

Part E:

- Merchandise Marks Act 17 of 1941

Part F:

- Registration of Copyright in Cinematograph Films Act 62 of 1977
- Registration of Copyright in Cinematograph Films Regulations, 1980

Part G:

- Performers' Protection Act 11 of 1967
 - PENDLEX: Act 28 of 2013

Part H:

- Intellectual Property Rights from Publicly Financed Research and Development Act 51 of 2008
- Intellectual Property Rights from Publicly Financed Research and Development Regulations, 2009
- Guideline 1 of 2012: Interpretation of the Scope of the Act: Setting the Scene



Patents Act 57 of 1978 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Patents Act 57 of 1978
 - Pendlex: Pending amendments

- Regulations
 - Patent Regulations, 1962
 - Patent Regulations, 1978
 - The Patents Examination Regulations



South African Intellectual Property Law Journal (IPLJ)

Editors: L Tong, C Ncube

About this Publication

The *IPLJ* strives to be the journal of choice for academics, practitioners and students of IP law. The *IPLJ* includes articles on recent developments in legislation, policy and case law to keep IP practitioners up to date with the law.

Contents

- Articles
- Notes and updates
- Book reviews

SOFT COVER > ANNUAL PERIODICAL: ISSN 2309 4532
Approximately 180pp per annum



International Law



International Law: A South African Perspective

4th 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 70218 646 2 > 640pp
eBOOK: ISBN 978 0 70219 886 1



Introduction to International Law

Authors: T W Bennett, J Strug

About this Publication

Over the last half century, the scope of international law has expanded enormously. Sources, such as treaties and cases, have proliferated, as well as reports, commentaries, textbooks and articles. *Introduction to International Law*, written primarily with the South African reader in mind, is intended to provide a conceptual overview and analysis of this body of materials.

The topics addressed in this book include a history of international law, its sources, subjects and objects, the relationship between international law and municipal law, human rights, economic law, international organizations, international criminal and humanitarian law, peaceful settlement of disputes and the use of force.

Contents

- Case index
- Journal titles: abbreviations
- Index of treaties
- Sources of international law
- Relationship between international law and municipal law

- Sovereignty and jurisdiction
- Subjects of international law
- Objects of international law
- Treaties
- Sovereign immunity
- Diplomatic privileges and immunity
- Treatment of aliens
- Rights of humans, peoples and minorities
- Economic law
- State succession
- State responsibility
- International organisations
- Peaceful settlement of disputes
- Use of force
- International criminal law
- International humanitarian law
- Table of country information
- Index

2013 > **SOFT COVER:** ISBN 978 1 48510 006 5 > 504pp



Private International Law

5th 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 70219 422 1 > 554pp
eBOOK: ISBN 978 0 70219 890 8



Refugee Law in South Africa

Editors: F Khan, T Schreier

About this Publication

Refugee Law in South Africa outlines the existing law relating to refugees as reflected in South African legislation and its growing body of refugee law jurisprudence as at 2013, while also paying heed to relevant international law, which remains

central to today's regime of international refugee protection and international jurisprudence.

Contents

- Preface
- Table of cases
- Table of conventions

Part I: Analysing the refugee definition in South African law

- The principle of non-refoulement
- 'Outside the country of nationality': a territorial limitation
- Well-founded fear
- Persecution
- Section 3(b) of the Refugees Act: the OAU Convention's definition of 'refugee'
- Exclusion from refugee status
- Cessation of refugee status

Part II: Application for asylum in South Africa

- Application for asylum: reception
- Refugee status determination
- Reviews and appeals

Part III: Rights of refugees in South Africa

- The civil and political rights of refugees and asylum seekers in South Africa
- The socio-economic rights of refugees and asylum seekers in South Africa

Part IV: Reconciling the immigration and refugee law of South Africa

- Reconciling the immigration and refugee law of South Africa
- Supplementary CD containing appendices: legislation, conventions and other useful resources

2014 > **SOFT COVER:** ISBN 978 1 48510 123 9 > 320pp**South African Yearbook of International Law, The****Managing Editor:** C Waschefort**About this Publication**

The South African Yearbook of International Law is the only South African journal devoted solely to international law. Published annually since 1975 by the VerLoren Van Themaat Centre for Public Law Studies at Unisa, issues from 2014 onwards will be published by Juta.

The South African Yearbook of International Law is a well-received, peer-reviewed journal, with an outstanding group of Editors and Editorial Board. Accredited by the Department of Higher Education and Training, *The South African Yearbook of International Law* is the leading reference source on the development of international law in South Africa, and covers a wide variety of current topics in international law.

Contents – 2014 ISSUE

- Articles
- Judicial Decisions
- A feature part on Boko Haram
- Southern African events of international significance
- Treaties

SOFT COVER ANNUAL PERIODICAL: ISSN 0379 8895
(Product code: SAYIL)**NEW**> **Introduction to Law****Beginner's Guide for Law Students**
Beginnersgids vir Regstudente

(Lecturer support material available)

4th edition
4^{de} 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 70218 209 9 > 321pp
SAGTEBAND (Afrikaans): ISBN 978 0 70218 210 5 > 362bl
eBOOK (English): ISBN 978 0 70219 538 9
(Afrikaans): ISBN 978 0 70219 539 6



English for Law Students

3rd 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 70218 217 4 > 296pp



Introduction to Law, An Inleiding tot die Reg

3rd edition
3^{de} 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 70214 919 1 > 310pp
SAGTEBAND (Afrikaans): ISBN 978 0 70214 918 4 > 315bl



Practical Guide for Legal Support Staff, A

LegalEase: Essence series

Author: C Womack

About this Publication

A Practical Guide for Legal Support Staff provides basic information about the issues that legal secretaries, legal support staff, paralegals and candidate attorneys will encounter when carrying out their duties in a law firm or similar environment. The book is a user-friendly textbook, with the emphasis placed on acquiring the necessary practice management skills. *A Practical Guide for Legal Support Staff* includes practical examples of the various forms required for different processes.

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 70219 528 0 > 375pp





Skills Workbook for Law Students Vaardighedewerkboek vir Regstudente

(Lecturer support material available)

2nd edition
2^{de} uitgawe



Authors: A Kok, F Viljoen, A Nienaber

About this Publication

Written as a companion to Kleyn & Viljoen's *Beginner's Guide for Law Students*, this exciting new work takes students through the range of skills they will require throughout their studies and in practice. The material is presented in the same easy-to-use, fun and accessible manner that was used so successfully in the *Beginner's Guide*. Throughout, the authors use clear, simple language while never compromising on standards and accuracy. This book is available in English and Afrikaans versions.

Contents

- Study skills
- Numeric skills

- Research skills
- Reading skills
- Writing skills
- Interviewing skills
- Oral advocacy skills
- CD-ROM containing exercises
- CD-ROM containing answers to exercises available for lecturers. Contact a Juta Law Academic Consultant.

2011 > **SOFT COVER** (English): ISBN 978 0 70217 929 7 > 192pp
SAGTEBAND (Afrikaans): ISBN 978 0 70217 924 2 > 192bl
eBOOK (English): ISBN 978 0 70219 543 3
 (Afrikaans): ISBN 978 0 70219 544 0



Wille's Principles of South African Law

9th edition



Editor: F du Bois

About this Publication

The aim of this work is to set out the basic principles of South African private law systematically, in clear unmistakable language, and as comprehensively as is possible in a single volume.

The ninth edition has been extensively updated order to take account of major changes in the law in the 15 years since the previous edition. Many of these changes were necessitated or inspired by the Constitution, and were incorporated to improve and modernise the treatment of a topic. Where applicable the older, original authority for a proposition is cited alongside contemporary sources.

Contents

Part I – General

- Law
- Sources of law: overview and Constitution, legislation, common law and precedent and customary law and other sources
- The legal system

Part II – Persons and family

- Introduction
- Birth, name, *domicile* and death
- Unborn persons

- Females
- Children (minors)
- Extra-marital children
- Marriage
- Life partnerships
- Mentally incapacitated persons
- Insolvent persons
- Convicted persons
- Artificial persons

Part III – Property

- The law of property, the concept of property and real rights possession
- Ownership
- Co-ownership, sectional ownership and other forms of title
- Servitudes and other real rights
- Real security
- Succession

Part IV – Obligations

- Contracts
- Unjustified enrichment
- Delict

2007 > **SOFT COVER:** ISBN 978 0 70216 551 1 > 1448pp
eBOOK: ISBN 978 0 70219 892 2

> Jurisprudence



Dignity, Freedom and the Post-Apartheid Legal Order: The Critical Jurisprudence of Laurie Ackermann

(First published as *Acta Juridica* 2008)

Editors: J Barnard-Naudé, D Cornell, F du Bois

About this Publication

This volume pays tribute to the constitutional jurisprudence of Justice Laurie Ackermann, now retired from the Constitutional Court of South Africa, and takes an in-depth look at fundamental jurisprudential questions in the new South Africa and internationally.

The South African Constitution pushes against the limits of some of the great jurisprudential traditions of both the West and Africa, and has been assigned such a crucial transformational role that it has been at the forefront of attempts to connect law to the pursuit of emancipation. Justice Ackermann has played a leading role in the development of a suitable jurisprudence.



In focusing specifically on the relationship between dignity and freedom in the post-apartheid legal order, the essays collected here not only provide a critical perspective on a central theme in South Africa's developing constitutional law, but also bring into view emerging answers to fundamental jurisprudential questions of growing international prominence.

Contents

- From form to substance: the Constitutional jurisprudence of Laurie Ackermann - *Catherine O'Regan*
- Bridging the span toward justice: Laurie Ackermann and the ongoing architectonic of dignity jurisprudence - *Drucilla Cornell*
- Human dignity, right and the realm of ends - *Allen Wood*
- The dignity of groups - *Jeremy Waldron*
- Freedom by any other name? A comparative note on losing battles while winning wars - *Frank I Michelman*
- Freedom and the dignity of citizens - *François du Bois*
- The value of freedom in interpreting socio-economic rights - *Sandra Liebenberg*
- Dignity and the political right to freedom - *Anton Fagan*
- The dignity of comparative constitutional law - *Theunis Roux*

- Revolutionary constitutionalism: some thoughts on Laurie Ackermann's jurisprudence - *Roger Berkowitz*
- Judge Ackermann and the jurisprudence of mourning - *Dennis M Davis*
- Toward a relational constitutionalism - *Peggy Cooper Davis*
- 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 70218 137 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 70215 913 8 > 667pp



Other Law, The: Non-state Ordering in South Africa

Authors: W Schärff, 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

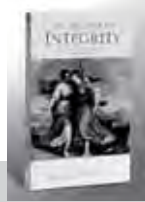
2001 > **SOFT COVER:** ISBN 978 0 70214 579 7 > 258pp





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; F du Bois (Editor)

About this Publication

The essays collected here explore Dworkin's notion of 'Law as Integrity' in the light of South African legal experience and current practice. The scene is set by Dworkin himself, whose address to the conference that gave rise to this book explains the key themes of his work, especially the links between its methodological commitments and substantive arguments, as well as between law and democracy. Written by an international group of scholars and judges, the remaining chapters reflect critically on these themes, using the particular to illuminate the universal and interrogating the role and impact of law when 'integrity' is put into practice.

Contents

- The role of moral equality in legal argument
- Ronald Dworkin and the power of ideas
- 'End of History' jurisprudence; Dworkin in South Africa

- The three Rs of the Constitution: responsibility, respect and rights
- Dworkin: a viable theory of adjudication for the South African constitutional community?
- Section 39(2) and political integrity
- *Does the Constitutional Court of South Africa take rights seriously? The case of S v Jordan*
- Rights trumped? Balancing in constitutional adjudication

2005 > **SOFT COVER:** ISBN 978 0 70216 750 8 > 196pp

> Labour Law



Alcohol, Drugs and Employment

2nd 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 70219 406 1 > 420pp
eBOOK: ISBN 978 0 70219 927 1



Annual Labour Law Update 2015, Juta's

Authors: J Grogan, A Govindjee, P Maserumule

NEW

About this Publication

An essential and comprehensive review of labour and employment law developments for 2015. This workbook, a companion to *Juta's Annual Labour Law Seminar 2015*, contains an authoritative survey and analysis of legal developments for the year under review. Up-to-date and practical, with emphasis on key cases, it is a useful reference for dealing with issues in the workplace, or litigating in the CCMA or the courts. Topics are introduced in a user-friendly format.

Contents

- Jurisdiction, contract and basic conditions - *John Grogan*
- Disciplinary procedure - *John Grogan*
- Was there a dismissal? - *John Grogan*
- Dismissal for misconduct and incapacity - *John Grogan*
- Unfair labour practices and remedies - *John Grogan*

- Retrenchments and transfer of business - *Puke Maserumule*
- Discrimination and employment equity - *John Grogan*
- Collective bargaining, strikes and lockouts, collective agreements - *Puke Maserumule*
- Practical matters - *John Grogan*
- The 2015 amendments - *John Grogan, Avinash Govindjee*
- Labour-related legislation - *Daphne Burger*
- Table of Cases
- Table of abbreviations

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



Bargaining Council for the Civil Engineering Industry Collective Agreements

Editors: Juta's Statutes Editors

NEW

About this Publication

Available in a compact pocket size or online, this industry agreement compilation is an indispensable source of reference for the civil engineering industry. It provides a consolidated text of all Bargaining Council Agreements for the civil engineering industry.

The print version reflects the agreements until 28 February 2019. The online version is updated monthly.

Contents

- Conditions of Employment Collective Agreement
- Wage and Task Grade Collective Agreement
- Dispute Resolution Collective Agreement
- Registration and Administration Expenses Collective Agreement
- CIRBF Collective Agreement (Construction Industry Retirement Benefit Fund)
- **NB:** National Exemptions Policy (included in every agreement)
- **NB:** Independent Exemptions Appeal Board Policy (included in every agreement)
- Key Addresses - Comprehensive contact details, key aspects and addresses

ELECTRONIC Additional Content and Features

- What's New
- Previously What's New
- Prelex: Amended, replaced and repealed wording, prior to such changes taking effect
- 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

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



Basic Conditions of Employment Act 75 of 1997 & Regulations

Juta's Pocket Statutes

(Also available as part of the 8-volume *Juta's Labour Mini-Library* - ISBN 978 1 48510 775 0)

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Basic Conditions of Employment Act 75 of 1997
- Regulations
 - General Administrative Regulations
 - Code of Good Practice on the Arrangement of Working Time
 - Code of Good Practice on the Protection of Employees during Pregnancy and after the Birth of a Child
 - Calculation of Employee's Remuneration in terms of section 35(5)
- Code of Good Practice for the Employment of Children in the Performance of Advertising, Artistic or Cultural Activities
- BCEA Regulations on Hazardous Work by Children
- Code of Good Practice for Employment and Conditions of Work for Expanded Public Works Programmes





Basic Conditions of Employment Act 75 of 1997, Summary of the

Juta's Posters

Revised
1st edition

NEW
edition

Authors: Juta's Statutes Editors

About this Publication

Section 30 of the Basic Conditions of Employment Act requires an employer to display the employees' rights in the prescribed form, at the workplace, in the official languages spoken at the workplace.

Contents

- Form BCEA 1A of General Regulation 2 of the BCEA, the summary of the Act, in English.

2015 > **POSTER:** ISBN 978 1 48510 860 3 > A1



Collective Bargaining in South Africa: Past, Present and Future?

Authors: S Godfrey, J Maree, D du Toit, J Theron

About this Publication

This book provides a thorough analysis of the state of collective bargaining in South Africa today and historically. It considers empirical data and initiatives developed by trade unions and employers worldwide and raises policy options for the changing, globalising marketplace.

Contents

- Collective bargaining in perspective
- The historical foundation for South Africa's system of collective bargaining: 1924 to 1994

- The Labour Relations Act of 1995: a workable compromise?
- The bargaining council system in action: an in-depth analysis
- Impact of bargaining councils on wages, benefits and unemployment
- Bargaining outside of bargaining councils
- What is the future for collective bargaining?

2010 > **SOFT COVER:** ISBN 978 0 70218 464 2 > 242pp
eBOOK: ISBN 978 0 70219 880 9



Collective Bargaining in the Workplace

Authors: M S Anstey, J Grogan, T Ngcukaitobi

About this Publication

This book written by some of South Africa's leading labour negotiators and alternative dispute-resolution experts, offers the first comprehensive and inclusive guide for aspirant and experienced labour practitioners alike on the topics of understanding conflict in the South African workplace, alternative dispute-handling process, negotiations and collective bargaining.

Contents

- Understanding conflict in the workplace
- Overview of the dispute system in South Africa
- Collective bargaining
- Negotiation
- Persuasive communication – the basic skill
- Alternative dispute resolution techniques

2010 > **SOFT COVER:** ISBN 978 0 70217 790 3 > 160pp



Collective Labour Law

2nd edition

Author: J Grogan

About this Publication

Collective Labour Law deals with all the issues that arise in the relationship between organised labour and employers. Beginning with a description of the main players in the field – trade unions and employers' organisations – the book undertakes a systematic exploration of the available bargaining forums, the collective bargaining process, the conclusion of collective agreements, the legal requirements covering strikes and lockouts, and the consequences of unlawful industrial action. This edition has been revised and updated to incorporate the latest case law and amendments to the LRA, EEA and BCEA.

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

Contents

- Abbreviations
- Introduction, background and overview
- The legal framework
- Freedom of association
- Bargaining agents
- Organisational rights
- Bargaining forums
- The bargaining process
- Collective agreements
- Collective bargaining and industrial action
- Primary strikes
- The requirements for protected strikes
- Secondary strikes
- Protest action
- The extent of protection
- Unprotected strikes
- Picketing
- Lock-outs



ELECTRONIC Additional Content and Features

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

2014 > **SOFT COVER:** ISBN 978 1 48510 685 2 > 475pp
eBOOK: ISBN 978 1 48510 793 4
INTERNET: ISSN 2410 9460



Compensation for Occupational Injuries and Diseases Act 130 of 1993

Part 1 - Sections 1 to 48; Part 2 - Sections 49 to 101

Juta's Posters

Authors: Juta's Statutes Editors

NEW

About this Publication

This set of two posters can be displayed at the workplace to create awareness of employees' rights to compensation for occupational injuries and diseases and to inform both employees and employers of the procedure and deadlines for claiming. The posters reflect the law as at 23 October 2015.

Contents

- Compensation for Occupational Injuries and Diseases Act 130 of 1993: Part 1 – Sections 1 – 48

- Compensation for Occupational Injuries and Diseases Act 130 of 1993: Part 2 – Sections 49 – 101

2015 > **POSTER:** ISBN 978 1 48510 903 7 > A1 size



Dismissal

2nd edition

Author: J Grogan

**NEW
edition**

About this Publication

Dismissal is the most thorough and comprehensive work available on a problem that confronts employers, lawyers, judges and arbitrators every working day – when it is fair to terminate the relationship with employees, for whatever reason this regrettable step may be deemed necessary? This work deals with all the circumstances in which dismissals arise and are challenged – from dismissals for misconduct and incapacity, through retrenchments, automatically unfair dismissals, dismissals of protected and unprotected strikers, to the procedures required before such dismissals can lawfully be effected and challenged. Written in a clear and readable style, the exposition of each principle is illustrated with examples drawn from the case law. This second edition adds many judgments handed down since the first edition was published four years ago, and incorporates the 2014 amendments to labour legislation relevant to the topic.

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

Contents

- What is a dismissal?
- Who may be dismissed?
- Was there a dismissal?
- When did the dismissal occur?
- Unfair dismissals
- Automatically unfair dismissals
- Dismissal for misconduct
- Specific forms of misconduct
- Procedural fairness in misconduct cases
- Group misconduct
- Misconduct outside working hours and criminal conduct
- Discipline and shop stewards
- Dismissal for poor work performance
- Incapacity arising from illness or injury
- Dismissal for operational requirements: fair reason

- Dismissal for operational requirements: fair procedure
- Dismissal for operational requirements: 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

ELECTRONIC Additional Content and Features

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

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



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 70212 833 2 > 248pp



Dispute Resolution Digest 2015, The: The Tokiso

Report on the State of Labour Dispute Resolution in South Africa

2015 edition

Author: Tokiso (Pty) Ltd

About this Publication

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

Contents

- Context
 - Overview of the state of labour relations - *Patrick Deale*
 - Time for Reality Check – Stop playing marbles while Rome is burning - *Victor van Vuuren*
 - The war before the war? Cosatu at the end of 2014 - *Steven Friedman*
- Labour Court
 - The rule of law, fairness and labour law - *Johan C Froneman*
 - Speedy justice: streamlining Labour Court processes - *Andre van Niekerk*

- An evaluation of the Labour Court - *Craig Bosch*
- Alternative Dispute Resolution
 - Mandatory mediation in South Africa: are there constitutional implications? - *John Brand and Chris Todd*
 - The potential for interest arbitration in South Africa - *John Brand*
 - Industrial relations in the public service – a differentiated approach to dispute management - *Frikkie de Bruin*
 - Equal pay for work of equal value - *Andrew Levy*
- Statistical Analysis: Labour Court, CCMA, Bargaining Councils
 - The disputes referred to the CCMA, Bargaining Councils and Tokiso - *Tanya Venter and Andrew Levy*

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



**NEW
edition**



Employment and the Law: A Practical Guide for the Workplace

3rd edition

Authors: H Landis, L Grossett

About this Publication

Employment and the Law: A Practical Guide for the Workplace is a comprehensive yet practical guide to the application of labour law in the workplace. The third edition provides a unique reference guide comprising relevant statutes, case summaries, principles established through cases and awards, recommended processes, blueprints and pro forma documentation, and guidelines, including practice and procedure.

Employment and the Law allows for quick and easy access to the information required to manage the employment relationship effectively. The book will prove useful in both preventing and resolving labour disputes.

Contents

- Table of cases
- Glossary of terms
- Employee relations
- Employment equity

- Recruitment
- Contract of service
- Conduct management
- Capacity management
- Retrenchment
- Collective relationships
- Industrial action
- Dispute resolution
- Skills development
- Social security
- Promotion of access to information

2014 > **SOFT COVER:** ISBN 978 1 48510 173 4 > 580pp





Employment Equity Act 55 of 1998 & Regulations

Juta's Pocket Statutes

(Also available as part of the 8-volume Jutta's Labour Mini-Library – ISBN 978 1 48510 775 0)



Editors: Jutta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Employment Equity Act 55 of 1998
- Regulations
 - Employment Equity Regulations, 2014
 - Code of Good Practice: Preparation, Implementation and Monitoring of Employment Equity Plans
 - Amended Code of Good Practice on the Handling of Sexual Harassment Cases in the Workplace
 - Code of Good Practice on the Integration of Employment Equity into Human Resource Policies and Practices
- Code of Good Practice on HIV and AIDS and the World of Work
- Code of Good Practice on Equal Pay/Remuneration for Work of Equal Value
- Code of Good Practice on the Employment of People with Disabilities



Employment Equity Act 55 of 1998, Summary of the

Jutta's Posters

Editors: Jutta's Statutes Editors

NEW

About this Publication

Section 25(1) of the Employment Equity Act requires employers to display a summary of the Act.

Contents

- This poster contains the summary, Form EEA3 under Regulation 5 of the General Administrative Regulations to the Act.

2014 > **POSTER:** ISBN 978 1 48510 710 1 > A1 size



Employment Rights

2nd edition

Author: J Grogan

About this Publication

Employment Rights is the most thorough and comprehensive work available on the issues that may arise between employers and employees during the employment relationship. Covering every phase from recruitment through promotions to retirement, this book deals extensively with the contract of employment, and the various statutes which have drastically altered the common law of employment – in particular the Basic Conditions of Employment Act 75 of 1997, Labour Relations Act 66 of 1995 and the Employment Equity Act 55 of 1998. The book provides detailed discussion of unfair labour practices, the law of unfair discrimination and affirmative action. Written in the clear and readable style, the exposition of each topic is illustrated with examples drawn from the case law. This second edition adds many judgments handed down since the first edition was published four years ago, and incorporates the far-reaching amendments to labour legislation promulgated in 2014.

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

Contents

- Introduction, background and overview
- The scope of the labour statutes
- The contract of employment
- Basic conditions of employment
- What is an unfair labour practice?
- Specific forms of unfair labour practice
- Non-statutory unfair labour practices

- Unfair discrimination
- Prohibited grounds
- Specific discriminatory practices
- Remedies
- Affirmative action
- Victimisation
- Employment injuries and illness
- Unemployment benefits
- Skills development

ELECTRONIC Additional Content and Features

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

2014 > **SOFT COVER:** ISBN 978 1 48510 686 9 > 480pp
eBOOK: ISBN 978 1 48510 686 9 **INTERNET:** ISSN 2410 9509





Employment Services Act 4 of 2014

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

NEW

Contents

- Key Addresses
- Quick Finder for Key Topics
- Employment Services Act 4 of 2014



Employment Tax Incentive Act 26 of 2013; Skills Development Act 97 of 1998; Skills Development Levies Act 9 of 1999 & Regulations

Juta's Pocket Statutes

(Also available as part of the 8-volume *Juta's Labour Mini-Library* – ISBN 978 1 48510 775 0)

Editors: Juta's Statutes Editors

NEW

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A**
 - Employment Tax Incentive Act 26 of 2013
- **Part B**
 - Skills Development Act 97 of 1998
 - Pendlex: Act 37 of 2008; Act 26 of 2011
 - Related substantive provisions: Act 26 of 2011
 - Regulations
 - Regulations regarding the Establishment of Sector Education and Training Authorities (GN R1082 of 1999)
 - Notice of Establishment of Sector Education and Training Authorities (GN 266 of 2000)
 - List and Scope of Coverage of Sector Education and Training Authorities (SETAs)
 - Regulations with regard to Private Employment Agencies
 - Learnership Regulations, 2007
 - Amendment of Constitution of Sector Education and Training Authority (SETA) Regulations
 - Amalgamation of Sector Education and Training Authorities
- Establishment of Sector Education and Training Authorities (SETAs) (GN R316 of 2005; R656 of 2005)
- Service Level Agreement Regulations, 2005
- Establishment of Sector Education and Training Authorities (SETAs): Extension of existing period
- Coming into operation of the Quality Council for Trades and Occupations
- Establishment of Sector Education and Training Authorities (SETAs) (GN R1055 of 2010)
- Amalgamation of Sector Education and Training Authorities (SETAs): SETAs 4, 10 and 15
- Establishment of Sector Education and Training Authority (SETA): SETA 21; SETA 4 and the Transfer of SIC Codes
- Standard Constitution of SETA Regulations
- Sector Education and Training Authorities (SETAs) Grant Regulations
- Trade Test Regulations
- **Part C:**
 - Skills Development Levies Act 9 of 1999
 - Pendlex: Act 18 of 2009; Act 28 of 2011
 - Regulations regarding Levies and Related Issues



Equality in the Workplace: Reflections from South Africa and Beyond

Editors: O Dupper, C Garbers

About this Publication

This collection of essays evaluates the efficacy in achieving the goals stated by the Employment Equity Act against the background of South Africa and comparative experiences in India, Canada, the United Kingdom, Germany and the European Union.

It covers the general principles and grounds of discrimination, analyses the success or otherwise of affirmative action measures in South Africa and evaluates employment equity for the disabled, migrant workers, those with family responsibilities, women and the aged. Contributions are by eminent international and local experts.

Contents

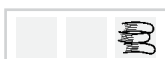
- Substantive equality: comparative and critical perspectives
- The aims and limits of equality laws - *Bob Hepple*
- Facing the future: substantive equality under the spotlight - *Sandra Fredman*
- The Supreme Court of Canada, substantive equality and inequality at work - *Judy Fudge*
- Unfair discrimination 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 Ngweni*
- 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 70218 457 4 > 332pp
eBOOK: ISBN 978 0 70219 938 7



Essential Employment Discrimination Law

Editors: O C Dupper, C Garbers, A A Landman, M Christianson, A C Basson, E M L Strydom

About this Publication

Essential Employment Discrimination Law provides an in-depth account of current employment discrimination law. The book is divided into four parts. In Part One the current legislative framework regulating employment equity, namely the Constitution and the Employment Equity Act, is examined. Part Two of the book focuses on the general principles of employment discrimination law. It examines the concept of "unfair discrimination", the distinction between "direct" and "indirect" discrimination and "listed" and "unlisted" grounds of discrimination. This part also deals with the statutory defences against an allegation of unfair discrimination. Part Three examines issues such as dismissal on discriminatory grounds including race, sex, disability and HIV/AIDS; the principle of equal pay for work of equal value; discrimination against persons with disabilities; employment testing; sexual harassment; and affirmative action. Part Four of the book deals with the Promotion of Equality and Prevention of Unfair

Discrimination Act (PEPUDA) to the extent that it impacts on the workplace.

Contents

- Preliminary remarks
- The current legislative framework
- The prohibition of unfair discrimination
- Justifying discrimination
- Resolution of discrimination disputes
- Discriminatory dismissal
- Equal pay for equal work or work of equal value
- Disability discrimination in the workplace
- Employment testing
- Harassment in the workplace
- Affirmative action
- Unfair discrimination in terms of the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (PEPUDA)

2004 > **SOFT COVER:** ISBN 978 0 70216 548 1 > 360pp



Industrial Law Journal (ILJ)

(Incorporating the Industrial Law Reports. Also available electronically as part of Juta's Labour Library)

Editors: C Cooper, C Vosloo, L Williams-de Beer

About this Publication

For over thirty years the *ILJ* has remained the premier South African labour law reporter. This seminal monthly journal covers judgments and awards handed down by the Labour Court, Labour Appeals Court, the CCMA, Bargaining Councils and private arbitration bodies. Also included are labour-related judgments from the Constitutional Court, the Supreme Court of Appeal, the Land Claims Court and the Pension Funds Adjudicator. The *ILJ* is the only labour series to publish relevant judgments of neighbouring states. Every fourth issue includes insightful and thought-provoking articles and case notes, written by local and international experts.

Contents

- Judgments and determinations from all forums where labour law matters are decided: the Labour Court and

Labour Appeal Court, the High Court and Supreme Court of Appeal and Constitutional Court

- Selected important awards of the CCMA
- Peer-reviewed articles
- Index and case annotations

ELECTRONIC Additional Content and Features

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

SOFT COVER > MONTHLY PERIODICAL: ISSN 0258 249X (*ILJ*)
Approximately 3000pp per annum and an annual index
Full set from 1980–2014: Product code: ILJFULLPACK (includes a FREE 1980–2006 Cumulative Index). Back issues are also available.
INTERNET: ISSN 2413 9874



Industrial Law Journal Cumulative Index (1980–2010)

Editor: C Vosloo

About this Publication

This consolidated index provides easy reference to all subjects discussed in cases and articles in the Industrial Law Journal (incorporating the Industrial Law Reports) for the period 1980 to 2010. It provides the key to unlocking 27 years of labour

law. The Index facilitates optimal usage of the *Industrial Law Journal*.



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 70217 894 8 > 3284pp



Labour Dispute Resolution

2nd 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 70217 955 6 > 354pp
eBOOK: ISBN 978 0 70219 944 8



Labour Law – Sectoral Determinations

Juta Legislation Service

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

Editors: Juta's Statutes Editors

About this Publication

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

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

Contents

- *Only Sectoral and Ministerial Determinations
- Table of cases

*Indicates published in English only.

Published since 2009 > **LOOSE-LEAF:** ISBN 978 0 70218 199 3
Approximately 416pp



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

Authors: K Malherbe, J Sloth-Nielsen

About this Publication

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

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

as unfair discrimination, outsourcing, wage justice and labour brokers.

Contents

- Equality in income differentials and wage justice - *Graham Giles*
- Can discrimination ever be fair? - *Bob Hepple*



- The prohibition of discrimination in employment: performance and prognosis in a transformative context - *Christoph Garbers*
- Women and maternity: is there truly equality in the workplace between men and women, and between women themselves? - *Elsabé Huysamen*
- Transnational collective bargaining: the case of the European Union - *Achim Seifert*
- Future of the collective labour agreements system challenged? - *Teun Jaspers*
- Judge-made labour law in Germany - *Manfred Weiss*
- Basic features of dismissal protection in Germany - *Bernd Waas*
- Section 197 of the Labour Relations Act: the next generation - *Craig Bosch*
- To regulate or to ban? controversies over temporary employment agencies in South Africa and Namibia - *Paul Benjamin*

- Evaluating the future of vicarious liability and risk - *Pieter Koornhof*
- The purpose of labour law: can it turn green? - *Rochelle le Roux*
- Bibliography

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



Labour Litigation and Dispute Resolution

2nd edition

Author: J Grogan

About this Publication

Labour Litigation and Dispute Resolution is a comprehensive exposition of practice and procedure in the various forums charged with the responsibility of resolving employment and labour disputes in South Africa. More than a practice manual, the book provides an overview of the nature, powers and jurisdiction of the CCMA, bargaining councils and the Labour Court, expertly guiding the reader through the jurisdictional and procedural maze. The rules of the several forums are discussed, and there are useful tips for all role players in labour litigation, arbitration, and other forms of dispute resolution. There are also separate chapters on private arbitration and alternative dispute resolution. This edition has been revised and updated to incorporate the latest case law and amendments to the LRA, EEA and BCEA.

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

Contents

- Introduction, background and overview
- Employment and labour disputes
- Processing labour disputes
- Forums
- Choosing forums
- Conciliation

- Statutory arbitration
- Private arbitration
- Special forms: Interest, advisory and pre-dismissal arbitration
- Litigation in the Labour Court: referrals
- Litigation in the Labour Court: applications
- Litigation in the Labour Court: particular applications
- Litigation in the Labour Court: general issues
- Review of statutory arbitrations
- Review of private arbitrations
- Appeals

ELECTRONIC Additional Content and Features

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

2014 > **SOFT COVER:** ISBN 978 1 48510 700 2 > 571pp
eBOOK: ISBN 978 1 48510 700 2 **INTERNET:** ISSN 2410 9525

Current editions



Labour Mini-Library

Juta's Pocket Statutes

(These concise pocket-size books, housed in a complimentary slipcase, contain the full text of key labour legislation, including Acts, rules, regulations and codes of good practice. Titles in this set are also available individually)

Editors: Juta's Statutes Editors

Contents 8-volume set

- Basic Conditions of Employment Act 75 of 1997 & Regulations
- Employment Equity Act 55 of 1998 & Regulations
- Employment Services Act 4 of 2014
- Employment Tax Incentive Act 26 of 2013; Skills Development Act 97 of 1998; Skills Development Levies Act 9 of 1999 & Regulations

- Labour Relations Act 66 of 1995 & CCMA Related Material
- Occupational Health and Safety Act 85 of 1993 & Regulations
- Regulations in terms of Occupational Health and Safety Act 85 of 1993 (continued)
- Regulations in terms of the Labour Relations Act 66 of 1995

SOFT COVER – pocket size: ISBN 978 1 48510 775 0





Labour Library, Juta's

(Workplace Law and the Industrial Law Journal is also available separately online)

About this Publication

Juta's Labour Library is a complete repository of up-to-date labour legislation, Rules of the CCMA and Labour Courts, forms, contact details of bargaining councils and trade unions, sectoral determinations and codes of good practice. Expertly edited labour judgments and articles in the *Industrial Law Journal* from 1980 to date are included in the library. The electronic version of John Grogan's *Workplace Law*, updated quarterly, is also included in the library.

Contents

- John Grogan's *Workplace Law*, updated quarterly
- The *Industrial Law Journal*, incorporating the *Industrial Law Reports* (1980 to date)

- Labour Legislation and Sundry Materials:
 - Peer-reviewed articles
 - Rules of court
 - Codes of Good Practice
 - Labour legislation
 - Regulations
- Rules, forms and notices
- Hyperlinks between tables of cases, index entries and the full text, and to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1022 8349
INTERNET: ISSN 1682 0738



Labour Relations Act 66 of 1995 & CCMA Related Material

Juta's Pocket Statutes

(Also available as part of the 8-volume *Juta's Labour Mini-Library* – ISBN 978 1 48510 775 0)



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick finder to Key Topics
- **Part A:** Labour Relations Act 66 of 1995
- **Part B:** CCMA Related Material
 - Code of Good Practice on Picketing
 - Code of Good Practice on the Handling of Sexual Harassment Cases
 - Code of Good Practice on Dismissal Based on Operational Requirements
 - Guidelines for the Registration of Trade Unions and Employers' Organisations
 - Fines that may be imposed by Arbitrators
 - Facilitation Regulations
 - Code of Good Practice: Who is an Employee?
 - Bargaining Councils accredited by the CCMA
 - Bargaining Councils and Statutory Councils accredited by the CCMA
 - Bargaining Councils accredited by the CCMA for Conciliation and Arbitration
 - Bargaining Councils accredited by the CCMA for Conciliation and/or Arbitration and/or pre-dismissal Arbitration
 - Private Agencies accredited by the CCMA for Conciliation and/or Arbitration and/or pre-dismissal Arbitrations
 - List of Bargaining Councils that have been accredited by the CCMA
 - List of Private Agencies that have been accredited by the CCMA
 - Code of Conduct for Commissioners
 - Rules for the conduct of proceedings before the Commission for Conciliation Mediation and Arbitration
 - CCMA Guidelines: Misconduct Arbitrations
 - Tariff of Fees: Commission for Conciliation, Mediation and Arbitration



Labour Relations Handbook, The

Authors: A Pons, P Deale

About this Publication

The Labour Relations Handbook is a comprehensive guide to managing for productive labour relations in a rapidly changing South Africa. First published in 1989 and regularly revised, this publication has proved invaluable to managers, human resources and labour relations practitioners, trade unions, attorneys and students. Each section provides clear explanations of legal principles, practical answers, guidelines and policies / procedures to facilitate organisational growth through empowering people.

Contents

- Key labour relations areas
- Handling counselling and discipline effectively
- Conflict management
- Implementation of workplace forums and meaningful participation
- Recruitment and selection
- Trade unions, organisational rights and collective agreements
- Broad-based Black Economic Empowerment
- Managing industrial action
- Dealing with retrenchments
- Managing safety in the workplace
- Establishing conditions of employment
- Private dispute settlement
- Statutory dispute resolution
- Labour legislation – a guide
- Dealing with HIV/Aids in the workplace
- Managing absenteeism effectively
- Information disclosure and collective bargaining
- Employment equity challenges, FAQs and practical guidelines
- Skills development strategies



- Codes of good practice
- Includes a glossary of labour relations terminology to facilitate understanding
- Model icons explain key concepts

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

Published since 1989 > **LOOSE-LEAF:** ISBN 978 0 70212 301 6
Approximately 660pp
INTERNET: ISBN 2313 6774



Labour Relations: A Southern African Perspective

2nd edition

Author: S Bendix

About this Publication

Labour Relations: a southern African perspective is a practical and comprehensive guide to labour relations in the southern African context. Newly renamed and updated to include relevant and industry-specific terminology, the text builds on the insights provided by its predecessor, *Industrial Relations in South Africa*. Offering both theoretical and practical perspectives it is a valuable resource for students and practitioners alike.

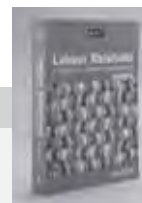
The book uses the labour 'relationship' as its starting point, guiding readers through the establishment of the labour relations systems, the key participants and interactions involved and the legislation governing these interactions, all within the southern African context. Using detailed practical examples, explanations and real-life cases where applicable, *Labour Relations: a southern African perspective* is an ideal reference at any level of proficiency.

Contents

- The Employment Relationship – a Conceptual analysis
- The Labour Relations system

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

2014 > **SOFT COVER:** ISBN 978 1 48510 233 5 > 672pp



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 70218 192 4 > 396pp
INTERNET: ISBN 978 0 70219 498 6



Managing Change: Negotiating Conflict

3rd edition

Author: 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 70217 196 3 > 469pp



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

4th edition

**NEW
edition**



Authors: Juta's Statutes Editors

About this Publication

The 4th edition of this book, published in the popular Juta's pocket-size format, contains the MEIBC Main Agreement and other Agreements. Applicable for the period 1 July 2014 to 30 June 2017.

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

Contents

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

- Collective Bargaining Levy Agreement
- Other Agreements

2015 > **SOFT COVER** - Pocket size: ISBN 978 1 48510 882 5 > 686pp



Metal and Engineering Industries Bargaining Council Consolidated Agreements (MEIBC)

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

About this Publication

This industry agreement compilation has become an indispensable source of reference for the metal industry. It provides the consolidated text of all agreements (excluding Lift Engineering Agreement).

Contents

- Main Collective Agreement incorporating:
 - Conditions of employment
 - Wage Rates tables
 - Technical schedules
- Collective Agreements relating to:
 - Dispute resolution
 - Bargaining Levy
 - Registration and Administration Expenses
 - Sick Pay Fund
 - Engineering Industries Pension Fund
 - Metal Industries' Provident Fund
 - Artisan Training and Recognition (ATRAMI)
 - Technological Fund
- Comprehensive contact details, key aspects and addresses

ELECTRONIC Additional Contents and Features

- Index to the Main Agreement
- What's new
- Previously what's new
- Prelex: Repealed, replaced and amended wording
- Powerful electronic searching allows for easy and rapid access to information

Published since 1987 > **LOOSE-LEAF:** ISBN 978 0 70211 920 0
Approximately 570pp
INTERNET: ISSN 2307 7506 > Updated monthly





Motor Industry Bargaining Council Consolidated Agreements (MIBCO)



Editors: Juta's Statutes Editors

About this Publication

This 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 Agreement
- Forecourt Attendants' Agreement
- Motor Industry Provident Fund Agreement

ELECTRONIC Additional Contents and Features

- Digest of Arbitration Awards
- Labour Relations Act, Basic Conditions of Employment Act, Employment Equity Act, Skills Development Act, Skills Development Levies Act, Unemployment Insurance Act, Unemployment Insurance Contributions Act

Published since 1989 > **LOOSE-LEAF:** ISBN 978 0 70212 263 7
(PRODUCT CODE: MIBCO MV) > Approximately 300pp
Updated bi-annually
CD-ROM/INTRANET: ISSN 1682 1068 > Updated quarterly
INTERNET: ISSN 1682 1068



Namibian Labour Act 11 of 2007 & Regulations

Juta's Namibian Pocket Statutes



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Labour Act 11 of 2007
- Labour General Regulations
- Rules relating to the Conduct of Conciliation and Arbitration before the Labour Commissioner

- Labour Court Rules
- Codes of Good Practice on Industrial Actions and Picketing
- Notice of Variation of the Provisions of the Labour Act: Hospitality and Tourism Industry
- Designation of Essential Services in Hospitals and Local Authorities

NEW



Occupational Health & Safety Act 85 of 1993

Juta's Posters



Editors: Juta's Statutes Editors

About this Publication

The Occupational Health & Safety Act 85 of 1993 provides for the health and safety of persons at the workplace.

Contents

This poster contains the key legislative provisions relating to occupational hazards, health and safety which employers and employees should be aware of.

2010 > **POSTER:** ISBN 978 0 70218 539 7 > A1



Occupational Health and Safety Act 85 of 1993 & Regulations

Juta's Pocket Statutes

(Also available as part of the 8-volume Juta's Labour Mini-Library – ISBN 978 1 48510 775 0)



Editors: Juta's Statutes Editors

About this Publication

Mandatory availability of the Occupational Health and Safety Act 85 of 1993 & Regulations is prescribed in terms of regulation 4 of the General Administrative Regulations, 2005.

Contents

- Key Addresses
- Quick Finder for Key Topics
- Occupational Health and Safety Act 85 of 1993
- Regulations
 - General Administrative Regulations, 2003
 - General Safety Regulations

- Incorporation of Safety Standards
- Approved Respiratory Protective Equipment
- Withdrawal of GN R1847 and Incorporation of Health and Safety Standard
- Exemption regarding users who operate a train or a train of tramway-trucks
- Major Hazard Installation Regulations
- Regulations for Hazardous Biological Agents
- Explosives Regulations, 2002
- Construction Regulations, 2014
 - Notice of approval of a statutory body
 - Temporary Exemptions
- Regulations for the Integration of the Occupational Health and Safety Act, 1995
- Environmental Regulations, 1987
 - Incorporation of Safety Standards
- Facilities Regulations, 2004
- Noise-induced Hearing Loss Regulations
- Regulations for Hazardous Chemical Substances, 1995
- Occupational Health and Hygiene Approved Inspection Authorities: List of Basic Equipment, List of Tertiary Institutions for Legal Knowledge Examination and Reporting Format
- Notice of inclusion in terms of section 43(1)(b)(xii) of the Act
- Notice of directive in terms of section 7(1) of the Act
- Health and Safety of Children at Work Regulations



Regulations in terms of the Occupational Health and Safety Act 85 of 1993 (continued)

Juta's Pocket Statutes

(Also available as part of the 8-volume Juta's Labour Mini-Library – ISBN 978 1 48510 775 0)



Editors: Juta's Statutes Editors

About this Publication

Mandatory availability of the Occupational Health and Safety Act 85 of 1993 & Regulations is prescribed in terms of regulation 4 of the General Administrative Regulations, 2005.

Contents

- Regulations in terms of the Occupational Health and Safety Act (Continued)
 - Driven Machinery Regulations, 2015
 - Incorporation of Safety Standards (GN R296 of 1988)
 - Incorporation of Safety Standards (GN R542 of 2015)
 - Exemption regarding users of goods hoists
 - Exemption regarding Load Testing
 - Exemption regarding Approved Lifting Machinery entities
 - Exemption regarding submission of application forms, 2007
 - Exemption regarding submission of application forms, 2008
 - Driven Machinery Regulations 18(11): Withdrawal of GN R1075 of 2011
 - National Code of Practice for the Training Providers of Lifting Machine Operators
 - Driven Machinery Regulations, 2015: Withdrawal of GNR 527 & 528 of 2015
 - General Machinery Regulations, 1988
 - Electrical Machinery Regulations, 2011
 - Incorporation of Health and Safety Standards
 - Regulations concerning the Certificate of Competency, 1990
 - Lift, Escalator and Passenger Conveyor Regulations, 2010
 - Incorporation of Safety Standards
 - Guideline for Lift, Escalator and Passenger Conveyor Regulations, 2009
 - Occupational exposure limit for silica in Table 1–silica dust data collection guiding document and silica exposure compliance tool
 - Amendment of the submission period of the crystalline silica dust air monitoring reports
 - Diving Regulations, 2009
 - Asbestos Regulations, 2001
 - Lead Regulations, 2001
 - Electrical Installation Regulations, 2009
 - Explanatory Notes
 - Incorporation of Safety Standards
 - Pressure Equipment Regulations, 2009
 - Incorporation of Health and Safety Standards
 - Incorporation of Health and Safety Standards and Guidance Notes
 - Guidance Notes to the Pressure Equipment Regulations, 2009



Occupational Health and Safety Act and Compensation for Occupational Injuries and Diseases Act: Text and Commentary

(An extract from South African Labour Law)



Author: P Benjamin

About this Publication

This loose-leaf work contains the Occupational Health and Safety and the Compensation for Occupational Injuries and Diseases Acts, with up-to-date commentary, in one useful compendium. It provides guidance on occupational injuries, health and safety policies, the reporting of incidents and formal inquiries into workplace injuries. The publication also features a discussion on work-related post-traumatic stress disorder and compensation.

Contents

- Occupational Health and Safety Act 85 of 1993 and commentary
- Introduction
- Scope and definitions
- The Advisory Council on Occupational Health and Safety
- Duties under the Act and Regulations
- Safety representatives and safety committees
- The inspectorate
- Incidents: reporting, investigations and inquiries

- Employee protections
- Criminal offences
- Regulations
- Compensation for Occupational Injuries and Diseases Act 130 of 1993 and commentary
- Introduction
- Administration of the Act
- Employer's obligations
- Key definitions
- The claims process
- Occupational diseases
- Post-traumatic stress disorder

- Benefits
- Claims involving negligence
- Legal proceedings

Published since 2009 > **LOOSE-LEAF:** ISBN 978 0 70218 157 3
Approximately 420pp



Occupational Health and Safety Handbook

(An extract from South African Labour Law)



Authors: P S Benjamin, B Barry

About this Publication

This regularly updated work contains the Occupational Health and Safety Act, 1993, with explanatory commentary and regulations.

Contents

- The Occupational Health and Safety Act, 1993
- Commentary
- Regulations

Published since 2000 > **LOOSE-LEAF:** ISBN 978 0 70213 265 0
Approximately 450pp



Occupational Health and Safety Library, Juta's

About this Publication

This publication provides the full text of the Occupational Health and Safety Act as well as commentary, Regulations in terms of MOSA/OHSA, schedules and indexes. Also included is the Constitution of the Republic of South Africa 108 of 1996 and relevant South African cases.

Contents

- Occupational Health and Safety Act, 1993
- Commentary, regulations and schedules
- Constitution of the Republic of South Africa

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

CD-ROM/INTRANET: ISSN 1024 2511 > Updated quarterly
INTERNET: ISSN 1682 0738



Practical Guide to Disciplinary Hearings, A

Author: M Opperman

About this Publication

A *Practical Guide to Disciplinary Hearings* sets out all the practical aspects of the disciplinary hearing for the chairman and the defendant employee. The logical layout of this book allows for easy use during the hearing. The author has devised a helpful matrix for calculating awards and reaching fair results.

A *Practical Guide to Disciplinary Hearings* contains templates for hearings on the different types of offence. From the perspective of the person chairing the hearing, practical guidelines on the process, advice on the sanction, the deliberation, the evidence permitted and the most common anomalies which arise in hearings, make this book a compulsory guide. The book assists human resource managers in drafting charge sheets, the presentation of the facts, examination, cross-examination and leading evidence.

Contents

- The basics
- Fairness
- Offence categories
- Incapacity
- Processing evidence

- 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

2011 > **SOFT COVER:** ISBN 978 0 70218 631 8 > 296pp
eBOOK: ISBN 978 0 70219 924 0





Regulations in terms of the Labour Relations Act 66 of 1995

Juta's Pocket Statutes

(Also available as part of the 8-volume Jutta's Labour Mini-Library – ISBN 978 1 48510 775 0)



Editors: Jutta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Regulations
 - Labour Relations Regulations, 2014
 - Essential Service Committee Regulations, 2014
 - Essential Service Committee Regulations, 1996



Reinventing Labour Law: Reflecting on the first 15 years of the Labour Relations Act and future challenges

(first published as *Acta Juridica* 2012)



Authors: R le Roux, A Rycroft

About this Publication

Since the passing of the Labour Relations Act 66 of 1995 the dynamics of the labour market in South Africa and elsewhere have changed dramatically, and many of the assumptions on which the Act was founded no longer apply. *Reinventing Labour Law* is devoted to a critical review of the first 15 years of the 1995 Act, but it also asks whether the Act is capable of responding to the demands of, and the processes associated with, the modern workplace. Thus, while in many ways this volume reflects on the past, it also tracks the future of labour market regulation in South Africa.

The contributing authors include those who were present when the 1995 Act was first negotiated, as well as members of the emerging generation of labour law intellectuals.

Contents

- Is South African labour law fit for the global economy? - *Bob Hepple*
- Labour law beyond employment - *Paul Benjamin*
- The new unfair labour practice - *Rochelle le Roux*
- Prisoners of a paradigm: labour broking, the 'new services' and non-standard employment - *Jan Theron*
- The relational contract of employment - *Tamara Cohen*
- Dismissal for misconduct – ghosts of justice past, present and future - *André van Niekerk*
- Labour dispute resolution under the 1995 LRA: problems, pitfalls and potential - *Anton Steenkamp and Craig Bosch*
- Precedent, separation of powers and the Constitutional Court - *Tembeka Ngcukaitobi*
- Refining review - *Emma Fergus and Alan Rycroft*
- The necessary evolution of strike law - *Darcy du Toit and Roger Ronnie*
- 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 70219 864 9 > 400pp



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

Jutta's Posters



Editors: Jutta's Statutes Editors

About this Publication

Regulation 9(2) of the General Machinery Regulations to the Act requires employers with boilers on the premises to display a copy of Schedule C in a legible form in a conspicuous place at the premises.

Contents

- Schedule C of the General Machinery Regulations of the Occupational Health & Safety Act 85 of 1993

2010 > **POSTER:** ISBN 978 0 70218 533 5 > A1



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

Juta's Posters

Editors: Juta's Statutes Editors

About this Publication

Regulation 9(2) of the General Machinery Regulations to the Act requires employers with machinery other than a boiler to display a copy of Schedule D in a legible form in a conspicuous place at the premises.

Contents

- Schedule C of the General Machinery Regulations of the Occupational Health & Safety Act 85 of 1993

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



Skills Development Act 97 of 1998, Summary of the

Juta's Posters

Editors: Juta's Statutes Editors

About this Publication

The aim of this Act is to develop the skills of the South African workforce and to encourage employers to use the workplace as an active learning environment. This poster contains the most important provisions for employers, workers and SETAs.

Contents

- Summary of the Skills Development Act 97 of 1998

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



Skills Development Handbook

(An extract from South African Labour Law)

Authors: P S Benjamin, B Barry

About this Publication

This handbook is directed at those who deal with work-based education and training.

Contents

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

- The National Skills Development Strategy
- Extracts from the Income Tax Act relevant for calculating the skills levy
- Extracts from the Public Finance Management Act relevant to the administration of SETAs
- The South African Qualifications Authority Act and its regulations relevant to the education and training quality assurance functions of SETAs.

Published since 2002 > **LOOSE-LEAF:** ISBN 978 0 70216 076 9
Approximately 220pp



Social Media and Employment Law

Author: M Potgieter

About this Publication

Social Media and Employment Law thoroughly analyses the intersection between social media and workplace law.

The rapid growth of social media has led to the development of legal issues that have not arisen in the workplace before. Judges, CCMA commissioners, human resource practitioners and lawyers now have to grapple with novel concepts and conundrums.

Social Media and Employment Law provides real-life examples, useful templates and guidelines on social media in the workplace for HR practitioners. For employers and trade unionists, there are also clear guidelines and examples. For CCMA commissioners and bargaining council panellists, there is a wealth of case law, gathered from various jurisdictions and discussed simply and clearly, to guide them through this new territory.

Contents

- Confidentiality
- Local and international cases
- Privacy
- Interception of communication
- Restraint of trade
- Soliciting employees, customers and clients
- Defamation
- Recruitment
- Bullying and harassment
- What are employees saying about you and where are they saying it?
- Developing a social media strategy
- Developing a good management approach
- Policies and disciplinary codes

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





South African Human Resource Management – Theory and Practice

(Support material available at www.jutaacademic.co.za)

Revised
5th edition



Authors: B J Swanepoel (Editor), B J Erasmus, H W Schenk

About this Publication

This revised 5th edition of *South African Human Resource Management* is geared towards meeting the ever-growing demand for an HRM compendium specific to South Africa. Written by South Africans, for South Africans, the book emphasizes the need to contextualise HRM within the wider African context.

South African Human Resource Management is comprehensive in scope, making it an ideal resource for both undergraduate and postgraduate studies. It contains cutting-edge information for complete streams of HRM-studies, including topics such as human resource development and labour relations. Now updated to include numerous public sector examples and connections, the 5th edition continues to be a useful tool for those practising (or aspiring to practise) HRM in public sector organisations. Broadening the HRM 'agenda' is emphasized, helping the reader to practise HRM that adds value to working people, to organisations and to society.

Throughout the book recent theoretical and practical developments are blended, sustainability connections are shown and readers are encouraged to apply analytical and critical thinking. A companion website is provided that contains a wealth of relevant support material, including resources, case studies as well as short questions and practical challenges to stimulate thinking and learning for individual users, as well as healthy dialogue and debate when used in groups.

Contents

- Setting the HRM agenda: conceptual and contextual perspectives
- Preparatory HRM work: strategising, designing and planning
- Sourcing, developing and retaining talent
- The challenge of people empowerment
- Meeting the reward and care challenge
- Handling labour and employee relations challenges
- Championing change and transformation in organisations and society
- Managing HRM-related information, including reporting on HRM and sustainability
- Additional challenges, issues and perspectives
- CD-ROM containing a wealth of relevant resources as well as a continuing, integrating case study that serves as a basis for these applications, and individual and group activities.

2013 > **SOFT COVER:** ISBN 978 1 48510 207 6 > 1006pp
eBOOK: 978 1 4851 0405 6



South African Labour Law

Authors: C Thompson, P S Benjamin

About this Publication

Staying abreast of legislative changes is of crucial importance to labour law practitioners. This work is thus an absolute necessity for anyone interested in labour law. It contains the text of all the important Acts and regulations together with full introductory commentary. Housed in three loose-leaf binders, it has been acclaimed as the authoritative work on our labour laws in South Africa.

Contents

Volume I

- NEDLAC Act and constitution
- Bill of Rights
- 1995 Labour Relations Act, with commentary
- LRA regulations
- Rules of the Labour Court and the Labour Appeal Court
- Basic Conditions of Employment Act, with commentary
- Public Holidays Act

Volume II

- Employment Equity Act, with commentary
- New commentary on affirmative action
- Skills Development Act, with commentary
- Commentary on the common law contract of employment
- Key conventions and recommendations of the International Labour Organisation

Volume III

- Occupational Health and Safety Act, with commentary and complete regulations
- Compensation for Occupational Injuries and Diseases Act, with commentary, rules and forms

- Unemployment Insurance Act, with commentary and regulations
- Mine Health and Safety Act, with selected regulations

ELECTRONIC Additional Contents and Features

- Ongoing content updates reflect developments in labour law
- Hyperlinks to the quarterly updates on labour law in Juta's Quarterly Review dating back to the first half of 2010 and updated quarterly thereafter
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information



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



Understanding Sectoral Determination 6: Private Security

Juta's Pocket Companions

Author: D Keith

About this Publication

Understanding Sectoral Determination 6: Private Security forms part of the *Juta's Pocket Companions* series. This book presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa as security officers, including wage tables. The key provisions of the sectoral determination are explained in a systematic manner, with key point summaries at the end of each section. *Understanding Sectoral Determination 6: Private Security* also contains the text of the legislation.

Section 29 of the sectoral determination states that every employer who employs or provides work to private security officers must keep a copy of the sectoral determination available in the workplace at all times.

Contents

- Areas and scope of application
- Definitions of key terms and words
- Remuneration
- Payment of remuneration
- Ordinary hours of work, overtime and payment of overtime
- Annual bonus
- Public holidays
- Compensation for work on a Sunday
- Leave and other benefits
- Written particulars of employment and record keeping
- Miscellaneous general provisions
- Termination of contract of employment
- Private Security Sector Provident Fund
- Text of Sectoral Determination 6

2010 > **SOFT COVER** > pocket size: ISBN 978 0 70218 491 8 > 228pp



Understanding Sectoral Determination 9: Wholesale & Retail

Juta's Pocket Companions

Author: D Keith

About this Publication

Understanding Sectoral Determination 9: The Wholesale & Retail Sector forms part of the *Juta's Pocket Companions* series, to complement Juta's highly successful *Pocket Statutes Series*.

The only book of its kind, it presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa in this sector. The key provisions of the sectoral determination are covered in a systematic manner, with Key Point summaries at the end of each section. *Understanding Sectoral Determination 9* also contains the text of the legislation for easy reference.

All employers in this sector are required, in terms of s36 of the determination, to have a copy of the determination available at the workplace. This book fulfils that requirement, as well as providing an explanation of the law.

Contents

- Application of Sectoral Determination 9
- Wages
- Particulars of employment
- Hours of work
- Leave
- Prohibition of child and forced labour
- Termination of employment
- General provisions
- Key terms and definitions
- Text of Sectoral Determination 9
- Legislation and wage tables

2010 > **SOFT COVER** > pocket size: ISBN 978 0 70218 520 5 > 166pp



Understanding the Basic Conditions of Employment Act

Juta's Pocket Companions

Authors: E Kalula, B Jordaan, E Strydom

About this Publication

This book contains a systematic, accessible commentary on the BCEA. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. The BCEA prescribes the minimum or floor of terms and conditions of employment including those relating to leave, working hours, sick leave, maternity leave, overtime. Protection of children, domestic workers, farm workers is also provided by the BCEA.

Contents

- Key Addresses
- Quick Finder for Key Topics
- Basic Conditions of Employment Act 75 of 1997
- General Administrative Regulations
- Code of Good Practice on the Arrangement of Working Time

- Code of Good Practice on the Protection of Employees during Pregnancy and after the Birth of a Child
- Calculation of Employee's Remuneration in terms of section 35(5)
- Code of Good Practice for the Employment of Children in the Performance of Advertising, Artistic or Cultural Activities
- BCEA Regulations on Hazardous Work by Children
- Code of Good Practice for Employment and Conditions of Work for Expanded Public Works Programmes

2009 > **SOFT COVER** > pocket size: ISBN 978 0 70218 162 7 > 220pp





Understanding the CCMA Rules & Procedure

Juta's Pocket Companions

2nd edition

NEW
edition



Author: D Keith

About this Publication

Understanding the CCMA Rules & Procedure is an explanation of the Rules for the Conduct of Proceedings before the CCMA, and an invaluable guide to the various CCMA processes and proceedings.

Understanding the CCMA Rules & Procedure will assist the reader in understanding a sometimes complicated and confusing set of rules. Each CCMA rule is explained and summarised. In cases where a rule has been interpreted by the CCMA or Labour Courts, the relevant award or judgment is brought to the reader's attention.

Understanding the CCMA Rules & Procedure also contains:

- the text of the rules for easy reference
- a useful matrix of CCMA forms and their uses
- templates for rescission and condonation applications
- the CCMA guidelines on misconduct arbitration
- the code of conduct for CCMA commissioners

Contents

- **Part 1:** Serving and filing of documents
- **Part 2:** Conciliation of disputes

- **Part 3:** Con-arb in terms of section 191(5A)
- **Part 4:** Arbitrations
- **Part 5:** Rules that apply to conciliations, arbitrations and con-arbs
- **Part 6:** Applications
- **Part 7:** Section 188A inquiry
- **Part 8:** General
- **Annexures**
 - Rules for the Conduct of Proceedings before the CCMA
 - CCMA Tariff of Fees
 - Index of Forms for use in the CCMA
 - Application for Condonation
 - Application for Rescission
 - CCMA Guidelines on Misconduct Arbitration
 - Code of Conduct for Commissioners

2016 > **SOFT COVER** > pocket size: ISBN 978 1 48510 927 3 > 340pp



Understanding the Employment Equity Act

Juta's Pocket Companions

Authors: E Kalula, B Jordaan, E Strydom

About this Publication

Understanding the Employment Equity Act deals with one of the most innovative instruments of post-apartheid labour market regulation, the Employment Equity Act, 1998 (EEA). The implicit aim of the EEA is not only to redress the imbalances created by apartheid, but also to combat unfair discrimination and provide a framework for equal opportunity in employment.

This book contains a systematic, accessible commentary on the EEA. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. Important areas such as definitions, purposes, interpretation, application, unfair discrimination, 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 70218 163 4 > 135pp



Understanding the Labour Relations Act

Juta's Pocket Companions

Authors: E Kalula, B Jordaan, E Strydom

About this Publication

This book contains an accessible, non-legalistic commentary on the Labour Relations Act. The key provisions of the Act are systematically covered, with key point summaries and frequently asked questions (FAQs) to aid understanding. The LRA is the main pillar of the South African labour relations system. It aims to promote collective bargaining and the peaceful resolution of employment related disputes. This it does by establishing a framework for collective bargaining, creating institutions for social dialogue and dispute resolution, and by giving effect to certain fundamental rights, including the right to freedom of association, the right to strike and the right to fair labour practices.

Contents

- Purpose, application and interpretation of the Labour Relations Act 66 of 1995 (LRA)
- Freedom of association and general protections
- Collective bargaining
 - Organisational rights
 - Collective agreements
 - Bargaining councils
 - Bargaining councils in the public service
 - Statutory councils
- Right to strike and recourse to lock-out
- Workplace forums
- Trade Unions and Employer Organisations
 - Registration and regulation of trade unions and employers' organisations



- 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 70218 161 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.

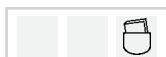
Contents

- 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 70219 429 0 > 226pp



Understanding the Skills Development Act

Juta's Pocket Companions

2nd edition

Author: S Hammond

About this Publication

Understanding the Skills Development Act contains an accessible, non-legalistic commentary on the Skills Development Act, which promotes the advancement of the skills of the South African workforce. The Act is systematically covered with FAQs and Key Point Summaries to aid understanding.

The 2nd edition includes:

- explanations of the major re-alignments of the legislation including extensions to the SETA landscape and National Skills Development Strategy (NSDS) III;
- analysis of the current SETA Regulations on mandatory and discretionary grants;
- the structures created by the National Qualifications Framework Act: SAQA, Quality Council for Trade & Occupations and National Artisan Moderation Body;
- an explanation of the National Skills Authority role and potential developments to the SETA landscape and NSDS post March 2018.

Contents

- Definitions, purpose and application of SDA (ss 1–3)
- National Skills Authority (ss 4–8)

- Sector Education and Training Authorities (ss 9–15)
- Learnerships (ss 16–19)
- Skills programmes (ss 20–21)
- Institutions in Department of Labour and Employment Services (ss 22–23)
- Artisan development (ss 26A–26D)
- Skills Development Institutes (s 26E)
- Quality Council for Trades and Occupations (ss 26F–26J)
- Repealed
- Financing skills development (ss 27–30A)
- General (ss 30B–39)
- Schedules 1, 2, 2A, 3 and 4
- Key regulations in terms of the SDA

2016 > **SOFT COVER** – pocket size: ISBN 978 1 48510 921 1 > 274pp





Unfair Discrimination in the Workplace

Authors: D du Toit, M Potgieter

About this Publication

Unfair Discrimination in the Workplace cogently explains the meaning of unfair discrimination and the law on harassment and medical, HIV and psychological testing. The book analyses employer liability for employee discrimination, dispute resolution, prevention of unfair discrimination, the legal defences to a claim of unfair discrimination, and gives examples of dispute resolution procedures. Each chapter sets out the labour law, constitutional law and international codes for every topic covered in the book.

The reader is provided with extracts from case law, conventions and codes of good practice grouped with each type of unfair discrimination.

Unfair Discrimination in the Workplace also contains relevant case studies which illustrate commonly encountered discrimination problems and their practical solutions. The amendments to the EEA are taken into account. An extract from the February 2014 draft regulations to the EEA is provided as an Appendix to the book.

Contents

- Table of cases
- The meaning of 'unfair discrimination'
- Harassment
- Medical, HIV and psychological testing

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



2014 > **SOFT COVER:** ISBN 978 0 70219 861 8 > 206pp



Workplace Law

(Also available with quarterly updates on CD-ROM and the Internet as part of Juta's Labour Library)

11th 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 11th edition has been revised and supplemented to incorporate the latest case law, as well as the 2014 amendments to labour legislation. *Workplace Law* provides a complete overview of issues that have arisen and are likely to arise on the shop floor, in court and in arbitration proceedings – from unfair labour practices, through employment equity, dismissal and collective bargaining, to strikes. This updated, comprehensive and reliable work is a convenient and indispensable guide to a complex and fascinating area of law.

Contents

- The individual employment relationship
 - The parties to the employment relationship
 - The individual contract of employment
 - The duties of employers and employees
 - Basic conditions of employment
- Unfair labour practices and employment equity
 - Unfair labour practices
 - Unfair discrimination
 - Affirmative action
- Discipline and dismissal
 - Workplace discipline
 - Forms of dismissal
 - Dismissal under the Labour Relations Act 66 of 1995
 - Automatically unfair dismissals
 - Dismissal for misconduct: fair reason; fair procedure
 - Dismissal for poor work performance, incompatibility and incapacity
 - Dismissal for operational requirements
 - Closures, mergers and sales of businesses

- Collective labour law
 - Bargaining agents
 - Bargaining forums
 - The bargaining process
 - Collective agreements
- Industrial action
 - Strikes and 'protest action'
 - Dismissal of unprotected strikers
 - Lock-outs
- Forms and procedures
 - Dispute resolution

ELECTRONIC Additional Contents and Features

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



2014 > **SOFT COVER:** ISBN 978 1 48510 092 8 > 590pp
eBOOK: ISBN 978 1 48510 938 9 **INTERNET:** ISSN 2413 9386

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 70215 729 5 > 168pp
eBOOK: ISBN: 978 0 70219 874 8

Statutory Interpretation: An Introduction for Students
Wetsuitleg: 'n Inleiding vir Studente

5th edition
5^{de} 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 peremptory and directory provisions**
- Judicial law-making during concretisation
- Peremptory and directory provisions
- Part 4: Constitutional interpretation**
- Bibliography
- Table of cases
- Index

2012 > **SOFT COVER (English):** ISBN 978 0 70219 858 8 > 250pp
SAGTEBAND (Afrikaans): ISBN 978 0 70219 869 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 70218 211 2 > 192pp





Legal Aid Guide 2014

13th edition

Author: The Legal Aid South Africa

About this Publication

The *Legal Aid Guide* sets out in detail the Legal Aid policy and procedures as well as the work of Legal Aid South Africa. It is written in plain language and aimed at legal practitioners representing legal aid clients, paralegals, unions and NGOs advising people in getting legal aid and individuals needing legal representation and assistance.

Contents

- The Legal Aid Board's mandate, structure, vision and outcomes
- Administration of legal aid and Justice Centres
- Explanations of useful words

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

2014 > **SOFT COVER:** ISBN 978 1 48510 618 0 > 422pp



Legal Practice Act 28 of 2014

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Legal Practice Act 28 of 2014



Morris: Technique in Litigation

6th 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 70218 458 1 > 448pp
eBOOK: ISBN 978 0 70219 954 7



Practical Guide for Legal Support Staff, A

LegalEase: Essence series

Author: C Womack

About this Publication

A *Practical Guide for Legal Support Staff* provides basic information about the issues that legal secretaries, legal support staff, paralegals and candidate attorneys will encounter when carrying out their duties in a law firm or similar environment. The book is a user-friendly textbook, with the emphasis placed on acquiring the necessary practice management skills. A *Practical Guide for Legal Support Staff* includes practical examples of the various forms required for different processes.

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 70219 528 0 > 375pp**Pre-Litigation Drafting: Opinions & Letters of Demand**

LegalEase: Essence series

Author: G Searle**About this Publication**

Pre-litigation Drafting is the only up-to-date book on drafting letters of demand and legal opinions for the South African lawyer. The book advises on effective legal writing and clearly explains the essential fundamentals of pre-action drafting. The drafting is explained with a view to clearly setting out the claim and possibly even avoiding litigation. Should the matter be litigated, correct drafting will stand up to scrutiny in court.

Contents

- Preparing to write a letter of demand
- Guidelines for the effective use of language in written legal texts
- Punctuation with a purpose
- Analysis of legislative provisions: A letter of demand in plain language
- Advice on quantum of damages: A claim against a state institution

- Writing an opinion: A third party claim for serious physical injury

2011 > **SOFT COVER:** ISBN 978 0 70218 559 5 > 115pp
eBOOK: ISBN 978 0 70219 951 6**Survivor's Guide for Candidate Attorneys, The**2nd 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 48510 031 7 > 234pp



Local & Provincial 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)



Editors: 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 1 of 2015

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

NEW

Contents

- Key Addresses
- Quick Finder for Key Topics
- Division of Revenue Act 1 of 2015



Environmental Law and Local Government in South Africa

Author: A du Plessis

NEW



About this Publication

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

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

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

Contents

- **Part A:** The intersection between local government and sustainability: An introduction
 - Key elements for municipal action
 - Instrumentation for local environmental governance
 - Integrated development planning
 - Local economic development and the green economy
- **Part B:** The links between local government and environmental law
 - Constitutional rights
 - Environmental pollution
 - Conservation, sustainable use of natural resources and the notion of public trusteeship
 - Compliance and enforcement
 - Municipal service delivery and the environment
 - Division of environmental powers and functions
- **Part C:** Sector-based perspectives
 - Air quality management
 - Solid waste management

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

2015 > **SOFT COVER:** ISBN 978 1 48510 050 8 • 1066pp



Failure of Decentralisation in South African Local Government, The: Complexity and unanticipated consequences

(Visit www.uctpress.co.za to view the e-publication)



Authors: A Siddle, T Koelble

About this Publication

This book examines the design of the local government framework and its contributing role in the crisis. Through empirical research conducted at 37 municipalities across the country, it finds that municipalities are frequently incapable of meeting the demands imposed upon them by a highly complex model of local government.

The aim of this book is to promote an understanding of the difficulties that confront local government in South Africa and the causes of its failure. It does not presume to provide the answers to the crisis; instead, it encourages debate by posing a number of questions about the future design for local government and suggests that a far simpler model which imposes less complex demands needs to be considered.

Contents

- Decentralisation – the concept and its emergence
- Decentralisation – objectives, design, preconditions and obstacles
- Dimensions of decentralisation
- The local government framework in South Africa
- Constitutional security, size, democratic process and intergovernmental relations
- Executive structure and administrative authority

- Institutional capacity
- Public participation and information mechanisms
- Jurisdictional scope and legislative authority
- Fiscal dimensions
- Creating the 'perfect storm' – good intentions and unanticipated consequences
- Government's response to the crisis in local government

UCT PRESS > 2012 > **SOFT COVER:** ISBN 978 1 91989 505 5 > 320pp
Web PDF: 978 1 92051 656 7
Mobi file: 978 1 92051 670 3



Intergovernmental Fiscal Relations Act 97 of 1997; Intergovernmental Relations Framework Act 13 of 2005 & Related Material

Juta's Pocket Statutes

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



Editors: Juta's Statutes Editors

Contents

- Quick Finder for Key Topics
- Intergovernmental Fiscal Relations Act 97 of 1997
- Intergovernmental Relations Framework Act 13 of 2005
- Intergovernmental dispute prevention and settlement
 - Practice guide: guidelines for effective conflict management

- Implementation protocol guidelines and guidelines for managing joint programmes

Current editions



Local Government Library – Basic Set

Juta's Pocket Statutes

(These concise pocket-sized books contain the full text of essential legislation for local government, housed in a complimentary slipcase. Available individually or as 4-volume set)



Authors: Juta's Statutes Editors

Contents 4-Volume Set

- Local Government: Municipal Systems Act 32 of 2000 & Regulations
- Local Government: Municipal Structures Act 117 of 1998; Preferential Procurement Policy Framework Act 5 of 2000; Local Government: Municipal Demarcation Act 27 of 1998 & Regulations
- Local Government: Municipal Finance Management Act 56 of 2003 & Regulations

- Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations

SOFT COVER – pocket size: BASIC LOCAL GOV LIB

Current editions



Local Government Library – Comprehensive Set

Juta's Pocket Statutes

(These concise pocket-sized books contain the full text of legislation for local government, housed in a complimentary slipcase. Available individually or as an 11-volume set)



Editors: Juta's Statutes Editors

Contents 11-Volume Set

- Disaster Management Act 57 of 2002 & Regulations
- Division of Revenue Act 1 of 2015
- 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; Electoral Act 73 of 1998; Electoral Commission Act 51 of 1996 & Regulations
- Local Government: Municipal Finance Management Act 56 of 2003 & Regulations (incl. CD containing the Municipal Budget and Reporting Regulations, 2008)

- Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations
- Local Government: Municipal Structures Act 117 of 1998; Preferential Procurement Policy Framework Act 5 of 2000; Local Government: Municipal Demarcation Act 27 of 1998 & Regulations
- Local Government: Municipal Systems Act 32 of 2000 & Regulations
- Traditional Leadership and Governance Framework Act 41 of 2003 & Regulations
- White Paper on Local Government

SOFT COVER – pocket size: COMP LOCAL GOV LIB



Local Government: Municipal Electoral Act 27 of 2000; Electoral Act 73 of 1998; Electoral Commission Act 51 of 1996 & Regulations

Juta's Pocket Statutes

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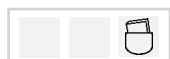


Editors: Juta's Statutes Editors

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- Key Addresses
- Quick Finder for Key Topics
- **Part A:** Local Government: Municipal Electoral Act 27 of 2000
 - Municipal Electoral Regulations, 2000
- **Part B:** Electoral Act 73 of 1998
 - Regulations
 - Voter Registration Regulations, 1998
 - Regulations on the Accreditation of Voter Education Providers, 1998
 - Regulations on the Accreditation of Observers, 1999
 - Election Regulations, 2004
 - Regulations concerning the submission of Lists of Candidates, 2004

- **Part C:** Electoral Commission Act 51 of 1996
 - Pendlex: Act 22 of 2014
 - Regulations
 - Regulations on Party Liaison Committees, 1998
 - Rules regulating the conduct of the proceedings of the Electoral Court
 - Rules regulating electoral disputes and complaints about infringements of the electoral code of conduct in Schedule 2 of the Electoral Act, 1998 (Act 73 of 1998) and determination of courts having jurisdiction
 - Regulations on the conditions of service, remuneration, allowances and other benefits of the Chief Electoral Officer and other administration staff
 - Regulations for the Registration of Political Parties, 2004
 - Regulations relating to activities permissible outside voting stations on voting day



Local Government: Municipal Finance Management Act 56 of 2003 & Regulations

Juta's Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library – ISBN: COMP LOCAL GOV LIB and the Basic 4-volume Local Government Library – ISBN: BASIC LOCAL GOV LIB)



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:** Local Government: Municipal Finance Management Act 56 of 2003

- **Part B:** Regulations
 - Delay of Implementation of Provisions of the Act and Exemptions
 - Municipal Investment Regulations
 - Municipal Public-Private Partnership Regulations

- Municipal Supply Chain Management Regulations
- Exemptions from section 117 of the Local Government: Municipal Finance Management Act 56 of 2003
- Revocation of Government Notice 1404 of 1 December 2004 and Exemption from certain Supply Chain Management Provisions and Regulations promulgated under section 168
- Exemptions from section 16(2) of the Local Government: Municipal Finance Management Act 56 of 2003
- Exemptions from Supply Chain Management Regulations, 2005
- Auditing of Local Government in terms of the Municipal Finance Management Act 56 of 2003 (MFMA)
- Exemption from Certain Specific Provisions of the Act to Facilitate Electricity Industry Restructuring
- Municipal Regulations on Debt Disclosure, 2007
- Municipal Regulations on Minimum Competency Levels, 2007
- Exemption of Municipalities and Municipal Entities from section 122(2) and (3)
- Exemption from Provisions of the Act to Facilitate Eskom's Electricity Price Increase
- Asset Transfer Regulations, 2008
- Municipal Budget and Reporting Regulations, 2008
- Schedules to regulations in PDF format on CD-ROM
- Effective Date for Electricity Tariff Determination for Municipalities and Municipal Entities
- Exemption from regulations 15 and 18 of Municipal Regulations on Minimum Competency Levels, 2007
- Standard Chart of Accounts for Local Government Regulations, 2014
- Municipal Regulations on Financial Misconduct Procedures and Criminal Proceedings, 2014
- Exemption of Ekurhuleni Metropolitan Municipality from regulation 45(2)(a)(x) of the Asset Transfer Regulations, 2008



Local Government: Municipal Property Rates Act 6 of 2004; Municipal Fiscal Powers and Functions Act 12 of 2007 & Regulations

Juta's Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library
- ISBN: COMP LOCAL GOV LIB and the Basic 4-volume Local Government Library
- ISBN: BASIC LOCAL GOV LIB)



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:**
 - Local Government: Municipal Property Rates Act 6 of 2004
 - Commencement of Act
 - Regulations
 - Municipal Property Rates Regulations, 2006
 - Conditions of appointment of members of Appeal Boards and members of committees established by Appeal Boards
- **Part B:**
 - Amended Municipal Property Rates Regulations on the Rate Ratios between Residential and Non-Residential Properties
 - Municipal Fiscal Powers and Functions Act 12 of 2007
 - Regulations
 - Approval of Municipal Taxes Regulations, 2012



Local Government: Municipal Structures Act 117 of 1998; Preferential Procurement Policy Framework Act 5 of 2000; Local Government: Municipal Demarcation Act 27 of 1998 & Regulations

Juta's Pocket Statutes

(Also available as part of the 11-volume Comprehensive Local Government Library
- ISBN: COMP LOCAL GOV LIB and the Basic 4-volume Local Government Library
- ISBN: BASIC LOCAL GOV LIB)



Editors: Juta's Statutes Editors

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- Key Addresses
- Quick Finder for Key Topics
- **Part A:** Local Government - Municipal 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
 - 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
- **Part B:** 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
- **Part C:** Local Government: Municipal Demarcation Act 27 of 1998
 - Policy Framework for the Designation of Full-Time Councillors
 - Formulae for Determination of the Number of Councillors of Municipal Councils



Local Government: Municipal Systems Act 32 of 2000 & Regulations

Juta's Pocket Statutes

(Also available as part of the 11-volume *Comprehensive Local Government Library*
– ISBN: *COMP LOCAL GOV LIB* and the Basic 4-volume *Local Government Library*
– ISBN: *BASIC LOCAL GOV LIB*)



Editors: Juta's Statutes Editors

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- Key Addresses
- 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
- Local Government: Regulations on Appointment and Conditions of Employment of Senior Managers
- Upper limit of total remuneration package payable to municipal managers and managers directly accountable to municipal managers



Municipal Management: Serving the People

2nd edition

Authors: G van der Walddt, A Venter (Editor), C van der Walt, K Phutiagae, T Khalo, D van Niekerk, E Nealer

About this Publication

Municipal Management: Serving the People explores the multifaceted nature of municipal management in South Africa and focuses the reader's attention on selected key strategic issues including local economic development, local democracy and disaster risk reduction. Written in easily understandable language, it provides a theoretical and practical overview of municipalities in the new dispensation and is an invaluable resource for political representatives, municipal officials and learners in the field.

Contents

- Municipal management: An orientation
- Fostering local democracy
- The statutory and regulatory framework for local government
- Municipal structures
- Local government and its external environment
- Integrated development planning as an approach to sustainable Development
- Managing municipal performance
- Local economic development and municipalities in South Africa
- Local government and service delivery
- Municipal human resource management
- Municipal financial management
- Municipal supply chain management
- Local government disaster risk management

2014 > **SOFT COVER:** ISBN 978 0 70219 796 3 > 300pp



Provincial Legislation Service, Juta's

Eastern Cape Provincial Legislation / Western Cape Provincial Legislation

Editors: Juta's Statutes Editors

About this Publication

Under South Africa's new Constitution, the nine provinces have significantly increased powers. This has resulted in much legislative activity. The Eastern and Western Cape *Provincial Legislation Service* is a comprehensive consolidated collection of the Ordinances and new Provincial Acts and regulations available in printed form. It is published in English and Afrikaans, according to the language of promulgation of the provincial legislation.

Contents

- Alphabetical and chronological indexes
- The Acts of the provincial legislature
- The Regulations published in terms of these Provincial Acts
- Provincial Ordinances (including a few selected regulations in terms of Ordinances)
- Assigned National legislation
- Index of Ordinances not produced (including details of repeal, if applicable)
- Acts or extracts from Acts of Parliament assigned to the individual provinces for administration
- Full details of the assignment of ordinances and Acts of Parliament to the respective provinces

(Eastern Cape) **LOOSE-LEAF** in 6 volumes: ISBN 978 0 70213 534 7
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- Local Government: Municipal Systems Act 32 of 2000 & Regulations

- Local Government: Municipal Structures Act 117 of 1998; Preferential Procurement Policy Framework Act 5 of 2000; Local Government: Municipal Demarcation Act 27 of 1998 & Regulations
- Public Audit Act 25 of 2004 & Regulations

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- Recognition of Kingships and Kings in the Republic of South Africa
- Guidelines for determination of number of members of traditional councils



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**Editors:** Juta's Statutes Editors**Contents**

- Key Addresses
- Quick Finder for Key Topics
- White Paper on Local Government

Maritime Law



Admiralty Jurisdiction: Law and Practice in South Africa

2nd edition**Author:** G Hofmeyr**About this Publication**

This work is a comprehensive discussion of the law of admiralty jurisdiction in South Africa. There are extensive references to case law, which is critically analysed. Reference is frequently made to the law in comparative jurisdictions. The second edition provides greater coverage in general than the first edition and updates the law as at the end of November 2011.

Contents

- Law reports cited with mode of citation
- Principal authorities cited with mode of citation
- Table of statutes
- Table of rules
- Table of cases
- International conventions cited
- Reports cited
- Historical outline
- Admiralty jurisdiction
- The law applicable to the matters in respect of which admiralty jurisdiction exists
- The action *in rem*



- 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 70218 225 9 > 546pp
eBOOK: ISBN 978 0 70219 926 4



Ilwandle Zethu: Journal of Ocean Law and Governance in Africa

Editor: P Vrancken

NEW

About this Publication

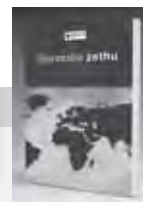
Ilwandle Zethu: Journal of Ocean Law and Governance in Africa is a blind peer reviewed Journal of note, under the editorship of the South African Research Chair in the Law of the Sea and Development in Africa. The journal publishes submissions relating to marine law, maritime law or ocean governance as they apply to the African continent, or to one or more African states.

Contents – Issue 1, 2016

- Articles:
 - Institutional gaps in the 2050 Africa's Integrated Maritime Strategy - *Edwin Egede*
 - African cabotage: Coastal waters governance and economic independence - *Oliver C Ruppel* and *David J Biam*
 - The delimitation of maritime boundaries on Africa's eastern seaboard - *Siqhamo Ntola*

- Documents:
 - Constitutive Act of the African Union (2000)
 - Protocol to the Constitutive Act of the African Union Relating to the Establishment of the Peace and Security Council of the African Union (2002)
 - African Charter on Democracy, Elections and Governance (2007)
 - African Convention on the Conservation of Nature and Natural Resources (2003)
 - Revised African Maritime Transport Charter (2010)
 - 2050 Africa's Integrated Maritime Strategy (2014)
- Select bibliography
- Notes to contributors

SOFT COVER ANNUAL PERIODICAL: ISSN 2414 8253
 (Product code: JOLGA) > 274pp



Shipping Law and Admiralty Jurisdiction in South Africa

2nd 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

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

2009 > **HARD COVER:** ISBN 978 0 70214 812 5
INTERNET: ISSN 2079 1674



South African Ports Law Handbook

Author: R C Botha, P Vrancken

About this Publication

The centrepiece of the *Handbook* is the National Ports Act 12 of 2005. The adoption of the National Ports Act marks a new era in the development of South African ports law. It represents the first attempt at creating a comprehensive institutional,

operational and regulatory framework for ports. Importantly, it gives a strong signal opening South Africa's port sector to greater private sector participation and competition.



For the first time in South Africa, the Act specifically introduces a regime of economic regulation in ports. The *Handbook* will publish in full all directives issued by the Ports Regulator including procedural requirements for lodging an appeal or submitting a complaint.

The Act is expected to have a far-reaching impact on the management and operation of South Africa's ports. It paves the way for a dynamic restructuring of relationships between the NPA, the maritime industry, ports users and all enterprises that use or depend on the efficient performance of our

ports. Overall, the Act is expected to contribute to the rapid development of a previously neglected branch of our law.

Contents

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

Published since 2005 > **LOOSE-LEAF:** ISBN 978 0 70217 312 7

Medical Law



Aspects of Forensic Medicine: An Introduction for Healthcare Professionals

Editor: K Joyner

About this Publication

This book provides the latest, most accurate information about forensic documentation to take the uncertainty out of dealing with legal issues. It explains how to identify and treat survivors of intimate partner violence comprehensively and compassionately discusses the legal obligations on healthcare professionals relating to child abuse and provides understanding of relevant legal responsibilities.

Contents

- The expert witness and the J88 in criminal proceedings
- Forensic care in sexual offences

- Forensic care in child sexual abuse
- Forensic care in non-accidental injury of the child
- How to provide comprehensive, appropriate care for survivors of intimate partner violence
- Forensic wound identification
- The role of forensic healthcare professionals in the investigation of death
- The Death Notification Form
- Legislation

2010 > **SOFT COVER:** ISBN 978 0 70218 658 5 > 160pp



A-Z of Medical Law

Authors: D Mcquoid-Mason, M Dada

About this Publication

This text equips medical practitioners to deal with the legal issues they encounter in daily practice. Informative, relevant and up to date, the *A-Z of Medical Law* covers all recent changes to the law and legislation affecting the medical professions. As the only local book of this nature, it is sure to become an invaluable resource for practising medical and other healthcare professionals. Undergraduate and postgraduate medical students will also find it useful.

Key Features

- Comprehensive – addresses more than 650 topics
- Presents topics alphabetically for ease of access

- Explains exactly what the law is and its implications for medical practice
- Highlights aspects that require caution
- Applies to both the professional and private life of the medical practitioner
- Topics arranged alphabetically from Abandonment of patient to Zulu law

2011 > **SOFT COVER:** ISBN 978 0 70218 666 0 > 520pp



A-Z of Nursing Law

2nd edition

Authors: D Mcquoid-Mason, M Dada, N Geyer

About this Publication

This text equips nurses and other health-care professionals to deal with the legal issues they encounter in daily practice. Informative, relevant and up to date, the *A-Z of Nursing Law* covers all recent changes to the law and legislation that affects the nursing profession.

Key Features

- Unique – only local text of this nature – over 400 topics addressed.
- Alphabetically arranged and easily accessible using key words to find answers to different legal issues.

- The book not only explains what the law is but also the nursing implications.
- The book draws the nurses to certain aspects of the law that require caution.
- It applies to both the professional and private life of nurses.
- The user will have a complete A-Z of important aspects of the law relevant to nurses.

2011 > **SOFT COVER:** ISBN 978 0 70218 898 5 > 480pp





Bioethics, Human Rights and Health Law: Principles and Practice

Editors: A Dhali, D Mcquoid-Mason



About this Publication

This book provides healthcare and legal practitioners and students at all levels with the theory and practical application necessary to understand and apply bioethics, human rights and health law to their present and future work.

Contents

Part 1: Introduction to bioethics, human rights and health law – background

- Ethical theories, principles and concepts
- International codes of healthcare ethics
- Health and human rights
- Health law: the basics

Part 2: Specific topics

- The health practitioner: patient relationship
- Consent
- Confidentiality
- Medical malpractice and professional negligence

- Reproductive medicine
- Genetics
- Use of human tissue
- Death and dying
- HIV and AIDS
- Resource allocation
- Business ethics: the healthcare context
- Human health and the environment

Part 3: The ethics of research

- Historical perspective
- The ethical and regulatory environment: local and international
- The ethics review process
- Scientific misconduct and researcher integrity

2010 > **SOFT COVER:** ISBN 978 0 70218 052 1 > 208pp



Expert Evidence in Clinical Negligence: A Practitioners Guide

Authors: P van den Heever, N Lawrenson



About this Publication

Expert medical evidence is often essential and pivotal in support or defence of medical negligence. Such cases invariably involve questions of technical and factual complexity requiring the evaluation of conflicting expert medical testimony.

In this book, the first standalone textbook on expert evidence in South Africa, the authors expound and extrapolate the whole process from the initial obtaining of the relevant health records to the eventual testimony of the medical expert witness in court.

The authors offer an instructive guide to busy practitioners to assist them with –

- identifying the correct expert speciality or sub-speciality
- the construction of a medico-legal opinion
- the status of joint minutes of such experts
- the preparation of an expert's examination-in-chief
- cross- and re-examination of an expert

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

Contents

- Health records
- The nature of opinion and expert evidence
- The production of expert evidence
- Obtaining the expert opinion/report
- Preparing the expert to testify
- Qualifying costs of the expert witness and related fees
- Grading the quality of expert evidence and statistical medical evidence
- The role of medical experts in alternative dispute resolution
- Training and accreditation of experts
- Templates:
 - Request for clinical notes
 - Request for access to records (public body)
 - Request for access to records (private body)
 - Recognition of specialities
 - Letter of instruction to expert
- Postscript: *Oppelt v Head: Health, Department of Health Provincial Administration: Western Cape*

2015 > **SOFT COVER:** ISBN 978 1 48510 891 7 > 164pp



Law of Medical Schemes in South Africa, The

Author: D Pearmain

About this Publication

The *Law of Medical Schemes in South Africa* sets out the law applicable to medical schemes in a thorough and practical manner. This regularly updated loose-leaf work guides medical scheme trustees, boards and administrators on compliance, their fiduciary responsibilities and good governance.

The discussion, by a foremost expert in this field, is firmly rooted in the context of South African health care, noting considerations of policy and corporate governance. Explanatory summaries of cases provide readers with hands-on guidance on the application of laws such as the Medical Schemes Act 131 of 1998.

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 70217 919 8
Approximately 570pp



Practitioner's Guide to the Mental Health Care Act, A

Authors: A Landman, W Landman

About this Publication

A Practitioner's Guide to the Mental Health Care Act explains how the South African mental health system functions for those who implement, administer and are affected by the Act.

The book outlines and explains how the Mental Health Care Act and its regulations are applied to or administered by assisted users, involuntary users, State patients, the intellectually disabled and mentally ill prisoners.

A Practitioner's Guide to the Mental Health Care Act provides ready access to the law on mental health care in the context of the Constitution, case law and international law.

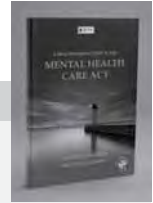
Contents

- **Part A:** Introduction
 - Mental health care and the Mental Health Care Act
 - Mental health and intellectual disability care – a medical concept
 - An introduction to law and international treaties
 - The rights of mental health care users and the duties of mental health care providers and practitioners
- **Part B:** Administration of the Act
 - Administrators of the Mental Health Care Act
- **Part C:** Care, treatment and rehabilitation
 - Health establishments, users and mental health care providers
 - Emergency treatment or admission without consent
 - Voluntary users
 - Assisted users
 - Involuntary users
 - Severely or profoundly intellectually disabled users
- **Part D:** Forensic users: Observation, state patients and mentally ill sentenced prisoners
 - Observation of persons accused of committing crime
 - State patients
 - Mentally ill prisoners

- **Part E:** Institutions providing protection and redress
 - Mental health review boards
 - Judicial oversight
- **Part F:** Assistance and support of other state departments
 - Assistance and intervention of the South African Police Service
 - Departments of correctional services, justice, education, public service and administration, social development and finance
- **Part G:** Property of a user and miscellaneous
 - Care and administration of property of mentally ill persons or persons with severe or profound intellectual disabilities
 - Miscellaneous
- **Appendices:**
 - Mental Health Care Act 17 of 2002
 - Mental Health Care Amendment Act 12 of 2014
 - Mental Health Care Act 17 of 2002: general regulations
- **CD containing MHCA forms 1-48**

ELECTRONIC Additional Contents and Features

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2014 > **SOFT COVER:** ISBN 978 1 48510 623 4 > 416pp
eBOOK: ISBN 978 1 48510 886 3 **INTERNET:** ISSN 2412 8104



Psychology and Law

Editors: C Tredoux, D Foster, A Allan, A Cohen, D Wassenaar

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 70216 662 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 70218 597 7 > 224pp
eBOOK: ISBN 978 0 70219 952 3



> Mining & Minerals Law



Commentary on the Mine Health and Safety Act and Regulations

Authors: P Masilo, G Rautenbach

About this Publication

The *Commentary* is informed by the authors' involvement in high-profile inspections and inquests. It offers clarity to all functionaries on how this vital piece of legislation works. Diagrams and chapter overviews set provisions in context. A section-by-section analysis of the Act brings details to the fore.

Contents

- Detailed analysis
- The full text of the Mine Health and Safety Act 29 of 1996 (as amended)
- Regulations in terms of the Mine Health and Safety Act and the Minerals Act

- A glossary of legal terms
- Index

ELECTRONIC Additional Contents and Features

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Approximately 572pp **INTERNET:** ISSN 2304 7275



Diamond Law: Change, Trade and Policy in Context

Author: P F Ndlovu

About this Publication

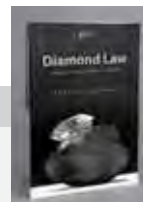
Diamond Law: Change, Trade and Policy in Context provides commentary and guidance on the state of the law relating to diamonds. It is useful from both an historical and economic perspective and provides excellent reference to important case law.

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 70218 594 6 > 422pp
eBOOK: ISBN 978 0 70219 936 3



Mine Health and Safety Act 29 of 1996 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Quick Finder for Key Topics
- Key Addresses
- Mine Health and Safety Act 29 of 1996
 - PENDLEX (Pending amendments): Act 74 of 2008
- Regulations
 - Mine Health and Safety Regulations (Minerals Act)
 - Mine Health and Safety Regulations
 - Constitution of the Mine Health and Safety Council
 - Declaration of underground mines, excluding coal mines, to be scheduled mines
 - Notice in terms of section 98(9)
 - Regulations relating to the payment of levies by mines on the basis of health and safety risk
- CD-ROM
 - Mine Health and Safety Regulations – Chapter 21 Forms
 - Mine Health and Safety Regulations – 2006 Occupational Exposure Limits for Airborne Pollutants
 - Mine Health and Safety Regulations (Minerals Act) – Chapter 34 Forms
 - Guideline for the compilation of a mandatory code of practice for the safe use of conveyor belt installations for the transportation of mineral, material or personnel
 - Guideline for the compilation of a mandatory code of practice for risk-based fatigue management at mines
 - Guideline for the compilation of a mandatory code of

practice on the provision of personal protective equipment for women in the South African Mining Industry

- Guideline for the compilation of a mandatory code of practice for trackless mobile machines
- Guideline for the compilation of a mandatory code of practice for cyanide management
- Guideline for the compilation of a mandatory code of practice for underground rail-bound equipment



Mineral and Petroleum Law of South Africa:

A Commentary and Statutes (Main and Supplementary Volume)

Authors: P J Badenhorst, H Mostert

About this Publication

This publication assists the reader in understanding the past and present mineral and petroleum regulatory frameworks as well as the future dispensation.

Contents

- An historical overview of the development of this area of law
- An introduction to the administration of the mineral and petroleum statutes
- The old order (in terms of the Minerals Act 50 of 1991) with an emphasis on its continued relevance for purposes of the transitional measures
- Transitional measures
- The new order brought about by the Mineral and Petroleum Resources Development Act 28 of 2002
- Black Economic Empowerment provisions
- Environmental and administrative law provisions

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

Published since 2005 > **LOOSE-LEAF** in 2 volumes:
 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



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Mineral and Petroleum Resources Development Act 28 of 2002
 - PENDLEX: Act 49 of 2008
 - Related Material
 - Codes of Good Practice for the Minerals Industry
 - Broad-Based Socio-Economic Empowerment Charter for the South African Mining and Minerals Industry
- Mineral and Petroleum Resources Royalty Act 28 of 2008
- Mineral and Petroleum Resources Royalty (Administration) Act 29 of 2008
- CD-ROM: Related Material
 - Mineral and Petroleum Resources Development Act 28 of 2002
 - Mineral and Petroleum Resources Development Regulations
 - Housing and Living Conditions Standard for the Minerals Industry
 - Moratorium under section 49(1) of the Act on Receiving of New Applications for Reconnaissance Permit, Technical Co-operation Permit, Exploration Rights and Production Rights



Mineral Law: Principles and Policies in Perspective

Author: H Mostert

About this Publication

Mineral Law: Principles and Policies in Perspective provides a unique look at the context of current mineral law. It examines the system introduced by the Mineral and Petroleum Resources Act 28 of 2002 by juxtaposing it with preceding generations of mineral law. It deals with the regulatory and proprietary aspects of mineral law, the constitutionality of the transitional provisions introducing the new mineral law order, its continuity with former generations of mineral law.

This book meets the need of scholars and practitioners for an accessible text that provides a broader view of the origins, roles and functions of current legislation on mineral resources.

Contents

- Foundations of mineral law
- Piecemeal regulation in the Colonial and Union eras (ca 1860 to 1964)
- 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 70218 590 8 > 210pp
eBOOK: ISBN 978 0 70219 947 9



Mining Library, Juta's

(Incorporating Badenhorst and Mostert's Mineral and Petroleum Law of South Africa)

About this Publication

This valuable industry resource contains a collection of relevant, South African legal material. *Juta's Mining Library* is an ideal reference work containing all related Acts and selected ordinances and regulations. Also included is a comprehensive table of cases and relevant legislation judicially considered. This publication is an excellent reference for all those interested and involved in South African mining and minerals industries. Badenhorst and Mostert's *Mineral and Petroleum Law of South Africa* forms the backbone of the library.

Contents

- Badenhorst and Mostert's *Mineral and Petroleum Law of South Africa*
- 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
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- Indexes
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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 70218 572 4 > 184pp



Motor Law



Cooper's Motor Law: Criminal Liability, Administrative Adjudication and Medico-legal Aspects

2nd edition

Author: S Hooror

About this Publication

This work provides a section-by-section commentary on road traffic legislation in South Africa, preceded by a comprehensive survey of the history, purpose and scope of the legislation. Provisions of the Act are interspersed with commentary, making for easy cross-reference between Act and commentary. In addition, it covers a number of matters governed by other Acts and by the common law. Provisions of the Road Traffic Act 29 of 1989 that are still in force are discussed separately. The work includes a chapter on medico-legal issues focusing on the measurement of blood alcohol levels of drivers of motor vehicles, and the evidentiary value of the results obtained.

Contents

- History, purpose and scope of legislation
- Commentary on Act 93 of 1996
 - Interpretation of National Road Traffic Act 93 of 1996
 - Application of Act, appointment of registering authorities and minimum requirements
 - Registration and licensing of motor vehicles and registration of manufacturers, builders, importers and manufacturers of number plates
 - Fitness of drivers
 - Fitness of vehicles
 - Operator fitness
 - Road safety

- Dangerous goods
- Road traffic signs and general speed limit
- Accidents and accident reports
- Offences
- Presumptions and legal procedure
- Regulations
- Registers and records
- General provisions
- Other offences
 - Culpable homicide
 - Road Traffic Act 29 of 1989
- Commentary on the Rules of the Road and matters relating thereto
- Commentary on the Administrative Adjudication of Road Traffic Offences Act 46 of 1998
- Commentary on medico-legal aspects of motor law

ELECTRONIC Additional Contents and Features

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

Published since 2008 > **LOOSE-LEAF:** ISBN 978 0 70217 887 0
 Approximately 400pp
INTERNET: ISSN 2310 4201





Road Traffic and Transport Library, Juta's

Editors: Juta's Statutes Editors

About this Publication

This publication comprises a library of legislation including the full English and Afrikaans (as published) text of the Road Traffic Act, with reference to amending Acts. *Juta's Road Traffic and Transport Library* includes comparative tables, consolidated Regulations with all their Schedules, a comprehensive index to the Act and Regulations and the full text of all relevant South African decided cases.

Contents

- Road Transportation Act 74 of 1977
- Transport (Coordination) Act 44 of 1948
- Urban Transport Act 78 of 1977
- Road Traffic Act 29 of 1989 (prior to partial appeal as well as extant provisions after partial repeal)
- South African Roads Board Act 74 of 1988
- Transport Deregulation Act 80 of 1988
- Financial Supervision of the Road Accident Fund Act 8 of 1993
- Road Accident Fund Act 56 of 1996
- National Road Traffic Act 93 of 1996
- Cross-border Road Transport Act 4 of 1998
- 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

Editors: Juta's Statutes Editors

About this Publication

This bilingual loose-leaf work comprises the National and Provincial Road Traffic legislation, with a table of cases and an index.

Contents

- National Road Traffic Act 93 of 1996
- Extant provisions of Act 29 of 1989
- National Road Traffic Regulations, 2000
- Provincial Road Traffic Acts and Regulations
- Administrative Adjudication of Road Traffic Offences Act 46 of 1998 and Regulations
- Table of cases
- Index: Act 93 of 1996; Regulations, 2000 and Act 46 of 1998

Published since 1990 > **LOOSE-LEAF** in 3 volumes:
ISBN 978 0 70212 430 3 > Approximately 1600pp
Updated bi-annually online



> Pension Fund Law



Pension Funds Act 24 of 1956 & Regulations; General Pensions Act 29 of 1979; Government Employees Pension Law, 1996 (Proclamation 21 of 1996)

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- **Part A:** Pension Funds Act 24 of 1956
 - Regulations
 - Pension Funds Regulations
 - Statistical information
 - Recognition of Foreign Exchanges
 - Conditions of Exemption of Pension Funds
 - Conditions of Authorization of Liquidators to make payments to Members and Beneficiaries before submission of Final Accounts and Reports
 - Services for which Remuneration shall be payable to Liquidators of Pension Funds, and tariffs
- Conditions for administration of Pension Funds, 2002
- Conditions for Schemes for Apportionment of Actuarial Surpluses of Umbrella Funds, 2003
- Methods of Apportionment deemed to be Equitable, 2003
- Requirements imposed by the FSB for nominees to operate in SA, 2007
- Regulatory reporting requirements for retirement funds
- Rate of interest payable on amounts and values in terms of section 13A(7)
- Notice on report by a valuator in relation to a Statutory Actuarial Valuation, 2010
- Rate of interest for purposes of s. 19(5)(b)(iii)



- Notice of MIR Assumptions, 2013
- Notice on Valuation Exemption, 2014
- Prescribed financial statements applicable to the different categories of funds
- Notice on the Appointment of a Valuator
- Appointment of a Principal Officer in terms of section 8 of the Act
- **Part B:** General Pensions Act 29 of 1979
- **Part C:** Government Employees Pension Law, 1996 (Proclamation 21 of 1996)
 - Law
 - Rules of the Government Employees Pension Fund
 - Pension benefits in terms of Severance Package
 - Transitional provisions
- **Part D:** Appendix
 - Excerpts from the Income Tax Act 58 of 1962
 - Excerpts from the National Credit Act 34 of 2005

Persons and the Family



Child Law in South Africa

Editor: T Boezaart

About this Publication

Child Law in South Africa is the updated and greatly expanded successor to *Introduction to Child Law in South Africa* (2000). In recent years child law has developed into a well-defined field, both in legal practice and in research. Child Law in South Africa, with its eighteen new and seven entirely updated chapters, is intended as a source of first reference for all legal questions pertaining to children.

This publication is aimed at addressing some of the burning issues that are frequently dealt with in a multi-disciplinary way. It provides insight into the profound influence of recent legislation - e.g. the Children's Act 38 of 2005, the Child Justice Act 75 of 2008 and the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 - and comments on ground-breaking case law and the latest research findings in the field.

Contents

Part I: Aspects of private law pertaining to children

- Child law, the child and South African private law
- Maintenance for children
- Parental responsibilities and rights
- Legal representation of children
- Child-focused mediation
- Adoption of children
- The child in need of care and protection
- Special child protective measures in the Children's Act
- Upholding the best interests of the child in South African customary law
- The theory of children's rights

Part II: Constitutional and international protection of children's rights

- Constitutional protection of children's rights
- Children's socio-economic rights
- The United Nations Convention on the rights of the child: maintaining its value in international and South African child law

- 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 70218 212 9 > 772pp
eBOOK: ISBN 978 0 70219 931 8



Children's Act 38 of 2005 & Regulations

Juta's Pocket Statutes

(Also available as part of a two volume set together with the Child Justice Act 75 of 2008 & Regulations – ISBN 978 0 70218 497 0)

Editors: Juta's Statutes Editors

Contents

- Quick Finder for Key Topics
- **Part A:**
 - Children's Act 38 of 2005
- **Part B:**
 - Regulations
 - General Regulations regarding Children, 2010
 - Regulations relating to Children's Courts and International Child Abduction, 2010





Commentary on the Children's Act

Editors: C J Davel, A Skelton

About this Publication

Written by a team of experts who were actively involved in drafting and commenting on the Bill, *Commentary on the Children's Act* is the first section-by-section guide to the Children's Act 38 of 2005. Every section of the Act is discussed within the context of the Act and its origin, giving practical guidance on its interpretation and application. The Commentary includes the full text of and commentary on the Children's Amendment Act and regulations. The publication will continue to be expanded into a 'one-stop reference' for child law.

Contents

- Interpretation, objects, application and implementation of the Children's Act - *Ann Skelton and Paula Proudlock*
- General principles - *Trynie Davel*
- Parental responsibilities and rights - *Jacqueline Heaton*
- The children's courts - *Jacqui Gallinetti*
- Partial care - *Prinslean Makery*
- Early childhood development - *Carina du Toit and Buyi Mbambo*
- Protection of children - *Julia Sloth-Nielsen*
- Prevention and early intervention - *Cheryl Frank*
- Children in need of care and protection - *Carmel Matthias and Noel Zaal*
- Contribution order - *Carmel Matthias and Noel Zaal*
- Alternative care - *Noel Zaal and Carmel Matthias*

- Foster care - *Jacqui Gallinetti and Jackie Loffell*
- Child and youth care centres - *Ann Skelton*
- Drop-in centres - *Ann Skelton*
- Adoption - *Tshepo 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 70217 883 2
Approximately 1100pp
CD-ROM/INTRANET: ISSN 2071 9051 > Updated quarterly
INTERNET: ISSN 2071 9043



Divorce Act 70 of 1979; Jurisdiction of Regional Courts Amendment Act 31 of 2008; Mediation in Certain Divorce Matters Act 24 of 1987; Dissolution of Marriages on Presumption of Death Act 23 of 1979 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Divorce Act 70 of 1979
- Jurisdiction of Regional Courts Amendment Act 31 of 2008
- Mediation in Certain Divorce Matters Act 24 of 1987

- Dissolution of Marriages on Presumption of Death Act 23 of 1979 & Regulations

NEW



Family Law: Volume I – Children, Parts A & B / Familiereg: Volume I – Kinders, Dele A & B

Juta Legislation Service

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

Editors: Juta's Statutes Editors

About this Publication

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

Juta's Statutes Editors provide a free year-round update service in the form of *Juta's Weekly Statutes Bulletin*, which provides a weekly e-mail alert to new and amended legislation

as gazetted each week. Register for this service at www.jutalaw.co.za.

Contents

- Social Assistance Act 13 of 2004
- *Children's Act 38 of 2005

*Indicates published in English only.

Published since 1989 > **LOOSE-LEAF:** ISBN 978 0 70212 276 7
Approximately 320pp





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



Editors: Juta's Statutes Editors

About this Publication

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

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

Contents*

- Marriages & †Unions
- Divorce
- Maintenance
- Births & Deaths
- Family, Domestic Violence & Harassment

*Legislative collections mentioned only as the contents is too voluminous.

†Indicates published in English only.

Published since 1990 > **LOOSE-LEAF:** ISBN 978 0 70212 343 6
Approximately 820pp



Fate of the Child, The: Legal Decisions on Children in the New South Africa

Authors: S Burman (Editor), C Matthias, J Sloth-Nielsen, N Zaal

About this Publication

Decisions that radically affect children's futures – whether custody decisions on divorce, fostering, children's home, or adoption placements, or juvenile court decisions – have lifelong consequences. However, there is little hard evidence of what is influencing such decisions in practice, nor how decision-making for South African children can be improved. This book is the result of an attempt to remedy some of these gaps. It presents the evidence from an inter-disciplinary collaborative project set up to research how legal decisions on children are being made in the new South Africa, and how children's rights are faring in practice in a variety of relevant settings.

Contents

- Beyond the rights of the child - *Sandra Burman, Carmel Matthias, Julia Sloth-Nielsen and Noel Zaal*
- Questions on fostering: an anthropologist's perspective - *Patricia Henderson*
- Shadows of apartheid lingering? Cross-cultural work with children in need of care - *Carmel Matthias*
- Isolo bantwana (eye on the children): community volunteers, social work and surveillance in processes of child protection - *Patricia Henderson*

- Children and criminal accountability: questions from the Bench - *Julia Sloth-Nielsen and Victoria Mayer*
- Custody on divorce: assessing the role of the family advocates - *Nichola Glasser*
- Criteria used by family counsellors in child custody cases: a psychological viewpoint - *Adelene Africa, Andy Dawes, Leslie Swartz and René Brandt*
- 'The best interest of the child': where is the child's voice? - *Amanda Barratt*
- Hearing the voices of children in court: a field study and evaluation - *Noel Zaal*

ELECTRONIC Additional Contents and Features

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

2015 > **SOFT COVER:** ISBN 978 1 48510 734 7 > 800pp
INTERNET: ISSN



Law of Divorce and Dissolution of Life Partnerships in South Africa, The

Editor: J Heaton

About this Publication

The *Law of Divorce and Dissolution of Life Partnerships in South Africa* deals with every aspect of the law relating to civil unions and various types of marriages. Written by a team of subject experts, each chapter of this specialist work addresses a different topic and there are chapters on, among other subjects, the grounds for divorce, the financial consequences of divorce, the use of alternative dispute resolution methods in divorce proceedings, and the impact of divorce on children. As well as dealing with those types of marriages that are fully recognised by South African law (civil marriages and customary marriages), the book also considers two types of

religious marriages that are not afforded the same recognition: Hindu marriages and Muslim marriages. The dissolution of life partnerships also receives attention in the book since this form of intimate family relationship is a common feature in South Africa today.

Contents

- **Part 1:** The dissolution of a civil marriage or civil union by divorce
 - The grounds for divorce - *J A Robinson*
 - The personal consequences of divorce - *J C Sonnekus*
 - The proprietary consequences of divorce - *J Heaton*



- Post-divorce maintenance for a spouse or civil union - *M de Jong and J Heaton*
- The position of minor and dependent children of divorcing and divorced spouses or civil union partners - *T Boezaart*
- **Part 2:** The dissolution of a customary marriage by divorce - *Chuma Himonga*
- **Part 3:** The dissolution of a muslim marriage or a hindu marriage by divorce - *N Moosa and C Rautenbach*
- **Part 4:** The dissolution of a life or domestic partnership - *B Smith*

- **Part 5:** Issues of general application to divorce and the dissolution of a life or domestic partnership
 - Domestic violence - *E Bonthuys*
 - Jurisdiction, procedure and costs - *A Catto*
 - Mediation and other appropriate forms of alternative dispute resolution upon divorce - *M de Jong*
 - Conflict of laws - *C Schulze*

2015 > **SOFT COVER:** ISBN 978 1 48510 734 7 > 800pp
INTERNET: ISSN 2414 2395 **eBOOK:** ISBN 978 1 48511 840 4

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 70213 601 6 > 577pp

Law of Persons Personereg

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 70218 511 3 > 248pp
SAGTEBAND: (Afrikaans) ISBN 978 0 70218 512 0 > 260bl
eBOOK (English): ISBN 978 0 70219 888 5
 (Afrikaans): ISBN 978 0 70219 889 2

Law of Persons Sourcebook / Personereg Bronnebundel

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 70218 513 7 > 540pp
eBOOK: ISBN 978 0 70219 900 4



Marriages Act 25 of 1961; Recognition of Customary Marriages Act 120 of 1998; Civil Union Act 17 of 2006; Matrimonial Affairs Act 37 of 1953; Matrimonial Property Act 88 of 1984; Marriage Act, Extension Act 50 of 1997 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

NEW

Contents

- Marriages Act 25 of 1961
- Recognition of Customary Marriages Act 120 of 1998
- Civil Union Act 17 of 2006
- Matrimonial Affairs Act 37 of 1953
- Matrimonial Property Act 88 of 1984
- Marriage Act, Extension Act 50 of 1997 & Regulations



Older Persons Act 13 of 2006 & Regulations

Juta's Pocket Statutes

Editors: 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

Editors: Juta's Statutes Editors

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
- 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 - *Seasmus 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 70217 948 8 > 288pp



Women's Social and Economic Rights: Developments in South Africa

Authors: B Goldblatt, K McLean

About this Publication

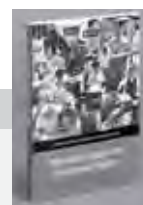
This book covers women's rights to health, housing, social security, land, food, water and basic services, education and work and also explores these rights through a cross-cutting examination of the girl child's rights and customary law. Chapters focus on the South African context, legislation and jurisprudence 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 - *Cherry 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 70218 577 9 > 292pp
eBOOK: ISBN 978 0 70219 962 2



> Professional Practice



Estate Agency Affairs Act 112 of 1976 & Regulations

Juta's Pocket Statutes

Editors: 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





ABC of Conveyancing

Authors: L Kilbourn (Founding Author), M Botha

About this Publication

This updatable loose-leaf publication deals with all aspects of conveyancing without presupposing any previous knowledge of conveyancing. The author, who runs a training institute for conveyancing secretaries, carefully explains all concepts and provides a step by step explanation through the conveyancing process. Apart from numerous examples, each chapter provides an overview of the learning outcome as well as a 'test yourself' section. All steps in the conveyancing process are illustrated with samples of documents, forms and precedents.

Contents

- What conveyancing is about
- Immovable property, ownership and real rights
- The different faces of property ownership: freehold, leasehold, sectional titles, and others
- The South African Deeds Registration System
- The law relating to conveyancing
- Role-players in the transfer process
- Receiving and processing the transfer instruction
- Agreements: Terminology, legal principles and practice
- Common clauses in a property sale agreement
- Deeds office print-outs and deeds searches
- The FICA and its implications for conveyancing transactions
- Communicating with the role-players at the outset of the transfer

- 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
- Consumer Protection Act
- Brief summary of the National Credit Act from a conveyancing perspective

ELECTRONIC Additional Contents and Features

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

Published since 2008 > **LOOSE-LEAF:** ISBN 978 0 70217 876 4
Approximately 1000pp **INTERNET:** ISSN 2308 202X



Compulsory Acquisition of Rights, The: By Expropriation, Way of Necessity, Prescription, Labour Tenancy and Restitution

Author: M Southwood

About this Publication

The law of expropriation has been changed by the Constitution in important respects, including the circumstances in which expropriation may be used for land reform, and the measure of compensation. It will feature prominently in South Africa's land reform programme, and is considered in the 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 70215 371 6 > 476pp



Constitutional Property Law

Juta's Property Law Library

3rd 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 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 70219 419 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 titles
- Notarial practice
- Diverse legislation
- Township development
- Useful tables containing easy references to:
 - Case law
 - Legislation
 - Chief Registrar's Circulars
 - Registrars' Conference Resolutions

- 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

ELECTRONIC Additional Contents and Features

- The *Deeds Practice Manuals*
- Text of the main Acts relevant to deeds registry, extracts from other Acts

Published since 2007 > **LOOSE-LEAF** in 2 volumes:
 ISBN 978 0 70217 416 2 > Approximately 1800pp
CD-ROM/INTRANET: ISSN 1993 3126 > Updated quarterly
INTERNET: ISSN 1993 3126



Deeds Registries Act / Registrasie van Aktes Wet

Juta Legislation Service

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



Editors: Juta's Statutes Editors

About this Publication

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

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

Contents

- Deeds Registries Act 47 of 1937 and Regulations

Published since 1985 > **LOOSE-LEAF:** ISBN 978 0 70211 642 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

6th edition**Editors:** Juta's Statutes Editors**About this Publication**

This book contains the Acts and regulations in one bilingual volume. It reflects the law as at 25 September 2015.

Contents

- Quick Finder for Key Topics / Blitsgids vir Sleutelonderwerpe
- Deeds Registries Act 47 of 1937 / Registrasie van Aktes Wet 47 van 1937
 - Registration of Deeds Regulations / Registrasie van Aktes Regulasies

- Sectional Titles Act 95 of 1986 / Wet op Deeltitels 95 van 1986
 - Sectional Titles Regulations / Deeltitel Regulasies

2015 > **SOFT COVER:** ISBN 978 1 48510 909 9 > 592pp

Introduction to the Law of Property Inleiding tot die Sakereg

Juta's Property Law Library

7th edition
7^{de} uitgaweNEW
edition**Authors:** A J van der Walt, G J Pienaar**About this Publication**

The reworked and updated new edition of this widely-prescribed bestseller has been written specifically for second year students following a first course on the subject. Extensive use is made of examples and references to case law and the authors take cognisance of and accommodate the varying needs and teaching approaches at different universities. Available in English and Afrikaans, the 7th edition of this textbook endeavours to provide a picture of property law in the new constitutional system, and therefore a few chapters on the constitutional property clause and land reform have been included.

This title now forms part of the *Juta's Property Law Library*, which is aimed as a series at illustrating the interplay between the common law, the Constitution and legal reform in a constitutional system.

This book should be used with the eighth edition of Van der Walt's bilingual *Law of Property Casebook for Students* /

*Sakereg Vonnisbundel vir Studente.***Contents**

- **Part I:** Introduction to the law of property
- **Part II:** Ownership
- **Part III:** Possession and holdership
- **Part IV:** Limited real rights and other rights in property
- **Part V:** Constitutional property law
- **Cases**
- **Legislation**

2016 > **SOFT COVER (English):** ISBN 978 1 48510 930 3 > 432pp
SAGTEBAND (Afrikaans): ISBN 978 1 48510 933 4 > 432bl
eBOOK (English): ISBN 978 1 48511 831 2 (*Afrikaans*): 978 1 48511 832 9



Jones' Conveyancing in South Africa

4th 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 70213 382 4 > 576pp



Land Reform

Juta's Property Law Library

Author: J M Pienaar

About this Publication

Part of the *Juta's Property Law Library* series, *Land Reform* offers comprehensive coverage of every aspect of land reform in South Africa. Recent developments in land reform, together with the policy and constitutional issues relating to this complex subject are explored, all within the context of South African property law. The book also provides an in-depth evaluation of the three sub-programmes forming part of the land reform agenda: land redistribution, land restitution, and land tenure reform, as well as relevant statutory and case law developments.

Contents

Part I

- Introduction
- Land Reform in context
- Historical excursion

Part II

- Land reform as a temporal process
- Land reform embedded into the Constitution
- Policy dimension to land reform
- Broadening access to land & redistribution
- Tenure reform
- Restitution programme
- Unlawful occupation & eviction

Part III

- Reflecting on land reform: characteristics, dichotomies and tensions

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

2014 > **SOFT COVER:** ISBN 978 1 48510 142 0 > 960pp
INTERNET: ISSN 2413 8789



Land Tenure Law

Author: A Mahomed

About this Publication

This updatable loose-leaf publication explains key definitions in the relevant laws and provides useful, practical guidelines on land rights disputes for government officials, legal practitioners (including conveyancers), paralegals and NGOs in the land rights sector.

Relevant case law is explained in an accessible, non-legalistic and user-friendly manner. The work sets out the nature and scope of legal protection available to occupiers and labour tenants living in rural and peri-urban areas. It also contains a section on access to the courts, including the Land Claims Court.

Contents

- Tenure reform in a constitutional context
- Tenure security in South African law
- Resources on the topic
- Extension of Security of Tenure Act 62 of 1997

- 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 70218 213 6
Approximately 220pp



Land Title in South Africa

Editors: D L Carey Miller, A Pope

About this Publication

Land Title in South Africa is concerned with the land reform programme which is a central aspect of the political and social reform agenda of democratic South Africa. After a concise general survey of the history of discriminatory landholding, comprehensive chapters on registration, prescription and alternative forms of title establish the relevant property law context. Chapters giving details of the precursor 1991 reforms and, most importantly, explaining the controlling constitutional provisions, set the scene of the reform developments.

The ANC Government's principal land reform laws of the first democratic parliament (1994–1999) are dealt with in chapters on restitution, redistribution and tenure reform – a breakdown reflecting the conceptual basis of the reform programme. The book ends with a general chapter identifying

the overall impact of the reforms in the existing property context.

Contents

Part I: Background

- The Development of discriminatory landholding

Part II: Context

- Registration
- Prescription
- Alternative forms of title

Part III: Reform developments

- The 1991 land law reforms
- The Constitutional basis of the reform agenda
- Restitution



- Redistribution
 - Tenure reform
- [Part IV: General overview](#)
- Analysis of reform in context

2000 > **SOFT COVER:** ISBN 978 0 70215 120 0 > 710pp

Land, Power and Custom: Controversies generated by South Africa's Communal Land Rights Act

**Editors:** A Claassens, B Cousins**About this Publication**

Land is a burning issue in South Africa, as in Africa more widely. One particularly controversial aspect is reform of land tenure in the former homelands. The legislation governing the redistribution and restitution of jointly owned land is the Communal Land Rights Act of 2004.

Land, Power and Custom is written from research generated in the course of preparing a legal challenge to the constitutionality of the Act. It combines chapters written by experts in the fields of land tenure, customary law, history and land reform, and detailed case studies collected from rural communities. They explain the impact that provisions of the Act will have on current problems, and how it is likely to exacerbate them and introduce new forms of conflict and instability. Many of the chapters argue that the Act entrenches key distortions that derive from colonialism and apartheid.

Contents**Part I – Introduction**

- Situating the CLRA case and the articles in the context of broader policies and theoretical debates - *Ben Cousins*
- Summary and analysis of the Act - *Henk Smith*
- Tagging the Bill, gagging the provinces: the Communal Land Rights Act in Parliament - *Prof Christina Murray* and *Richard Stacey*

Part II: Land rights and customary law – Land in indigenous law in Africa - Prof Hastings Okoth-Ogendo

- The nature of 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 550 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 to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

2010 > **SOFT COVER:** ISBN 978 0 70218 551 9 > 454pp
INTERNET: ISSN 2226 342X



Law of Property Casebook for Students / Sakereg Vonnisbundel vir Studente

Juta's Property Law Library

Author: A J van der Walt

About this Publication

The purpose of this casebook is to provide an elementary reader of case law and materials for a first course in property law.

The layout and structure of case reports and legislation are discussed and explained, and students are provided with practical hints and advice regarding the reading of cases and legislation. One case is reproduced in full and used as an example of how cases should be analysed and read. Other cases are reproduced selectively to allow students to develop and exercise their skills in the analysis and reading of cases.

The 8th edition has been updated with new cases until July 2015. The inclusion of cases on constitutional law illustrates the interplay between the common law, constitutional law and legal reform.

8th edition

NEW
edition



The *Casebook* should be used together with Van der Walt and Pienaar's *Introduction to the Law of Property* (7th edition) and *Inleiding tot die Sakereg* (7de uitgawe), but references to other textbooks have been included.

Contents

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

2016 > **SOFT COVER:** ISBN 978 1 48510 951 8 > 564pp



Law of Servitudes

Juta's Property Law Library

Author: A J van der Walt

About this Publication

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

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

The Law of Servitudes seeks to establish the current state of the law, seen in the context of its historical development

in South Africa, as well as to consider the current position with reference to the effect of the Constitution on the development of private law.

Contents

- The nature of servitudes
- Acquisition and transfer of servitudes
- Rights of way
- Servitudes connected with water
- Servitudes connected with building
- Miscellaneous praedial servitudes
- Personal servitudes
- Statutory servitudes
- The relationship between servitude holders and owners of servient property
- Termination of servitudes
- Remedies

2016 > **SOFT COVER:** ISBN 978 1 48510 973 0

NEW



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 70216 726 3 > 390pp



Planning Law

Juta's Property Law Library

2nd 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 and to referenced legislation and case law for subscribers to the relevant online publications

2012 > **SOFT COVER:** ISBN 978 0 70219 420 7 > 762pp
INTERNET: ISSN 2309 0359
eBOOK: ISBN 978 0 70219 950 9



Planning Law Casebook

Authors: J van Wyk, P Steyn

About this Publication

Most planning degrees at South African universities include a compulsory course in planning law. This is usually the first time that planning students encounter law as a discipline. Planning students therefore need to familiarise themselves with sources such as the Constitution, legislation and court decisions. The *Planning Law Casebook* seeks to assist students in this regard.

Understanding how to use, interpret and apply case law is perhaps the most difficult aspect of planning law. Part I of the *Planning Law Casebook* describes the different parts of a typical court case. Part II briefly explains how the *Casebook* should be used. Part III contains discussions and analyses of 18 key planning law cases, which reflect the different components of current planning law. Part IV is a glossary in which the relevant legal concepts and terminology are defined. Part V includes extracts from applicable legislation. Part VI provides examples

of typical planning documents, such as a deed of transfer, a notice of the removal of a restrictive condition or rezoning, and a part of a schedule to a town planning scheme indicating one of the zoning categories.

Contents

- Introduction
- List of cases
- **Part I:** How to read a case
- **Part II:** How to use this Casebook
- **Part III:** Cases
- **Part IV:** Glossary
- **Part V:** Extracts from legislation

2015 > **SOFT COVER:** ISBN 978 1 48510 732 1 > 242pp



Planning Law in Namibia

Author: F !Owoses-/Goagoses

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 48510 081 2 > 228pp
eBOOK: ISBN 978 1 48510 753 8



Property Law Under Scrutiny

Contemporary Studies in Law and Applied Research Series

Editors: S Scott, J van Wyk

NEW

About this Publication

South Africa's property law teachers have been convening annually since 1985 to exchange ideas, subject their work to peer scrutiny and build a collegial network. Over time, the agendas of the annual meetings became snapshots of the development of a discipline.

In celebration of the 25th anniversary of this meeting, the Property Law Teachers' Colloquium was expanded into an International Property Law Conference, giving South African property law teachers an opportunity to exchange their ideas on a much broader platform, with some of the world's best property law scholars and teachers.

Property Law Under Scrutiny brings together pieces that give an overview of property law twenty-five years after the establishment of the South African Property Law Teachers' Colloquium. A recurrent theme in all the contributions at the conference, and the ones included in this publication, is the tension between well-established principles of property law and the policies that drive legal development in the field.

The topics addressed are organised into four themes, as follows:

- The first cluster relates to an age-old issue in conventional property law: the accession of movables to immovables.
- The second cluster concerns the centrality of the real agreement in transfers and in the real security context.
- A third cluster deals with questions about the public law aspects of property.
- The fourth cluster captures some of the dilemmas and challenges concerning the abandonment and neglect of property. It ties together the underlying concerns aired in debates about the conventional property rules and issues surfacing in the crossover between private and public law, and the role of property law principles.

In capturing the interaction between South African and international scholarship, *Property Law Under Scrutiny* serves

to introduce a new era in this developing discipline. Teachers and practitioners of property law, locally and internationally, will find this to be an invaluable resource.

Contents

- **Chapter 1:** The role of subjective intention in the case of building as original form of acquisition of ownership - *Lex Mpati*
- **Chapter 2:** No right to neglect? Exploratory observations on how policy choices challenge the basic principles of property - *Hanri Mostert*
- **Chapter 3:** The purpose and coherence of the rules on good faith acquisition and acquisitive prescription in the European Draft Common Frame of Reference: A tale of two gatekeepers - *Arthur Salomons*
- **Chapter 4:** The recognition of the real agreement in the context of an abstract system in South African case law - *Flip Schutte*
- **Chapter 5:** Real security rights: Time for Cinderella to go to the ball? - *Andrew JM Steven*
- **Chapter 6:** The legal position of a pledgee of a document of title like a bill of lading under Dutch law - *Richard Zwitter*
- **Chapter 7:** The gradual erosion of the distinction between deprivation and regulation of ownership - *Vincent Sagaert*
- **Chapter 8:** Legal regimes governing groundwater and access to drinking water: The cases of Switzerland, India and South Africa - *Vanessa Rüegger*
- **Chapter 9:** A system of original acquisition? The creation of property rights regarding goods in civil and common law - *Hanneke Spath*
- **Index**

2015 > **SOFT COVER:** ISBN 978 1 48510 748 4 > 184pp



Rental Housing Act 50 of 1999; Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998; Extension of Security of Tenure Act 62 of 1997 & Regulations

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Rental Housing Act 50 of 1999
 - Rental Housing Tribunal Procedural Regulations, 2001

- Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998
- Extension of Security of Tenure Act 62 of 1997
 - Regulations under Extension of Security of Tenure, 1998





Rethinking Expropriation Law I: Public Interest in Expropriation

Vastgoed, Omgeving & Recht series

Editors: B Hoops, E J Marais, H Mostert, J A M A Sluysmans, L C A Verstappen

NEW



About this Publication

This book is the first of a series in which experts engage critically with identified aspects of expropriation law. The internationally diverse group of contributing authors offer valuable insight into the treatment of public purpose/interest related issues as they are canvassed in jurisdictions around the world. Some of these include:

- the public purpose/interest requirement and the definition of the object of expropriation;
- the role of public purpose/interest in distinguishing between expropriation and regulation of property;
- public interest and the classification of expropriatory actions as administrative, statutory or constructive;
- categorising of the notions of public interest and public purpose;
- justifiability of expropriation without compensation;
- consequences of a change in purpose after expropriation has been effected;
- whether an expropriation can be challenged on the basis that less invasive means were available for the state to realise the specific purpose;
- whether the public interest could legitimately entail transfer of expropriated property to a party other than the state.

Contents

- Rethinking Public Interest in Expropriation Law: Introductory Observations - *Leon Verstappen*
- Public Interest in Takings Cases in Italy and France: The Constitutional and Human Rights Dimension - *Sabrina Praduroux*
- The Poverty of Precedent on Public Purpose/Interest: An Analysis of Pre-Constitutional and Post-Apartheid Jurisprudence in South Africa - *Hanri Mostert*

- "Somewhat at Sea": Public Use and Third-Party Transfer Limits in Two US States - *John A. Lovett*
- Reviewing Expropriations: Looking beyond Constitutional Property Clauses - *Rachael Walsh*
- In the Shadow of Zimbabwe: Public Interest, Land Reform, and the Transfer of Property in South Africa - *Heinz Klug*
- Reclaiming Property: Changes of Purpose or Non-Realization of Public Purpose after Expropriation - *Jacques Sluysmans, Nikky van Triet*
- Exactions and the Rule of Law - *Eduardo M. Peñalver*
- The Public Purpose for the Expropriation of Land: A Framework for Assessing Its Democratic Legitimacy - *Björn Hoops*
- The 'Land Assembly Districts' Solution to Third-Party Transfers - *Michael Heller, Rick Hills*
- Fundamental Premises of Land Expropriation in Poland - *Magdalena Haddas*
- Less Invasive Means: The Relationship between Sections 25 and 36 of the Constitution of the Republic of South Africa, 1996 - *B.V. Slade*
- Expropriatory Compensation, Distributive Justice, and the Rule of Law - *Hanoch Dagan*
- The Public Purpose Requirement in the Calculation of Just and Equitable Compensation - *Elmien (WJ) du Plessis*
- When Does State Action Amount to Expropriation? Recent Australian Developments - *Brendan Edgeworth*

2016 > **SOFT COVER:** ISBN 978 9 46236 631 2 > 374pp



Rethinking Expropriation Law II: Context, Criteria, and Consequences of Expropriation

Vastgoed, Omgeving & Recht series

Editors: B Hoops, E J Marais, H Mostert, J A M A Sluysmans, L C A Verstappen

NEW



About this Publication

This book is the second of a series in which experts engage critically with the context, criteria and consequences of expropriation. The State, in the shape of monarchies, dictatorships, or democracies, has been using expropriation to implement its policies since the times of ancient Rome. This book therefore contains contributions on the historical context of expropriation. Despite its age, however, expropriation law is constantly evolving at the national and international level. The contributors show how European human rights law and international soft law instruments shape national criteria and expropriation procedures. They discuss how comparative law and insights from the theory of human flourishing can help to improve the criteria for the justification of expropriation. From comparative and international perspectives, the contributors deal with the criteria that determine whether compensation is due for a regulatory taking, constructive expropriation or excessive regulation of property. The contributors examine the definition of takings and whether the dissolution of condominium constitutes a taking. They uncover how the amount of compensation can play a role in the justification of expropriation. Lastly, the contributors examine the consequences of expropriation for residential communities.

Contents

- Introduction: Context, Criteria, and Consequences of Expropriation - *Leon Verstappen*
- **Part 1: Context**
- Confiscation and Expropriation: The Legal Consequences of Roman Imperialism - *Saskia T. Roselaar*
- The History of Hungarian Expropriation Law - *Imre Andorkó*
- Towards a Paradigm Shift in the Application of Expropriation Law in Flanders - *Stijn Verbist*
- Hidden Expropriation in Globalization and Soft Law Protection of Communal Property Rights - *Ting Xu*
- **Part 2: Criteria**
- The Public Use Requirement and the Character of Consequentialist Reasoning - *Gregory S. Alexander*
- More Safeguards instead of a Ban of Economic Development Takings: The Kelo Case from a German Perspective - *Björn Hoops*
- 'Regulatory Expropriation' under German Constitutional Law and in International Investment Law - The Case of Vattenfall - *Carola Glinski*
- The Impairment of Subsurface Resource Rights by Government as a 'Taking' of Property: a Canadian Perspective - *Eran Kaplinsky, David R. Percy*

- 'Dissolving Condominium, Private Takings, and the Nature of Property' – *Douglas C. Harris, Nicole Gilewicz*
- The Principle of Good Governance in Expropriation Law – *Jacques Sluysmans, Myrthe Nielen*

Part 3: Consequences

- On Benefit Sharing and the Compensatory Approach to Economic Development Takings – *Sjur K. Dyrkolbotn*

- Expropriation Effects on Residential Communities – *Shai Stern*

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



Sectional Titles Act / Wet op Deeltitels

Juta Legislation Service

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



Editors: Juta's Statutes Editors

About this Publication

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

Juta's Statutes Editors provide a free year-round update service in the form of *Juta's Weekly Statutes Bulletin*, which provides a weekly e-mail alert to new and amended legislation

as gazetted each week. Register for this service at www.jutalaw.co.za.

Contents

- Sectional Titles Act 95 of 1986 and Regulations
- *Sectional Titles Schemes Management Act 8 of 2011

*Indicates published in English only.

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



Sectional Titles Act 95 of 1986 & Regulations

Juta's Pocket Statutes



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics

- Sectional Titles Act 95 of 1986
– PENDLEX: Act 8 of 2011
- Sectional Titles Regulations



Sectional Titles and Other Fragmented Property Schemes

Juta's Property Law Library



Author: G J Pienaar

About this Publication

Social and economic developments in South Africa have contributed to the increasing need for fragmented property holding, especially in urban areas. With the advent of the wider interpretation of property in terms of the new constitutional dispensation this need has been strengthened. The idea that individualised landownership forms the basis of the South African property concept has been gradually transformed by the reality that sectional titles, share blocks, property time-sharing and retirement schemes are essential forms of urban property holding.

This book provides an exposition of the idea of urban fragmented property holding in South Africa, with reference to the different forms of urban fragmented property schemes introduced by legislation. The functioning of the management bodies of these schemes and the nature and effect of management and conduct rules are emphasised to illustrate to what extent the idea of urban fragmented property holding has changed the property concept in the new constitutional dispensation in South Africa.

Relevant case law and new legislative developments are discussed comprehensively to indicate how fragmented property schemes are governed and how disputes regarding use rights of individual sections and the common property of such schemes are solved.

Contents

- Urban fragmented land tenure
- Sectional titles
- Sectional title ownership
- Registration of scheme and units
- Management of a sectional title scheme
- Rights and obligations of owners and other right-holders
- Share blocks
- Share block schemes
- Management of a share block scheme
- Time-sharing
- Time-sharing schemes
- Retirement schemes
- Bibliography
- Case law
- Legislation

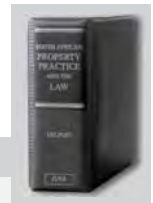
ELECTRONIC Additional Contents and Features

- Hyperlinks allow for easy navigation within the product and to referenced legislation and case law for subscribers to the relevant online publications
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2010 > **SOFT COVER:** ISBN 978 0 70218 553 3 > 582pp
INTERNET: ISSN 2226 3438



South African Property Practice and the Law: A Practical Manual for Property Practitioners



Author: H J Delport

About this Publication

This volume is an indispensable reference work with excellent, up-to-date material on areas such as sectional title, share blocks and the like. It provides the property lawyer, estate agent and student with an in-depth exposition of all aspects of property and the law. The work includes an extensive commentary on the Estate Agents Act, updated regularly by comprehensive revision services, as well as useful guidelines on the legal aspects of immovable property. An entire section is devoted to setting learning objectives for candidates preparing to write the Estate Agents Board Examination.

Contents

- Immovable property and interests in immovable property
- Sectional titles, share blocks and time-share
- Statutory control over property
- Contracts
- Estate agents and statutory control over estate agents
- Estate Agents Affairs Act 112 of 1976 with commentary

Published since 1987 > **LOOSE-LEAF:** ISBN 978 0 70211 899 9
Approximately 1140pp



Understanding Land Tenure Law: Commentary & Legislation



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 70218 164 1 > 263pp

Public Health



Tobacco Products Control Act 83 of 1993

Juta's Posters

Editors: Juta's Statutes Editors

NEW

About this Publication

This poster contains the key legislative provisions relating to: the prohibition and restrictions on smoking in public places, including businesses; the regulation of the sale and advertising of tobacco products; required packaging and signage; cigarette vending machine rules; and offences and penalties. It reflects the law as at 30 September 2015.

Contents

- Definitions
- Control over smoking of tobacco products
- Advertising, sponsorship, promotion, distribution, display and information required in respect of packaging and labelling of tobacco products

- Standards for manufacturing, importing and export of tobacco products
- Prohibitions on smoking in public places
- Restrictions on use of vending machines
- Regulations
- Exemptions
- Offences and penalties

2015 > **POSTER:** ISBN 978 1 48510 901 3 > A1





Public Service Law



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

Juta's Pocket Statutes



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Public Service Act, 1994 (*Proclamation 103 of 1994*)
- Public Service Regulations, 2001
 - Withdrawal of Public Service Staff Code and other prescripts relating to the public service
 - Notice in terms of the Public Service Regulations: Discontinuation of official forms in relation to human resource management and related practices in the public service
 - Notice in terms of section 30(b) regarding delegation of powers
 - Notice in terms of the Public Service Regulations, 2001: Replacement of Z1 form
 - Administration and operations – government component: National Intelligence Agency
 - Administration and operations – government component: South African Secret Service
 - Administration and operations – government component: Intelligence Academy
 - Administration and operations – government component: COMSEC
 - Administration and operations – Government Printing Works
 - Administration and operations – Government Pensions Administration Agency (GPAA)
 - Administration and operations – Centre for Public Service Innovation (CPSI)
 - Grievance form for lodging a grievance directly with the Public Service Commission by heads of department
 - Administration and operations – Government Technical Advisory Centre (GTAC)
 - Certificate of Service form Z17
 - Administration and operations – Municipal Infrastructure Support Agent (MISA)
 - Establishment of the National Intellectual Property Management Office as specialised service delivery unit within the Department of Science and Technology



Public Service Law Handbook

Editors: Juta Law Editors

About this Publication

Compiled in collaboration with the Public Service Co-ordinating Bargaining Council, this publication contains the laws applicable to public servants generally, at national as well as provincial level. Both the Public Service Act of 1994 and the regulations promulgated thereunder have been amended repeatedly. This volume provides a consolidated text, and its loose-leaf format provides for continuing updates to ensure that the information remains current. The volume also contains the Public Service Co-ordinating Bargaining Council Resolutions, which regulate vital areas such as discipline, incapacity and dispute resolution. This work should be widely available and accessible to the workforce that is governed by the legislation and resolutions.

Contents

- Public Service Act, 1994
- Public Service Regulations 2001
- Rules for dealing with complaints and grievances of officials in the Public Service, 1999
- Public Service Co-ordinating Bargaining Council Resolutions, including:
 - Agency shop agreement
 - Levy agreement
 - Dispute resolution procedures
- Collective Agreement: Trade Union
 - Negotiators and trade union
 - Officials for the PSCBC
 - Election of full time shop stewards
 - Agreement on senior management
 - 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 70215 384 6
Approximately 210pp



Correctional Services Act 111 of 1998 & Regulations and Related Material

Juta's Pocket Statutes



Editors: 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



Author: D Keith

About this Publication

Understanding Sectoral Determination 6: Private Security forms part of the Juta's Pocket Companions series. This book presents a non-legalistic commentary on the specific minimum conditions of employment applicable to persons employed in South Africa as security officers, including wage tables. The key provisions of the sectoral determination are explained in a systematic manner, with key point summaries at the end of each section. *Understanding Sectoral Determination 6: Private Security* also contains the text of the legislation.

Section 29 of the sectoral determination states that every employer who employs or provides work to private security officers must keep a copy of the sectoral determination available in the workplace at all times.

Contents

- Areas and scope of application
- Definitions of key terms and words
- Remuneration
- Payment of remuneration
- Ordinary hours of work, overtime and payment of overtime
- Annual bonus
- Public holidays
- Compensation for work on a Sunday
- Leave and other benefits
- Written particulars of employment and record keeping
- Miscellaneous general provisions
- Termination of contract of employment
- Private Security Sector Provident Fund
- Text of Sectoral Determination 6

2010 > **SOFT COVER** > pocket size: ISBN 978 0 70218 491 8 > 228pp

> Social Security Law



Essential Social Security Law

2nd 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.

Contents

- Introduction to social security law
- Old age and death

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

2006 > **SOFT COVER:** ISBN 978 0 70217 320 2 > 304pp



HIV and Social Security Law: The SADC Region

Editor: Y Jorens

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 48510 151 2 > 154pp



Role of Standards in Labour & Social Security Law, The: International, Regional & National Perspectives

Authors: M Olivier, O Dupper, A Govindjee

About this Publication

The Role of Standards in Labour & Social Security Law examines international standards, their interrelationship, and their interaction with national labour law, social security systems and regional regimes. The book approaches this vast subject from a number of different thematic and geographic perspectives, and focuses on specific areas that exemplify the key issues under discussion.

The Role of Standards in Labour & Social Security Law reflects on the relevance and limitations of international standards and also highlights the importance of a human rights approach and the role of private actors in the protection of labour- and social security rights.

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 48510 012 6 > 338pp
eBOOK: ISBN 978 1 48510 185 7



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 70218 165 8 > 236pp



Understanding Unemployment Insurance Law

Juta's Pocket Companions

Author: L G Mpedi

About this Publication

Understanding Unemployment Insurance Law forms part of the *Juta's Pocket Companions* series. Titles in this series explain key legislation in non-legalistic language, in an affordable accessible format.

The book begins with a brief outline of the legislative history and then systematically explains the different pieces of legislation which provide protection to the unemployed. At the end of each chapter, key-points boxes provide the reader with concise summaries of the commentary and FAQs assist the reader by anticipating and answering potential questions. *Understanding Unemployment Insurance Law* deals with the scope of the insurance cover, the institutional framework, the duties and rights of contributors and employees, eligibility for benefits, dispute settlement and enforcement. Selected unemployment insurance forms are included for easy reference.

Contents

- General introduction and historical background
- Personal scope of coverage
- Administrative and institutional framework
- Duties and rights: contributors and/or dependants
- Duties and rights: employers
- Benefits and eligibility conditions
- Funding and financing
- Dispute settlement and enforcement
- List of cases
- List of statutes
- Annexures
 - Application for registration as an employer
 - Application for registration as an employer of domestic employees
 - Declaration of information of commercial employees and workers employed in a private household
 - Application to pay benefits into a banking account
 - Application for illness benefits



- Remuneration received by the employee whilst still in employment
- Application for continuation of payment of illness benefits
- Application for maternity benefits
- Application for continuation of payment of maternity benefits
- Application for adoption benefits
- Application for dependant's benefits by surviving spouse or life partner

- Application for dependant's benefits by child/children of deceased
- Notice of appeal against a decision of a claims officer

2014 > **SOFT COVER** – pocket size: 978 1 48510 607 4 > 128pp

> Special Collections



Essential Legal Practitioner Bundle, The

About this Publication

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

Contents

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

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

Published since 2012 > **INTERNET:** ELPB

> Tax Law



Capital Gains Tax: A Practitioner's Manual

Author: R C Williams

About this Publication

This work is designed to meet the needs of attorneys, accountants, tax consultants, investment advisers, and other professionals. The manual explains, in depth and in detail, the conceptual basis and the practical implications of capital gains tax. The book includes a paragraph-by-paragraph commentary on the provisions of the Eighth Schedule and the Corporate Rules, including many practical illustrations of capital gains tax calculations and other examples.

Contents

- Capital gains tax in overview; fundamental concepts; the structure and internal logic of the capital gains tax legislation
- The Eighth Schedule to the Income Tax Act 58 of 1962 (text, commentary and practical examples)
 - General
 - Taxable capital gains and assessed-losses

- Disposal and acquisition of assets
- Limitation of losses
- Base cost
- Proceeds
- Primary residence exclusion
- Other exclusions
- Rollovers
- Attribution of capital gains
- Company distributions
- Trust, trust beneficiaries and insolvent estates
- Foreign currency
- Miscellaneous (transactions during transitional period).
- The Corporate Rules (text and commentary)

2005 > **SOFT COVER:** ISBN 978 0 70216 731 7 > 498pp



2016 Compendium of Tax Legislation, SAIT (Volume I & II)

2016 edition

Editors: Juta Law Editors

About this Publication

Published annually, Volume 1 of this invaluable publication incorporates all promulgated and proposed amendments as envisaged by the 2015 Act and Bills as at 1 March 2016, aided by Juta's prelex and pendlex. Convenient quickfinder tables allow readers to easily find content within the Acts. A useful digest of cases from 2007 to 2015 has also been included.

Related supplementary material such as interpretation notes, practice notes, advanced tax rulings and regulations have been included in Volume 2 on the enclosed complimentary CD-ROM. Also available as an eBook package.

**NEW
edition**



Contents

Volume 1 – Print or eBook

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

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

Volume 2 – CD-ROM or eBook

- Supplementary material to the Income Tax Act, Value Added Tax Act, Estate Duty Act, Transfer Duty Act and Tax Administration Act

2016 > **SOFT COVER** – Volume 1 & 2 (Set): ISBN 978 1 48510 945 7
WEB PDF – Volumes 1 & 2: ISBN 978 1 48510 969 3



Division of Revenue Act 1 of 2015

Juta's Pocket Statutes

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

Editors: Juta's Statutes Editors**NEW****Contents**

- Key Addresses
- Quick Finder for Key Topics
- Division of Revenue Act 1 of 2015



Income Tax Act 58 of 1962, Juta's

3rd edition**Editors:** Juta's Statutes Editors**NEW
edition****About this Publication**

Juta's Income Tax Act presents the text of the Income Tax Act 58 of 1962 in a manner that enables the reader to look at the Act in a new way. All amendments in terms of the following 2015 Act and Bills have been incorporated in this edition, including amendments made (in the case of the 2015 Act) and envisioned (in the case of the 2015 Bills) at the time of going to press:

- Rates and Monetary Amounts and Amendment of Revenue Laws Act 13 of 2015;
- Taxation Laws Amendment Bill 29B of 2015; and
- Tax Administration Laws Amendment Bill 30 of 2015.

Value has also been added to the text by the inclusion of the following unique Juta elements into the consolidated Act:

- 'Prelex': wording of legislation in force prior to the coming into operation of the substituted, amended or deleted provisions; and

- 'Pendlex': pending legislation that will only come into operation after 1 April 2016.

Juta's Income Tax Act is a useful and reliable resource for students and tax practitioners alike: the consolidated and annotated Act equips the reader with the tools to interpret, apply, and assess the impact of the latest changes to the Act.

Contents

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

2016 > **SOFT COVER:** ISBN 978 1 48510 952 5 > 438pp



Income Tax in South Africa: The First 100 Years

Authors: J Hattingh, J Roeleveld, C West**NEW****About this Publication**

This book, marking the 2014 centenary of income tax in South Africa, presents historical research covering a range of topics. The authors begin with the international origins of income tax law and the transformation of old Dutch taxes into colonial income tax, and the role of General Smuts in the introduction of income tax in 1914.

The struggle to find an appropriate means of taxing corporate profits of shareholders is shown to have continued for decades, and mining and farming as main industry players in the South African economy receive special attention. The demise of cooperatives, the history of international tax treaties and the colonial influence also form part of the historical journey of this publication.

An examination of the special qualities of leading judges of the time and their jurisprudence provides much food for thought. Policy debates such as whether South Africa should

follow the source or the residence system of taxation, or introduce a land tax, rage today as they did in 1914.

The impact of transformation since 1994, the need to entrench taxpayers' rights and to remove gender inequality, and the remarkable modernisation of SARS, all played an important part in the development of the South African tax system.

A book about one hundred years of income tax would not be complete without some biographical notes on key personalities such as CJ Ingram KC, Aubrey Silke and David Meyerowitz SC. In recognising the conference held at the University of Cape Town to mark one hundred years of income tax in South Africa, the rise of the teaching of tax at UCT is presented in the form of an extract from the memoirs of Prof Leon Kritzing.



Contents

Part 1: The international origins of income tax in South Africa and its introduction

- Importing and exporting income tax law: The international origins of the South African Income Tax Act - *Peter Harris*
- The history of income taxation in the Cape Colony: A story of dangerous beasts and murderous fathers - *Enelia Jansen van Rensburg*
- On the introduction of income tax in South Africa by JC Smuts: Three eventful months (24 April 1914 to 20 July 1914) - *Johann Hattingh*
- The birth of the first Income Tax Act: The journey begins - *Peter Surtees*

Part 2: The taxation of companies, shareholders and partnerships

- Corporate-shareholder taxation in South Africa: 1914 to 1961 - *Johann Hattingh*
- The road to dividend withholding tax in South African income tax law (1962 to 2014) - *Jennifer Roeleveld*
- A review of the taxation of partnerships in South Africa over the last 100 years - *Afton Titus*

Part 3: The taxation of mining, farming and co-operative enterprises

- South Africa's gold mining tax regime - *Roshelle Ramfol*
- The history of the taxation of farming in South Africa - *Charl du Toit*
- The development of the taxation of co-operatives - *Tracy Johnson, Jennifer Roeleveld*

Part 4: Income tax jurisprudence

- A century of income tax jurisprudence in South Africa - *Eddie Broomberg*
- Some missteps on South Africa's road to a coherent income tax jurisprudence - *RC Williams*

Part 5: International tax

- From colonialism to apartheid: International influence on tax treaties in South Africa (1932 to 1990) - *Craig West*
- Ensuring a right balance in applying the residence and source bases of taxation in order to protect South Africa's tax base - *Annet Wanyana Oguttu*

Part 6: Constitutional, policy and gender issues

- The shift to a constitutional democracy in 1994 and the impact thereof on tax law in South Africa - *Beric J Croome*
- Land tax versus income tax: A historical assessment of success and failure in South Africa - *Nicolaus Tideman, Peter Meakin*
- The personal income taxation of women in South Africa: An overview since the 1970s - *Elizabeth Gavin, Wynnona Steyn*

Part 7: Major figures in the development of income tax in South Africa

- CJ Ingram K.C.: Academic pioneer and second President of the Cape Tax Court - *Albertus Marais*
- Aubrey Silke - Adapted courtesy of the South African Institute of Tax Practitioners
- David Meyerowitz SC - Adapted courtesy of the South African Institute of Tax Practitioners
- Memoirs of Prof. Leon Kritzing: Aubrey Silke and the importance of postgraduate tax studies at the University of Cape Town - *Leon Kritzing*

Part 8: The evolution of the South African Revenue Service: 1994 to 2014 - *SARS*

- Table of cases
- Table of statutes

2015 > **SOFT COVER:** ISBN 978 1 48510 779 8 > 506pp



Income Tax, Juta's

Authors: R Engels-Van Zyl, J Roeleveld, O Mollagee, M Benetello (Current Authors); D M Davis, G Urquhart (Founding Authors)

About this Publication

Juta's Income Tax is unique in its approach to income tax. The publication provides a section-by-section commentary of the Income Tax Act, combined with concise overviews where appropriate, comprehensive indexing and cross-referencing to case law and other sources. The use of graphic aids, such as flowcharts and diagrams, and extensive examples, make the text accessible and easy to understand to the specialist as well as the occasional user.

Subscribers also receive a free subscription to *Juta's Tax Law Review*, a quarterly e-newsletter containing an exposition of the latest developments in various areas of local and international tax.

Contents

Volume I and II

- Act and commentary, sections 1–112

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

Published since 1999 > **LOOSE-LEAF** in four volumes:
ISBN 978 0 70215 455 3 > Approximately 2748pp



Indirect Tax, Juta's

Editors: Juta Law Editors

About this Publication

Juta's Indirect Tax is a consolidated source of all current and pending indirect tax Acts. Relevant promulgated and proposed amendments have been incorporated, updated as envisaged by the 2015 Act and Bills as at 1 March 2016. Juta's 'prelex' and 'pendlex' enable the reader to view the legislative history. This publication is issued annually in January.

Contents

- Value-Added Tax Act
- Tax Administration Act
- Securities Transfer Tax Act
- Securities Transfer Tax Administration Act
- Skills Development Levies Act
- Transfer Duty Act

NEW



- Unemployment Insurance Contributions Act
- Diamond Export Levy (Administration) Act
- Diamond Export Levy Act

- Mineral and Petroleum Resources Royalty Act
- Mineral and Petroleum Resources Royalty (Administration) Act

2015 > **SOFT COVER:** ISBN 978 1 48510 947 1 > 624pp



International Tax Law: Offshore Tax Avoidance in South Africa

Author: A Oguttu

NEW

About this Publication

International Tax Law: Offshore Tax Avoidance in South Africa provides a comprehensive analysis of some of the offshore tax-avoidance schemes employed by South African residents. The book offers a detailed and logical explanation of difficult international tax concepts, and critically analyses the effectiveness of South African legislation in curbing offshore tax-avoidance schemes. South African legislative provisions are compared with similar provisions in the United Kingdom and the United States of America, and international case law and tax treaty implications are thoroughly discussed.

International Tax Law: Offshore Tax Avoidance in South Africa also addresses the recommendations of international organisations, such as the Organisation for Economic Co-operation and Development (OECD), which seek to prevent international tax avoidance. In this regard, the role of tax havens in encouraging international tax avoidance and the OECD initiatives to stifle their development are considered. The OECD's efforts to prevent base erosion and profit shifting are also examined.

Contents

- Introduction
- International initiatives to curb international tax avoidance
- Jurisdiction to tax
- Curbing tax avoidance by using common-law anti-avoidance doctrines and the general anti-avoidance provisions
- Curbing tax avoidance resulting from investments in offshore companies
- Curbing tax avoidance that results from investments in offshore 'protected cell companies'
- Curbing transfer pricing and thin capitalisation

- Curbing tax avoidance that results from investing in offshore hybrid entities
- Curbing tax avoidance resulting from international transactions involving financial instruments
- Curbing tax avoidance that results from investments in derivative financial instruments
- Curbing tax avoidance that results from cross-border leasing transactions
- Curbing tax avoidance that results from investments in offshore trusts
- Reportable arrangements, the voluntary disclosure programme and legislation to regulate tax practitioners.
- Challenges posed by e-commerce to the curbing of international tax avoidance
- Curbing tax avoidance that emanates from the abuse of tax-sparing provisions in tax treaties
- The role of international co-operation in preventing tax avoidance and evasion: exchange of information on tax matters
- The role of international co-operation in preventing tax evasion: assistance in the collection of taxes
- The role of exchange controls in limiting the out-flow of capital to offshore jurisdictions.

2015 > **SOFT COVER:** ISBN 978 1 48510 121 5 > 822pp



Tax Administration

2nd edition

Authors: B Croome, L Olivier

**NEW
edition**

About this Publication

Showing how areas of law interrelate and noting best international practice, the authors of *Tax Administration* (2nd edition) set out the rules of tax collection in a well-structured and theoretically sound way.

The book provides tax practitioners with clear and authoritative guidance on aspects such as the registration and submission of tax returns, assessments, requests for information, penalties and interest, privilege, reportable arrangements, dispute resolution, advance tax rulings and remedies.

All chapters have been extensively updated, with the authors thoroughly unpacking the chapters on information gathering and dispute resolution. The 2nd edition has been updated to include all legislation since the 1st edition was published in 2010, and in particular includes the Tax Administration Laws Amendment Act 2014 promulgated on 20 January 2015.

The text provides commentary on the various cases which have adjudicated the provisions of the TAA and public notices up to and including 30 April 2015. It contains a summary of all the public notices required to be issued by the Commissioner, a comparative table referring to the provisions of the TAA as well

as erstwhile equivalent administrative provisions in the Income Tax Act. In addition it contains copies of SARS' public notices, forms and other useful documents.

Contents

- Introduction
- Definitions
- General administration provisions
- Registration
- Returns and records
- Information gathering
- Confidentiality of information
- Advance rulings
- Assessments
- Dispute resolution
- Tax liability and payment
- Recovery of tax
- Interest
- Refunds
- Write-off or compromise of tax debt
- Administrative non-compliance penalties
- Understatement penalty
- Criminal offences



- Registration of tax practitioners and reporting of unprofessional conduct
- General provisions
- Transitional provisions
- Administrative justice

- Access to information held by SARS
- Taxpayer's remedies
- Appendices and diagrams (full list at www.jutalaw.co.za)

2015 > **SOFT COVER:** ISBN 978 1 48510 141 3 > 1056pp
eBOOK: ISBN 978 1 48510 954 9



Tax Administration Act 28 of 2011 & Related Material

Juta's Pocket Statutes



Editors: Juta's Statutes Editors

Contents

- Key Addresses
- Quick Finder for Key Topics
- Tax Administration Act 28 of 2011
 - PENDLEX: Act 44 of 2014
- Related Material
 - Determination of the dates on which certain provisions of the Tax Administration Act, 2011 (Act 28 of 2011) must come into operation
 - 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
 - Public notice listing reportable arrangements for purposes of section 35(2) of the Act
 - Application and cost recovery fees for binding private rulings and binding class rulings
 - 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
 - Returns of information to be submitted by third parties in terms of section 26 of the Act
 - Returns to be submitted: third party returns
 - Returns to be submitted: share warrants
 - Income Tax 2013: notice to furnish returns for the 2013 year of assessment
 - Regulation for purposes of section 70(4) listing the organs of state or institutions to which a senior SARS official may lawfully disclose specified information, GN R93 of 2014
 - Regulation for purposes of section 70(4) listing the organs of state or institutions to which a senior SARS official may lawfully disclose specified information, GN R94 of 2014
 - Notice of address of service specified by the commissioner in terms of section 11(5) of the act with regard to any notice or process by which legal proceedings are instituted
 - **NEW** Method of payment of tax prescribed in terms of section 162(2) of the Act
 - **NEW** Duty to keep the records, books of account or documents in terms of section 29 and in the form in terms of section 30 of the Act
 - **NEW** Returns to be submitted by third parties in terms of section 26 of the Act
 - **NEW** Rules governing procedures to lodge an objection and appeal, procedures for alternative dispute resolution and appeals before a Tax Board or Tax Court
 - **NEW** Rules for electronic communication prescribed under section 255(1) of the Act

NEW EDITION IN PREPARATION 2016



Tax Law – An Introduction

(Lecturer support material available)



Authors: B Croome (Editor), A Oguttu, E Muller, T Legwaila, M Koltz, R C Williams, C Louw

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
- Taxable persons
- Taxation of companies
- Administration
- Returns
- Assessments
- Dispute resolution and collection

- Learner CD
- CD-ROM with answers to exercises available for lecturers. Contact a Juta Law Academic Consultant.

2013 > **SOFT COVER:** ISBN 978 0 70219 985 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
- Income Tax and VAT practice notes
- Budget speeches
- Press statements
- Government notices
- 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
- Includes a free subscription to *Juta's Tax Law Review*, a quarterly e-newsletter containing an exposition of the latest developments in various areas.

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 70218 202 0 > 362pp

Value-Added Tax, Juta's

Author: M Botes

About this Publication

Juta's Value-Added Tax offers a user-friendly approach to the legislation. It contains the Value-Added Tax Act 89 of 1991, as amended, with a section-by-section commentary and extensive cross-referencing within the text. The commentary deals with the actual words and phrases used in the Act. Other major works on value-added tax in South Africa are referred to where considered necessary, to facilitate further research. Flow charts provide a simple and quick visual reference to the contents of various sections and subsections of the Act.

Subscribers also receive a free quarterly e-newsletter entitled *Juta's Tax Law Review*, authored by Professor Lynette Olivier.

Contents

- Act and commentary
- VATNEWS
- Government notices

- SARS rulings on VAT-related matters
- Practice notes
- Table of cases
- Media releases
- Index
- Includes a free subscription to *Juta's Tax Law Review*, a quarterly e-newsletter containing an exposition of the latest developments in various areas of local and international tax.

Published since 1999 > **LOOSE-LEAF:** ISBN 978 0 70215 370 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 > **SOFT COVER:** ISBN 978 0 70219 474 0 > 480pp
eBOOK: ISBN 978 1 48510 700 2



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 70217 691 3 > 837pp
HARD COVER: ISBN 978 0 70217 925 9 > 837pp
eBOOK: ISBN 978 0 70219 959 2



Wills, Estates and Trusts



Administration of Estates and Drafting of Wills

4th 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 > **HARD COVER:** ISBN 978 0 70217 409 4 > 400pp



Drafting of Wills, The

Author: H J Barker

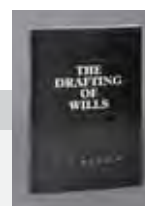
About this Publication

The Law of Succession Amendment Act 43 of 1992 created fundamental changes in South African testamentary law. This book, written by a lawyer with nearly 60 years of practical experience, analyses the Wills Act as amended. It deals among other things with language usage generally, taking instructions from would-be testators, the structure of wills, estate duty, the limits to freedom of testation, the interpretation of wills, donation of human tissues, the so-called living will, traps to avoid in drafting, testamentary trusts and the many other problems which practitioners commonly have to handle. It discusses most of the important cases which have shaped testamentary law and gives many examples of wills and testamentary trusts.

Contents

- The Wills Act
- Check list for taking instructions
- A simple will
- The joint (mutual) will
- Massing
- Flexible powers in small trusts
- The limits to freedom of testation
- Some traps to avoid
- The interpretation of wills – the testator's intention
- The "Living Will"
- Powers of appointment
- Scattered hints

1993 > **SOFT COVER:** ISBN 978 0 70213 012 0 > 146pp



Honoré: The South African Law of Trusts

5th 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.

Contents

- Trusts and other institutions
- Formation of a trust

- The office of trustee
- The trustee's duty to give security
- The administration of a trust
- The trustee's expenses, remuneration and profits
- Liability for breach of trust and other defaults
- Legal proceedings and costs
- The taxation of trusts
- The revocation, variation and termination of trusts
- The trust beneficiary
- Unit trusts and participation bonds
- Jurisdiction and conflict of laws

2002 > **HARD COVER:** ISBN 978 0 70215 590 1 > 725pp



Law of Succession Erfreg

Authors: M J de Waal, M C Schoeman-Malan

About this Publication

Law of Succession and *Erfreg* appeared for the first time in 1992 as a relatively concise text, primarily aimed at students in the law of succession. In its successive editions the book has

evolved into a more general source on the South African law of succession. Through its approach, presentation and systematic method the work remains ideal for use as a textbook in courses

5th edition
5^{de} uitgawe

NEW
edition



in the law of succession.

The fifth edition again strives to provide the reader with a comprehensive overview of the different facets of the law of succession, in the light of recent developments that have affected this branch of the law.

Contents

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

- Joint/mutual wills, adiation/repudiation/election and massing of estates
- Accrual (the *ius accrescendi*)
- Collation
- Succession by contract (the *pactum successorium*)
- Interpretation and rectification of wills
- Administration of estates
- Schedules
 - Wills Act 7 of 1953
 - Intestate Succession Act 81 of 1987
 - Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009

2015 > **SOFT COVER** (English): ISBN 978 1 48510 855 9 > 304pp
SAGTEBAND (Afrikaans): ISBN 978 1 48510 823 8 > 342bl
eBOOK (English): ISBN 978 1 48510 958 7
 (Afrikaans): ISBN 978 1 48510 959 4



Law of Succession in South Africa, The

2nd 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 70215 585 7 > 808pp



Meyerowitz on Administration of Estates and their Taxation

10th 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

ELECTRONIC Additional Contents and Features

- Cases and articles published by The Taxpayer (1958-2005)
- Hyperlinks to referenced legislation and case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

2010 > **SOFT COVER:** ISBN 978 1 48510 115 4 > 772pp
INTERNET: ISSN 2410 9584





South African Law of Succession and Trusts: The past meeting the present and thoughts for the future

(First published as *Acta Juridica* 2014. Also available as *Acta Juridica* 2000 to date online or as part of *Juta's Electronic Law Journals* 2000 to date on CD-ROM or online)

Authors: M de Waal, M Paleker

About this Publication

South African Law of Succession and Trusts: The Past Meeting the Present and Thoughts for the Future comprises papers that were presented at a conference held in September 2012 at the University of Cape Town. The conference participants examined the considerable developments that have occurred in the areas of succession and trusts.

The book contains an interesting array of contributions that deal with aspects of 'mainstream' succession and trust law. In addition, in keeping with the constitutional recognition of African customary law and different systems of personal law, several contributions deal with the relevance of African customary law and religious law in contemporary South Africa, as well as with the harmonisation of divergent legal systems.

Contents

- The contribution made by Mr Justice Michael McGregor Corbett to the South African law of succession - *G Hofmeyr*
- Testamentary freedom versus testamentary duty: in search of a better balance - *K Lehmann*
- A grandchild's claim to maintenance from a deceased grandparent's estate - *D Mackintosh, M Paleker*
- Section 2(3) of the Wills Act 7 of 1953: a retrospective and critical appraisal of some unresolved issues - *L Schoeman-Malan, F du Toit, A van der Linde, J Faber*

- The modus in modern South African succession law - *J Jamneck*
- Reconsidering the indignus principle in the South African law of succession - *S Barns, A Thompson*
- A few comments on the (possible) revival of the customary law rule of male primogeniture: can the common-law principle of freedom of testation come to its rescue? - *C Rautenbach*
- Faskh (divorce) and intestate succession in Islamic and South African law: impact of the watershed judgment in *Hassam v Jacobs and the Muslim Marriages Bill* - *N Moosa, M Abdurroaf*
- The viability for women's rights of incorporating Islamic inheritance laws into the South African legal system - *W Amien*
- Is the DCFR trust a 'proper' trust? An evaluation from a South African perspective - *M J de Waal*
- Die wysiging van inter vivos-trustaktes: 'n evaluerende perspektief op die Potgieter-saak - *T Claassen*
- Comparing the waqf and the South African trust - *L Albertus*

2014 > **SOFT COVER:** ISBN 978 1 48510 648 7 > 300pp



Succession Law

Juta's Pocket Statutes

Editors: Juta's Statutes Editors

Contents

- Key addresses
- Quick Finder for Key Topics
- Wills Act 7 of 1953
- Intestate Succession Act 81 of 1987
- Estate Duty Act 45 of 1955
 - PENDLEX (pending amendments): Act 28 of 2011
 - Valuation of annuities or of fiduciary, usufructuary or other limited interests in property in the estates of deceased persons

- Administration of Estates Act 66 of 1965
 - PENDLEX (pending amendments): Act 1 of 1992
 - Administration of Estates: Regulations; Determination of amounts
- Administration of Estates Laws Interim Rationalisation Act 20 of 2001
- Maintenance of Surviving Spouses Act 27 of 1990
- Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009
- Trust Property Control Act 57 of 1988
 - Trust Property Control: Regulations



Trusts: Law and Practice

Authors: W Geach, J Yeats (Consulting Editor)

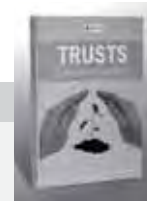
About this Publication

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 70217 865 8 > 321pp



Journals



Acta Juridica 2015

(Also available in soft cover format as *Transformative Justice, A: Essays in Honour of Pius Langa*, online as part of *Acta Juridica 2000 to date*, or as part of *Juta's Electronic Law Journals 2000 to date* on CD-ROM or the Internet)

Editors: M de Waal, M Paleker

NEW
edition



About this Publication

This annual thematic journal is published with the Faculty of Law of the University of Cape Town. Every year a current legal issue forms the focus.

Acta Juridica 2015 pays tribute to Pius Langa, a remarkable man and lawyer. The book has three sections: first, a series of personal tributes to Justice Langa; second, reflections on the work of the Constitutional Court under Langa's leadership as

well as aspects of his philosophy as a judge; and third, explorations of a variety of specific themes in his judgments, writings and speeches.

2014 > **HARD COVER:** 978 1 48510 877 1 > 514pp
Most back issues from 1967 are available on request.
Issues are also available in soft cover.



Acta Juridica (2000 to date)

(Also available as part of *Juta's Electronic Law Journals 2000 to date* on CD-ROM or the Internet, and in print)

Contents and Features

- *Acta Juridica* 2000: Developing Delict: Essays in Honour of Robert Feenstra
- *Acta Juridica* 2001: Equality Law – Reflections from South Africa and Elsewhere
- *Acta Juridica* 2002: Revenue Law
- *Acta Juridica* 2003: Criminal Justice in a New Society
- *Acta Juridica* 2004: Practice of Integrity – Reflections on Ronald Dworkin and South African Law
- *Acta Juridica* 2005: Advancing Women's Rights
- *Acta Juridica* 2006: Comparing Administrative Justice across the Commonwealth
- *Acta Juridica* 2007: Restorative Justice – Politics, Policies and Prospects
- *Acta Juridica* 2008: Dignity, Freedom and the Post-Apartheid Legal Order: The Critical Jurisprudence of Laurie Ackermann
- *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
- *Acta Juridica* 2013: Marriage, Land and Custom – Essays on Law and Social Change in South Africa
- *Acta Juridica* 2014: South African Law of Succession and Trusts – the Past Meeting the Present and Thoughts for the Future
- *Acta Juridica* 2015: A Transformative Justice – Essays in Honour of Pius Langa
- Hyperlinks facilitate easy navigation
- Powerful electronic searching allows for easy and rapid access to information

INTERNET: ISSN 1996 2088



Africa Nazarene University Law Journal

Editors: J Mamboleo (Editor-in-Chief)

About this Publication

The *Africa Nazarene University Law Journal (ANULJ)* publishes academic contributions which are relevant to Africa from an international and comparative law perspective. Special focus is given to Africans and scholars of Africa, who are interested in African research and development. The journal is the product of the Africa Nazarene University Law School, based in Nairobi, Kenya in partnership with Juta Law. With an esteemed editorial board and international advisory board, *ANULJ* has

the backing of the foremost African and international scholars in the field.

Contents

- Articles
- Notes
- Book reviews

SOFT COVER PERIODICAL > two issues per annum: ISSN 2308 1325
(Product code: *ANULJ*) > Approximately 320pp per annum



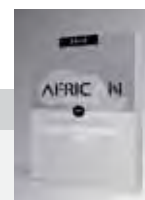
African Yearbook on International Humanitarian Law, The

Editors: G Kemp (Editor-in-Chief), H Woolaver, G Waschefort, M Swart

About this Publication

The *African Yearbook of International Humanitarian Law (AYIHL)* is an annual legal journal which aims to promote interest and research in International Humanitarian Law and

Policy. The *AYIHL* provides an attractive and positive forum for publications on all aspects of International Humanitarian Law of relevance to Africa and African academics.



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

Contents

- Articles
- Notes
- Book Reviews

SOFT COVER – ANNUAL PERIODICAL: ISSN 1997 8391
(Product code: AYIHL)



Annual Survey of South African Law 2014

(Also available on CD-ROM and the Internet as part of Juta's Review of South African Law)

Editors: N Botha (Editor-in-chief), J van Wyk, C Schulze

**NEW
edition**



About this Publication

This comprehensive work is the original, most authoritative annual review of the law in South Africa, providing a clear and succinct commentary on cases and legislation relating to over 30 general and specialist areas of the law. The *Annual Survey* provides an exhaustive overview and analysis of the year's legal developments by renowned judicial experts and commentators in their fields. As a permanent record and interpretation of legal developments in every year under review it is of lasting value in research.

Contents

- The administration of justice
- Administrative law
- Admiralty law
- Civil and constitutional procedure and jurisdiction
- Conflict of laws
- Constitutional law
- Constitutional property law
- Corporate law (including stock exchanges)
- Criminal law
- Criminal procedure and sentencing
- Environmental law
- Family law
- Financial institutions
- General principles of the law of contract
- Insolvency law

- Insurance law
- Intellectual property law
- Labour law
- Law of delict
- Law of evidence
- Law of lease
- Law of negotiable instruments
- Law of persons
- Law of property (including real security)
- Law of purchase and sale
- Law of succession (including the administration of estates) and trusts
- Mining law
- Miscellaneous contracts (agency, carriage, deposit, donation, loan, partnership, service, and suretyship)
- Pension funds law
- Public international law
- Taxation
- Unjustified enrichment
- Table of statutes
- Table of cases
- Index of sections

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



Constitutional Court Review

Editor: S Woolman (Editor-in-Chief)

About this Publication

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

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

Contents

- Essays
- Articles
- Notes

SOFT COVER ANNUAL PERIODICAL: ISSN 2073 6215
(Product code: CCRJ) Over 500 pages per annum



Corporate Report, The: Facilitating Business in South Africa

Editors: M King, A van Wyk, M Kuper

About this Publication

The company today operates in an ever changing environment. There is a plethora of new legislation impacting on companies in South Africa, as well as new corporate reporting requirements and increasing stakeholder expectations. In the broader context, companies operate in the 'new economy' where more must be made with less and where governance, strategy and

sustainability are inseparable. Today's business leaders must indeed steer their ships well.

The Corporate Report offers business leaders topical, relevant articles written by experts in their fields. It aims to assist business and governance leaders make more informed



decisions about corporate and governance issues, business judgement calls, and corporate reporting. It also sets out to provide information that is relevant for today's company operating in a new economy created by the crises of global finance, climate change and ecological overshoot.

Contents

- The effect of the new Companies Act
- The judiciary and its role in regulating the business environment
- Arbitration as an alternative dispute resolution option in business

- Anti-competitive behaviour and the laws that seek to prevent it
- Workplace law
- Intellectual property and its role in enhancing competitiveness and business excellence
- Governance issues in information technology
- Business viability and preservation of the environment
- Taxation and finance
- Consumer protection and the legislation that governs it

SOFT COVER PERIODICAL– 3 issues per annum: ISSN 2222 3894
(Product code: TCREP) > Approximately 60pp per issue



Electronic Law Journals, Juta's (2000 to date)

About this Publication

This electronic resource contains the full text of Juta's law journals from 2000 to date. The most widely cited source of in-depth debate on legal issues, it comprises thousands of pages of articles, notes, cases, case discussions and book reviews on a diversity of subjects. With over 5000 pages of new articles added each year, this is a must-have source of information for all legal professionals.

Contents and Features

- South African Law Journal
- Acta Juridica
- Journal of South African Law/Tydskrif vir die Suid-Afrikaanse Reg
- South African Journal on Human Rights (2000 to 2015)*
- South African Journal on Criminal Justice
- Stellenbosch Law Review

- South African Mercantile Law Journal
- The African Human Rights Law Journal (2000 to 2012)*
- Juta's Business Law (issues 1 of 2000 – 2 of 2008)*

*No longer published by Juta

ELECTRONIC Additional Contents and Features

- Fully searchable across all journals with special searches by title, author or citation
- Consolidated indexes to each journal
- Regularly revised and updated
- Hyperlinks facilitate easy navigation
- Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 1995 2171 > Updated quarterly
INTERNET: ISSN 1995 2163



Iilwandle Zethu: Journal of Ocean Law and Governance in Africa

Editor: P Vrancken

NEW

About this Publication

Iilwandle Zethu: Journal of Ocean Law and Governance in Africa is a blind peer reviewed Journal of note, under the editorship of the South African Research Chair in the Law of the Sea and Development in Africa. The journal publishes submissions relating to marine law, maritime law or ocean governance as they apply to the African continent, or to one or more African states.

Contents – Issue 1, 2016

- Articles:
 - Institutional gaps in the 2050 Africa's Integrated Maritime Strategy - *Edwin Egede*
 - African cabotage: Coastal waters governance and economic independence - *Oliver C Ruppel* and *David J Biam*
 - The delimitation of maritime boundaries on Africa's eastern seaboard - *Siqhamo Ntola*

- Documents:
 - Constitutive Act of the African Union (2000)
 - Protocol to the Constitutive Act of the African Union Relating to the Establishment of the Peace and Security Council of the African Union (2002)
 - African Charter on Democracy, Elections and Governance (2007)
 - African Convention on the Conservation of Nature and Natural Resources (2003)
 - Revised African Maritime Transport Charter (2010)
 - 2050 Africa's Integrated Maritime Strategy (2014)
- Select bibliography
- Notes to contributors

SOFT COVER ANNUAL PERIODICAL: ISSN 2414 8253
(Product code: JOLGA) > 274pp



Industrial Law Journal (ILJ)

(Incorporating the Industrial Law Reports. Also available electronically as part of Juta's Labour Library)

Editors: C Cooper, C Vosloo, L Williams-de Beer

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

- Judgments and determinations from all forums where labour law matters are decided: the Labour Court and Labour Appeal Court, the High Court and Supreme Court of Appeal and Constitutional Court
- Selected important awards of the CCMA
- Peer-reviewed articles
- Index and case annotations

ELECTRONIC Additional Contents and Features

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

SOFT COVER > MONTHLY PERIODICAL: ISSN 0258 249X
(Product code: ILJ) > Approximately 3000pp per annum and an annual index
Full set from 1900-2015 > Product code: ILJFULLPACK
(includes a FREE 1980-2006 Cumulative Index) Back issues are also available.
INTERNET: ISSN 2413 9874



Industrial Law Journal – Cumulative Index (1980–2010)

Editor: C Vosloo

About this Publication

This consolidated index provides easy reference to all subjects discussed in cases and articles in the *Industrial Law Journal* (incorporating the *Industrial Law Reports*) for the period 1980 to 2010. It provides the key to unlocking 27 years of labour law. The Index facilitates optimal usage of the *Industrial Law Journal*.

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 70217 894 8



Insurance Law Bulletin, Juta's

Editor: D Millard

About this Publication

Juta's Insurance Law Bulletin is a quarterly periodical that covers all aspects of insurance law. The bulletin provides concise summaries and updates of what occurred in the previous quarter in the field of insurance law.

Contents

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

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



Juta Insurance Law Bulletin Cumulative Indexes (1998–2013)

Editor: J P van Niekerk

About this Publication

The *Juta Insurance Law Bulletin Cumulative Indexes (1998–2013)* provides easy reference to all subjects discussed in cases and legislation contained in the *Insurance Law Bulletin*.

Contents

- Cumulative alphabetical index of cases 1998-2013
- Cumulative alphabetical index of legislation 1998-2013
- Subject index 1998-2013

SOFT COVER: ISBN 978 1 48510 617 3 > 206pp



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

Editor-in-Chief: S Mancuso

About this Publication

The *Journal of Comparative Law in Africa* is a peer-reviewed academic legal journal published annually by Juta and the Centre for Comparative Law in Africa, at the University of

Cape Town (South Africa). The Journal is bilingual (English and French) and addresses legal issues on the African continent.



Contents

- Articles
- Notes
- Book Reviews

SOFT COVER BI-ANNUAL PERIODICAL: 2311 6889 (Product code: JCLA0001)
Approximately 120pp per issue



Journal of Corporate and Commercial Law & Practice, The

Managing Editors: T Mongalo, H Kawadza

NEW

About this Publication

The *Journal of Corporate and Commercial Law & Practice* (JCCLP) is a bi-annual periodical published by Juta for the University of Witwatersrand Law School.

This journal covers the area of corporate and commercial law, with specific emphasis on how constitutional law, foreign law and public policy imperatives help improve and develop corporate and commercial law principles.

The JCCLP is supported by an eminent editorial committee and editorial advisory board of thought leaders in academics and practice.

Contents

- Editorial
- Articles
- Practice notes

SOFT COVER BI-ANNUAL PERIODICAL: ISSN 2412 2998
(Product code: JCCLP) > Approximately 270pp per annum



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)

Editor: J C Sonnekus

About this Publication

This multilingual periodical is published quarterly by Juta for the Faculty of Law, University of Johannesburg. This scholarly and practical journal covers a broad spectrum of topics pertinent to the legal community.

Contents

- Articles
- Commentary and notes
- Book reviews
- Consolidated index

ELECTRONIC Additional Contents and Features

- All issues from 2000 to date
- Special searches by title, author or citation

- Handy hyperlinks facilitate easy navigation
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > QUARTERLY PERIODICAL: ISSN 0258 249X
(Product code: 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)

About this Publication

The *Annual Survey and Juta's Quarterly Review* (JQR) offers an exhaustive overview and analysis of legal developments by renowned legal experts and commentators in their fields. The Review also provides an excellent resource for identifying and interpreting relevant statutes and case law. While the *Annual Survey* offers a consolidated view of legal developments in a given year, JQR provides an immediate survey of current legal developments, often referring to cases as yet unreported. This work is your ideal companion for fast effective access to the information you need in your legal research.

Contents and Features

- *Annual Survey of South African Law* (2000 to current)
 - An electronic version of the well-respected print publication published since 1946
- *Juta's Quarterly Review of South African Law* (2006 to date)
 - Covers more than 20 areas of the law
- Hyperlinks from *South African Law Reports* and *South*

African Criminal Law Reports citations to the headnotes and flynotes of the cases

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

CD-ROM/INTRANET: ISSN 1997 6283 > Updated quarterly
INTERNET: ISSN 1997 6291



SADC Law Journal, The

Editors: E Kalula, N Horn

About this Publication

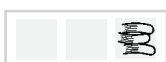
The *SADC Law Journal* is an annual peer-reviewed journal which provides a forum for legal themes of relevance to the SADC legal fraternity.

The *SADC Law Journal* is an important tool in creating greater awareness about the law in the SADC region and providing readers with latest legal debates in this area. The journal serves as a platform where prominent scholars and distinguished legal practitioners alike can share their views on various aspects of the SADC Treaty, SADC Protocols, other SADC norms, shape the legal discourse on regional integration and examine core legal issues in the SADC integration process.

Contents

- Articles
- Notes / Comments
- Book Reviews

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



South African Intellectual Property Law Journal

Editors: L Tong, C Ncube

About this Publication

The *South African Intellectual Property Law Journal (IPLJ)* strives to be the journal of choice for academics, practitioners and students of IP law. The *IPLJ* includes articles on recent developments in legislation, policy and case law keep IP practitioners at the forefront of the law.

- Notes and updates
- Book reviews

Contents

- Articles

SOFT COVER – ANNUAL PERIODICAL: ISSN 2309 4532
(Product code: IPLJ) > 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)

Editors: S V Hoor (Editor-in-Chief), S S Terblanche

About this Publication

This publication provides an arena for discussion of issues affecting the criminal justice system. The journal focuses on criminal law, criminal procedure, evidence, international criminal law and criminology. International scholars in criminal justice are represented on the editorial panel.

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

Contents

- Articles
- Comments
- Analysis of recent cases by specialists
- Book reviews
- Consolidated index

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1011 8627
(Product code: SAJJC) > Approximately 700pp per annum
INTERNET: ISSN 1996 2118



South African Journal on Human Rights (2000–2015)

(Also available as part of Juta's Electronic Law Journals 2000 to date on CD-ROM or the Internet)

Editors: B Meyersfeld (Managing Editor), C Albertyn, L Chenwi, J Dugard, B Goldblatt, R Keightley, M Mushariwa, S Sibanda

About this Publication

The *SAJHR* provides a forum for the expression of views on human rights issues. Consisting of articles, cases and comments on human rights, the *SAJHR* is intended primarily for lawyers and academics. This Journal is no longer published by Juta. Issues from 2000–2015 are available online and in print.

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

Contents

- Articles, cases and comments on human rights
- Book reviews
- Human rights index

SOFT COVER – issues from 2000–2015 to date only:
ISSN 0258 7203 (Product code: SAJHR)
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)



Editors: G Glover (Managing Editor), P Andanda, D Bhana, H Corder, J Heaton, H Kruuse

About this Publication

The *South African Law Journal* is South Africa's premier law journal. It publishes articles, notes on cases and book reviews by prominent members of the legal profession and academics. Founded in 1884, it is the oldest law journal of its kind in the world. The *South African Law Journal* is the legal showcase for new ideas, changing attitudes and shifting emphases in South African law. Those who are interested in these changes and developments will find this journal stimulating reading.

Contents

- Authoritative articles
- Recent cases
- Notes and comments

- Correspondence
- Book reviews
- A cumulative index
- A separate index is issued annually as part of this subscription

ELECTRONIC Additional Contents and Features

- Issues from 2000 to date
- Handy hyperlinks facilitate easy navigation with the product
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > QUARTERLY PERIODICAL: ISSN 0258 2503
(Product code: SALJ) Approximately 800pp per annum
Back issues are also available
INTERNET: ISSN 1996 2177



South African Law Journal, Cumulative Index to the (1998–2010)

(Includes a free 1973–1997 Cumulative Index)



Editor: D Burger

About this Publication

This consolidated index provides easy reference to all subjects discussed in cases and articles appearing in the *South African Law Journal* during the period 1998–2010.

Contents

- Subject index
- List of articles and notes

- Tables of cases and legislation
- List of contributors of articles
- List of book reviews
- 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



South African Law Journal, Index to the (1973–1997)

Editors: P Cobbledick (Compiler), M Dendy (Editor)

About this Publication

This consolidated index makes it easy to look up all subjects discussed in the *South African Law Journal* for the period 1973 to 1997.

Contents

- Subject index
- 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)



Managing Editor: P Stoop

About this Publication

The *South African Mercantile Law Journal* is a specialist journal published by Juta and the Faculty of Law, University of South Africa. It is devoted to publishing material in the field of mercantile and business law. This journal is not intended as a businessman's journal. It is aimed at practitioners and academics in these areas of the law.

Issues from 2000 to date are also available electronically on CD-ROM and online.

Contents

- Learned articles
- Comments
- Notes and reviews

ELECTRONIC Additional Contents and Features

- Issues from 2000 to date
- Handy hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1015 0099
(Product code: SAMLJ) > Approximately 800pp per annum
INTERNET: ISSN 1996 2185



South African Yearbook of International Law, The

Managing Editor: C Waschefort

NEW



About this Publication

The *South African Yearbook of International Law* is the only South African journal devoted solely to international law. Published annually since 1975 by the VerLoren Van Themaat Centre for Public Law Studies at Unisa, issues from 2014 onwards will be published by Juta,

The *South African Yearbook of International Law* is a well-received, peer-reviewed journal, with an outstanding group of Editors and Editorial Board. Accredited by the Department of Higher Education and Training, The South African Yearbook of International Law is the leading reference source on the development of international law in South Africa, and covers a wide variety of current topics in international law.

Contents – 2014 Issue

- Articles
- Judicial Decisions
- A feature part on Boko Haram
- Southern African events of international significance
- Treaties

SOFT COVER ANNUAL PERIODICAL: ISSN 0379 8895
(Product code: SAYIL)



Stellenbosch Law Review

(Also available as part of Juta's Electronic Law Journals 2000 to date on CD-ROM and the Internet)

Managing Editor: R Stevens

About this Publication

The *Stellenbosch Law Review* is a forum for the discussion of topical legal issues in various fields. As a law review the emphasis is on providing insight rather than just an overview. It maintains a balance between a wide variety of specialist fields and legal subjects of general interest.

Contents

- Full-length articles, review articles, case-notes and comments, as well as shorter book reviews and announcements

ELECTRONIC Additional Contents and Features

- Issues from 2000 to date
- Handy hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > QUARTERLY PERIODICAL: ISSN 1016 4359
(Product code: SLR) > Approximately 700pp per annum
INTERNET: ISSN 1996 2193



Law Reports



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

Author: Dr Tim Burrell

About this Publication

This publication is South Africa's only printed series of law reports on intellectual property law, with the full text of judgments, many of which are not included in any other series of law reports.

Contents

- Patent cases
- Trademark cases
- Design cases
- Copyright cases
- Common law cases in restraint of trade
- A table of cases of all judgments published in the *Burrell's* series

ELECTRONIC Additional Contents and Features

- Burrell's Patent Law Reports from 1953 to 1996
- Burrell's Intellectual Property Law Reports from 1997 to 2014
- Relevant extracts from *The South African Appellate Division Reports* (1910 to 1946)
- Relevant extracts from *The South African Law Reports* (1947 to date)
- Numerous Acts and amending Acts relating to patent and intellectual property law

- Regulations and related notices
- International treaties and conventions
- A table of cases of judgments published in *Burrell's Patent Law Reports*
- Hyperlinks to referenced case law for subscribers to the relevant online publications
- Powerful electronic searching allows for easy and rapid access to information

HARD COVER: ISSN 1560 0211
CD-ROM/INTRANET: ISSN 1500 4594 > Updated quarterly
INTERNET: ISSN 1682 0614





English Reports, The

About this Publication

The *English Reports*, which record the law of England from 1220-1865, is one of the greatest repositories of the common law. Their endowment to legal systems throughout the world is a common heritage of case law which goes back more than six centuries. The *English Reports*, containing thousands of judgments, extend to over 250 000 pages of print. This electronic publication opens up the study of the history of English law in ways that have until now been unimaginable.

The *English Reports* contain law which is still good law in the USA and the Commonwealth nations. They also contain precedents which, more than any other source of law, explain the history and pre-history of those legal systems. The 176 volume printed edition remains a starting point for all serious legal research in the common law and the electronic edition unleashes the potential for research which has remained locked up in the *English Reports* for centuries.

Contents

- A 176-volume law report series on two CDs (Vol 1-90 and Vol 91-176)
- Full text of the law report series
- Various indexes, consolidated from 1220 to 1865
- Index to the *English Reports* Volumes and Nominate Reports
- Fully searchable and linked
- Text can be copied and pasted to facilitate research and document preparation
- Downloadable CD-ROM version also available on request

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



Index and Annotations to the South African Criminal Law Reports, The (1990–2015)

Editors: Juta's Law Reports Editors

About this Publication

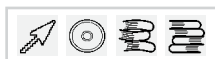
The *Index and Annotations to the South African Criminal Law Reports* is consolidated from 1990 to 2015 and replaces all previous indexes. This two-volume index is the primary and most comprehensive repository of criminal case law in print, and is indispensable for criminal law practitioners.

Contents

- Table of cases
- Case annotations
 - Southern African cases
 - Foreign cases

- Legislation judicially considered
 - Alphabetical list of short titles of Acts
 - Chronological list of annotated statutes
- Subject Index (alphabetically arranged fly-notes)

(1990-2015) **HARD COVER** in two volumes:
ISBN 978 1 48510 960 0 > 2036pp



Index and Annotations to the South African Law Reports, Juta's

Editors: Juta's Law Reports Editors

About this Publication

Prepared by the editors of the *South African Law Reports*, this publication greatly improves access to the reports and consolidates the annual indexes to the *South African Law Reports*. Subject index entries have been realigned to reflect current trends, and comprehensively encapsulate the past 5 years of case law. Annotations are now presented in a columnar structure allowing practitioners to view all annotations for a particular judgment.

Juta's Index and Annotations to the South African Law Reports 2009–2013 supplements the 7-volume set that covers 1947–2008.

Contents

- Table of cases (alphabetical)
- Case Annotations: southern Africa
- Case Annotations: foreign
- Table of contents of subject headings
- Subject index
- Legislation judicially considered

ELECTRONIC Additional Contents and Features

- Indexes to the *South African Law Reports* (1947 to date) in one consolidated source
- Indexes to the *Appellate Division Reports* (1910 to date)
- Table of cases for Privy Council 1838 to 1950
- Powerful electronic searching allows for easy and rapid access to information

1947 to 2008 Consolidated Index **HARD COVER** in 7 volumes:
ISBN 978 0 70218 133 7 > 8636pp
2009 to 2013 Consolidated Index **HARD COVER**:
ISBN 978 1 48510 156 7 > 974pp
2015 Annual Edition (in preparation April 2016) **SOFT COVER**:
ISBN 978 1 48510 950 1 > 182pp
CD-ROM/INTRANET: ISSN 1560 1633 > Updated monthly or quarterly
INTERNET (1947–date): ISSN 1682 0649





Index to the Namibian Law Reports (1990–2013)

Editors: Juta's Law Reports Editors

About this Publication

This useful publication provides easy access to The *Namibian Law Reports*, saving hours in research time by advising the user whether cases have been overruled, distinguished or approved by later cases. The subject index has been revised to reflect current trends in the law, with detailed cross-referencing, to enable speedy and thorough location of cases on topic.

Contents

- Table of cases
- Case annotations
- Table of contents of subject headings
- Subject index
- Legislation judicially considered

2014 > **SOFT COVER:** ISBN 978 1 48510 157 4 > 507pp



Industrial Law Journal (ILJ)

(Incorporating the *Industrial Law Reports*. Also available electronically as part of *Juta's Labour Library*)

Editors: C Cooper, C Vosloo, L Williams-de Beer

About this Publication

For over thirty years the *ILJ* has remained the premier South African labour law reporter. This seminal monthly journal covers judgments and awards handed down by the Labour Court, Labour Appeals Court, the CCMA, Bargaining Councils and private arbitration bodies. Also included are labour-related judgments from the Constitutional Court, the Supreme Court of Appeal, the Land Claims Court and the Pension Funds Adjudicator. The *ILJ* is the only labour series to publish relevant judgments of neighbouring states. Every fourth issue includes insightful and thought-provoking articles and case notes, written by local and international experts.

Contents

- Judgments and determinations from all forums where labour law matters are decided: the Labour Court and Labour Appeal Court, the High Court and Supreme Court of Appeal and Constitutional Court
- Selected important awards of the CCMA
- Peer-reviewed articles
- Index and case annotations

ELECTRONIC Additional Contents and Features

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

SOFT COVER – MONTHLY PERIODICAL: ISSN 0258 249X
(Product code: *ILJ*) Approximately 3000pp per annum and an annual index
Full set from 1900–2015 – Product code: ILJFULLPACK
(includes a FREE 1980–2006 Cumulative Index). Back issues are also available.
INTERNET: ISSN 2413 9874



Insurance Law Bulletin Cumulative Indexes, Juta (1998–2013)

Editor: J P van Niekerk

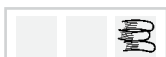
About this Publication

The *Juta Insurance Law Bulletin Cumulative Indexes (1998–2013)* provides easy reference to all subjects discussed in cases and legislation contained in the *Insurance Law Bulletin*.

Contents

- Cumulative alphabetical index of cases 1998–2013
- Cumulative alphabetical index of legislation 1998–2013
- Subject index 1998–2013

SOFT COVER: ISBN 978 1 48510 617 3 > 206pp



Insurance Law Bulletin, Juta's

Editor: D Millard

About this Publication

A quarterly bulletin covering all aspects of insurance law.

Contents

- Concise summaries of the most up to date cases on insurance law; review of legislative changes; review of legal writing on insurance law

- Coverage of cases, some of which are not reported elsewhere

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





Namibian Law Reports, The

Editors: Juta Law Reports Editors

About this Publication

This authoritative series covers precedent-setting case law since 1990. Now issued in four volumes a year, these reports cover the judgments of the Supreme Court, High Court Main Division, Northern Local Division and the Labour Court. Expertly headnoted and edited, the law reports provide an invaluable quarterly collection of recent judgments, with a subject index, case annotations and statutes annotations enabling the quick location of cases on topic.

Contents

- Table of cases
- Subject index
- Case annotations: Southern African and foreign cases
- Legislation judicially considered
- Full text of judgments

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



SOFT COVER > QUARTERLY PERIODICAL: ISSN 1024 6991 > Full set from 1990–2014: NLR-PACK
CD-ROM/INTRANET: ISSN 1680 4953 > Updated bi-annually
INTERNET: ISSN 1682 1009



Privy Council Reports (1833–1950)

Editors: J Taitz, I Ackermann, O J Barrow

About this Publication

This collection brings together judgments of the Privy Council, which was the final Court of Appeal for South Africa until 1950.

Contents

- Foreword by the Honourable Chief Justice MM Corbett
- List of Cases
- Roman-Dutch law appeals tables
- Roman-Dutch law appeals digest
- South African appeals table

- 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 70213 604 7 > 659pp



Sentencing Reports, Juta's

Editors: Juta Law Reports Editors

About this Publication

This electronic research tool is the definitive solution for finding comparative judgments on sentencing. With its user-friendly interface, reports on a particular offence are only a click away, arranging the judgments from lowest to highest sentence, with concise summaries containing only the facts pertinent to the sentence given. The full judgment texts are instantly available, for all recent sentencing judgments, whether reported or unreported. Substantial and compelling circumstances can also be researched under offences, and are arranged according to whether such were found or not found, along with the pivotal facts on which such finding turned.

This ground-breaking resource will facilitate fast and thorough sentencing research, and enable greater consistency in sentencing.

Contents

- Offences
- Substantial and compelling circumstances
- Child offenders
- Judgments
- Powerful electronic searching allows for easy and rapid access to information

INTERNET: ISSN 2311 6757



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)

Editors: Juta Law Reports Editors

About this Publication

This uninterrupted case law resource offers access to the most recent decisions, as well as earlier judgments of historical importance on a single DVD-ROM.

Contents

- The full content of the *South African Law Reports* 1947 to date including:
 - Judgments from all the superior courts of South Africa, including the Constitutional Court, as well as relevant decisions from Zimbabwe and Namibia
 - Indexes consolidated from 1838
 - Court rules and practice directions
 - Appellate Division Reports 1910 to date
 - Privy Council Reports 1838 - 1915
 - Detailed case and statutory annotations

- Expertly crafted headnotes with indicators to the precise location of rationes and dicta
- Free online access to *Juta's Unreported Judgments* comprising:
 - Judgments from 1997 considered for publication in the printed series of the *South African Law Reports*
 - Summaries of judgments classified by subject
- The most recent issue of *Juta's Quarterly Review of South African Law*
- Hyperlinks from the table of cases to relevant law reports
- Powerful electronic searching allows for easy and rapid access to information

DVD-ROM/INTRANET: ISSN 1994 053X > Updated monthly or quarterly
INTERNET: ISSN 1994 1099



South African Criminal Law Reports, The

(Available electronically from 1990 to date on CD-ROM, Internet and Intranet. Available in print as a monthly soft cover periodical, and as a full set from 1990 to date.)

Editors: Juta's Law Reports Editors; P J 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
- List of selected judgments

ELECTRONIC Additional Contents and Features

- Judgments are presented in full text, with the electronic version having the same page breaks and marginal lettering as printed in the *South African Criminal Law Reports*, making citations standard.

- Complete set of South African Criminal Law Reports from 1990 to date
- Consolidated indexes to the South African Criminal Law Reports from 1990 to date
- A number of Acts and amending Acts relating to criminal procedure and regulations in terms of the Criminal Procedure Act 51 of 1977
- Powerful electronic searching allows for easy and rapid access to information

SOFT COVER > MONTHLY PERIODICAL: ISSN 1016 3107 (SACLR)
 Approximately 1500pp per annum > **FULL SET:** SACLR90/9PACK
CD-ROM/INTRANET: ISSN 1022 1778 > Updated monthly or quarterly
INTERNET: ISSN 1682 0770



South African Law Reports, The

(Available electronically from 1990 to date on CD-ROM or from 1947 to date on CD-ROM, Internet and Intranet. Available in print as a monthly soft cover periodical, and as a bound full set from 1947 to date. Also available on DVD-ROM as part of South African Case Law 1838 to date)

Editors: Juta's Law Reports Editors; C M E O'Regan, M S Navsa, D S Fisher (Honorary Consulting Editors)

About this Publication

The *South African Law Reports* is the premier repository of South African judicial jurisprudence and the most widely referred to source of primary legal precedent in South Africa. Published since 1947, the *South African Law Reports* has an extensive network of reporters. Judgments are published in the language in which they were initially delivered. Judgments are carefully selected and edited by the editors of the *South African Law Reports* who produce flynotes, headnotes, legislative references and case annotations.

PRINT Contents

- Decisions of the following Courts:
 - Constitutional Court
 - Supreme Court of Appeal
 - High Courts
 - Labour and Labour Appeal Court
 - Land Claims Court
 - Competition Appeal Court
 - Electoral Court
 - Zimbabwe High and Supreme Courts
 - Namibian High and Supreme Courts
- List of judges
- Detailed and informative indexes



- 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 70215 594 2 > This publication is not updated



Tanzania Law Reports (1983–1997)

Editorial Board: The Hon Justice F L Nyalali (Chairman), J T Mwaibusa, 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

CD-ROM/INTRANET: ISSN 1028 9194 > This publication is not updated
INTERNET: ISSN 1682 1041



Unreported Judgments, Juta's

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

Editors: Juta's Law Reports Editors

About this Publication

This unrivalled online database of over 28000 judgments will substantially enhance the depth of your research, add weight to your heads of argument, and give you the tactical advantage in litigation. The collection is updated daily with South African and Namibian judgments, each expertly summarised according to law topics that narrow to specific and cogent areas of law, for easy location of the judgments you need.

Contents

- The full text of unreported judgments considered for publication in the *South African Law Reports* and the *South African Criminal Law Reports* but not yet reported.
- Summaries of judgments classified by subject
- Citations to judgments subsequently reported in the *South African Law Reports* and the *South African Criminal Law Reports*

- 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)

Editorial Board: The Hon Mr Justice B T Gardner (Chairman), The Hon Mr Justice W M Muzyamba, Mr J H Jearey SC, Ms M Munalula, Mr P Musonda (Secretary), Dr N Simbyakula, O J Barrow

About this Publication

This publication contains the full text of the official law reports of Zambia from independence in 1963 to 1997. Also included is an alphabetical listing of cases and an alphabetical table of cases. The table of cases is further arranged by High and Supreme Courts.

All law reports from 1988 to 1997 are available only from Juta. Volumes published prior to 1988 or after 1997 can be obtained from The Secretary, Council of Law Reporting, PO Box 50067, Lusaka, Zambia.

Contents

- Zambia Law Reports in print from 1988 to 1997
- A list of judges
- Index of reported cases
- Index of subject matter
- Cases judicially considered
- Statutes judicially considered
- Subsidiary legislation judicially considered

ELECTRONIC Additional Contents and Features

- The only complete electronic record of published case law in Zambia from 1963 to 1997

- 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 70215 788 2
CD-ROM/INTRANET: ISSN 1560 1668 > This publication is not updated
INTERNET: ISSN 1682 105X



Zimbabwe Law Reports

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

NEW

About this Publication

This online resource provides the law reports of Zimbabwe from 1980 to the current volume. This publication is updated twice a year.

Contents

- Zimbabwe Law Reports (1980 – current volume)
- Table of cases (1980 – current volume)
- Case annotations
- Legislation judicially considered
- Subject index
- Full reported judgment text

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

INTERNET: ISSN 1682 1017 (updated bi-annually)

> Collections of Legislation



Foodstuffs, Cosmetics and Disinfectants Act, Regulations and Standards, Juta's

About this Publication

The Foodstuffs, Cosmetics and Disinfectants Act, regulations and standards regulate the environment for industries and businesses dealing with the manufacture and distribution of these goods. It reaches into staff kitchens, shops, airlines, large and small manufacturers and anywhere food is prepared. This electronic resource provides convenient access to this pervasive piece of legislation.

Contents

- Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972
- Standards Act 8 of 2008
- Consolidated Regulations
- Selected draft notices
- Compulsory specifications

DVD-ROM/INTRANET: ISSN 1563 0579 > Updated monthly and quarterly
INTERNET: ISSN 1563 0587



Government Gazettes of South Africa

About this Publication

This electronic resource provides access to the full text, in English only, of the Government Gazettes from 1994 to 2014 and now also includes fully searchable pdf. versions of all government notices from 2015 to date, as reproduced under the Government Printer's Copyright Authority 10045.

Contents

- Bills
- Acts
- Amendments

- Government notices
- Powerful electronic searching by subject or keyword allows for easy and rapid access to information
- Hyperlinks to notices within the product

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



Index to the Government Gazette of South Africa

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 Gazette (1990 to date)
- Listing of notices from 1990 to date
- Alphabetical subject index
- Numerical index
- Proclamations

- Annexures
- Index to the South African *Government and Provincial Gazettes* 1910–1989 (formerly "Windex")
- Powerful electronic searching by subject or keyword allows for easy and rapid access to information
- Hyperlinks to the *Government Gazettes of South Africa* for subscribers to this publication

CD-ROM/INTRANET: ISSN 1024 2538 > Updated monthly and quarterly
INTERNET: ISSN 1682 0630



Juta – State Library Index to the Government Gazette

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 (2015 Annual Edition) **HARD COVER:**
ISBN 978 1 48510 774 3
(2016 Quarterly Subscription) **THREE SOFT COVER ISSUES AND ONE HARD**
COVER ISSUE: ISBN JSLIQ > Most back issues are available



Laws of Tanzania

(Principal and Subsidiary Legislation Revised Edition 2002)

2002 edition

Author: Tanzanian Editorial Board

About this Publication

This online resource is the first complete revision of the laws of Tanzania since 1966 and comprises principal legislation and subsidiary legislation in force on 31 July 2002. The principal legislation consists of 415 chapters arranged numerically. An index, alphabetical and chronological tables and certain omitted Acts which were not in force at the completion of the Law Revision of 2002 are also included. The revised edition of the subsidiary legislation has been arranged in a similar fashion. The resource consists of various tables of content; the Constitution (in Kiswahili); and the ordinary laws of the country (Acts and subsidiary legislation), set out in numbered chapters.

Contents

- Statutes of Tanzania, revised edition 2002
- Principal legislation consisting of 415 Chapters in 10 volumes
- Supplementary volume with alphabetical and chronological Table of Acts
- Subsidiary Legislation consisting of 10 volumes
- Hyperlinks facilitate easy navigation within the product
- Powerful electronic searching allows for easy and rapid access to information

CD-ROM: ISSN 1813 3142 **INTERNET:** ISSN 1813 3142
This publication is not updated



Legislation Service, Juta

Editors: Juta's Statutes Editors

About this Publication

A predominantly bilingual (*Afrikaans & English*) loose-leaf series (**indicates published in English only*).

Each volume comprises of 4 components: The Act (*including pending amendments – if applicable*); rules/regulations; table of cases; and an index. Updated by means of bi-annual revision services, with free newsletters in the interim.

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

✓ Criminal Law - Criminal Procedure & Child Justice / Strafrege - Strafreproes (Volumes I & II)

Criminal Procedure/Strafreproes - 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 70211 633 9

ONLINE: ISSN 2310 6948

✓ Criminal Law - Sexual Offences / Strafrege – Seksuele Misdrywe

- Criminal Law (*Sexual Offences and Related Matters*) Amendment Act
- Sexual Offences Act

LOOSE-LEAF: ISBN 978 0 70218 183 2

✓ Deeds Registries Act / Registrasie van Aktes Wet

- Deeds Registries Act

LOOSE-LEAF: ISBN 978 0 70211 642 1

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LOOSE-LEAF: ISBN 978 0 70212 276 7

✓ Family Law / Familiereg: Volume II

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- Marriages & *Unions; Divorce; Maintenance; Births & Deaths; Family, Domestic Violence & Harassment

LOOSE-LEAF: ISBN 978 0 70212 343 6

✓ Labour Law - Sectoral Determinations

- *Only Sectoral and Ministerial Determinations
- Table of Cases

LOOSE-LEAF: ISBN 978 0 70218 199 3

✓ Liquor Legislation of South Africa (Volumes I, II & III)

- *Liquor Acts; *Liquor Products Act; *Provincial Liquor Acts (*excluding North West – not yet promulgated*)

LOOSE-LEAF: ISBN 978 0 70216 734 8

✓ Magistrates' Courts Act / Wet op Landdroshowe

- Magistrates' Courts Act; South African Judicial Education Institute Act; Jurisdiction of Regional Courts Amendment Act; Small Claims Court Act

LOOSE-LEAF: ISBN 978 0 70211 646 9

✓ Sectional Titles Act / Wet op Deeltitels

- Sectional Titles Act; *Sectional Titles Schemes Management Act

LOOSE-LEAF: ISBN 978 0 70212 065 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 70211 643 8



Metal and Engineering Industries Bargaining Council Consolidated Agreements (MEIBC)



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

About this Publication

This industry agreement compilation has become an indispensable source of reference for the metal industry. It provides the consolidated text of all agreements (*excluding Lift Engineering Agreement*).

Contents

- Main Collective Agreement incorporating:
 - Conditions of employment
 - Wage Rates tables
 - Technical schedules
- Collective Agreements relating to:
 - Dispute resolution
 - Bargaining Levy
 - Registration and Administration Expenses
 - Sick Pay Fund
 - Engineering Industries Pension Fund
 - Metal Industries' Provident Fund

- Artisan Training and Recognition (ATRAMI)
- Technological Fund
- Comprehensive contact details, key aspects and addresses

ELECTRONIC Additional Contents and Features

- Index to the Main Agreement
- What's New
- Previously What's New
- Prelex: Amended, replaced and repealed wording, prior to such changes taking effect
- Powerful electronic searching allows for easy and rapid access to information

Published since 1987 > **LOOSE-LEAF:** ISBN 978 0 70211 920 0
Approximately 570pp
INTERNET: ISSN 2307 7506 > Updated monthly



Motor Industry Bargaining Council Consolidated Agreements (MIBCO)



Editors: Juta's Statutes Editors

About this Publication

This industry manual provides easy access to the legal provisions applicable to the motor trade ensuring members and employers of the industry remain compliant with all the requirements of the Labour Relations Act, which requires employers to keep copies of collective agreements on their premises and to make them available to employees. It combines in one publication the Agreements, Wage Determinations and Conditions of Service applicable in the motor industry, incorporating all amendments.

Contents

- The Main Agreement, including wages and conditions of employment
- The Administrative Agreement
- Motor Industry Sick, Accident and Maternity Pay Fund Agreement
- Auto Workers' Provident Fund Agreement

- Forecourt Attendants' Agreement
- Motor Industry Provident Fund Agreement

ELECTRONIC Additional Contents and Features

- Digest of Arbitration Awards
- Labour Relations Act, Basic Conditions of Employment Act, Employment Equity Act, Skills Development Act, Skills Development Levies Act, Unemployment Insurance Act, Unemployment Insurance Contributions Act

Published since 1989 > **LOOSE-LEAF:** ISBN 978 0 70212 263 7
(Product code: MIBCO MV) > Approximately 300pp > Updated bi-annually
CD-ROM / INTRANET: ISSN 1682 1068 > Updated quarterly
INTERNET: ISSN 1682 1068



Provincial Legislation Service, Juta's

Eastern Cape Provincial Legislation / Western Cape Provincial Legislation



Editors: Juta's Statutes Editors

About this Publication

Under South Africa's new Constitution, the nine provinces have significantly increased powers. This has resulted in much legislative activity. The Eastern and Western Cape Provincial Legislation Service is a comprehensive consolidated collection of the Ordinances and new Provincial Acts and regulations available in printed form. It is published in English and Afrikaans, according to the language of promulgation of the provincial legislation.

Contents

- Alphabetical and chronological indexes
- The Acts of the provincial legislature
- The Regulations published in terms of these Provincial Acts

- Provincial Ordinances (including a few selected regulations in terms of Ordinances)
- Assigned National legislation
- Index of Ordinances not produced (including details of repeal, if applicable)
- Acts or extracts from Acts of Parliament assigned to the individual provinces for administration
- Full details of the assignation of ordinances and Acts of Parliament to the respective provinces

(Eastern Cape) **LOOSE-LEAF** in 6 volumes: ISBN 978 0 70213 534 7
(Western Cape) **LOOSE-LEAF** in 7 volumes: ISBN 978 0 70213 450 0
Published since 1963



Provincial Legislation of South Africa, Juta's

Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West, and Western Cape

Editors: Juta's Statutes Editors

About this Publication

Juta's Provincial Legislation, originally based on the consolidated Ordinances as published by Juta Law and Lex Patria, was expanded and enhanced to form a new comprehensive and authoritative provincial legislation service, including the full text of Ordinances, new provincial Acts, regulations, related notices and assigned legislation.

Contents

- The Acts of the provincial legislature
- Regulations published in terms of these Acts

- Provincial Ordinances and regulations
- Related notices published by the provinces
- Assigned National legislation
- Selected unassigned Acts which affect the provinces eg. the South African Schools Act 84 of 1996
- Provincial Appropriation and Finance Acts from 2011
- Alphabetical and chronological indexes (including Ordinances not produced with repealed details, if applicable)

CD-ROM/INTRANET: ISSN 1560 165X > Updated monthly or quarterly
INTERNET: 1027 7080



Road Traffic Legislation / Padverkeerswetgewing

Editors: Juta's Statutes Editors

About this Publication

This bilingual loose-leaf work comprises the National and Provincial Road Traffic legislation, with a table of cases and an index.

Contents

- National Road Traffic Act 93 of 1996
- Extant provisions of Act 29 of 1989
- National Road Traffic Regulations, 2000

- Provincial Road Traffic Acts and Regulations
- Administrative Adjudication of Road Traffic Offences Act 46 of 1998 and Regulations
- Table of cases
- Index: Act 93 of 1996; Regulations, 2000 and Act 46 of 1998

Published since 1990 > **LOOSE-LEAF** in 3 volumes:
ISBN 978 0 70212 430 3 > Approximately 1600pp
Updated bi-annually online



Statutes of Namibia (1990–date)

Editors: Juta's Statutes Editors

About this Publication

This publication provides a consolidation of Namibian principal Acts passed from 1990 to date. An alphabetical subject index provides access to the Acts and a chronological index lists regulations and notices published since 2006.

Contents

- Namibian Acts from 1990 to date
- Pre-1990 legislation assigned to Namibia, updated where possible

- Alphabetical and chronological table of Acts including details of repeals
- Regulations from 2006 to date
- Hyperlinks from the table of contents to the relevant sections
- Powerful electronic searching allows for easy and rapid access to information

CD-ROM/INTRANET: ISSN 2306 6032 > Updated bi-annually
INTERNET: 2306 0867



Statutes of South Africa, Juta's (2015 / 16)

(Also available on CD-ROM and the Internet as *Juta's Statutes and Regulations of South Africa*)

Editors: Juta's Statutes Editors

About this Publication

Comprising seven volumes plus an index volume, this annual publication is produced with attention to detail and insistence on accuracy. It is updated to 1 March 2015. Juta's Statutes Editors provide a year-round update service in the form of *Juta's Weekly Statutes Bulletin*, which provides email alerts to legislation as promulgated during the current week, and a quarterly newsletter providing a consolidated record of legislative changes.

Contents

- All unrepealed Acts of Parliament since 1910
- Latest Appropriation and Division of Revenue Acts, fully consolidated
- Related Acts grouped together for ease of reference
- The full text of new statutory provisions not yet in force
- Index volume containing tables of national and provincial Acts, ordinances and regulations; subject index; table of Acts of parliament assigned to the provinces; and table of legislation judicially considered

HARD COVER in 8 volumes > 978 1 48511 807 7 > Approximately 11500pp

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Statutes and Regulations of South Africa, Juta's

(Also available as *Juta's Statutes of South Africa [excluding regulations]* as an 8-volume print set)

Authors: Juta's Statutes Editors

About this Publication

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