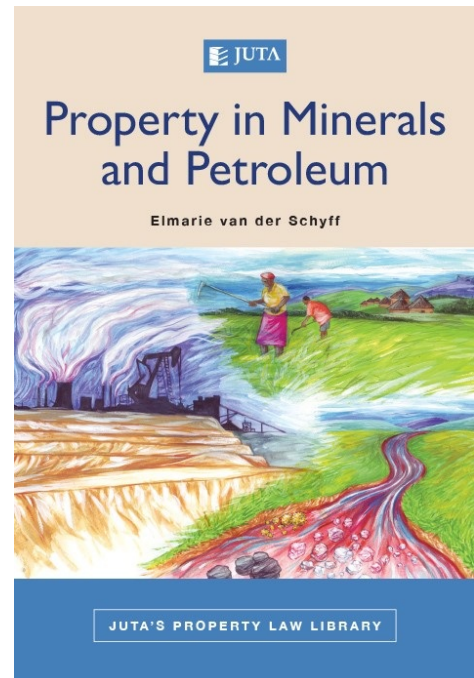


Property in Minerals and Petroleum

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About this Publication:

Property in Minerals and Petroleum is the first major academic text to analyse the state-custodianship concept in South African law with emphasis on its application in mineral and petroleum law. As such, the book seeks to stimulate academic discourse about the impact of the incorporation of state custodianship in this field of law.

The book considers the nature of mineral and petroleum rights in a state-custodianship model within a constitutional context. It clarifies the institutional regime change that lead to the regulatory context in which such rights now can be acquired, transferred or lost.

The first chapter of *Property in Minerals and Petroleum* focuses on the constitutional imperatives for reform in mineral and petroleum law, and on the changing concepts of property and landownership that paved the way for transformation. Further chapters evaluate the pre-2004 mineral and petroleum law dispensation and address the current dispensation under the Mineral and Petroleum Resources Development Act (MPRDA).

The section on the MPRDA focuses on the aims and objectives of the Act; the notion of state custodianship and its impact on existing property law; the meaning of the terms 'mineral' and 'petroleum'; the nature, content and regulation of rights to minerals and petroleum; the acquisition, transfer and termination of such rights; and various miscellaneous aspects that straddle existing property law principles and the regulation of minerals and petroleum.

About the *Juta's Property Law Library* series:

Juta's Property Law Library is aimed at revisiting and reassessing the whole of South African property law, which includes uncodified common law that is mostly embodied in case law and academic writing; and legislation, to establish:

- how each aspect of property law was influenced by apartheid law;
- its response to the new constitutional dispensation (as well as land reform), and;
- whether it could make a contribution towards the transformation of South African law and society.

For this purpose, *Juta's Property Law Library* will eventually consist of a number of monographs, each of which is focused on a specific aspect of property law.

Contents Include:

- Catalysts of change
- Common-law principles that shaped mineral & petroleum law in South Africa
- Pre-2004 mineral and petroleum law
- Objects of the MPRDA
- State custodianship in South African jurisprudence: A historical perspective
- State custodianship of the nation's mineral and petroleum resources
- Defining minerals and petroleum
- Nature and content of rights to minerals
- Nature and content of rights to petroleum
- The acquisition of permissions, permits and rights to minerals and petroleum
- The transfer, encumbrance and termination of rights to minerals and petroleum
- Balancing interests
- The way forward

Of Interest and Benefit to:

- Legal practitioners
- Minerals and mining experts
- Academics and students
- Libraries