

FACULTY OF LAW RESEARCH OUTPUTS 2010

1. ARTICLES PUBLISHED IN ACCREDITED JOURNALS (INDICATE WHETHER INTERNATIONAL JOURNAL)

Abrahams D “A Synopsis of Urban Violence in South Africa” 2010 Vol 92 *International Review of the Red Cross* 495 – 520.

Abrahams D “The Iranian uranium enrichment programme: Establishing whether the United States of America has the right to use pre-emptive self-defence against Iran” *South African Yearbook of International Law* 34 2010 200 – 222.

Abrahams D “Proposals Regarding a Weapon Review Process in South Africa (Part 1)” *Obiter* 31(1) 2010 34 – 56.

Badenhorst PJ “Status of tailings dumps: Let’s go working in the past?” *Stellenbosch Law Review* 2010(1) 116 – 131.

Badenhorst PJ “Ownership of Minerals in situ in South Africa: Australian Darning to the Rescue?” *South African Law Journal* Vol 4 2010 646 – 672.

Biggs L “The Application of Section 197 of the Labour Relations Act in an Outsourcing Context (Part 2)” 2010 Vol 30(3) *Obiter* 656 – 678.

Coetzee L “Comparative Analysis of the derivative litigation proceedings under the Companies Act 61 of 1973 and the Companies Act 71 of 2008” 2010 Vol 10 *Acta Juridica* 276 – 291.

Delport HJ “Estate Agents’ Commission: ‘Effective Cause’ Explained (2) General Guidelines” 2010 Vol 73(4) *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* 589 – 607.

Delport HJ “Estate Agents’ Commission: ‘Effective Cause’ Explained (1)” *Tydskrif vir Hedendaagse Romeins-Hollandse Reg* Vol 73(3) 414 – 431.

Denson R & van der Walt G “Cold Comfort for the Parties to a Muslim Marriage – The Saga Continues – *Hassam v Jacobs NO Muslim Youth Movement of South Africa and Women’s Legal Trust as Amici Curiae* [2009] ZAAC” 2010 Vol 31(1) *Obiter* 201 – 207.

Denson R & Carnelley M “The awarding of post-divorce maintenance to a Muslim ex-wife and children in the South African courts: the interaction between divine and secular law” 2010 *Obiter*.

Erasmus D “There is something you are missing. What about the children? Separating the rights of children from those of their caregivers” *South African Public Law* 25 (1) 2010 124 – 136.

Erasmus D “The Truth, the Whole Truth or Nothing ...” Is the Competency Inquiry Applicable to Child Witnesses an Evidentiary Barrier to Truth Finding?” 2010 Vol 24(2) *Speculum Juris* 103 – 114.

Erasmus D “Identifying and addressing Corruption in a municipal environment” February 2010 *Servamus* 42 – 43.

Knoetze E “Die onderrig van die inheemse reg: bevoeg of beperk deur boeke?” 2010 31(3) *Obiter* 662-685.

Lawack-Davids VA “Understanding the Financial Markets: An Overview of the Regulators” 2010 Vol 31(3) *Obiter*.

Lawack-Davids VA & Marx FE “Consumer Protection Measures for Erroneous or Unauthorised Internet Payments: Some lessons from the European Union?” 2010 Vol 31(2) *Obiter* 446.

Lawack-Davids, V & Swart, L “Understanding the Financial Markets: An Overview of the Regulators” in (2010) 31.3 *Obiter* 619-637.

Marx FE “*Iniuria* in Cyberspace” 2010 *Obiter* 146.

Tait M & Tait M “Equality, the Consumer Protection Act and Customer Segment Pricing Strategies: Is there relief for the poor rich tourist?” *Obiter* 2010 Vol31 2 434-445

Von Bonde J “Victims Of Crime in International Law and Constitutional Law: Is the State Responsible for Establishing Restitution and State-Funded Compensation Schemes?” *South African Journal of Criminal Justice* 2010 Vol 23 (2) 183 – 211 Juta.

Vrancken PHG & Tait M “The fire, the burglary and the praetorian edict *de nautis, cauponibus et stabulariis*” 2010 Vol 31(1) *Obiter* 167 – 176.

Vrancken PHG “The marine component of the South African territory” 2010 Vol 127(2) *South African Law Journal* 207 – 223.

Vrancken PHG & Hoctor SV “The contribution of the Defence Act to the fight against piracy” 2010 Vol 31 (2) *Obiter* 428 – 433.

2. ARTICLES SUBMITTED AND ACCEPTED FOR PUBLICATION (BUT NOT YET PUBLISHED) IN ACCREDITED JOURNALS (INDICATE WHETHER INTERNATIONAL JOURNAL)

3. ARTICLES PUBLISHED OR ACCEPTED FOR PUBLICATION IN NON-ACCREDITED JOURNALS

4. BOOKS PUBLISHED, WHETHER AS SOLE OR CO-AUTHOR (PLEASE SPECIFY)

5. CHAPTERS WRITTEN IN BOOKS

Knoetze E Chapter 6 entitled "Customary law of Delict" in Rautenbach C, Bekker JC & Goolam NMI (eds) *Introduction to Legal Pluralism in South Africa* 3rd ed (2010) LEXISNEXIS.

6. REVISION OF CHAPTERS IN BOOKS PUBLISHED BEFORE 2008

7. PAPERS DELIVERED AT INTERNATIONAL CONFERENCES

E Knoetze "Legislative regulation of the developmental powers and duties of traditional leaders in South Africa" 28th International Congress of Administrative Sciences IIAS-IASIA Bali, Indonesia July 2010.

8. PAPERS DELIVERED AT NATIONAL/LOCAL CONFERENCES

Botha J "Taming the tiger within - the constitutionality of s73A of the Competition Amendment Act" Conference Paper.

David D & Erasmus D "A framework for the fight against corruption: factors to consider." NMMU Anti-Corruption Conference – 15 October 2010, NMMU, Port Elizabeth.

Denson R & Carnelley M "The awarding of post-divorce maintenance to a Muslim ex-wife and children in the South African courts: the interaction between divine and secular law" Private Law and Social Justice Conference in 2010.

Knoetze E "Die hof se bevoegdheid om testamentêre bepalings te wysig" Erf-en Trustregkonferensie (hosted by the Faculty of Law, UWC), Stellenbosch September 2010.

Knoetze E "The customary law protection of African women's rights" Private Law and Social Justice Conference 2010 (hosted by the Faculty of Law, NMMU), August 2010.

Lawack-Davids, V “A Retrospective Evaluation of the Legal and Regulatory Landscape of the Financial Sector” at the International Over-Indebtedness conference held in Pretoria, 12 August 2010.

Lawack-Davids, V “Mind the Gap – The Pitfalls of Regulatory Arbitrage” at the Private Law and Social Justice conference, held at the NMMU on 23 August 2010.

Lawack-Davids, V (Chaired) and presented “E-Banking: Recent Legal Developments and Trends” at the Payment Systems Conference, held in Johannesburg on 17 September 2010.

Marx FE “Beware of Unprotected Speech: Hate speech on Social Network Sites” Conference Paper.

Mukheibir A “Bless me Father for I have sinned” Conference Paper Private Law and Social Justice Conference, NMMU 2010.

9. ATTENDANCE OF CONFERENCES WITHOUT DELIVERING A PAPER

Denson R attended the 13th Annual Miller Du Toit/UWC Faculty of Law Family Law Conference held in Cape Town on the 17 – 18 March 2010.

Van der Walt G attended the 13th Annual Miller Du Toit/UWC Faculty of Law Family Law Conference held in Cape Town on the 17 – 18 March 2010.

Denson R attended the 14th Annual Miller Du Toit/UWC Faculty of Law Family Law Conference Titled “Implementation in a Changed Child and Family Law Environment: Challenges and Opportunities” held in Cape Town on the 17 – 18 March 2011.

10. PAPERS/PRESENTATIONS DELIVERED AT/ATTENDANCE OF RESEARCH RELATED SEMINARS AND/OR WORKSHOPS

11. PARTICIPATION IN LEGISLATIVE DRAFTING

12. DEVELOPMENT OF NEW POSTGRADUATE PROGRAMMES

13. RESEARCH TRAINING RECEIVED

14. RESEARCH SUPERVISION OF LLD CANDIDATES (ALSO INDICATE WHETHER COMPLETED)

15. RESEARCH SUPERVISION OF LLM RESEARCH CANDIDATES (ALSO INDICATE WHETHER COMPLETED)
16. RESEARCH SUPERVISION OF LLM COURSEWORK CANDIDATES (ALSO INDICATE WHETHER COMPLETED)
17. RESEARCH SUPERVISION OF LLB TREATISE CANDIDATES (ALSO INDICATE WHETHER COMPLETED)
18. PRESENTATION/ATTENDANCE OF POSTGRADUATE RESEARCH TRAINING WORKSHOPS/ LLB RESEARCH TRAINING WORKSHOPS
19. NEW NRF RATINGS
20. RESEARCH FUNDING RECEIVED (EXCLUDING NMMU RESEARCH GRANTS)
21. OVERSEAS RESEARCH VISITS
22. LOCAL RESEARCH VISITS
23. RESEARCH AWARDS/PRIZES
24. MEMBERS ON RESEARCH SABBATICAL OR RESEARCH LEAVE
25. FURTHER QUALIFICATIONS OBTAINED
26. COLLABORATIVE RESEARCH PROJECTS
27. MEMBERSHIP OF RESEARCH ENTITIES
28. RESEARCH FOUNDED ON SOCIAL ENGAGEMENT
29. EXTERNAL EXAMINATION OF POSTGRADUATE THESES, DISSERTATIONS, TREATISES OR MINI-THESES (PLEASE SPECIFY)
30. REVIEW OF PUBLICATIONS SUBMITTED TO ACCREDITED JOURNALS/BOOK REVIEWS (PLEASE SPECIFY)

**31. MEMBERSHIP OF RESEARCH INSTITUTIONS AND COMMITTEES
(INDICATE ROLE PERFORMED)**

32. OTHER (PLEASE SPECIFY)
