

PUBLICATIONS PROF JAN L NEELS

A BOOKS AND CHAPTERS IN BOOKS

- 1 Sonnekus and Neels *Sakereg Vonnisbundel* Butterworths, Durban (1994)
- 2 Neels "Private international law of succession in South Africa" 2005 *Yearbook of Private International Law* 183, Swiss Institute of Comparative Law, Sellier European Law Publishers (Germany) and Staempfli Publishers Ltd (Switzerland)
- 3 Neels "The proprietary effect of reservation-of-title clauses in South African private international law" in *Prof Dr Ergon A Çetingil ve Prof Dr Rayegân Kender'e 50. Birlikte Çalışma Yili Armağani* Istanbul (Turkey) (2007) 903
- 4 Neels "External public policy, the incidental question properly so-called and the recognition of foreign divorce orders" in Boele-Woelki, Einhorn, Girsberger and Symeonides (eds) *Convergence and Divergence in Private International Law. Liber Amicorum Kurt Siehr* Eleven International Publishers (the Netherlands) and Schulthess (Switzerland) (2010) 331
- 5 Neels "South Africa" in Fernandez Arroyo (ed) *Consumer Protection in International Private Relationships / La protection des consommateurs dans les relations privées internationales* Centro de Estudios de Derecho, Economía y Política, Ascuncion (Paraguay) (2010) 415
- 6 Neels "The nature, objective and purposes of the Hague Principles on Choice of Law in International Contracts" 2013/2014 *Yearbook of Private International Law* 45, Swiss Institute of Comparative Law, Sellier European Law Publishers (Germany)

- 7 Neels “Article 5 of the Hague Principles on Choice of Law in International Contracts” in C Visser, J T Pretorius and M M Koekemoer (eds) *Essays in Honour of Frans Malan Juta & Co*, Cape Town (2014) 257

B ARTICLES IN LAW JOURNALS

PRIVATE INTERNATIONAL LAW

- 1 Neels “Die *lex causae* vir eiendomsoordrag van *res in transitu*” 1991 *TSAR* [Tydskrif vir die Suid-Afrikaanse Reg / Journal of South African Law] 309
- 2 Neels “Geoorlooftheid van ’n kontrak en openbare beleid in die internasionale privaatreë” 1991 *TSAR* 694
- 3 Neels “Die internasionale privaatreë en die herverdelingsbevoegdheid by egskeiding” 1992 *TSAR* 336
- 4 Neels “Die gedeeltelike uitsluiting van *renvoi* in resente wetgewing” 1992 *TSAR* 739
- 5 Neels “Die onegte insidentele vraag in ’n internasionaal-erfregtelike geskil” 1993 *TSAR* 760
- 6 Neels “Die voorlopige regsoordeel in die internasionale privaatreë” 1994 *Stellenbosch Law Review* 288
- 7 Neels “*Via media* classification in private international law” 1994 *THRHR* [Tydskrif vir die Hedendaagse Romeins-Hollandse Reg / Journal of Contemporary Roman-Dutch Law] 687
- 8 Malan, Neels, O’Brien and Boshoff “Transnational litigation in South African law” (part 1) 1995 *TSAR* 106
- 9 Malan, Neels, O’Brien and Boshoff “Transnational litigation in South African law” (part 2) 1995 *TSAR* 282
- 10 Malan, Neels, O’Brien and Boshoff “Transnational litigation in South African law” (part 3) 1995 *TSAR* 460

- 11 Neels “Substantiewe geregtigheid, herverdeling en begunstiging in die internasionale familiereg” 2001 *TSAR* 692
- 12 Fredericks and Neels “The proper law of a documentary letter of credit” (part 1) 2003 *SA Merc LJ [South African Mercantile Law Journal]* 63
- 13 Fredericks and Neels “The proper law of a documentary letter of credit” (part 2) 2003 *SA Merc LJ* 207
- 14 Neels “Classification as an argumentative device in international family law” 2003 *South African Law Journal* 883
- 15 Neels and Fredericks “Revision of the Rome Convention on the Law Applicable to Contractual Obligations (1980): Perspectives from international commercial and financial law” 2004 1 *EUREDIA Revue européenne de droit bancaire et financier / European Banking and Financial Law Journal* 173 (reprinted in 2006 *TSAR* 121)
- 16 Neels “The proprietary consequences of reservation of title clauses in private international law” 2006 *SA Merc LJ* 66
- 17 Neels “Tweevoudige leemte: bevrydende verjaring en die internasionale privaatreë” 2007 *TSAR* 178
- 18 Neels “The revocation of wills in South African private international law” 2007 *International and Comparative Law Quarterly* 613
- 19 Neels “Falconbridge in Africa. *Via media* classification (characterisation) and liberative (extinctive) prescription (limitation of actions) in private international law – a Canadian doctrine on safari in Southern Africa (*hic sunt leones!*); or: *semper aliquid novi Africam adferre*” 2008 *Journal of Private International Law* 167

- 20 Neels and Fredericks “The music performance contract in European and Southern African private international law” (part 1) 2008 *THRHR* 351
- 21 Neels and Fredericks “The music performance contract in European and Southern African private international law” (part 2) 2008 *THRHR* 529
- 22 Neels and Wethmar-Lemmer “Constitutional values and the proprietary consequences of marriage in private international law – introducing the *lex causae proprietatis matrimonii*” 2008 *TSAR* 587
- 23 Neels “Consumer protection legislation and private international law” 2010 *Obiter* 122
- 24 Neels and Fredericks “Tacit choice of law in the Hague Principles on Choice of Law in International Contracts” 2011 *De Jure* 101
- 25 Neels “The positive function of public policy in private international law and the recognition of foreign Muslim marriages” 2012 *South African Journal on Human Rights* 219
- 26 Neels and Fredericks “The proper law of the proprietary consequences of marriage: Mauritian law in the South African Supreme Court of Appeal” 2015 *TSAR* (to be published)

PRIVATE LAW

FAMILY LAW, LAW OF SUCCESSION AND HUMAN RIGHTS

Neels “Constitutional aspects of the Muslim Marriages Bill” 2012 *TSAR* 486

LAW OF CONTRACT

Neels “Die aanvullende en beperkende werking van redelikheid en billikheid in die kontrakereg” 1999 *TSAR* 684

LAW OF DELICT

- 1 Neels “Tussen regmatigheid en onregmatigheid: Die leerstuk van oorskryding van regte en bevoegdhede” (part 1) 1999 *TSAR* 63
- 2 Neels “Tussen regmatigheid en onregmatigheid: Die leerstuk van oorskryding van regte en bevoegdhede” (part 2) 2000 *TSAR* 317
- 3 Neels “Tussen regmatigheid en onregmatigheid: Die leerstuk van oorskryding van regte en bevoegdhede” (part 3) 2000 *TSAR* 469
- 4 Neels “Tussen regmatigheid en onregmatigheid: Die leerstuk van oorskryding van regte en bevoegdhede” (part 4) 2000 *TSAR* 643

LAW OF PROPERTY

- 1 Sonnekus and Neels “Bevoegdhede van reghebbende van serwituut van weg” 1987 *TSAR* 88
- 2 Neels “Erfdiensbaarhede: nut vir die heersende erf” 1988 *TSAR* 527
- 3 Neels “Naburigheid as vereiste vir erfdiensbaarhede” (part 1) 1990 *TSAR* 254
- 4 Neels “Naburigheid as vereiste vir erfdiensbaarhede” (part 2) 1990 *TSAR* 447
- 5 Neels “Die onderskeid tussen oorlas en die oorskryding van eiendomsreg op onroerende goedere” (part 1) 2000 *De Jure* 19
- 6 Neels “Die onderskeid tussen oorlas en die oorskryding van eiendomsreg op onroerende goedere” (part 2) 2000 *De Jure* 197
- 7 Neels “Ewigdurende oorsaak. Die *perpetua causa*-vereiste by erfdiensbaarhede: uitoefening van ’n saaklike serwituut afhanklik van ’n positiewe dadigheid deur die eienaar of gebruiker van die dienende erf” 2009 *TSAR* 660

- 8 Neels “Ewigdurende oorsaak. Die *perpetua causa*-vereiste by erfdiensbaarhede: behoefte van die heersende erf en geskiktheid van die dienende erf” (part 1) 2010 *TSAR* 73
- 9 Neels “Ewigdurende oorsaak. Die *perpetua causa*-vereiste by erfdiensbaarhede: behoefte van die heersende erf en geskiktheid van die dienende erf” (part 2) 2010 *TSAR* 331

JURISPRUDENCE

- 1 Neels “Regsekerheid en die korrigerende werking van redelikheid en billikheid” (part 1) 1998 *TSAR* 702
- 2 Neels “Regsekerheid en die korrigerende werking van redelikheid en billikheid” (part 2) 1999 *TSAR* 256
- 3 Neels “Regsekerheid en die korrigerende werking van redelikheid en billikheid” (part 3) 1999 *TSAR* 477

C BOOK REVIEWS

- 1 Neels “Forsyth *Private International Law* (1990)” 1990 *TSAR* 553
- 2 Neels “Schütze and Fontane *Documentary Credit Law throughout the World. Annotated legislation from more than 35 countries* (2001)” 2002 *TSAR* 838
- 3 Neels “Schulze *On Jurisdiction and the Recognition and Enforcement of Foreign Money Judgments* (2005)” 2006 *TSAR* 432
- 4 Neels “Van Niekerk and Schulze *The South African Law of International Trade: Selected Topics* (2006)” 2007 *TSAR* 839

- 5 Neels “*Kruger Civil Jurisdiction Rules of the EU and Their Impact on Third States (2008)*” 2009 TSAR 610
- 6 Neels “*Einhorn Private International Law in Israel (2009)*” 2009 TSAR 611
- 7 Neels “*Fernandez Arroyo (ed) Consumer Protection in International Private Relationships / La protection des consommateurs dans les relations privées internationales (2010)*” 2012 TSAR 837
- 8 Neels “*Moosa Unveiling the Mind. The Legal Position of Women in Islam – A South African Context (2011)*” 2013 TSAR 396
- 9 Neels “*Einhorn Private International Law in Israel (2012)*” 2013 TSAR 397
- 10 Neels “*Verschraegen Internationales Privatrecht – Ein Systematischer Überblick (2012)*” 2013 TSAR 398
- 11 Neels “*Forsyth Private International Law (2012)*” 2013 *South African Law Journal* 642
- 12 Various other short reviews or book announcements in TSAR

D PUBLICATIONS IN RESPECT OF ACADEMIC DEGREES

- 1 Neels *Onderskeidende Kenmerke by Diensbaarhede* (1989 LLM dissertation RAU)
- 2 Neels *Tussen Regmatigheid en Onregmatigheid. 'n Ondersoek na die leerstuk van oorskryding van regte en bevoegdhede as uitvloeisel van die korrigerende werking van redelikheid en billikheid in die reg met besondere verwysing na die oorskryding van eiendomsreg op onroerende goedere* (1998 doctoral dissertation University of Leiden)