

is kenmerkend van hierdie werk.

Hierdie werk word aanbeveel vir voorsittende beamptes, regspraktisyne, akademië en staatsaanklaers.

Annemarie van der Colf
Staatsadvokaat, Johannesburg

• • •

The Law of Children and Young Persons in South Africa

Edited by J A Robinson

Butterworths (1997)

xix and 385 pages

Soft cover R165,30 (VAT incl)

THIS work gives a broad basis to the general law pertaining to minors. As correctly stated in the preface by the managing editor: "The law relating to children and young persons is ever-changing. In the South African context it is also scattered over many different sources, often making it difficult to establish what the legal position and rules are regarding children and young persons. However, the purpose of this book is not to be a comprehensive and encyclopaedic work on the subject, but rather to serve as a source of first reference for both practitioners and students dealing with the law pertaining to children and young persons."

The book deals with the following topics: The legal status of children and young persons; Children, young persons and their parents; Children, young persons and the Child Care Act; Children's courts; Children, young persons and the criminal law; Children, young persons and the criminal procedure; Children and young persons in indigenous law; Children and young persons in private international law; Children, young persons and school law; Constitutional protection of children and young persons.

The fact that this book deals with just about any subject pertaining to minors is indeed its best attribute. It is useful to have all these issues in one book. Not only will it be a handy source of first reference and a good starting point, but it also deals with subject matter of which little has been written, such as school law. Further welcome additions are contentious issues such as the relationship between the unmarried father and his child; children, young persons and the criminal law and procedure; children and young persons in indigenous law,

as well as the constitutional protection of children and young persons.

Attention is given to children's courts, which is very useful for the general practitioner who does not specialize in that field and who only appears there on occasion. Practical issues such as the function of the staff and practitioners in the children's courts as well as routes of entry to the children's courts are addressed.

The chapters relating to minors and criminal law and procedure are comprehensive. Subjects such as the release of minors awaiting trial, possible sentences for minors, and the protection for child witnesses are indeed contentious issues in which much change has come about and with which a practitioner needs to be acquainted. Another issue that is addressed and has become a lot more relevant is that pertaining to minors in indigenous law.

This is the kind of book that every practitioner needs in his library. It deals with subject matter that any lawyer is at some stage involved with, but is not always sure about. Subjects relating to minors that are usually contained in a variety of books are now condensed in one book. Every subject is written by a specialist in his or her field. Well-known academics such as ID Schäfer and FFW van Oosten are some of the authors.

The only criticism of the book is that in view of the rapid changes pertaining to this subject, it is regrettable that this work has not rather been published in a loose-leaf edition.

Lyzette Kotzé

Pretoria Bar

• • •

Henocheberg on the Close Corporations Act

deur P M Meskin, bygestaan deur J A Kunst

Butterworths (1997)

xv en 312 bladsye

Losblad R262,20 (BTW ingesluit)

HIERDIE werk is die derde band van die vyfde uitgawe van die bekende *Henocheberg on the Companies Act*. Terwyl die eerste twee bande oor die Maatskappywet handel, is die derde band gerig op die Wet op Beslote Korporasies 69 van 1984.

Die hoofdeel van die werk bevat die teks

van die Wet op Beslote Korporasies, met kommentaar en bespreking aan die einde van elke artikel. Die administratiewe regulasies ten opsigte van beslote korporasies en die voorskrifte oor rekeningkundige beamptes is in twee bylaes vevat. Voorts bevat die werk 'n vonnisregister en indeks.

Ter aanvang moet daarop gewys word dat dit, hoewel nie noodsaaklik nie, minstens wenslik is dat die gebruiker van die band oor beslote korporasies ook die twee bande oor maatskappye ter hand het. Die rede daarvoor is dat die skrywer, heel verstaanbaar, soms sy kommentaar beperk deur terug te verwys na die kommentaar op 'n soortgelyke bepaling in die Maatskappywet. Voorbeelde hiervan vind 'n mens by a 22A (vergelijkbaar met a 51 van die Maatskappywet), a 23(2) (vergelijkbaar met a 50(3) van die Maatskappywet), a 49 (vergelijkbaar met a 252 van die Maatskappywet), a 53 (vergelijkbaar met a 35 van die Maatskappywet), en natuurlik aa 55 en 66 wat sekere bepalinge van die Maatskappywet direk van toepassing maak.

Die bespreking van die artikels is besonder deeglik, en dit is duidelik dat die skrywer goed oor die moontlike probleme besin het voordat hy die kommentaar geskryf het. 'n Goeie voorbeeld hiervan vind 'n mens in die kommentaar op a 26, wat oor deregistrasie en herstel van registrasie handel. Die skrywer sny onder andere die volgende vrae aan:

- Wat is die invloed van die herstel van die registrasie van 'n beslote korporasie op die aanspreeklikheid van 'n lid ingevolge a 26(5)?
- Het 'n lid wat aan sy skuld ingevolge a 26(5) voldoen het, 'n verhaalsreg teen die beslote korporasie wanneer laasgenoemde se registrasie herstel word?
- Het 'n lid wat 'n bedrag ingevolge a 26(5) betaal het, na herstel van die registrasie 'n verhaalsreg teen 'n ander lid wat ook ingevolge daardie bepaling aanspreeklik geword het?

'n Opsigtelike fout wat ek raakgelees het, verskyn op bladsy 62 in die kommentaar op a 28. Daar word die volgende stelling met verwysing na a 63(c) gemaak:

"Thus, during the period of six months from the date upon which such purported membership [d w s 'n ledetal van meer as tien] commences, each such purported member and each of the ten other registered members incurs the personal liability envisaged by s 63(c)..."