



# GENERAL PRINCIPLES OF SOUTH AFRICAN PROPERTY LAW

2nd Edition

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# General Principles Of Property Law

**Peter Sparkes**



## **General Principles Of Property Law:**

General Principles of Property Law Sukhninder Panesar, 2001 Introduces students to the general principles underpinning property law The development of a common theme in the study of property offers a new perspective which helps students gain an understanding of the more specific branches of the subject *Multistate Guide to Estate Planning (2008)* Jeffrey A. Schoenblum, 2007-11 Multistate Guide to Estate Planning gives the estate planning professional instant access to the estate planning laws of all 50 states and the District of Columbia In one comprehensive source the Guide provides state by state guidance on how to minimize state taxes to preserve the multistate estate achieve the desired disposition of property regardless of jurisdiction resolve commonly encountered state law problems in estate practice and assure asset protection The easy to use format enables the estate planning professional to readily locate information concerning one state s treatment of a particular issue or compare the treatment required by several states all on the same table Each table is broken into detailed separate analyses which consist of a series of detailed questions The tables are designed for state by state comparisons All information in the new and updated charts generally reflects state laws in effect on May 1 2007

**Property Law** Alison Clarke, Paul Kohler, 2005-12-01 An innovative examination of the law s treatment of property this student textbook provides an extremely useful and readable account of general property law principles It draws on a wide range of materials on property rights in general and the English property law system in particular looking at all kinds of property not just land It includes the core legal source materials in property law along with excerpts from social science literature legal theory and economics many of which are not easily accessible to law students These materials are accompanied by a critical commentary as well as notes questions and suggestions for further reading It will be of interest to undergraduate property law students and to non law students taking property law modules in courses covering planning environmental law economics and estate management **A New Land Law** Peter Sparkes, 2003-08-05 Peter Sparkes path breaking text on land law has been rewritten with two aims in mind to incorporate the seismic changes introduced by the Land Registration Act 2002 along with commonholds the explosion of human rights jurisprudence and the unremitting advance of judicial exposition and to accommodate the author s developing thinking on the structural aspects of the subject The book opens with a series of shorter chapters each exploring a fundamental building block registration houses flats and commonholds land ownership and its transactional powers social controls balanced by human rights to property fragmentation by time the doctrine of estates divisions of ownership and proprietary rights In terms of substantive chapters the book opens with discussion of the new transfer system paper based transfer alongside the evolution towards electronic conveyancing and the consequent changes to the proof of registered titles and to the registration curtain The new approach to adverse possession against registered titles has called for extended discussion as has the authoritative elucidation of the concept of adverse possession in Pye In terms of proprietary interests the fundamentals are seen as rights to transfer

beneficial interests under trusts which are overreachable burdens which are enduring leases money charges such as mortgages which are redeemable and the obligations enforceable within the neighbour principle easements covenants and positive covenants being treated as a semi coherent whole An attempt has been made to assist students by moving some of the more arcane learning later into the book or into separate chapters where these matters might be more readily ignored by a candidate concerned primarily to prepare for an examination A massive amount of research and scholarship has gone into the book with impressive citation of cases articles and case notes and of other text books This newcomer on the scene is a considerable addition to the ranks of serious text books on land law and the author is to be congratulated The New Law Journal The scope of this work is ambitious it is a bold attempt to take the study of land law forward much more than a basic land law text book it would be a pleasure to be able to teach a course requiring students to cover the substance or the bulk of it whether in one or more modules a difficult blend of background and history massive referencing discussion of statute and case law all wrapped up in a text that is not too difficult to absorb The Law Teacher A most interesting and ground breaking book Michael Cardwell University of Leeds At last a brilliant land law book I think the approach is marvellous and will strongly recommend it to my students Keith Gompertz University of Central England takes a more modern approach to the area I am very impressed with the style layout and format It will be a good teaching tool and I am looking forward to using it Alison Dunn Newcastle Law School not baffling in the way land law texts tend to be Helen Taylor University of Teesside Excellent Professor Edward Burn City University

**Trusts and Equity** Gary Watt, 2014 Gary Watt provides detailed and conceptual analysis of the complex area of trusts and equity Emphasis on the modern commercial context and abundant cultural references ensure students find Watt's approach a stimulating and inspiring read

**Property Law in a Globalizing World** Amnon Lehavi, 2019-01-17 Why property law needs globalization strategies Local to global an institutional analysis Land Tangible goods monetary claims investment securities Intellectual property data and digital assets Security interests and proprietary priorities in insolvency

**Research Handbook on Islamic Law and Society** Nadirsyah Hosen, 2018-09-28 The Research Handbook on Islamic Law and Society provides an examination of the role of Islamic law as it applies in Muslim and non Muslim societies through legislation fatwa court cases sermons media or scholarly debate It illuminates the intersection of social political economic and cultural factors that inform Islamic Law across a number of jurisdictions Chapters evaluate when and how actors and institutions have turned to Islamic law to address problems faced by societies in Muslim and in some cases Western states

**Jurisprudence and Practical Logic of Civil Code** Xianzhong Sun, 2024-11-06 This book is a collection of articles that the author has pondered for a long time on the legal theory and practice of China's civil law It mainly discusses the systematic scientific and practical issues of Chinese civil law At the macro level it covers the relationship between the general provisions and the specific provisions of the Civil Code the introduction decline and revival of the Pandekton system in the process of drafting the Civil Code in China and the important position of

the Civil Code in the national governance system at the meso level it analyses the legislative arrangement and practical significance of the real right of the Civil Code at the micro level it explains the attribute of unauthorised disposal and the legal basis for the abolition of this clause in the Contract Law      The Index of Indian Laws : Basic Knowledge of Indian Laws Ravindra Injalikar,2025-06-11 This book will be helpful to everyone to know the general knowledge of law of India It covers the basics knowledge of law      *On the Constitutionality of Compiling a Civil Code of China* Zhu Wang,2019-11-15 This book explains the urgent necessity to compile a Civil Code and calls for constitutional awareness in compiling that Civil Code highlighting the need for it to be done in a democratic and scientific manner It advocates Pragmatic Methods as a new approach to compiling a Civil Code of China and shares the author s thoughts on the constitutionality of compiling a Civil Code explains the object that is to be judged in terms of its constitutionality and the constitutionality of legal interpretation of legislative procedures and of legal application The book also illustrates the author s mode of the codifying of non basic laws for compiling a Civil Code and includes a detailed discussion on compiling a Civil Code to reveal how many valid laws there are China a matter that is of vital importance to the compilation of the Civil Code The Appendix includes statistics on the number of civil cases classified according to causes of actions based on Judicial Opinions of China website which is the first step of the author s plan to investigate civil customs reflected in judgment documents with the help of big data analytical methods      Estonia Investment, Trade Laws and Regulations Handbook Volume 1 Strategic Information and Basic Laws IBP USA,2013-08 There cannot be a hunter and angler who has not at some time or other daydreamed about building his or her own camp Hunting Fishing Camp Builder s Guide provides the concepts plans and know how to turn a daydream into a reality Monte Burch applies decades of how to skills to describe the ins and outs of design and construction From the cabin to the furniture inside you can do it all yourself and create the camp or lodge of your dreams      **China's Legal System** Pitman Potter,2014-01-30 China s struggle for the rule of law is at a critical juncture As a key element of governance in the PRC today China s legal system affects not only domestic affairs but also China s engagement with the world But can a credible legal system emerge which protects the rights of citizens and international partners without undermining the power of the Party State And is the Chinese Communist Party willing to embark on judicial reforms that may jeopardize its very survival Understanding the PRC legal system is increasingly important as China rises to prominence in the world In this compelling analysis noted legal scholar Pitman Potter examines the ideals and practices of China s legal regime in light of international standards and local conditions Against a rich historical backdrop Potter explains how China s legal system supports three key policy objectives namely political stability economic prosperity and social development In exploring these competing policy goals and the tensions between them he also raises fundamental questions about government expectations of the role of law in regulating local and international socio economic and political relationships This wide ranging and readable introduction will be an invaluable guide for students and non specialists interested in China s ongoing process of

legal modernization      Germany, Greece, Lithuania, Hungary Wolfgang Faber, Brigitta Lurger, 2011-02-28 This excellent series presents comparative study analysis and evaluation of 28 European legal systems in the field of transfer of movables Major topics are the notion of ownership the derivative acquisition of ownership e g by a sales contract the good faith acquisition of ownership and other property rights the multiple sale of the same movable the protection of possession positive acquisitive prescription and processing and consolidation The work is based on comprehensive country reports which are to be published on the relevant legal rules in Europe and has the drafting and publication of text proposals of uniform European rules with commentary and comparative notes as its primary goal It intends to influence the future development of European private law on the EU level This third volume of the series presents up to date national reports of Germany Greece Lithuania Hungary      **Austria, Estonia, Italy, Slovenia** Wolfgang Faber, Brigitta Lurger, 2009-04-27 This is the first of a series of national reports on basic issues concerning the acquisition and loss of ownership of movable assets The series is planned to cover 27 European legal systems distributed over six volumes as a product of the research activities of the working group Transfer of Movables within the Study Group on a European Civil Code Starting with general property law issues like the concepts of ownership and possession employed in the respective legal systems and the related means of protection the reports primarily deal with the derivative transfer of ownership but extend to good faith acquisition from a non owner acquisitive prescription processing and commingling and further related issues The reports provide the reader with detailed information about the respective rules case law and legal literature prepared by national property law experts These reports are a starting point for further comparative research in property law and also a tool for practitioners searching for information on foreign legal systems Where available and as far as reasonable the reports include translations of the most important statutory provisions either in the text or in an annex All reports include a table of literature and a table of abbreviations which shall facilitate carrying out further research      **The Structure of Property Law** Ben McFarlane, 2008-07-09 Shortlisted for the Peter Birks Prize for Outstanding Legal Scholarship 2009 In its essence property law has to provide answers to two very difficult questions who is entitled to use property and how are they entitled to use it Property law is therefore inherently difficult but not impossibly so It consists of an ordered and logical system which aims to take the sting out of fierce disputes This book provides a new perspective on property law By setting out an underlying structure it allows the reader to understand the fundamental principles of this difficult subject By providing detailed coverage of individual topics it shows how those principles apply in practice and provides a comprehensive resource for anyone studying teaching researching or practising in property law The book is written in an accessible style with frequent summaries and in both its pages and companion web site it makes use of helpful visual aids It is ideal reading for law students seeking a rock solid understanding of how property law and land law work and contains sufficient detail for use as a course book in Property Law Land Law Personal Property Law The book also provides detailed analysis of core topics in

Equity Trusts Commercial Law Unjust Enrichment Restitution See the companion website for this book [www.hartpub.co.uk/companion/propertylaw.html](http://www.hartpub.co.uk/companion/propertylaw.html)

**Conceptualising Property Law** Yaëll Emerich, 2018-11-30 Conceptualising Property Law offers a transsystemic and integrated approach to common law and civil law property Property law has traditionally been excluded from comparative law analysis common law and civil law property being deemed irreconcilable With this book Yaëll Emerich aims to dispel the myth that comparison between these two systems of property is impossible By establishing a dialogue between common law and civil law property it becomes clear that the two legal traditions share common ground in the way that they address legal cultural and social issues related to property and wealth

**The China Legal Development Yearbook** Lin Li, 2010-03-25 This volume of The China Legal Development Yearbook is the fourth in a series of annual reports written by leading Chinese law and legal policy scholars and judges to appear in English translation This 2009 yearbook reviews major legal developments in 2008 and provides valuable insight into contemporary debates in China about the substance direction and priorities of legal reform

**Legal Reform in the Contemporary Socialist World** Ngoc Son Bui, 2024-08-12 Legal Reform in the Contemporary Socialist World explores four decades of legal reform in the socialist countries of China Vietnam Laos North Korea and Cuba from a comparative perspective Spanning the late 1970s to the present it examines various projects methods strategies contents driving forces and limitations of legislative reform administrative reform judicial reform and reform of the legal profession Legal reform in these countries is the project of the political elite to improve the legal system while retaining its core socialist principles It is carried out through legislative enactments amendments and replacements which the political elite adopt using incremental strategies to reform the legal system sporadically or systematically Socialist legal reform is animated by the political aspiration to create the rule of law the impact of social economic change and the influence of transnational and comparative law Despite significant reforms the socialist principles of the legal systems in these countries largely remain intact This legal reform however varies considerably by country Legal Reform in the Contemporary Socialist World offers a holistic view of understudied jurisdictions in comparative law essential for anyone studying or working in these areas in law politics or policy

**Doing Business In China** Michael J. Moser ,Fu Yu, 2014-04-01 Doing Business in China provides over 3 000 pages of extensive and comprehensive analysis on Chinese business and commercial law and practice This work is the most thorough reference and guide to all major areas of business law and investment in the People's Republic of China and offers a wide ranging analysis and commentary on Chinese business laws For over thirty years Doing Business in China has been one of the premier sources of practical information and analysis on issues affecting foreign investment in China This multi volume treatise captures the collective experiences and knowledge of prominent practitioners and business and legal experts with respect to the essential areas of PRC investment and commercial law Designed for those who are either planning to invest in China or who already have an established presence Doing Business in China provides a detailed examination of all relevant legislation and practice

in China that affects business and investment It also closely examines key issues and potential pitfalls involved in all areas of business and investment      *International Property Law* John G. Sprankling, 2014-03 International law increasingly creates harmonizes and restricts property rights thereby superseding national law This book examines this emerging regime of international property law Looking at the intersection between international law and private property the work argues that a global right to property should be recognized



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