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Articles

Revenge Porn: An Act of Domestic Violence
by Latiefa Manie 1–17

A South African Perspective on the Independence of the Judiciary in the Promotion of Human Rights for the Advancement of the Rule of Law (Part Two)
by Nomthandazo Nilama-Makhanya 18–31

The Element of Control in the Statutory Definition of Mergers in Zimbabwe: Towards a Clearer Merger Definition
by Ignatious Nzero 32–45

Conciliation as a Mechanism for the Resolution of Labour Disputes in Zimbabwe: An Impediment to Speedy Social Justice?
by TG Kasuso 46–66

Is the Open-ended Nature of the Common Law Duty to Disclose by an Applicant or Employee Fair and Just?
by Charles Maimela, Seipati Lepele, and Tshilidzi Mahumela 67–78

Is there a Duty to Flee Before Resorting to the Use of Force in Private Defence? Reading Between the Judicial Lines
by Boyane Tshehla 79–94

History of the Mining Industry in South Africa: The Transformative Role of the Mining Policies and Mineral and Petroleum Resources Development Act 28 of 2002
by Themba Mathebula 95–111

The Evolution of the Interpretation of Human Rights in Zimbabwe
by Chiedza Simbo 112–130

A Case for Business Transactions Clinics in South Africa
by Tshepo H Mongalo 131–143

Corporate Governance in South African Airways: Responsibilities of Directors in State-Owned Companies
by Elizabeth Snyman-van Deventer, Anea van Niekerk and Melinda de Kock 144–173

The Relocation of ESTA Occupiers and the Provision of Suitable Alternative Accommodation
by Lerato Rudolph Ngwenyama 174–191

The Right to Resist Unlawful Arrest by Police in South Africa: A Reappraisal
by P R Msaule 192–205

Notes and Comments

Loosening the Grip on the Landowners in Eviction Disputes: An Appraisal of Grobler v Phillips [2022] ZACC 32
by Gaopalelwe Mathiba 206–220

Revisiting Forfeiture of Matrimonial Benefits and the Death of a Spouse: The Case of Mogau v Letsoalo
by Siyabonga Sibisi 221–231

“Spin the Bottle”: A Water Bottle Shape Mark Contest: Dart Industries Incorporated v Bottle Buhle Brands (Pty) Ltd [2023] 1 All SA 299 (SCA)
by Cires Singh 232–241

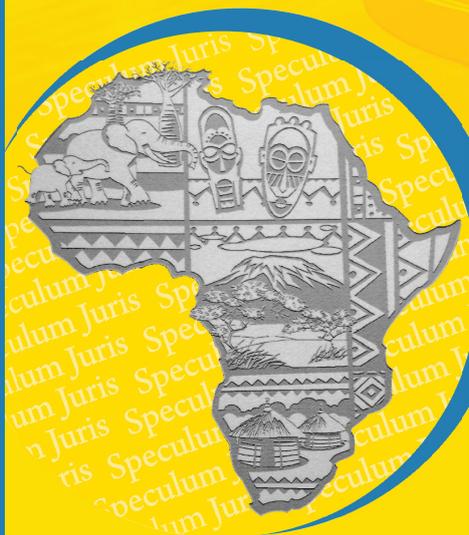
Parents Call it Discipline, the Constitutional Court Calls it Violence: Moderate and Reasonable Chastisement Through the Lens of Freedom of Religion South Africa v Minister of Justice and Constitutional Development [2019] ZACC 34
by Zibalule W Mdeni and Ntandokayise Ndlovu 242–261

The World Health Organisation Life Expectancy Rate as a Determinant of Lump Sum Pension Withdrawal Entitlement in Nigeria: Giwa v Arm Pension Ltd & Anor in Perspective
by David Tarh-Akong Eyongndi and John Oluwole A. Akintayo 262–276

A Legal Analysis of the Law on Parental Leave in South Africa: Van Wyk and Others v Minister of Employment and Labour (2024) 45 ILJ 194 (GJ)
by Lisbeth Letsoalo, Itumeleng Clarence Tshoose and Reuben Letseku 277–293

Book Review

UNCITRAL Model Law on International Commercial Arbitration: A Commentary on the Zimbabwean Arbitration Act by Davison Kanokanga and Prince Kanokanga Juta 1 ed (2022)
by R Baboolal-Frank 294–295



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***UNCITRAL Model
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**Prof R Baboolal-Frank,
Faculty of Law, University of Pretoria**

This work, produced by a father and son duo, consists of 444 pages and serves as a user manual for practitioners involved with international arbitration.

The terminology is user-friendly and easily understood, while the layout is methodical and has a logical flow. The manual comprises 36 parts consisting of detailed analyses to provide guidance to alternative dispute resolution practitioners and certified practising arbitrators. Further target readers are academics, scholars, lawyers, legal counsel, judges, commissioners, in-house counsel and international commercial law professionals.

The book commences with an introduction, explaining the history of arbitration law in Zimbabwe and its alignment to the UNCITRAL Model Law. Essential principles are discussed, such as that an arbitration agreement cannot be contrary to public policy. This is one of the cornerstones of the freedom to contract and is embedded in Roman-Dutch Law. As in South African law, the marital status of an individual in Zimbabwe cannot be altered during

arbitration proceedings. Also, only a court may pronounce on a change in marital status between two parties. The scope of the Arbitration Act does not extend to the jurisdiction of deliberating over matrimonial or criminal matters. The principle of minimalist judicial intervention is upheld to protect party autonomy and a respect for the choice of arbitral processes.

The formalities and requirements of an arbitration agreement are discussed in depth and a comprehensive analysis is provided to guide the scholar and prevent confusion. Pointers for drafting effective arbitration agreements are provided. Furthermore, the authors astutely discuss the necessary costs involved at every stage to prepare the parties for the respective legal fees. Since occasions where parties disagree about legal fees arise regularly, they advise that retainers or upfront deposits should be considered to cover subsequent stages, regardless of merit.

The principle of an arbitrator being fair impartial and independent is emphasised. Failure to adhere to this might lead to an award being taken to review, as the arbitrator could be accused of bias.

The authors also discuss the admissibility of evidence in arbitration proceedings, as the same rules of evidence apply to civil trials. The probative value of oral evidence of witnesses before an arbitral tribunal. is measured against the material weight and value of a book or other object presented as evidence during a hearing.

Finally, this manual provides valuable insight for a scholars in the field of specialised alternative dispute resolution.