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CONTENTS

1 HOW TO ACCESS OUR PRODUCTS AND SERVICES

2 PARTNERING WITH OXFORD UNIVERSITY PRESS
   The OUPSA Higher Education team / General enquiries / Find an academic consultant

3 CUSTOM SOLUTIONS
   Print Publishing / Digital Publishing / Custom Publishing

4 LEARNING ZONE

5 GET AHEAD OF THE CURVE WITH THESE USEFUL TOOLS
   Free online resources / English Language Teaching / References / Dictionaries

6 OXFORD ADVANCED LEARNER’S DICTIONARY

7 LAW
   Commercial Law / Criminal Justice / International Law / Jurisprudence / Private Law
   Procedural Law / Public Law / Reference

27 LAW JOURNALS

28 INDEX
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Companies and other Business Structures in South Africa 5e

Editors: D Davis and W Geach
Authors: W Geach, D Davis, A Loubser, Z Buba, L Coetze, D Burdette, D Butler and T Mongalo

Companies and other Business Structures in South Africa offers a clear and practical approach to the law relating to companies, close corporations, trust entities, partnerships and financial markets. The fifth edition is comprehensively revised to address the extensive common law jurisprudence that has developed since the Companies Act 71 of 2008 was promulgated, and offers an expanded commentary to support meaningful understanding and practical application of the legislative provisions and common law. In addition, the fifth edition offers a new chapter that discusses corporations’ obligations in relation to human rights.

Companies and other Business Structures in South Africa is suited as core course material for students of all disciplines, who are studying company law at undergraduate or postgraduate level. The text offers a clear pedagogical structure that supports effective learning and independent engagement with the subject matter. To support teaching and learning, teaching presentation and assessment materials are available to lecturers.

The book is also a useful resource for legal or accounting practitioners who may wish to engage with practical and current principles of the field.

New to this edition:
The text is comprehensively updated to reflect relevant cases and developments, and includes updated and expanded assessment material.

“This book will be a useful reference for anyone concerned with South African company law – not only students but also practitioners, legal and accounting.”

Michael Katz: Chairman Edward Nathan Sonnenbergs Inc.
Honorary Professor of Company Law, University of the Witwatersrand

Table of Contents
Part One Companies • Chapter 1: Introduction: The Companies Act 71 of 2008 • Chapter 2: Legal personality, types of company, and company formation • Chapter 3: Groups of companies • Chapter 4: Corporate finance: Equity, Debt instruments and distributions • Chapter 5: Shareholders and company meetings • Chapter 6: Directors and board committees • Chapter 7: Company records and financial statements • Chapter 8: Securities registration and transfer • Chapter 9: Public offerings of company securities • Chapter 10: Fundamental transactions and takeovers • Chapter 11: Insider trading • Chapter 12: Business rescue proceedings and compromises • Chapter 13: Audit, independent review, audit committees and the company secretary • Chapter 14: Remedies, enforcement agencies and alternative dispute resolution • Chapter 15: The winding-up and deregistration of companies • Part 2 Close Corporations • Chapter 16: Close corporations • Part 3 Partnerships • Chapter 17: Partnerships • Part 4 Business Trusts • Chapter 18: Business trusts • Part 5 Financial markets • Chapter 19: Financial markets

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Dean & Dyer: Introduction to Intellectual Property Law

Editors: O Dean and A Dyer
Authors: T Beharie, D Biagio, H Blignaut, L Cilliers, D Cochrane, M du Bois, J Foster, T Grant, C Jooste, S Karjiker, M Khader, M Reimers, T Shabangu, M van der Merwe and E van Wyk

Dean & Dyer: Introduction to Intellectual Property Law provides a thorough and accessible introduction to intellectual property law in South Africa. The text, authored as a collaboration between Spoor & Fisher, specialist intellectual property law attorneys, and the Anton Mostert Chair of Intellectual Property Law at the University of Stellenbosch, brings together the value of practical expertise with an enquiring, analytical and critical approach.
The work offers a clear pedagogical structure that supports learning and develops independent, critical and reflective engagement with the subject matter. It is suited as core material for courses that address intellectual property law within the LLB degree programme, or at postgraduate level, and is augmented by additional resources that offer teaching and learning support. This digest is also a useful resource for legal practitioners and others encountering the practical application of intellectual property law.

Table of Contents
Chapter 1: Copyright  •  Chapter 2: Trade marks  •  Chapter 3: Unlawful competition  •  Chapter 4: Counterfeit goods  •  Chapter 5: Patents  •  Chapter 6: Plant breeders’ rights  •  Chapter 7: Designs  •  Chapter 8: Traditional knowledge, traditional cultural expressions and folklore  •  Chapter 9: Commercial considerations for transactions involving intellectual property  •  Chapter 10: Intellectual property law in the digital environment (EIP Law)  •  Chapter 11: Intellectual property rights and the constitution

Guide to Business Law in South Africa 6e

Author: S Kopel

The sixth edition of Guide to Business Law in South Africa offers a clear and practical introduction to the basic principles of commercial law. It covers a broad spectrum of subject areas within commercial law, in a concise, simple and straightforward manner. The text provides numerous examples and case illustrations, and a rich and diverse collection of teaching and learning resources, in order to support readers in understanding and applying legal principles, to assess their progress and to master their learning.

New to this edition:
• The text and features are updated to address recent legal developments, reflecting relevant issues and questions
• Assessment material is further developed to provide a substantial bank of automatic self-assessment resources.
• The text is directed to commercial law courses at universities of technology, universities and business schools

Table of Contents
Part One: The South African legal system – What is law and how does it work?  •  Chapter 1: The concept of law  •  Part Two: Basic principles of contract – What happens if you break your agreement?  •  Chapter 6: Formation of a valid contract  •  Chapter 7: Lawfulness of contract  •  Part Three: Specific business contracts – What contracts will my business need?  •  Chapter 16: Sale  •  Chapter 17: Credit agreements:  •  Part Four: Agency and employment – How do other people make my business liable for what they say or do?  •  Chapter 22: Agency  •  Chapter 23: Employment  •  Part Five: Business organisation – What is the smart way to structure my business?  •  Chapter 25: Sole proprietorship, partnership and joint ventures  •  Part Six: Business conduct – What is the right way for me to run my business?  •  Chapter 32: A brief history of South Africa  •  Chapter 33: The Constitution of South Africa, 1996  •  Chapter 34: Franchising  •  Chapter 35: Business ethics  •  Chapter 36: Competition  •  Chapter 37: Delict  •  Chapter 38: Intellectual property  •  Chapter 39: Cyber law  •  Chapter 40: Privacy

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LAW: COMMERCIAL LAW 9
The Law of Commerce in South Africa 3e

Content editors: S Cornelius and J Scott

The Law of Commerce in South Africa 3e provides a rigorous, clear and applied introduction to various aspects of commercial law for students of commercial disciplines. The third edition is thoroughly revised to reflect recent legal developments in all aspects of commercial law and includes substantial new material. Acknowledging the evolution of the commercial environment as it rapidly adapts to technological change and innovation, the third edition addresses key areas of development such as cyber law and modern ICT payment methods. A new chapter on the principles of competition law acknowledges the increasing relevance of anti-competitive market regulation, and the text now offers a succinct explanation of delictual principles and obligations as relevant to commercial entities.

New to this edition:
• The third edition is thoroughly updated to reflect issues and legal developments within the recent period.
• Reflecting the evolution of the commercial environment as it rapidly adapts to technological change and innovation, the text offers valuable discussion of modern ICT payment methods (including cryptocurrencies and blockchain technologies) and cyber law.
• Acknowledging the increasing relevance of anti-competitive market regulation, the text now includes a discussion of the principles of competition law.
• The third edition offers a useful explanation of the elements and remedies of the law of delict, as relevant to commercial entities.
• To support educational outcomes, teaching and learning material is enriched and expanded.

Lecturer resources:
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Labour Law in South Africa

Editors: D Collier and E Fergus
Authors: D Collier, E Fergus, S Godfrey, R Le Roux, S Singlee, T Cohen and M Du Plessis

Labour Law in South Africa (Revised Edition, 2019) provides a comprehensive, rigorous and accessible introduction to the framework of labour law in South Africa. Directed towards students of labour law, the text offers a thorough introduction to relevant principles, rules and procedures, and considers the critical issues and broader context within which the legal framework is situated. The text is designed to stimulate deeper intellectual engagement and enquiry, and to assist readers in analysing legal issues within a contextualised and resolution-oriented paradigm. The Revised Edition, 2019, is thoroughly updated to include all of the 2018 developments in labour legislation and regulatory instruments. The text is suitable as course material for labour law courses within the LLB programme.

Table of Contents
Part One Labour law in Context
• Chapter 1: Introduction to labour law
• Chapter 2: Historical developments in South Africa
• Chapter 3: Relevant legislation and labour market institutions
• Chapter 4: The global context and the relevance of international law
Part Two The mechanics of labour law: Who is protected and how?
• Chapter 5: The meaning of employee and employer
• Chapter 6: Dispute resolution processes
• Part Three The individual employment relationship
• Chapter 7: The role of the common law
• Chapter 8: Basic conditions of employment act
• Chapter 9: Unfair labour practices
• Chapter 10: The meaning of (fair) dismissal
• Chapter 11: Automatically unfair dismissals
• Chapter 12: Misconduct dismissals
• Chapter 13: Dismissals related to employee capacity
• Chapter 14: Dismissals based on the employer's operational requirements
• Chapter 15: Transfer of a business as a going concern
• Chapter 16: Resolving dismissal and unfair labour practice disputes: Processes and remedies
Part Four The collective employment relationship
• Chapter 17: Collective labour law and freedom of association
• Chapter 18: Trade unions and employers' representative
• Chapter 19: Bargaining forums
• Chapter 20: Collective bargaining
• Chapter 21: Workplace forums
• Chapter 22: Industrial action: strikes, lockouts and protest action
• Chapter 23: Essential and maintenance services
• Chapter 24: The liability of trade unions
• Part Five Workplace discrimination and equality law
• Chapter 25: Equality law in context
• Chapter 26: Prohibition of unfair discrimination in the workplace
• Chapter 27: Substantive equality and the promotion of diversity
Part Six The social security system and the world of work
• Chapter 28: Social security: Scope and limitations
• Chapter 29: Social security system and the world of work
• Chapter 30: Unemployment protection
Part Seven The future of labour law
• Chapter 31: What is the future for labour law?
Table of contents:
Introduction to the South African legal system • The law of delict • The law of contract • The law of sale • The law of consumer credit agreements • The law of lease • The law of agency • The law of real and personal security • The law of insurance • Labour law • Banking law • The Consumer Protection Act 68 of 2008 • The law of intellectual property • The law of insolvency • Competition law • Cyber law

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Principles of Competition Law in South Africa

Editors: L Kelly and D Unterhalter
Authors: L Kelly, P Youens, I Goodman and P Smith

Principles of Competition Law in South Africa offers a rigorous, clear and applied explanation of competition law in South Africa. The text is directed primarily at students, providing an appropriate introduction to the field. A strong conceptual framework, balanced with a practical approach, and an expanded scope of enquiry (including perspectives relating to competition economic policy) engages readers in a challenging and comprehensive, yet accessible manner. Additional educational resources support teaching and learning, further assisting students to develop the academic skills required to master their studies.

Table of Contents:
Chapter 1: Building blocks • Chapter 2: Jurisdiction • Chapter 3: Competition law framework • Chapter 4: Restrictive Horizontal Practices • Chapter 5: Restrictive Vertical Practices • Chapter 6: Abuse of dominance • Chapter 7: Mergers • Chapter 8: Enforcement • Chapter 9: Competition Law and the constitution

Taxation: A Transaction-based approach

Authors: W Geach, Z Buba and O Mollagee

Taxation: A Transaction-based approach presents a new and unique integrated approach to the law of taxation in South Africa. Thorough in depth and scope, the text offers a clear and concise discussion of the concepts, principles, application and ethics of the discipline. Presenting a coherent, systematic framework that encourages applied competence, this book supports readers to master the subject matter and to confidently develop integrated knowledge.

Designed to support advanced problem-solving competence, this text offers a transaction-based approach. The text presents a clear conceptual framework that guides readers to establish the facts surrounding any domestic or cross-border transaction, and, with an enquiring approach, focuses on discovering all of the tax issues that might arise when any single transaction, or series of transactions, occurs.

Taxation: A Transaction-based approach is suited as a core course material for students of all disciplines, who are studying taxation at undergraduate or postgraduate level. In equal measure, this work is a valuable reference for legal, financial and accounting professionals whose discipline is applied to taxation.

Table of contents:
Chapter 1: The importance of establishing the facts when a transaction occurs • Chapter 2: Immovable property transactions • Chapter 3: The acquisition and disposal of trading stock • Chapter 4: The buying and selling of a business • Chapter 5: The tax consequences of business rescue • Chapter 6: Trust transactions • Chapter 7: Transactions and the liquidation of a company • Chapter 8: Transactions and deemed transactions arising as a result of a natural person’s emigration and immigration • Chapter 9: Sharia compliant financing arrangements and transactions • Chapter 10: Transactions involving employed and self-employed taxpayers • Chapter 11: Cross-border transactions • Chapter 12: Transactions, tax law, ethics and tax compliance
Criminal Law in South Africa 3e

Editor: G Kemp
Authors: G Kemp, S Walker, R Palmer, D Baqwa, C Gevers, B Leslie and A Steynberg

Criminal Law in South Africa provides a comprehensive introduction to the framework of South African criminal law, and addresses relevant principles of international and trans-national criminal law. Primarily theoretical in approach, the text offers succinct, clear discussion of common law principles and legislative provisions, with numerous case illustrations.

Pedagogical features highlight discussion points as additional guidance where moot or contentious criminal law issues are analysed. The text emphasizes the application of legal theory in order to solve legal problems, and this skill is supported by an annexure which demonstrates a methodology for solving problems in criminal law. The text’s overall objective is to state criminal law principles and concepts in a clear, accessible and applied manner, without sacrificing academic rigour, and to stimulate debate and independent reasoning.

The text is a valuable resource for law students, as well as for legal practitioners.

“Although this book is of immense value for the student, it is equally useful to a practitioner who needs a quick reference to a particular provision or who needs some guidance on a moot point of criminal law. Not to repeat myself, sufficient to say that this book succinctly explains criminal law principles with excellent case illustrations, to balance out otherwise rigorous theory. Any book that deals with principles of substantive law has to captivate the imagination of the reader and draw his attention to the value of this subject. It is guaranteed that this book will achieve this objective and will also be a useful guide to practitioners. I was extremely impressed by the book’s introduction to several new offences, such as the criminal provisions of the Companies Act 71 of 2008, as well as crimes such as terrorism, torture and human trafficking which are all treaty-based and world-wide phenomena.”

Dr Llewelyn Gray Curlewis,
Attorney at Pieterse & Curlewis Inc in Pretoria

New to this edition:
The third edition provides a comprehensive review of recent legal developments, and addresses the rapid development of cybercrime. In addition, the text introduces multicultural perspectives of criminal law principles, institutions and issues.

Table of Contents
Part 1 General Introduction • Part 2 General Principles of Criminal Law • Section 1: Unlawful conduct • Section 2: Criminal capacity • Section 3: Fault • Section 4: Degrees of participation in crime • Section 5: Incomplete crimes • Part 3 Specific Crimes • Section 1: Crimes against human life, the person and the family • Section 2: Property crimes • Section 3: Crimes against the community • Section 4: Crimes against the State and administration of justice • Section 5: Organized and commercial crime • Part 4 International criminal law

Criminal Procedure in South Africa

Editor: C Theophilopoulos
Authors: C Theophilopoulos, J Omar, B Tshehla, C Marumoagae, Z Hlophe, S Singh, K Naidoo, A van der Merwe and A Steynberg

Criminal Procedure in South Africa offers a concise, accessible and applied introduction to the theory and practice of criminal procedure. The work serves as a systematic guide to the various stages of the procedural system, and is designed to enable mastery of the rules, basic legal tests and practical steps that are required to implement various criminal procedures.

The text offers a clear pedagogical framework that supports comprehension and develops independent, critical and applied engagement with the subject matter. Clear, structured explanation is supported by
step-by-step, practical guidelines, relevant case law discussions, critical commentary and concise analysis of critical legal tests. Numerous diagrams support readers’ comprehension, and a rich source of precedents and other practical use documents offer valuable tools to guide readers in their applied practice. Lecturers who prescribe this work as course material are supported with ready-to-use teaching materials, which include presentation slides and assessment material.

In equal measure, the text offers an invaluable resource to university students, legal practitioners, prosecutors, judicial officers, paralegals and police officers.

**Table of Contents**

**Part One General introduction**
- Chapter 1: Concepts and components of the criminal justice system
- Chapter 2: History of South African criminal procedure

**Part Two Courts and participants in the criminal justice system**
- Chapter 3: Participants in the criminal justice system
- Chapter 4: The police investigation
- Chapter 5: Overview of pre-trial, trial and post-trial procedures
- Chapter 6: Structure of the criminal courts
- Chapter 7: The jurisdiction of the criminal courts
- Part Three Pre-trial procedures
- Chapter 8: Constitutional rights in criminal proceedings
- Chapter 9: The ascertainment of bodily features of persons
- Chapter 10: Search and seizure
- Chapter 11: Summons, written notice, warnings, indictments and arrest
- Chapter 12: The prosecuting authority’s discretion and decision to prosecute
- Chapter 13: Charge sheets, indictments and requests for further particulars
- Chapter 14: Release on bail
- Chapter 15: Determining bail conditions
- Chapter 16: Pre-trial discovery and preparation for trial
- Chapter 17: The witness in criminal proceedings
- Chapter 18: Postponements and adjournments
- Part Four Criminal trial procedures
- Chapter 19: Arraignment and plea
- Chapter 20: Structure of a criminal trial
- Chapter 21: Conduct of a criminal trial
- Chapter 22: Sentencing procedures
- Part five Post-trial procedures
- Chapter 23: Review of lower court proceedings
- Chapter 24: General principles of appeals
- Chapter 25: Appeal procedures
- Part six Special criminal procedures
- Chapter 26: Inquest proceedings
- Chapter 27: Identity parades
- Chapter 28: Mental illness procedures
- Chapter 29: Habitual and dangerous criminals
- Chapter 30: Prosecution of corporations and associations
- Chapter 31: Plea and sentence agreements
- Chapter 32: Disposal of seized articles
- Chapter 33: Victims’ rights
- Chapter 34: Parole procedures
- Chapter 35: The presidential power of pardon and the expungement of a criminal record
- Part seven The Child Justice Act 75 of 2008
- Chapter 36: The child justice system
- Chapter 37: Diversion options for a child offender
- Part eight: Transnational and international crime
- Chapter 38: Transnational extradition
- Chapter 39: International criminal co-operation
- Chapter 40: International criminal court proceedings

**Lecturer resources**
- PowerPoint® teaching presentation
- Assessment resources

**Student resources**
- Short questions with automated marking

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**INTERNATIONAL LAW**

**International Law in South Africa 2e**

**Editors:** H Strydom

**Authors:** H Strydom, C Gevers, L Juma, G Kemp, E Schlemmer, W Scholtz, F Viljoen and P Vrancken

*International Law in South Africa 2e,* offers a rigorous yet accessible introduction to public international law for undergraduate and post-graduate students. Presenting a clearly structured conceptual framework, the text is designed to support understanding by providing a concise, coherent perspective of international law principles and their application at the international, regional and domestic levels.

In addition to the standard, core material that is addressed in international law curriculae, the second edition engages with topical issues that have assumed special significance for international relations in the 21st century, clarifying legal developments and considering the roles that African states might play in supporting a rule-based response to these issues. These key issues include:

- Third World perspectives on international law
- International criminal law
- The responsibility to protect individuals against mass atrocities
- The use of force against non-state actors
- International trade and investment law
- Legal restraints on the imposition of unilateral sanctions
- Legal protection of the environment

**New to this edition:**
- Updated throughout to reflect the significant developments that have occurred within international law jurisprudence
• New chapters relating to international criminal law and international humanitarian law which reflect the numerous, significant developments that have occurred within this sphere of the law during the recent period
• A new chapter that addresses international trade
• A thorough discussion of the legal protection of the environment, including the Paris Agreement and subsequent developments on climate change
• The text's discussion of state jurisdiction addresses the Al Bashir cases and subsequent developments relating to diplomatic immunity
• A more substantial discussion of the domestic application of international law, with a focus on the practices of SADC countries
• The second edition offers an enriched and expanded teaching and learning resources package which includes a guide to addressing problem-based questions in international law

“I am very grateful that the authors have undertaken this task, which most certainly could not have been easy. South Africa can benefit from another textbook on international law, and this book will be very valuable to the academic community.”

Prof Dr E de Wet, Co-Director: Institute for International and Comparative Law in Africa, University of Pretoria: Faculty of Law

Table of Contents
Part I The modern state system: Origins and development
• Chapter 1: Defining epochs
• Chapter 2: Statehood and recognition
• Chapter 3: International law making as an attribute of state sovereignty
Part II Foundational principles and enforcement of law
• Chapter 4: The Fundamental Principles of the international legal order
• Chapter 5: Maintaining international peace and security: The enforcement of international law
• Chapter 6: Sovereignty over natural resources and the responsibility to prevent harm
• Chapter 7: Responsibility of states and international organisations for internationally wrongful acts
• Chapter 8: Good faith in the performance of international obligations
Part III Jurisdiction and control over territory and persons
• Chapter 6: Jurisdiction of states
• Chapter 7: Treatment of aliens
• Chapter 8: Extradition and deportation
• Chapter 9: Refugees
• Chapter 10: Diplomatic privileges and immunities
Part IV The international law of human security
• Chapter 11: International protection of human rights
• Chapter 12: International humanitarian law
• Chapter 13: International criminal law
• Chapter 14: International Trade Law
• Chapter 15: Legal protection of the environment

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Student resources
• A guide to answering questions of international law
• Summaries of key judgments in international law

JURISPRUDENCE

Introduction to Law and Legal Skills in South Africa 2e

Editors: T Field and T Madlingozi

Introduction to Law and Legal Skills in South Africa 2e offers an inspiring, progressive and immersive introduction to the study of South African law, for students who are beginning a programme of legal studies. The text offers an introduction to South African legal history and the structure of the South African legal system, and an orientation to key areas of substantive law. Thoroughly revised and updated, this second edition offers an inclusive, decolonised approach and pedagogy, engaging readers to learn about law with a purposeful and critical perspective that foregrounds social justice and diversity.

Introduction to Law and Legal Skills in South Africa is designed to effectively advance the development of knowledge and skills through applied learning and immersion within context. The text provides a solid and innovative foundation for the development of crucial, empowering skills, including reading of legal material, legal writing, legal research, legal problem solving, analysis, reasoning, and critical thinking.

To ensure clarity and accessibility to a diverse readership, the second edition is developed with the input of student readers and specialised language practitioners. The text serves to empower aspirant readers, and provides a valuable teaching resource for lecturers.
Jurisprudence in an African Context

Authors: D Bilchitz, T Metz and O Oyowe

Jurisprudence in an African Context explores the unique contribution of African jurisprudence, and that of Western jurisprudence, to engage with the context and issues of contemporary Southern African societies. The text’s unique pedagogy invites the reader to explore African perspectives of law through excerpts of primary texts, and supports understanding, engagement and debate through accessible and stimulating commentary. Organised thematically, the text engages with many urgent and important issues related to law and justice which concern African societies: these topics include land reform, the distribution of wealth and opportunity, who counts as a member of a political community, the rights of gay people, the interests of traditional societies, and approaches to dealing with crime. The text provides a rich perspective of the proper role of law and justice in contemporary society, through the lens of African history, context and values.

“This text promises to satisfy a need for a new jurisprudence textbook that takes account of African jurisprudence and relates jurisprudence developed elsewhere to the South African context. The topics dealt with are likely to hold interest for South African students. A great strength of the book is that it includes concise excerpts from the work of eminent legal philosophers. Any difficulty students may experience in reading these primary texts is likely to be more than compensated for by the inclusion of accessible commentary.”

Assoc Prof Patrick Lenta, University of Technology Sydney

Table of Contents
Chapter 1: Jurisprudence in an African context: An introduction • Part One Theories of law • Chapter 2: What is law? I: Positivism and traditional African societies • Chapter 3: What is law? II: Natural law theory and apartheid • Chapter 4: How should judges adjudicate in an African constitutional democracy? • Chapter 5: Is legal interpretation subjective? • Part Two Theories of justice • Chapter 6: What is a just distribution of resources? • Chapter 7: Who has duties flowing from justice? • Chapter 8: Whom do rights protect? • Chapter 9: How do we rectify past injustices? • Chapter 10: Why punish the guilty? • Chapter 11: Concluding remarks about key philosophical distinctions

Lecturer resources
• PowerPoint® teaching presentation
• Assessment resources
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New to this edition:
• The second edition is thoroughly updated, to reflect issues and legal developments within the recent period, and includes diverse contributions that enrich scholarship.
• The second edition purposefully engages with legal decolonization, social justice, constitutionalism and the transformation of legal and social environments. A focus on legal pluralism is reflected throughout the text.
• The second edition is developed to ensure clarity and accessibility to a diverse readership, and to more effectively support readers’ engagement with, and understanding of, the content. The accessibility of both language and conceptual explanation is developed with expert and student input.
• The text’s pedagogical focus on skills development is strengthened, expanded and updated.
• The second edition acknowledges emergent technological developments within the legal environment, discussing how these developments affect the development of substantive principles, methodologies of legal research, the delivery of legal services, and the structure of legal firms.
• To support educational outcomes, the additional teaching and learning material, that supplements the work, is enriched and expanded.

Table of Contents:
Chapter 1: Introduction: Becoming a Lawyer • Chapter 2: The Post-Apartheid Legal Order • Chapter 3: Western Roots of South African Law • Chapter 4: African Law and its Status in South African Law • Chapter 5: Human Rights and the SA Bill of Rights • Chapter 6: Sources of Law and Legal Authority • Chapter 7: Classification of South African Law • Chapter 8: The Legislative Process and the Interpretation of Statutes • Chapter 9: Adjudication, Court Structure and Dispute Resolution • Chapter 10: Procedural Law and Litigation • Chapter 11: Legal Practitioners and Legal Officials in the South African Legal System • Chapter 12: Accessing Legal Information • Chapter 13: Legal Writing • Chapter 14: Working with Legal Problems

Lecturer resources
• Lecturers’ Guide
learningzone.oxford.co.za

Jurisprudence in an African Context
African Customary Law in South Africa: Post Apartheid and Living Law Perspectives

Editors: T Nhlapo and C Himonga
Authors: T Nhlapo, C Himonga, IP Maithu, S Mnisi Weeks, L Mofokeng and D Ndima

African Customary Law in South Africa provides a clear, comprehensive and engaging introduction to indigenous law in South Africa, highlighting the importance and practical relevance of customary law beyond an official statement of practices. The text provides a structure for understanding the overarching system of customary law, demonstrating its difference to other areas of South African law, whilst exploring the precepts and values of living customary law in order to actively engage with legal and community issues.

Demonstrating how customary law precepts and values can be harmonised with the common law and Western constitutional jurisprudence, the text offers an authentic and culturally-sensitive framework within which contentious issues might be resolved. The text is pedagogically designed to support learning and the development of academic skills, empowering students to apply independent reasoning and analysis to the material.

This text is suited as core course material for readers who are studying African Customary Law, Indigenous Law, or Legal Diversity as a module of the LLB degree. It also serves as a useful first reference for scholars who are interested in this field of law, legal practitioners, magistrates and judges.

Included in this edition:

• The text offers a unique approach to the study of African customary law, seeking to present the material within an enquiring, authentic and constructive framework. Within the structure of the overarching system of customary law, the text engages with the precepts and values of living customary law in order to illuminate the true value, relevance and flexibility of indigenous law, and to provide a useful framework for addressing community and legal issues

• The text engages with problematic issues in cases and legislation, applying both official and living customary law approaches to address these

• Material is presented within the framework of a pedagogical structure which supports understanding and the development of academic skills such as critical thinking, reflection, application and analysis.

Table of Contents

Part One Theoretical and structural overview of African customs
• Chapter 1: Historical overview of customary law
• Chapter 2: The nature and conceptualisation of customary law
• Chapter 3: Legal pluralism
• Chapter 4: Ascertainment and proof of customary law
• Chapter 5: Internal conflict of laws

Part Two Personal law and personal rights in African customary law
• Chapter 6: Marriage
• Chapter 7: The consequences of marriage
• Chapter 8: The dissolution of marriage
• Chapter 9: The customary law of succession
• Chapter 10: Contractual obligations in customary law
• Chapter 11: Customary law of delict
• Chapter 12: Criminal law

Part Three Political and civic aspects of African customary law
• Chapter 13: Traditional leadership institutions
• Chapter 14: Traditional courts

Lecturer resources
• PowerPoint teaching presentation
• Assessment resources
learningzone.oxford.co.za

Family Law in South Africa 2e

Editors: B van Heerden, A Skelton, Z du Toit
Authors: A Skelton, M Carnelley, JA Robinson, T Boezaart, S Human, B Smith, K Ozah, Z Hansungule, C Feldhaus, S Baird and J Anderssen

Family Law in South Africa, second edition, offers a clear and accessible introduction to the principles of family law in South Africa. The second edition is thoroughly updated and revised to reflect developments within the recent period, and includes a new chapter relating to surrogacy, IVF, and other forms of non-natural reproduction. This revised edition introduces a more integral and expanded synthesis of common law and African customary law, throughout, and includes a new chapter that discusses customary law rights, responsibilities and ritual pertaining to children. Where relevant, aspects of legal ethics, social justice, problem solving, and comparative law are foregrounded, at the appropriate level, and critical, reflective and skills-based development is supported by the text’s unique pedagogical design.
New to this edition:

- The second edition is thoroughly updated, to reflect issues and legal developments within the recent period, and includes diverse contributions that enrich scholarship.
- The second edition reflects a more integral and expanded synthesis of common law and African customary law, throughout.
- The text offers a new chapter that discusses customary law rights, responsibilities and ritual pertaining to children.
- The text includes a new chapter relating to surrogacy, IVF, and other forms of non-natural reproduction.
- Where relevant, legal ethics, social justice, problem solving, and comparative aspects of law are foregrounded, at the appropriate level.
- The text’s unique pedagogical design strengthens the development of readers’ skills in critical and reflective engagement with the subject matter.
- To support educational outcomes, teaching and learning material is enriched and expanded.

Table of Contents


Lecturer resources
- PowerPoint teaching presentation
- Assessment resources
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The Law of Contract in South Africa 3e

Content editors: D Hutchison and C Pretorius
Authors: D Hutchison, C Pretorius, T Naude, J du Plessis, S Eiselen, T Floyd, L Hawthorn, B Kuschke, C Maxwell and E de Stadler

The Law of Contract in South Africa 3e provides a comprehensive, rigorous and accessible introduction to the principles of contract law. The text’s concise explanation assists readers to clearly understand the principles and nuances of the subject matter, while supporting the development of critical and reflective thought.

New to this edition:

- The text is updated to reflect legal developments that have occurred during the recent period. These developments include the following:
  - the emerging debate relating to constitutionalism and legal certainty
  - the approach to the interpretation of contracts, as set out in Natal Joint Municipal Pension Fund v Endumeni Municipality 2012 (4) SA 593 (SCA) and Bothma-Batho Transport (Edms) Bpk v S Bothma & Seun Transport (Edms) Bpk 2014 (2) SA 494 (SCA)
  - the impact of the Supreme Court of Appeal judgment in Spenmac v Tatrim 2015 3 SA 46, as it relates to principles of mistake and the absence of consensus in contract law
  - various case law developments relating to non-variation clauses
  - the novel approach adopted in Born Free Investments 364 (Pty) Ltd v Firstrand Bank Ltd [2014] 2 All SA 127 (SCA), in relation to agreements in restraint of cession
  - the suggestion by the Constitutional Court in Everfresh Market Virginia (Pty) Ltd v Shoprite Checkers (Pty) Ltd 2012 (1) SA 256 (CC) of a new approach to agreements to negotiate.
- The content of the teaching/learning resources is enriched and expanded.

The text is directed at courses in contract law offered in the LLB programme. It is also useful for practitioners who wish to clarify new or foundational principles.

Table of Contents

The Law of Delict in South Africa 3e

Content editors: M Loubser and R Midgley
Authors: M Loubser, R Midgley, P Jabavu, J Linscott, A Mukheibir, L Niesing, D Perumal, P Singh and B Wessels

The Law of Delict in South Africa 3e provides a comprehensive, rigorous and accessible introduction to the principles of the law of delict. The text supports mastery of the subject matter through its clear explanations, by distinguishing plainly between the Aquilian action, Germanic action and Actio iniuriarum, and by supporting the development of applied, critical and reflective thought.

The text serves as core material for courses of the law of delict, and offers a useful reference for practitioners who may wish to clarify new or foundational principles.

New to this edition:
- The text is updated to reflect recent legal developments
- The third edition provides a deeper critical discussion of the relationship between the law of delict and the Constitution of the Republic of South Africa
- In light of recent developments in international case law, the third edition now offers a substantial critical re-evaluation and analysis of the principles of factual and legal causation
- The implications of the Electronic Communications and Transactions Act of 2002 and the Protection of Personal Information Act of 2013 are addressed throughout the text. In particular, this legislation is considered in relation to principles relating to privacy, defamation, economic harm, vicarious liability and breach of a statutory duty
- The third edition addresses statutory compensation systems, such as the Compensation for Occupational Injuries and Diseases Act 130 of 1993 (‘COIDA’), the Road Accident Fund Act 56 of 1996 (‘RAF Act’) as amended by the Road Accident Amendment Act 15 of 2005 (‘RAFA Act’), the proposed Road Accident Benefit Scheme (‘RABS’) and the Consumer Protection Act 68 of 2008 (‘CPA’)
- The supporting teaching and learning resources are updated and expanded to provide a richer base of assessment resources.

The text is suited for undergraduate courses in the law of delict, in the LLB programme.

Table of Contents
Part One: Introductory overview • Chapter 1: Introduction • Chapter 2: Delict and the constitution • Chapter 3: Delict in a multi-cultural society • Part Two: General principles: Primarily fact-based issues • Chapter 4: Harm • Chapter 5: Conduct • Chapter 6: Factual causation • Part Three: General principles: Primarily normative issues • Chapter 7: Legal causation • Chapter 8: Fault • Chapter 9: Wrongfulness • Chapter 10: Grounds of justification • Part Four: Exclusions • Chapter 11: Liability in contract excluding action in delict • Chapter 12: Exemption clauses • Chapter 13: Prescription • Part Five: Special forms of liability involving patrimonial harm, and pain and suffering • Chapter 14: Omissions • Chapter 15: Negligent misstatements • Chapter 16: Pure economic harm • Chapter 17: Interference with contractual relations • Chapter 18: Unlawful competition • Chapter 19: Product liability • Chapter 20: Breach of a statutory duty • Chapter 21: Public authorities • Chapter 22: Professional liability • Chapter 23: Injury or death of another person • Part Six: Special forms of liability: Psychological or emotional harm • Chapter 24: Pain and suffering • Chapter 25: Emotional shock • Part Seven: Special forms of liability: Personality interests • Chapter 26: Infringements of bodily integrity • Chapter 27: Infringements of dignity • Chapter 28: Infringements of privacy • Chapter 29: Infringements of identity • Chapter 30: Infringements of reputation • Chapter 31: Grounds of justification associated with infringements of Personality interests • Part Eight: Strict and vicarious liability • Chapter 32: Strict liability • Chapter 33: Vicarious liability • Part Nine: Remedies and apportionment • Chapter 34: Remedies • Chapter 35: Reduction and apportionment of damages • Part Ten: Statutory forms of compensation • Chapter 36: Legal and public policy considerations that have justified the statutory development of the Law of Delict • Chapter 37: The compensation for Occupational Injuries and Diseases Act of 1993 • Chapter 38: Road Accident Fund Act 56 of 1996 • Chapter 39: Strict liability for harm caused by goods: Section 61 of the Consumer Protection Act

Lecturer resources
- PowerPoint® teaching presentation
- Assessment resources
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Lecturer resources
- PowerPoint® teaching presentation
- Assessment resources
- Guide to answering problem questions in the law of delict
learningzone.oxford.co.za
The Law of Persons in South Africa 2e

**Editors:** H Kruger and A Skelton  
**Authors:** H Kruger, A Skelton, M Carnelley, S Human, H Kruuse, L Mofokeng, JA Robinson and L Tshingana

*The Law of Persons in South Africa 2e* offers a clear and accessible introduction to the principles of the law of persons. The text is thoroughly updated to reflect common law developments within the field. The second edition introduces a focus on transformative constitutionalism, as it relates to status, together with a more integral and expanded synthesis of common law and African customary law. Where relevant, aspects of legal ethics, social justice, problem solving and comparative law are foregrounded, at the appropriate level, and critical, reflective and skills-based development is supported by the text’s unique pedagogical design.

The text is directed at undergraduate modules in the law of persons, within the LLB degree programme.

**New to this edition:**  
- The text and features are updated, to reflect legal developments that have occurred within the recent period  
- The second edition includes a new chapter addressing transformative constitutionalism, as it relates to status  
- The second edition reflects a more integral and expanded synthesis of common law and African customary law, throughout  
- Material relating to surrogacy and curatorship now reflects additional substantive matter, to support comprehension of the material  
- Where relevant, legal ethics, social justice, problem solving and comparative aspects of law are foregrounded, at the appropriate level  
- The text’s unique pedagogical design strengthens the development of readers’ skills in critical and reflective engagement with the subject matter  
- To support educational outcomes, teaching and learning material is enriched and expanded.

**Table of Contents**

- Part A: General introduction  
  - Chapter 1: An introduction to the law of persons  
  - Part B: Legal subjectivity  
  - Chapter 2: Definition of concepts  
  - Chapter 3: The beginning of legal subjectivity  
  - Chapter 4: The end of legal subjectivity  
  - Part C: Status and the factors that influence it  
  - Chapter 5: Status: An introduction  
  - Chapter 6: Domicile and citizenship  
  - Chapter 7: Birth and adoption  
  - Chapter 8: Minority  
  - Chapter 9: Prodigality, curatorship and insolvency  
  - Chapter 10: Mental illness, physical disability, and the influence of alcohol and drugs on capacity  
  - Chapter 11: Race, custom and religion

**Lecturer resources**  
- PowerPoint® teaching presentation  
- Assessment resources  
  - learningzone.oxford.co.za

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The Law of Succession in South Africa 3e

**Editors:** J Jamneck and C Rautenbach  
**Authors:** J Jamneck, C Rautenbach, M Paleker, A van der Linde and M Wood-Bodley

*The Law of Succession in South Africa 3e* provides a comprehensive, engaging and accessible introduction to common law and customary law principles of the law of succession. The text’s clear, rigorous and thorough explanation assists readers to progress in their understanding and to master the subject matter, while supporting the development of applied, critical and reflective thought. The text is appropriate as material for courses in the law of succession, and as a reference for practitioners who may wish to clarify new or foundational principles.

The text is suited for undergraduate courses in the law of succession, in the LLB programme.

**New to this edition:**  
- The text is updated to reflect legal developments within the recent period  
- Additional case discussions are included  
- Discussion features (critical and reflective analysis) are refreshed and updated. The occurrence of this feature is slightly expanded  
- The ancillary materials are updated and expanded to provide a greater variety of questions.

**Table of Contents**

- Chapter 1: Introduction  
- Chapter 2: Intestate succession  
- Chapter 3: Testate succession  
- Chapter 4: Testamentary capacity  
- Chapter 5: Formalities for a will  
- Chapter 6: Revocation and revival of wills  
- Chapter 7: Capacity to inherit  
- Chapter 8: Freedom of testation  
- Chapter 9: Content of wills: absolute bequests, conditions, the modus and estate massing  
- Chapter 10: Content of wills: substitution, usufruct and accrual  
- Chapter 11: Content of wills: trusts
Chapter 12: Collation • Chapter 13: Interpretation of wills • Chapter 14: Succession by contract (Pactum Successorium) • Chapter 15: Customary law and the reform of customary law of succession act • Chapter 16: Administration of estates

Lecturer resources
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Available in Afrikaans only

Erfreg in Suid-Afrika 3u

Editors: J Jamneck and C Rautenbach
Authors: J Jamneck, C Rautenbach, M Paleker, A van der Linde and M Wood-Bodley

The Principles of the Law of Property in South Africa 2e

Editors: A Pope and E du Plessis
Authors: A Pope, E du Plessis, W Freedman, J Pienaar, J van Wyk, H Mostert and P Badenhorst, P Dhliwayo, P Dube, S Govindsamy, L Kiewitz, N Seme, N Sono, L van Schalkwyk, G Viljoen

The Principles of the Law of Property in South Africa 2e offers a thorough, yet accessible introduction to the principles of South African property law. The text is positioned at an intermediate level, presenting a challenging level of rigour, whilst ensuring that the material is manageable and that readers are supported. The second edition offers a thoroughly updated exposition of common law developments and introduces new, critical perspectives relating to constitutionalism, redistributive justice and decolonisation. The text’s pedagogical design develops applied skills, such as analysis and critical/reflective thought, and addresses aspects of legal ethics, social justice, and international and comparative aspects of law where appropriate.

The Principles of the Law of Property in South Africa 2e is suited as core course material for property law.

New to this edition:
• The text is thoroughly updated to reflect common law developments within the field.
• The second edition introduces a discussion of address critical issues, relating to constitutionalism, redistributive justice, and decolonization.

Table of Contents
Part 1 General introduction to property law • Chapter 1: Perspective on property law • Chapter 2: Property and things: Definitions and classification • Chapter 3: Rights • Chapter 4: Possession • Part 2 Ownership • Chapter 5: Content and forms of ownership • Chapter 6: Limitations on ownership • Chapter 7: Acquisition of ownership • Chapter 8: Protection of ownership • Part 3 Specific forms of rights in property • Chapter 9: Servitudes and restrictive conditions • Chapter 10: Minerals • Chapter 11: Water • Chapter 12: Real security • Part 4 Overview of the principles of property law in its new context • Chapter 13: Prospects of property law

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Civil Procedure: A Practical Guide 3e

Authors: S Peté, D Hulme, M Du Plessis, R Palmer, O Sibanda and T Palmer

The third edition of Civil Procedure: A Practical Guide provides a clear and concise introduction to the theory and practice of civil procedure. The text addresses the procedures of the District and Regional Magistrates’ Courts, High Courts, Supreme Court of Appeal, Constitutional Court and Small Claims Court. In addition to theoretical content, it offers useful guidelines, and numerous diagrams and precedents, to support readers’ practical mastery of the subject matter.

New to this edition:
The third edition incorporates numerous, recent legal developments, which include:

- Developments relating to the structure and naming of the courts
- The amended test for appealability of interim orders
- The amended test for execution of orders pending appeals (or applications for leave to appeal)
- Amendments to the Prescribed Rate of Interest Act 55 of 1975
- The introduction of new rules of service in the High Court, and developments in respect of substituted service
- Developments in case law regarding locus standi under section 38(a) of the Constitution (constitutional own-interest standing) and in respect of class actions
- Developments relating to jurisdiction in the High Court, Supreme Court of Appeal and Constitutional Court
- The impact of the National Credit Act 34 of 2005 on debt enforcement procedures
- Constitutional Court’s pronouncements in respect of emolument attachment orders
- Constitutional Court’s developments in respect of the provisional sentence procedure.

The text serves as an appropriate text for academic courses in Civil Procedure, as well as a useful first reference for candidate attorneys, pupil advocates, legal practitioners, magistrates and judges.

Table of Contents
Stage One Before litigation
- Part One Preliminary questions
- Chapter A: Cause of action
- Chapter B: Locus standi
- Chapter C: Jurisdiction
- Part Two Pre-litigation issues
- Chapter A: Demand
- Chapter B: Calculation of time limits
- Chapter C: Service of legal documents
- Chapter D: Action or application?

Stage Two Litigation
- Part One Applications
- Chapter A: General principles
- Chapter B: ‘On notice’ applications
- Chapter C: Ex parte applications
- Part Two Actions
- Chapter A: Pleadings
- Chapter B: Pre-trial procedures
- Chapter C: Trial
- Chapter D: Judgment, interest and costs

Stage Three After litigation
- Part One Appeals and reviews
- Chapter A: Appeals
- Chapter B: Reviews

Stage Four Additional procedures
- Chapter A: Settlement
- Chapter B: Provisional sentence
- Chapter C: Interim relief pending judgment
- Chapter D: Arrest tanquam suspectus de fuga
- Chapter E: Multiple parties and actions
- Chapter F: Interdicts
- Chapter G: Drastic procedures
- Chapter H: Declarations of rights and stated cases
- Chapter I: Small Claims Court procedures
- Chapter J: Other civil courts

Annexures
- A: Alternative dispute resolution in civil practice
- B: Impact of the National Credit Act and the Consumer Protection Act on Civil Procedure
- C: Diagrams
- D: Precedents
- E: Citations
- F: Short form, particulars of claim

Lecturer resources
- PowerPoint® teaching presentation
- Assessment resources

Criminal Procedure in South Africa

Editor: C Theophilopoulos
Authors: C Theophilopoulos, J Omar, B Tsehla, C Marumoagae, Z Hlophe, S Singh, K Naidoo, A van der Merwe and A Steynberg

Criminal Procedure in South Africa offers a concise, accessible and applied introduction to the theory and practice of criminal procedure. The work serves as a systematic guide to the various stages of the procedural system, and is designed to enable mastery of the rules, basic legal tests and practical steps that are required to implement various criminal procedures.

The text offers a clear pedagogical framework that supports comprehension and develops independent, critical and applied engagement with the subject matter. Clear, structured explanation is supported by step-by-step, practical guidelines, relevant case law discussions, critical commentary and concise analysis.
of critical legal tests. Numerous diagrams support readers’ comprehension, and a rich source of precedents and other practical use documents offer valuable tools to guide readers in their applied practice. Lecturers who prescribe this work as course material are supported with ready-to-use teaching materials, which include presentation slides and assessment material.

In equal measure, the text offers an invaluable resource to university students, legal practitioners, prosecutors, judicial officers, paralegals and police officers.

Table of Contents

Part One  General introduction  •  Chapter 1: Concepts and components of the criminal justice system  •  Chapter 2: History of South African criminal procedure  •  Part Two  Courts and participants in the criminal justice system  •  Chapter 3: Participants in the criminal justice system  •  Chapter 4: The police investigation  •  Chapter 5: Overview of pre-trial, trial and post-trial procedures  •  Chapter 6: Structure of the criminal courts  •  Chapter 7: The jurisdiction of the criminal courts  •  Part Three  Pre-trial procedures  •  Chapter 8: Constitutional rights in criminal proceedings  •  Chapter 9: The ascertainment of bodily features of persons  •  Chapter 10: Search and seizure  •  Chapter 11: Summons, written notice, warnings, indictments and arrest  •  Chapter 12: The prosecuting authority’s discretion and decision to prosecute  •  Chapter 13: Charge sheets, indictments and requests for further particulars  •  Chapter 14: Release on bail  •  Chapter 15: Determining bail conditions  •  Chapter 16: Pre-trial discovery and preparation for trial  •  Chapter 17: The witness in criminal proceedings  •  Chapter 18: Postponements and adjournments  •  Part Four  Criminal trial procedures  •  Chapter 19: Arraignment and plea  •  Chapter 20: Structure of a criminal trial  •  Chapter 21: Conduct of a criminal trial  •  Chapter 22: Sentencing procedures  •  Part five  Post-trial procedures  •  Chapter 23: Review of lower court proceedings  •  Chapter 24: General principles of appeals  •  Chapter 25: Appeal procedures  •  Part six  Special criminal procedures  •  Chapter 26: Inquest proceedings  •  Chapter 27: Identity parades  •  Chapter 28: Mental illness procedures  •  Chapter 29: Habitual and dangerous criminals  •  Chapter 30: Prosecution of corporations and associations  •  Chapter 31: Plea and sentence agreements  •  Chapter 32: Disposal of seized articles  •  Chapter 33: Victims’ rights  •  Chapter 34: Parole procedures  •  Chapter 35: The presidential power of pardon and the expungement of a criminal record  •  Part seven  The Child Justice Act 75 of 2008  •  Chapter 36: The child justice system  •  Chapter 37: Diversion options for a child offender  •  Part eight: Transnational and international crime  •  Chapter 38: Transnational extradition  •  Chapter 39: International criminal co-operation  •  Chapter 40: International criminal court proceedings

The Law of Evidence in South Africa 2e

Editors: A Bellengére, C Theophilopoulos and R Palmer


The Law of Evidence in South Africa 2e provides a clear, practical and innovative introduction to the law of evidence in South Africa, offering explanations of complex principles in a manner that supports understanding and application. The second edition of the text is structured to ensure greater coherence within the subject matter, and provides additional substance and clarity. In addition, this edition includes new material which frames methods of truth verification within a multicultural context, drawing upon approaches to evidence presentation and dispute resolution within diverse societies.

The text is directed at undergraduate modules in the law of evidence, within the LLB degree programme.

New to this edition:

• The text and features are revised and updated, to reflect relevant legal developments within the recent period
• The second edition includes a new chapter which frames methods of truth verification within a multicultural context, drawing upon approaches to evidence presentation and dispute resolution within diverse societies
• The text includes extensive new material that addresses the Electronic Communications and Transactions Act, 2002, and digital and computer-based forensic issues. Content relating to methods of scientific truth verification is expanded to reflect the rapid technological developments within this field
• The text structure is adjusted to ensure greater coherence within the subject matter
• Certain areas of content now reflect additional substance to support clear explanation and understanding
• To support educational outcomes, teaching and learning material is enriched and expanded.

Lecturer resources

• PowerPoint® teaching presentation
• Assessment resources

Student resources

• Short questions with automated marking

Lecturer resources

For lecturers:

• PowerPoint® teaching presentation
• Assessment resources

Student resources

For students:

• Short questions with automated marking

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Administrative Justice in South Africa 2e

Editors: G Quinot
Authors: G Quinot, H Corder, T Madonsela, M Kidd, M Murcott, P Maree, S Budlender, J Bleazard, R Cachalia, A Anthony, M Salukazana and M Finn

Administrative Justice in South Africa 2e offers a clear, comprehensive and applied explanation of the principles and framework of administrative justice in South Africa. The text addresses both judicial and non-judicial means for control and enforcement, as well as procedural aspects of administrative law. Practical in its approach, the text provides valuable focus on the application of principles in case law, problem-solving methodology and specific procedural aspects of administrative justice.

The second edition includes a new, unique chapter that considers the implications of administrative justice for the creation of administrative mandates, as opposed to mere control of administrative action once taken, thus employing administrative justice in a more proactive manner.

The text offers a clear pedagogical framework that develops independent, critical and reflective engagement with the subject matter. A strong conceptual and enquiring approach enriches knowledge and engages readers in an interactive, topical and challenging manner. Additional, high-value educational resources support learning and teaching, further assisting students to develop the academic skills required to master their studies.

New to this edition:
• The second edition is thoroughly updated to reflect issues and legal developments within the recent period.
• The second edition offers an expanded discussion of non-judicial forms of control and enforcement, including a new chapter that addresses the roles and powers of the Auditor-General and the Public Protector.
• The text’s discussion of legal remedies in control and enforcement proceedings is expanded to include the remedies that are available to support the interventions of the Auditor-General and the Public Protector, respectively.
• The second edition introduces a visioning, enquiring perspective that considers the ongoing system design that is requisite to engender good, just and efficient public decision making, and to give effect to the constitutional promise of administrative justice.
• To support educational outcomes, the supplementary teaching and learning material is enriched and expanded.

Table of contents:
Chapter 1: The development of administrative law in South Africa • Chapter 2: Administrative authorities in legal context • Chapter 3: Administrative action • Chapter 4: Non-judicial regulation of administrative action • Chapter 5: Judicial regulation of administrative action • Chapter 6: Lawfulness • Chapter 7: Procedural fairness • Chapter 8: Reasonableness • Chapter 9: Reason • Chapter 10: Administrative justice in creating legislative mandates • Chapter 11: Standing and procedure for judicial review • Chapter 12: Remedies in judicial review proceedings

Lecturer resources
• PowerPoint® teaching presentation
• Assessment resources
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Student resources
• Interactive questions on Learning Zone
South African Constitutional Law in Context 2e offers a clear, concise and comprehensive introduction to the study of South African constitutional law. Situated within a historical-, political-, social- and economic context, the text invites readers to discover the meaning, operation and effects of the South African constitution, and to understand its pivotal (but sometimes contested) significance within the South African development project.

Thoroughly revised and updated, this second edition offers a compelling analysis of developments during the recent period. Presenting a balanced, critical and enquiring perspective, the text engages with key issues and debates, such as the merits of constitutional supremacy, transformative constitutionalism, and the constitutional protection of private property. The second edition considers the relationship between constitutional law and customary law, throughout, and includes new chapters that address socio-economic rights, traditional leadership, and the fundamental rights to education, private property (including land expropriation), and freedom and security of the person. In an accessible manner, South African Constitutional Law in Context, second edition, supports readers to master their knowledge and application of the subject matter, and to meaningfully engage with the nuances of constitutional law principles.

South African Constitutional Law in Context, second edition, is suited as core course material for students who are studying South African constitutional law as a module of the LLB degree, or at postgraduate level. The text offers a useful resource for legal practitioners who may wish to engage with foundational and current principles of the field.

Teaching presentation and assessment materials are available to lecturers and students.

New to this edition:
- The second edition is developed to ensure greater accessibility, clarity and depth of understanding. The work engages with the many developments, debates and issues that have emerged within the recent period, including discourse and debates relating to the merits of constitutional supremacy, transformative constitutionalism, and constitutional protection of private property.
- The text’s discussion of the Bill of Rights is substantively deepened.
- The work includes a new discussion of socio-economic rights, as well as new chapters that address the following constitutional rights: Freedom and Security of the Person, and Bodily Integrity; Education; Private Property; Traditional Leadership.
- The text includes a stronger, integrated discussion of customary law.
- The second edition analyses the many issues and developments, relating to Chapter 9 institutions, that have developed during the recent period, and introduces a focus on the conduct of the national Legislature and Executive.

Table of Contents

Part 1 Principles and structures of government
- Chapter 1: South African constitutional law in context
- Chapter 2: Basic concepts of constitutional law
- Chapter 3: Separation of Powers and the three branches of government
- Chapter 4: Separation of Powers and the national legislature
- Chapter 5: Separation of Powers and the national executive
- Chapter 6: Separation of Powers and judicial authority
- Chapter 7: Separation of Powers and chapter 9 institutions
- Chapter 8: Multilevel government in South Africa
- Chapter 9: Traditional leadership in South Africa

Part 2 The Bill of Rights and the enforcement of the constitution
- Chapter 10: Introduction to and application of the Bill of Rights
- Chapter 11: The limitation of rights
- Chapter 12: Constitutional remedies
- Chapter 13: Equality, human dignity and privacy rights
- Chapter 14: Diversity Rights
- Chapter 15: Political and process rights
- Chapter 16: Constitutional Property Law
- Chapter 17: Education and Socio-Economic Rights

Lecturer resources
- PowerPoint® teaching presentation
- Assessment resources
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Oxford Paperback Reference: A Dictionary of Law 9e

Edited by J Law

Now in its ninth edition, it has been fully updated to incorporate recent case law and the latest legislation, such as the Modern Slavery Act 2015, the Brexit legislation, and changes in consumer, tax, and family law. Over 100 new entries have been added, including Article 50, Brexit, the Marriage (Same Sex Couples) Act 2013, and intercountry adoption. In addition, there is a useful Writing and Citation Guide that specifically addresses problems and established conventions for writing legal essays and reports. Now providing more information than ever before, this edition features recommended web links for many entries, which are accessed and kept up to date via the Dictionary of Law companion website.

Described by leading university lecturers as ‘the best law dictionary’ and ‘excellent for non-law students as well as law undergraduates’, this classic dictionary is an invaluable source of legal reference for professionals, students, and anyone else needing succinct clarification of legal terms. Focusing primarily on English law, it also provides a one-stop source of information for any of the many countries that base their legal system on English law.

New to this edition:
• Fully revised and updated content reflecting the very latest legislation, including changes in the status of the Law Lords, the Equality Act and related anti-discrimination legislation, and recent changes to criminal and administrative law
• Over 120 new entries – from Clinical Commissioning Groups and General Anti-Abuse Rule to reasonable adjustment and universal credit.

The Law Student’s Dictionary 13e

Author: James Penner

The Law Student’s Dictionary is an invaluable reference work for all law students. The terms have been chosen with the specific needs of the undergraduate student in mind, providing a full insight into legal terminology and ensuring students are familiar with terms they will encounter during their studies.

The dictionary includes substantial entries on core student topics which outline the conceptual importance of key areas, to give students an idea of how these terms have been shaped by, and in turn shape, how lawyers think. Some older terms are also included, as although they are not used to frame the current law, students will come across them in the course of their studies and they are of historical significance.

The text features cross-referencing of terms and definitions, giving students the opportunity to expand and contextualise their knowledge, and the material is presented in a new two-colour page design, which allows for quick and easy navigation. The Law Student’s Dictionary is an excellent reference tool for students of law at all levels.

• An essential point of reference for students of the law, it provides a full insight into legal terminology, ensuring students are familiar with terms they will encounter during their studies
• Features cross-referencing of terms and definitions, giving students the opportunity to expand and contextualise their knowledge
• Includes substantial entries on core student topics which outline the conceptual importance of these key areas, to give students an idea of how these terms have been shaped by, and in turn shape, how lawyers think
• A revised format featuring a new two-colour page design makes the text easy to navigate, ensuring students are able to find answers to their queries quickly and easily
• Includes some older terms that are not used to frame the current law, but which students will come across in the course of their studies and which are of historical significance, such as ‘plaintiff’.

New to this edition:
• New two-colour page layout for increased ease of use and quick reference
• Features terms arising from new legislation, the rise of e-commerce law, and more ‘modern’ court language.

Table of Contents
Preface • List of Abbreviations • Dictionary A–Z
The Strange Alchemy of Life and Law

Winner of the 2010 Sunday Times Alan Paton Literary Award

Author: Albie Sachs

From a young age Albie Sachs played a prominent part in the struggle for justice in South Africa. As a result he was detained in solitary confinement, tortured by sleep deprivation and eventually blown up by a car bomb which cost him his right arm and the sight of an eye. His experiences provoked an outpouring of creative thought on the role of law as a protector of human dignity in the modern world, and a lifelong commitment to seeing a new era of justice established in South Africa.

After playing an important part in drafting South Africa’s post-apartheid Constitution, he was appointed by Nelson Mandela to be a member of the country’s first Constitutional Court. Over the course of his fifteen-year term on the Court he grappled with the major issues confronting modern South Africa, and the challenges posed to the fledging democracy as it sought to overcome the injustices of the apartheid regime.

Sachs conveys in intimate fashion what it was like to be a judge in these unique circumstances, how his extraordinary life influenced his approach to the cases before him, and his views on the nature of justice and its achievement through law.

The book provides unique access to an insider’s perspective on modern South Africa, and a rare glimpse into the working of a judicial mind. By juxtaposing life experiences and extracts from judgments, Sachs enables the reader to see the complex and surprising ways in which legal culture transforms subjective experience into objectively reasoned decisions. With rare candour he tells of the difficulties he has when preparing a judgment, of how every judgment is a lie. Rejecting purely formal notions of the judicial role he shows how both reason and passion (concern for protecting human dignity) are required for law to work in the service of justice.

Suitable for academics, students and lay readers interested in the workings of law in the modern world; readers interested in modern South African history, particularly the transition and post-Apartheid South Africa.

“If I still had responsibility for the English judiciary I would encourage every judge for whom I was responsible to read this book. I am sure it would improve their understanding of what the job really involves and what justice is all about.”

Lord Woolf, Formerly Lord Chief Justice of England, Wales and Northern Ireland (from the preface)

“The Strange Alchemy of Life and Law is his fascinating and honest account of how his own thinking, emotions and experiences contributed to some of the most startling, original, adventurous, far-reaching and moving decisions taken by any court in the world.”

Marcel Berlins of The Guardian, UK

“But the thing is there’s nothing about Sachs which is that simple. Throughout the book Sachs explores, through nuanced style and content, the conjunction of opposites; of reason and passion, on intuition and rationale, of sacred and secular, of public and personal, of life and law.”

Louise Tudor Jones, Weekend Argus
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# LAW

## COMMERCIAL LAW
Companies and other Business Structures in South Africa 5e ........................................ 8
Dean & Dyer: Introduction to Intellectual Property Law ............................................................... 8
Guide to Business Law in South Africa 6e ................................................................. 9
Labour Law in South Africa ................................................................. 10
The Law of Commerce in South Africa 3e ................................................ 10
Principles of Competition Law in South Africa ............................................... 11
Taxation: A Transaction-based approach ................................................ 11

## CRIMINAL JUSTICE
Criminal Law in South Africa 3e .......................................................... 12
Criminal Procedure in South Africa ................................................ 12

## INTERNATIONAL LAW
International Law in South Africa 2e .......................................................... 13

## JURISPRUDENCE
Introduction to Law and Legal Skills in South Africa 2e ............................................... 14
Jurisprudence in an African Context ............................................................ 15

## PRIVATE LAW
African Customary Law in South Africa: Post Apartheid and Living Law Perspectives ........................................ 16
Family Law in South Africa 2e ............................................................ 16
The Law of Contract in South Africa 3e .................................................. 17
The Law of Delict in South Africa 3e .................................................... 18
The Law of Persons in South Africa 2e ................................................ 19
The Law of Succession in South Africa 3e ............................................... 19
Erfreg in Suid-Afrika 3u ................................................................. 20
The Principles of the Law of Property in South Africa 2e ............................................... 20

## PROCEDURAL LAW
Civil Procedure: A Practical Guide 3e .................................................... 21
Criminal Procedure in South Africa ................................................ 21
The Law of Evidence in South Africa 2e .................................................. 22

## PUBLIC LAW
Administrative Justice in South Africa 2e .................................................. 23
South African Constitutional Law in Context 2e ........................................ 24

## REFERENCE
Oxford Paperback Reference: A Dictionary of Law 9e ............................................... 25
The Law Student’s Dictionary 13e ........................................................ 25
The Strange Alchemy of Life and Law .................................................. 26

## LAW JOURNALS
Law Journals ................................................................. 27

---

We have an experienced team of academic consultants who cover all areas in southern Africa. They can provide further information on the full range of materials and services provided by OUP SA. To locate your local academic consultant, go to [www.oxford.co.za/page/about-us/find-sales-consultant/index](http://www.oxford.co.za/page/about-us/find-sales-consultant/index)
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