

custody of children and the role of the High Court as upper guardian of minor children.

Chapter 3 gives a cursory glance at certain aspects of the procedure relating to custody disputes in divorce proceedings. The role of the family advocate is discussed with reference to the Mediation in Certain Divorce Matters Act 24 of 1987. The regulations promulgated by the Minister providing for the practical implementation of the Act are also incorporated in the discussion.

Included in the book is a reference to relevant statutes (in Part VI). Although the authors mention general principles as enunciated by the judiciary, one would have expected a more comprehensive discussion of the relevant case law available to date of publication – especially as the publication is promoted as a tool to be used during litigation. An inclusion of factual summaries of the leading cases would also have proved useful.

In order to put the contents of the publication in its proper perspective the term *professionals*, as contemplated in the foreword, should be qualified to refer specifically to social workers and psychologists.

Although the publication deals with an important and fast developing facet of the law, I cannot recommend the book as an invaluable asset for legal practitioners such as attorneys and advocates.

Germa Wright
Free State Bar

• • •

The Law of Contract in South Africa

Third edition by *R H Christie*

Butterworths (1996)
xiv + 761 pp. Soft cover R217,49
(VAT incl)

The third edition of this standard text was clearly necessitated by statutory amendments and the accrual of more than 260 new relevant decided cases. By conscientious weeding out of obsolete matter, however, the author has succeeded in reducing the overall length of the volume by 30 odd pages. The following changes to the old text are worthy of note.

The final paragraphs of Chapter 1, entitled *Historical Introduction*, have been expanded so as to include a discussion of the Law Commission's proposals, in Working Papers 54 of May 1994 and 65 of September 1996, in relation to unfair contract terms, and the effect on contractual obligations of the fundamental rights contained in the Interim Constitution Act 200 of 1993, with reference, *inter alia* to *Du Plessis v De Klerk* 1996 5 BCLR 658 (CC).

Pursuant, apparently, to *Durity Alpha (Pty) Ltd v Vagg* 1991 2 SA 840 (A) and *Hutchinson v Hilton Holdings* 1993 2 SA 405 (T), an introductory paragraph has been inserted into Chapter 2, dealing with the elements of an agreement, to the effect that, despite the generally accepted requirement that a valid contract requires more than one party, it is possible for a man to enter into a contract with himself – provided that he does so in two different capacities.

The latter half of Chapter 5, which deals with the terms of a contract, has, with reference to *Coopers & Lybrand v Bryant* 1995 3 SA 761 (A), been slightly enlarged and altered by the insertion of a new paragraph entitled "The technique of interpretation" and the rearrangement and systematisation of the subsequent paragraphs of this chapter.

In Chapter 6, the author's discussion of the contractual capacity of married women has been modified in accord with the provisions of s 29 of the General Law Fourth Amendment Act 132 of 1993. Similarly, pursuant to the watershed decision of the Appellate Division in *Bayer South Africa (Pty) Ltd v Frost* 1991 4 SA 559 (A) it was possible for the author to abridge the lengthy discussion in the second edition of damages for negligent misrepresentation in Chapter 7.

The author's discussion in Chapter 10 of the enforceability of gambling debts must now be read subject to the provisions of s 18 of the National Gambling Act 33 of 1996. It must be conceded, however, that this Act only came into operation on 18 April 1997, thus after the publication of the book.

John Middleton
Pretoria Bar

Labour Law Diary – 1999

Juta & SASLAW
R125,00 (VAT incl)

This 14-month diary is published by Juta in association with the South African Society for Labour Law (SASLAW) and has a number of features designed to assist the labour practitioner. These include a Labour Court Timetable, telephone numbers and postal addresses (e-mail where available) of the Labour Courts, CCMA offices around the country, unions, employers' organisations and SASLAW members.

One feature which, in my view, is perhaps the most important, is a list of web site addresses with links to various Internet sites which give access to national and international labour legislation, reported and unreported cases and a wealth of other relevant information.

The inclusion of information such as paper sizes, tyre pressures, etc is perhaps super-abundant in the sense that the average labour lawyer is hardly likely to make use of it. Despite this criticism, the diary is a well-planned product which should satisfy the demands of the labour practitioner.

Johan Nel
Pretoria Bar

• • •

Juta's New Land Law

by *G Budlender, J Latsky and T Roux*

Juta (1998)
Loose-leaf. R395,00 (VAT incl)

This is a timely publication, dealing as it does with the more recent legislation on land rights and land development.

What the book does is set out the text of all recent legislation on these topics – in all, five Acts of Parliament and whatever Regulations have been made under them. To cater for amendments, the book is in loose-leaf form.

The laws in question are topical and designed to fulfil pressing social needs. Consequently, there is a need for commentary >