

P J J OLIVIER

**THE SOUTH AFRICAN
LAW OF PERSONS
AND FAMILY LAW**

Second Edition

by

**A H BARNARD
D S P CRONJÉ**

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CARMEN NATHAN

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South African Law Of Persons And Family Law

Robert E. Emery



South African Law Of Persons And Family Law:

Introduction to the Law of South Africa C. G. Van der Merwe, J. E. Du Plessis, 2004-01-01 This title is part of an established Series which introduces various legal systems of the world It provides an authoritative and accessible overview of the main branches of South African public private and commercial law Offering insight into the rich system of South African law this title will be of particular interest to the international legal community The South African legal system has not only developed fascinating mixtures of civil law and common law rules over more than a century but has also experienced a post apartheid South Africa Of particular interest is the way in which so many branches of law have been infused by basic constitutional values Many of the contributors have published work in their own fields and have considerable experience of presenting their subject matter in a broader comparative perspective The succinct and balanced nature of the contributions makes this title attractive to a wide audience of academics students and practitioners with an interest in this remarkable legal system

Family and Succession Law in South Africa Jacqueline Heaton, Anneliese Roos, 2024-04-17 Derived from the renowned multi volume International Encyclopaedia of Laws this concise exposition and analysis of the essential elements of law with regard to family relations marital property and succession to estates in South Africa covers the legal rules and customs pertaining to the intertwined civic status of persons the family and property After an informative general introduction the book proceeds to an in depth discussion of the sources and instruments of family and succession law the authorities that adjudicate and administer the laws and issues surrounding the person as a legal entity and the legal disposition of property among family members Such matters as nationality domicile and residence marriage divorce and cohabitation adoption and guardianship succession and inter vivos arrangements and the acquisition and administration of estates are all treated to a degree of depth that will prove useful in nearly any situation likely to arise in legal practice The book is primarily designed to assist lawyers who find themselves having to apply rules of international private law or otherwise handling cases connected with South Africa It will also be of great value to students and practitioners as a quick guide and easy to use practical resource in the field and especially to academicians and researchers engaged in comparative studies by providing the necessary basic material of family and succession law

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Choice of Law and Recognition in Asian Family Law Anselmo Reyes, Wilson Lui, Kazuaki Nishioka, 2023-10-05 This thematic volume in the series Studies in Private International Law Asia outlines the general choice of law and recognition rules relating to family matters of 15 Asian jurisdictions Mainland China Hong Kong Taiwan Japan South Korea Singapore Malaysia Vietnam Cambodia Myanmar the Philippines Indonesia Thailand Sri Lanka and India The book examines pressing questions and proposes ways in which their systems may be reformed A concluding chapter considers the extent to which Asian cross border family law systems can and should be harmonised The book provides a comprehensive analysis of cross border family law challenges including child surrogacy child abduction the recognition of same sex unions the recovery of maintenance and the regulation of intercountry adoption These are among the matters now testing Asian institutions of private international law and acting as forces for their modernisation With contributions by leading Asian private international law experts the book proposes necessary reforms for each of the jurisdictions analysed as well as for Asia as a whole

Perspectives on the Legal Guardianship of Children in Côte d'Ivoire, South Africa, and Uganda Rofiah Ololade Sarumi, Ann Strode, 2018-05-23 This brief reference surveys the national policy of three representative African countries on the legal guardianship of children who are without parents or families Focusing on the widely varying legal systems of Côte d'Ivoire South Africa and Uganda the authors highlight guardianship as emblematic of the continent's shortcomings in child protection laws The book's key objective is bridging the communal aspects of traditional African society with the global standards set forth by the Convention on the Rights of the Child and other international entities To this end the three frameworks discussed here are compared and their strengths and limitations evaluated as applied to child protection standards in terms of core guardianship issues Holders of parental authority and responsibilities Appointment of a legal guardian Who qualifies as a legal guardian Responsibilities of a legal guardian in relation to the child Termination of guardianships The primary audience for Perspectives on the Legal Guardianship of Children in Côte d'Ivoire South Africa and Uganda includes academics researchers and students in the fields of children's rights human rights legal guardianship and international law It will also prove a useful reference for NGOs that focus on children's rights social workers and practitioners operating within the context of these three countries professionals working within the African human rights system and governmental law and policymakers

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welcome this very useful guide and academics and researchers will appreciate its value in the study of international and comparative competition law **West's Legal Desk Reference** William P. Statsky,1991 *South Africa* ,1988

Cultural Sociology of Divorce Robert E. Emery,2013-01-24 While the formal definition of divorce may be concise and straightforward legal termination of a marital union dissolving bonds of matrimony between parties the effects are anything but particularly when children are involved The Americans for Divorce Reform estimates that 40 or possibly even 50 percent of marriages will end in divorce if current trends continue Outside the U S divorce rates have markedly increased across developed countries Divorce and its effects are a significant social factor in our culture and others It might be said that a whole divorce industry has been constructed with divorce lawyers and mediators family counselors support groups etc As King Henry VIII s divorces showed divorce has not always been easy or accepted In some countries divorce is not permitted and even in Europe countries such as Spain Italy Portugal and the Republic of Ireland legalized divorce only in the latter quarter of the 20th century This multi disciplinary encyclopedia covers curricular subjects related to divorce as examined by disciplines ranging from marriage and the family to anthropology social and legal history developmental and clinical psychology and religion all through a lens of cultural sociology Features 550 signed entries A to Z fill 3 volumes 1 500 pages in print and electronic formats offering the most detailed reference work available on issues related to divorce both in the U S and globally Cross References and Further Readings guide readers to additional resources A Chronology provides students with context via a historical perspective of divorce In the electronic version the comprehensive Index combines with Cross References and thematic Reader s Guide themes to provide convenient search and browse capabilities For state and nation entries uniform entry structure combined with an abundance of statistics facilitates comparison between and across states and nations Appendices provide further annotated sources of data and statistics Common Law in Southern Africa Peter Kutner,1990 Previous works on Southern African law have been directed primarily to lawyers and students of law within Southern Africa this is the first major text on the topic written for use in common law countries The book identifies and describes judgments in Southern Africa courts that are significant for their treatment of conflicts and tort issues and can serve as authorities or models in common law jurisdictions The most important legislative reforms in related subjects are also described The text provides lawyers in common law countries access to the Southern African cases and statutes most pertinent to questions of conflict of laws and torts that arise in common law jurisdiction The judgments surveyed span the years 1947 to the present Most are from South Africa and Zimbabwe before and after independence Botswana Lesotho Swaziland and South West Africa Namibia the South African national states are also represented Helpful English language commentaries on cases and statutes discussed in the text are cited in the notes Quick reference tables of cases and statutes and indexes of principal works cited and abbreviations complete this useful guide This invaluable sourcebook will allow lawyers and scholars in common law countries to benefit from recognition and appropriate use of Southern Africa s

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Table of Contents South African Law Of Persons And Family Law

1. Understanding the eBook South African Law Of Persons And Family Law
 - The Rise of Digital Reading South African Law Of Persons And Family Law
 - Advantages of eBooks Over Traditional Books
2. Identifying South African Law Of Persons And Family Law
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an South African Law Of Persons And Family Law
 - User-Friendly Interface
4. Exploring eBook Recommendations from South African Law Of Persons And Family Law
 - Personalized Recommendations

- South African Law Of Persons And Family Law User Reviews and Ratings
- South African Law Of Persons And Family Law and Bestseller Lists
- 5. Accessing South African Law Of Persons And Family Law Free and Paid eBooks
 - South African Law Of Persons And Family Law Public Domain eBooks
 - South African Law Of Persons And Family Law eBook Subscription Services
 - South African Law Of Persons And Family Law Budget-Friendly Options
- 6. Navigating South African Law Of Persons And Family Law eBook Formats
 - ePub, PDF, MOBI, and More
 - South African Law Of Persons And Family Law Compatibility with Devices
 - South African Law Of Persons And Family Law Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of South African Law Of Persons And Family Law
 - Highlighting and Note-Taking South African Law Of Persons And Family Law
 - Interactive Elements South African Law Of Persons And Family Law
- 8. Staying Engaged with South African Law Of Persons And Family Law
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers South African Law Of Persons And Family Law
- 9. Balancing eBooks and Physical Books South African Law Of Persons And Family Law
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection South African Law Of Persons And Family Law
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine South African Law Of Persons And Family Law
 - Setting Reading Goals South African Law Of Persons And Family Law
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of South African Law Of Persons And Family Law
 - Fact-Checking eBook Content of South African Law Of Persons And Family Law

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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