

The Law of Contract

IN SOUTH AFRICA



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The Law Of Contract In South Africa Private Law

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The Law of Contract in South Africa Dale Hutchison, Chris Pretorius, Tjakkie Naude, Jacques du Plessis, Siegfried Eiselen, Tomas Floyd, Luanda Hawthorn, 2013-01-17 The textbook offers an introductory comprehensive overview of the law of contract

Public Procurement Regulation in Africa Geo Quinot, Sue Arrowsmith, 2013-01-17 Public procurement regulation in Africa is not widely researched To address the shortage of scholarship in this area and to promote future research this book analyses the law governing public procurement in a number of African systems and looks at key themes relevant to all African states Part I discusses the regulatory regimes of nine African systems using a common framework providing both a focused view of these African systems and an accessible comparative perspective In Part II key regulatory issues in public procurement that are particularly relevant in the African context are assessed through a comparative approach The chapters consider the influence of international regulatory regimes particularly the UNCITRAL Model Law on procurement on African systems and provide insights into the way public procurement regulation is approached in Africa

The Principles of BRICS Contract Law Salvatore Mancuso, Mauro Bussani, 2022-08-09 This book examines national reports on contract law in each of the BRICS countries Brazil Russia India China and South Africa in order to provide a comparative analysis It then establishes common principles where possible as well as a set of general soft law principles governing international commercial contracts in these countries The importance of commercial transactions in the BRICS countries is rapidly growing yet differences in contract law among these countries can lead to misunderstandings and disputes The rapid development of the BRICS instruments and the legal implications of their use suggests the need to address common legal issues that could harm the continued development of the BRICS economies Contract law represents one of the core areas in which this process can take place Addressing the salient legal issues within the BRICS discourse requires a comprehensive comparative approach that explores the different solutions provided by each member country in order to identify similarities and convergences This process may ultimately help to reduce the legal obstacles to and indirect costs of cross border transactions by offering a transparent and predictable legal environment for any future attempt at adopting common legal instruments

International Handbook of Public Procurement Khi V. Thai, 2017-09-25 Since the 1990s government at all levels is under increasing pressure to do more with less However despite the U S government spending about 15 to 20 percent of its GDP on contracts for goods and services there is a paucity of reference books for public procurement officials and very few textbooks for courses on the subject Filling this void the International Handbook of Public Procurement provides the knowledge necessary to understand how procurement works and how to improve the cost effectiveness of procurement systems Taking a multidisciplinary approach the book focuses on the managerial economic political and legal aspects of this topic It begins with a conceptual framework and highlights various reforms occurring in certain countries By examining these improvements readers are able to apply this knowledge to their own strategies The next section presents

selected cases that illustrate the public procurement process examining systems in various nations including Germany China South Africa Cambodia Uganda and Estonia The book also discusses the rise of electronic procurement systems E procurement and reviews the benefits of these efficient systems Other topics presented in this comprehensive volume include practical discussions on contract negotiations bidding price strategies and cost analysis and an insightful chapter on the market s response to contract award announcements A virtual encyclopedia from numerous international experts this book was assembled by Khi V Thai Professor at Florida Atlantic University and Editor of the Journal of Public Procurement Dr Thai has provided technical assistance in the area of public procurement to governments across the world Empowering those on all sides of the issue this volume dispenses advice valuable to government officials and contractors as well as providing a comprehensive text for public administration students

Regional Private Laws and Codification in Europe Hector L. MacQueen, Antoni Vaquer, Santiago Espiau Espiau, 2003-10-16 Regions within European Union member states such as Scotland in the UK and Catalonia in Spain have their own legal systems how will the process of Europeanization affect them This volume examines the phenomenon of regional private law in the European Union considering jurisdictions and laws below those of the member states and drawing comparisons with other such jurisdictions elsewhere in the world such as Louisiana and Quebec The whole is considered in relation to the development of European private law and the use of codification in that process This volume will be of interest to academic lawyers worldwide advanced law students and European policy makers

Good Faith in Contract and Property Law A. D. M. Forte, 1999 Papers from a symposium held October 1998 at Aberdeen University

The Employment Contract and the Changed World of Work Stella Vettori, 2016-03-23 The world of work has undergone major changes in the last two decades This book examines these changes in their international context It is argued that collective bargaining should no longer be viewed as the most important means of regulating the employment relationship In the changed world of work such an approach is becoming less relevant Instead other means of protecting legitimate worker interests are explored These include an adaptation and extension of the general principles of the law of contract a constitutional right to fair labour practices and the pursuit of good corporate governance and corporate social responsibility The conclusion is that these alternative means of addressing legitimate worker interests can play a valuable role in filling the vacuum left by the worldwide decline of trade unions

Public Procurement Reform and Governance in Africa S.N. Nyeck, 2016-06-29 This book presents an interdisciplinary exploration of the governance of public procurement reform in Africa Through a bottom up approach to case studies and comparative analyses scholars practitioners and social activists write about the organizational mechanisms and implementation gaps in public procurement governance in light of the general premises of national reform Reforming the ways in which government purchases works goods and services from the private sector is one of the most sweeping policy reform undertaken in Africa in the past decade Despite the transnational scope of policy change very little is known about the

mechanisms of public procurement governance at the subnational level The argument in this volume is that policy reforms that mitigate contractual hazards along the three dimensional law politics business matrix are more likely to bring about meaningful institutional transformation and broader social accountability Key to substantive transformation of public procurement is the revitalization and professionalization of the public sector to meet the opportunities and challenges of development by contract

Global Sales and Contract Law Ingeborg Schwenzer, Pascal Hachem, Christopher Kee, 2012-01-26 This comprehensive analysis of domestic and international sales law covering over sixty jurisdictions is the most detailed work in the field It includes all aspects of a sale of goods transaction and provides answers to complex issues in practice

Research Handbook on Family Property and the Law Margaret Briggs, Andy Hayward, 2024-06-05 This pivotal Research Handbook analyses the interconnectedness of family property and the law through historical contemporary comparative and jurisdiction specific lenses Authors analyse some of the most well known contested and politicised legal developments in the field of family property law

The Impact of Corruption on International Commercial Contracts Michael Joachim Bonell, Olaf Meyer, 2015-08-29 This volume presents national reports describing the legal instruments that are available to prevent the payment of bribes for acquiring contracts Anti corruption is one of the preeminent issues in the modern global commercial order and is tackled with the help of criminal law and contract law in different ways in different countries The reports included in this volume from very diverse parts of the world represent a unique and rich compilation of court decisions doctrinal discussions and a pool of suggested solutions The central theme is the enforceability of three problematic types of contracts the bribe agreement whereby a bribe payer promises the agent of his business partner a personal benefit in exchange for favourable contract terms the agreement between a bribe payer and an intermediary a bribe merchant where the latter offers his expertise to help funnel bribes to agents of the business partner and finally the contract between the bribe payer and his business partner which was obtained by means of bribery The analysis is tailored toward commercial contracts which can also include contracts with state owned enterprises The examination and comparison of international and national initiatives included in this volume advance the discussion on the most appropriate remedies in corruption cases and show how to get past the boundaries of criminal private and contract law

Comparative Contract Law Thomas Kadner Graziano, 2023-01-17 This significantly revised and expanded third edition of Comparative Contract Law brings together extracts from legislation and court practice in a way that enables students to experience comparative law in action

Justice and Reconciliation in Post-Apartheid South Africa François Du Bois (jurist.), Antje du Bois-Pedain, 2008 An assessment of the transitional processes aimed at creating a stable and just society in South Africa

Comparative Contract Law, Fourth Edition Thomas Kadner Graziano, 2025-05-14 Comparative Contract Law is the fourth edition of a widely acclaimed and well established textbook which uses extensive case studies and integrates extracts from legislation and court practice enabling students to experience comparative law in action It continues to promote a

learning by doing approach offering a unique and seminal guide to European and international contract law The BRICS-Lawyers' Guide to Global Cooperation Rostam J. Neuwirth, Alexandr Svetlicinii, Denis De Castro Halis, 2017-10-12 In the international trade and development arena new and developing economies have created a block that is known as BRICS Brazil Russia India China and South Africa Initially conceived to drive global change through economic growth the financial crisis and reversal of fortunes of the BRICS nations have raised questions about their ability to have an impact on the governance of global affairs This book explores the role of law in various areas of BRICS cooperation including trade investment competition intellectual property energy consumer protection financial services space exploration and legal education It not only covers the specifics of each of the BRICS nations in the selected areas but also offers innovative and forward looking perspectives on the BRICS cooperation and their contribution to the reform of the global governance networks This is a unique reference book suitable for academics government officials legal practitioners business executives researchers and students **Contents of Contracts and Unfair Terms** Mindy Chen-Wishart, Stefan Vogenauer, 2020-11-30 Studies in the Contract Laws of Asia provides an authoritative account of the contract law regimes of selected Asian jurisdictions including the major centres of commerce where limited critical commentaries have been published in the English language Each volume in the series aims to offer an insider's perspective into specific areas of contract law remedies formation parties contents vitiating factors change of circumstances illegality and public policy and explores how these diverse jurisdictions address common problems encountered in contractual disputes A concluding chapter draws out the convergences and divergences and other themes All the Asian jurisdictions examined have inherited or adopted the common law or civil law models of European legal systems Scholars of legal transplant will find a mine of information on how received law has developed after the initial adaptation and transplant process including the mechanisms of and influences affecting these developments At the same time many points of convergence emerge These provide good starting points for regional harmonization projects Volume III of this series deals with the contents of contracts and unfair terms in the laws of China Hong Kong India Indonesia Japan Korea Malaysia Myanmar the Philippines Singapore Taiwan Thailand and Vietnam Typically each jurisdiction is covered in two chapters the first deals with the contents of contracts and how contractual terms are identified and interpreted the second deals with unfair terms the situations where the law will interfere in matters of unfairness relating to contract terms and legal responses to unfair terms **State Responsibility for Breaches of Investment Contracts** Jean Ho, 2018-10-25 There is a wealth of material that shapes the law of State responsibility for breaches of investment contracts First impressions of an unsettled or uncertain law have thus far gone unchallenged But unchallenged first impressions point to the need for a detailed study that investigates and analyses the sources the content the characteristics and the evolution of this law The argument at the heart of this monograph is that the law of state responsibility for breaches of investment contracts has carved a unique and distinct trajectory from the traditional route for

the creation of international law developing principally from arbitral awards and mimicking to a considerable extent the general international law on the protection of aliens and alien property This book unveils the remarkable journey of the law of state responsibility for breaches of investment contracts from its origins to its formation to its arrival at the cusp of maturity Comparative Remedies for Breach of Contract Nili Cohen,Ewan McKendrick,2005-02-28 The book provides a comparative analysis of the law relating to remedies for breach of contract It examines different remedies such as specific performance and damages doing so from the viewpoint of different legal systems principally the English American German French and Israeli Each essay is written by a recognised specialist in his or her own field Topics covered include the relationship between substantive rights and contract remedies the recent reforms of the law relating to breach of contract in Germany the remedies in the context of a third party beneficiary and the extent to which a claimant can choose the remedy which he or she deems to be the most appropriate The book also makes use of a range of techniques particularly economic analysis when examining the legal rules The book contains an introductory essay written by the editors and an essay by Professor Friedman which deals with the relationship between substantive rights and contract remedies *Calendar* University of Cape Town,1923 **The Best Books: D, Society. E, Geography** William Swan Sonnenschein,1912

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