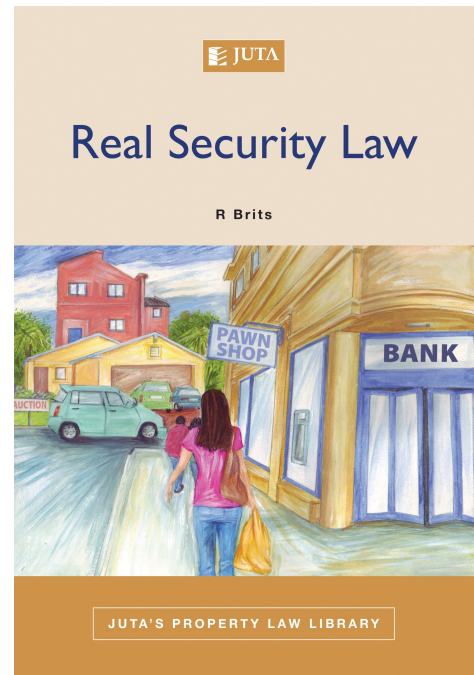


# Real Security Law

<b>Edition:</b>	<b>1st Edition</b>
<b>Publication date:</b>	<b>2016</b>
<b>Author/Editors:</b>	<b>R Brits</b>
<b>ISBN:</b>	<b>9781485118916</b>
<b>Format:</b>	<b>Soft Cover</b>
<b>Number of Pages:</b>	<b>700</b>
<b>Retail price:</b>	<b>R1,345.00 (incl. VAT, excl. delivery.)</b>
<b>Website Link:</b>	<a href="http://juta.co.za/pdf/24496/">juta.co.za/pdf/24496/</a>



## About this Publication:

Real security law is where property law and credit law meet to regulate the rights that creditors have to property belonging to their debtors – either as agreed upon between the parties or as imposed by the law. Security rights facilitate affordable borrowing, investment in property and industry, and thus the promise of economic prosperity. Secured lenders are also empowered with stronger rights than other creditors and with more beneficial debt enforcement options. In our ever-changing economic and social context, a sophisticated system of law is necessary to maintain a fine balance between the rights of debtors, creditors, third parties and the general public – especially when things go wrong. Financial crises, rising consumer over-indebtedness and the fight against homelessness are but some important considerations that challenge this area of law.

*Real Security Law* covers all of the conventional forms of real security, such as the mortgage of land, the pledge of movables, general and special notarial bonds, security cessions, the landlord's tacit hypothec and rights of retention. It also includes security mechanisms imposed by statutes, for example municipal charges, embargo powers, the instalment-agreement hypothec and statutory pledges.

The aim of this volume is to describe and analyse the current state of real security law in South Africa, starting with our common law foundation but with a particular focus on developments inspired by the Bill of Rights and other statutory and socio-economic changes in society. Therefore, the most recent developments in constitutional, statutory and case law are incorporated, and the aim is to strike a balance between legal theory, constitutional imperatives, commercial realities and the needs of practice.

**Contents Include:**

- Introduction
- Mortgage
- Pledge
- Notarial bond
- Security by means of claims
- Statutory and tacit hypothecs
- Lien
- Abbreviations
- Bibliography
- Table of Cases
- Legislation

**Of Interest and Benefit to:**

- Legal practitioners
- Conveyancing attorneys
- Estate agents
- Academics and students
- Libraries
- Banking institutions