

# PROPERTY LAW

## INTRODUCTION

<p><b>Property Law</b></p> <p>Refers to the law of things which is the system of legal rules that regulates legal relationships btwn legal subjects in regard to a particular legal object – a thing.</p>	<p><b>Law of Things</b></p> <p>Branch of private law which consists of a number of legal rules that determine the nature, content, vesting, protection, transfer &amp; termination of various legal relationships btw a legal subject &amp; a thing as well as the rights &amp; duties ensuing from these relationships.</p>
<p><b>Property</b></p> <p>Everything that forms part of a person's estate. This includes assets such as:</p> <ol style="list-style-type: none"> <li>1. Things (e.g. land / car / computer / cell phone)</li> <li>2. Personal rights (creditor's rights / claims – e.g. = right to salary, proceeds of an insurance policy, right to claim purchase price in terms of a contract of sale)</li> <li>3. Immaterial property rights (e.g. copyright &amp; patent rights)</li> </ol>	<p><b>Thing</b></p> <p>A specific asset (legal object) in a person's estate. And independent part of the corporeal world, which is:</p> <ol style="list-style-type: none"> <li>1. External to humans;</li> <li>2. Subject to human control; and</li> <li>3. Useful &amp; valuable to humans</li> </ol>
<p><b>Legal Subject</b></p> <p>Any person capable of acting as a subject in legal relationships &amp; of acquiring rights &amp; incurring duties in the process.</p> <p>Most common = natural persons (humans) Can also be legal persons such as – the state / universities / companies / close corporations, etc. – they act as legal subjects in legal relationships &amp; can acquire rights &amp; duties.</p>	<p><b>Legal Object</b></p> <p>Every object with which a legal subject has a legally recognised relationship.</p> <p>Divided into:</p> <ol style="list-style-type: none"> <li>1. Things;</li> <li>2. Performance;</li> <li>3. Immaterial Property; and</li> <li>4. Personality Property</li> </ol> <p>1 &amp; 2 = distinguishing btw these two is very NB because it determines NB distinguishing btw real &amp; personal rights.</p> <p>Each of above (1 – 4) has it's own characteristics &amp; distinguishes it from other legal objects.</p>
<p><b>The Law</b></p> <p>Body of rules &amp; norms which regulates &amp; harmonises the community by demarcating (making boundaries / limits) the rights &amp; duties of legal subjects.</p>	<p><b>Rights</b></p> <p>Deals with the lawful relationships btw legal subjects among each other &amp; in relation to the objects of their rights.</p>

### Real relationship:

A particular legal relationship btw one / more legal subjects & a thing – to which the law attaches consequences.

It is broader than the concept "real right" > real relationships INCLUDE real rights as well as certain unlawful real relationships!

There are 2 sides to a real relationship:

<p><b>Subject-object relationship</b></p> <p>Btw particular legal subjects &amp; the particular thing involved in the relationship which may imply specific rights &amp; duties for the legal subject in relation to that thing.</p>	<p><b>Subject-subject relationship</b></p> <p>Btw the particular legal subject &amp; all other legal subjects, which may imply specific rights &amp; duties btw the various legal subjects.</p>
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Nature / content & consequences of a real relationship in a specific situation may be influenced by:

1. attitude of the legal subjects concerned,
2. nature of the thing; and
3. variety of surrounding circumstances.

# Res Things As They Are

**Julia Jasmine**



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**Concurrent Resolution on the Budget for Fiscal Year 1989** United States. Congress. Senate. Committee on the Budget,1988      Concurrent Resolution on the Budget for Fiscal Year 1995 United States,United States. Congress. Senate. Committee on the Budget,1994      Beyond the Menu: A Restaurant Start-up Guide: Launching and Managing a Profitable Restaurant Ravi Wazir,2024-06-20 Do you dream of starting your own restaurant or caf some day Here s your no nonsense roadmap to becoming a restaurateur Venturing into the restaurant business is a popular choice today yet few new eateries survive It s important to discover how to manage business risks and make well informed choices for your restaurant start up before you go live Beyond the Menu A Restaurant Start Up Guide is packed with information on the nuts and bolts of the restaurant industry as well as techniques to handle money marketing manpower and operational issues Top business consultant Ravi Wazir shares proven techniques and strategies honed by hospitality professionals over decades USE THIS BOOK AS A REFERENCE TO Design your restaurant Plan your menu Organize your team Manage your budget Get your certificates and approvals And a whole lot more Whether you are a businessman with no knowledge of restaurants a practising professional or an industry student if you plan to embark on a journey of realising your restaurant dream and are not sure how this book will help you avoid painful mistakes and do it right the first time

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