

## **Unjustified Enrichment**

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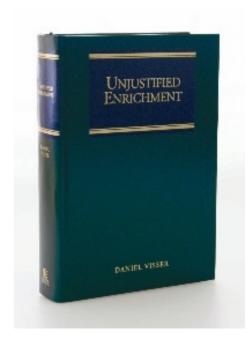
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## **About this Publication:**

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 Include:**

PART I: INTRODUCTION, HISTORY AND GENERAL PRINCIPLES

- General introduction
- The classification of the law of unjustified enrichment
- The internal structure of enrichment liability
   PART II: THE DIFFERENT FORMS OF ENRICHMENT LIABILITY
- Enrichment by transfer: General principles
- Reversing an undue transfer:
- Transfer of money or property to fulfil a putative obligation ('mistaken payment')
- Transfer of money or property under compulsion
- Transfer of money or property in terms of an illegal agreement
- Knowing transfer of money or property in terms of a void (but not illegal) contract to achieve a specific purpose
  - Reversing transfers in the context of failed contracts
- Imposed enrichment (Enrichment due to unauthorised expenditure)
- Enrichment by invasion of the rights of others (Enrichment by act of the party enriched)
  PART III: DEFENCES
- Defences: loss of enrichment; estoppel; passing-on; and prescription

## Of Interest and Benefit to:

- · Academics, both in South Africa and abroad
- Judges
- Legal practitioners
- Students
- Libraries