



Law Books

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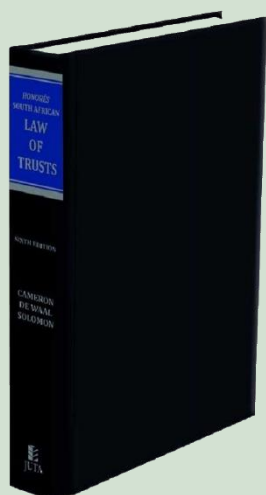
Law on Trusts

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The following publications are currently available on the law of South African trusts:

1. De Waal, M; Solomon, P and Cameron, E. Honoré's South African law of trusts. – 6th ed. – Juta, 2018. (ISBN 9781485126690)
2. Du Toit, Francois; Smith, Bradley and Van der Linde, Anton. Fundamentals of South African trust law. – 2nd ed. – LexisNexis, 2023. (ISBN 9781776175963)
3. Geach, WD. Trust law in South Africa. – Juta, 2017 (ISBN 9781485120315)
4. Olivier, PA; Van den Berg, GPJ and Strydom, S. Trust law and practice – LexisNexis. Loose-leaf update. (ISBN 1300409119268)
5. Pace, RP and Van Der Westhuizen, W. Wills and trusts. – LexisNexis. Loose-leaf update. (ISBN 060WILLSTRSYS)
6. Paleker, M and De Waal, M (eds). South African law of succession and trusts: the past meeting the present and thoughts for the future. – Juta, 2014 (ISBN 9781485106487)

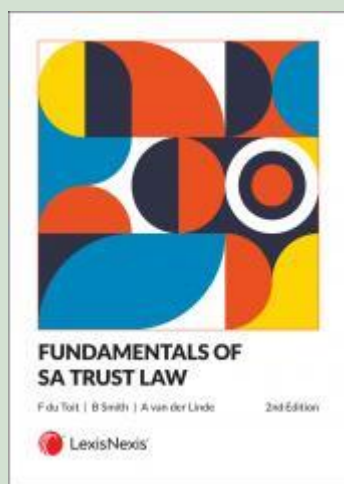
More information on these publications is available here below. Contact books@lexinfo.co.za or 082 690 8890 to order or for more information on content or price. Prices include VAT but exclude delivery.



De Waal, M; Solomon, P and Cameron, E. Honore's South African law of trusts. – 6th ed. – Juta, 2018. (ISBN 9781485126690)

Partial contents: Trusts and other institutions – Formation of a trust – The office of trustee – The trustee's duty to give security – The administration of a trust – The trustee's expenses, remuneration and profits – Liability for breach of trust and other defaults – Legal proceedings and costs – The revocation, variation and termination of trusts – The trust beneficiary – Collective investment schemes ('unit trusts') – The taxation of trusts.

Price: R 2,170.00



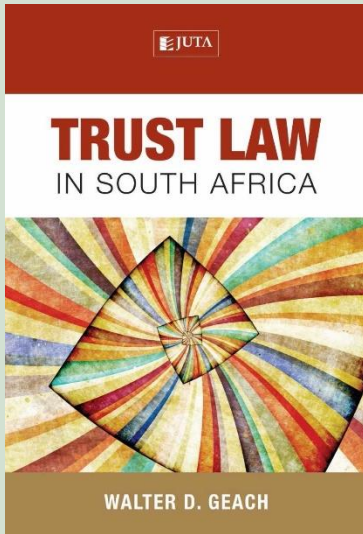
Du Toit, Francois; Smith, Bradley and Van der Linde, Anton. Fundamentals of South African trust law. – 2nd ed. – LexisNexis, 2023. (ISBN 9781776175963)

Partial contents: The essential features of the SA trust – The statutory definitions of a trust – Trust descriptions – The parties to a trust – Trust property – Trust instruments – SA trust in a legal-comparative context – The history of the trust – The reception of the trust and the development of trust law in South Africa – The legal nature of the SA Trust – Is the SA trust a true trust? – The trust, public policy and constitutionalism – Personal autonomy, private ownership and freedom of disposition – Limitation of freedom of disposition – SA Courts application of public policy and constitutionalism to trusts – Creation of a trust – The requirements for the creation of a valid trust – Requirements for trust administration to commence – The moment at which a trust comes into being – Is the creation of a trust a unilateral or multilateral act? – The trust instrument – Constitutive nature of trust instrument – Lodgement of trust instruments and access to trust documents – Variation of trust provisions – Termination of a trust – The trustee – Competence to be a trustee – Trustee's appointment – Acceptance of the appointment as a trustee – Trustee's authorisation – Furnishing of security by a trustee – Trustee's fiduciary duty – Co-trusteeship – Trust expenses and trustee remuneration – Litigation by or against a trustee – Breach of trust by a trustee – Insolvency of a trust or trustee – Loss of office by a trustee – Trust Administration – Public supervision and control of trustees and trust administration – Trustee's duties wrt trust administration – Common law duties – Trustees powers wrt trust administration – Investment of trust funds – Trustee's failure to administer trust properly – Trust beneficiary – Appointment of a trust beneficiary – Adiation or repudiation by a trust beneficiary – The nature and extent of a trust beneficiary's rights – Devolution of trust benefits to trust beneficiaries – Remedies of trust beneficiaries – Successive beneficiaries and long-term trust dispositions – The trust in practice – The testamentary ownership trust – The inter vivos ownership trust – The bewind trust – The discretionary trust – The business trust – The charitable trust.

Publisher's summary: "The new edition includes the full text of the Trust Property Control Act as amended by General Laws Amendment Act, No. 22 of 2022, which takes effect on 1 April 2023. Our panel of experts has updated the work to take these contentious amendments into account. Important new judgments are discussed, including: King v De Jager and Wilkinson v Crawford on the impact of public policy and the Constitution on

freedom of disposition and trusts; PAF v SCF on piercing the trust veneer in the context of marriages subject to the accrual system; and Kuttel v The Master of the High Court on discriminatory trustee conduct.”

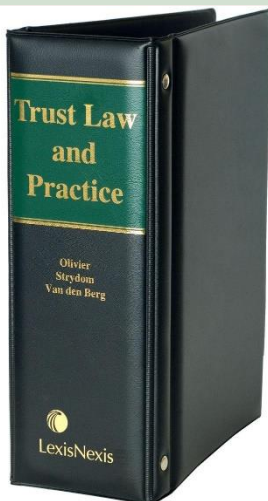
Price: R 500.00



Geach, WD. Trust law in South Africa. – Juta, 2017. (ISBN 9781485120315)

Partial contents: The nature and use of trusts – Different types of trust: different consequences – The formation and administration of a trust: legal principles and good business practice – Parties to a trust and the nature of a trust instrument – Trustees – Beneficiaries – Contracting by and with a trust – The amendment of trust deeds – Trusts and other legal forms and entities – Termination of a trust – Representation of a trust in legal matters – Accounting records and financial statements – Trusts: advantages and disadvantages – Trusts and the termination of a marriage – Trusts as members of companies and close corporations – Trusts, income tax and capital gains tax – Trusts, donations tax and taxes that arise on death – Trusts and public benefit organisations – Trading trusts – Circumstances in which trust assets can be regarded as those of someone else or are subject to claims by creditors or other persons.

Price: R 1,232.00

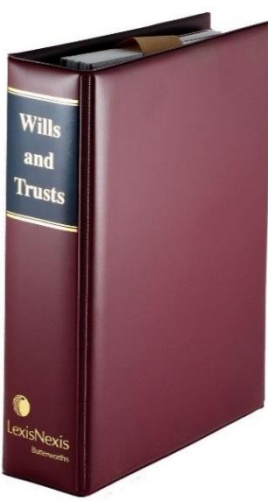


Olivier, PA; Van den Berg, GPJ and Strydom, S. Trust law and practice – LexisNexis. Loose-leaf update. (ISBN 060TRUSTLASYS)

Partial contents: Introduction and history – The elements of a trust – The trustee – The beneficiary – Classification of trusts – Capita selectae in the law of trusts – Trusts and the law of taxation – The trust as a practical instrument in estate planning – The trust deed/instrument.

Annexures: Business entities: a comparison – Tax consequences resulting from the disposal of a commercial building when held in different business entities – Should growth assets still be transferred to a trust? – Documents required for the registration of a trust.

Price: R 1,960.00



Pace, RP and Van Der Westhuizen, W. Wills and trusts. – LexisNexis. Loose-leaf update. (ISBN 060WILLSTRSYS)

Contents – Wills: Introduction to wills – Revocation – Interpretation of wills – The meanings of words and phrases – Drafting of wills.

Contents – Trusts: Legal origin and historical development – Classification and definition – Legal nature of and parties to a trust – Formation of a trust Administration of the trust – Variation, revocation and termination of a trust – Taxation of trusts.

Contents – Ancillary: Specimen documents – Masters of the High Court – Calculation of estate duty.

Contents – Statutes: Wills Act 7 of 1953 – Income Tax Act 58 of 1962 (extracts) – Trust Property Control Act 57 of 1988.

Price: R1,960.00

JUTA

South African Law of Succession and Trusts

*The past meeting the present and
thoughts for the future*

Editors
Marius de Waal and Mohamed Paleker

Paleker, M and De Waal, M (eds). South African law of succession and trusts: the past meeting the present and thoughts for the future. – Juta, 2014 (ISBN 9781485106487)

Partial contents: The contribution made by Mr Justice Michael McGregor Corbett to the South African law of succession / G Hofmeyr – Testamentary freedom versus testamentary duty: in search of a better balance / K Lehmann – A grandchild's claim to maintenance from a deceased grandparent's estate / D Mackintosh and M Paleker – Section 2(3) of the Wills Act 7 of 1953: a retrospective and critical appraisal of some unresolved issues / L Schoeman-Malan, F du Toit, A van der Linde, J Faber – The *modus* in modern South African succession law / J Jamneck – Reconsidering the indignus principle in the South African law of succession / S Barns, A Thompson – A few comments on the (possible) revival of the customary law rule of male primogeniture: can the common-law principle of freedom of testation come to its rescue? / C Rautenbach – *Faskh* (divorce) and intestate succession in Islamic and South African law: impact of the watershed judgment in *Hassam v Jacobs* and the Muslim Marriages Bill / N Moosa, M Abduroaf – The viability for women's rights of incorporating Islamic inheritance laws into the South African legal system / W Amien – Is the DCFR trust a 'proper' trust? An evaluation from a South African perspective / M J de Waal – Die wysiging van *inter vivos*-trustaktes: 'n evalueerende perspektief op die Potgieter-saak / T Claassen – Comparing the *waqf* and the South African trust / L Albertus

Price: R 663.00