# Moot Court Checklist

## Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUTASTAT ONLINE</td>
<td>2</td>
</tr>
<tr>
<td>LEXISNEXIS</td>
<td>5</td>
</tr>
<tr>
<td>SAFLII</td>
<td>8</td>
</tr>
<tr>
<td>SABINET LEGAL</td>
<td>9</td>
</tr>
<tr>
<td>TREATIES AND CONVENTIONS</td>
<td>11</td>
</tr>
<tr>
<td>UJOOGLE</td>
<td>12</td>
</tr>
<tr>
<td>TSAR REFERENCING</td>
<td>13</td>
</tr>
<tr>
<td>SEARCH TECHNIQUES</td>
<td>14</td>
</tr>
</tbody>
</table>
Primary Sources

Primary sources are law generated by a governmental body, e.g. statutes (generated by legislature) or cases (generated by judiciary). Primary sources are binding.

Secondary Sources

Secondary sources are resources which may be written by lawyers or judges or other legal professionals which comment on the law, categorise the law or otherwise interpret the primary sources. Secondary sources are persuasive authority.

Law Reports:

- South African Appellate Division Reports (1910 to date)
- South African Criminal Law Reports, The (1990 to date)
- South African Criminal Law and Procedure - Volume III: Statutory Offences
- South African Labour Law
- South African Law Reports, The (1947 to date)

Enter the criteria of the cases you wish to view:
- Law Reports Series (all 6 listed below)
  - South African Law Reports
  - South African Criminal Law Reports
  - South African Appellate Division Reports
  - South African Case Law
  - Burrell’s Intellectual Property Law Library
  - Industrial Law Journal
  - Juta’s Unreported Judgments

Advanced Search

Search for a specific document type or use keywords in Advanced Search. In Advanced Search you can limit your search further by ticking the boxes displayed in the table of content.

- Commentary on the Childrens Act
- Commentary on the Companies Act of 2008
- Commentary on the Companies Act (Blackman)
- Commentary on the Consumer Protection Act
- Commentary on the Criminal Procedure Act (Du Toit)
Use the law report of the correct court and see which one is the highest court!

Annotations: Link to Case Annotations

Click on “Link to Case Annotations” to get related case law.

Legislation:
- Statutes and Regulations of South Africa
  - Statutes of South Africa, Juta’s
  - Regulations of South Africa, Juta’s
  - Wette van Suid-Afrika, Juta se
  - Extracts from the South African Law Reports (Flynotes and Headnotes)

Books:
- Commentary on the Children’s Act
- Commentary on the Companies Act of 2008
- Commentary on the Companies Act (Blackman)
- Commentary on the Consumer Protection Act
- Commentary on the Criminal Procedure Act (Du Toit)

Use keywords to search for the relevant information.

Advanced Search
You can search a subset of the site by choosing sections in the table of contents (in the frame on the left).

Search for documents...
containing all these words:
and not containing any of these words:
and containing one or more of these words:
and containing this exact phrase:
and containing these words near each other:

YES Find alternate word forms (stemming)
NO Find synonyms (thesaurus)

Show document excerpts in the results list
Off Short Medium Long

Search Cancel

Help
More sources such as journals can be found in the Constitutional section of Juta. It also provides commentary.
### Database

<table>
<thead>
<tr>
<th>Law Reports:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Cases</strong></td>
</tr>
<tr>
<td><strong>All South African Law Reports</strong></td>
</tr>
<tr>
<td><strong>Arbitration Law Reports</strong></td>
</tr>
<tr>
<td><strong>Competition Law Reports</strong></td>
</tr>
<tr>
<td><strong>Constitutional Law Reports</strong></td>
</tr>
<tr>
<td><strong>Graces Index to the All SA and SALR</strong></td>
</tr>
<tr>
<td><strong>Pensions Law Reports</strong></td>
</tr>
<tr>
<td><strong>South African Tax Cases Reports</strong></td>
</tr>
<tr>
<td><strong>Judgments Online</strong></td>
</tr>
<tr>
<td><strong>Labour Law Reports</strong></td>
</tr>
</tbody>
</table>

To search for Law reports use the focus search. You can limit your search to a specific law report collection.

### Secondary Sources

<table>
<thead>
<tr>
<th>Journals:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legal Practice</strong></td>
</tr>
<tr>
<td><strong>Tydskrif vir Hedendaagse Romeins-Hollan</strong></td>
</tr>
<tr>
<td><strong>De Rebus - SA Attorneys' Journal</strong></td>
</tr>
</tbody>
</table>

Use the Advanced Search option to find relevant articles. Tick the journal box to limit it within journals or the specific journal title.

### Advanced Search

These are “quick links” to Legislation, case law and other information relevant to the specific topic.
You can use keywords when searching for law reports.

In your search result the following will appear next to the cases.

- Not Analysed cases
- Neutral cases
- Confirmed cases
- Overruled cases
- Cautionary cases

Once you selected the relevant case, in the right of the screen related content will appear.

Cases that is referred to in the relevant case

Legislation and cases that are similar
Legislation:
- Most up to date legislation use: Sabinet Legal

Books:
- LAWSA: a legal encyclopaedia
- Loose Leaf Publications

When using legislation, LexisNexis will give cases that deals with a specific section of that Act.

Under the Private Law section there are Children’s Rights and more!

Remember to untick the box or clear if you want to search for a different topic.
Law Reports:
- The Latest cases!!
- What’s New
- C v Road Accident Fund (306/2016) [2018] ZAFC 32 (28 June 2018)
- Du Plessis v Road Accident Fund (3645/2016) [2018] ZAFC 30 (28 June 2018)

Legislation:
- By Country
- Or by court or tribunal
- Even English translations for Afrikaans Judgments
- New
- English Translations of Selected Afrikaans Judgments

Journals:
- Law Journals
- Constitutional Court Review
- De Jure Law Journal
- De Rebus Law Journal
- Potchefstroom Electronic Law Journal
- SADC Law Journal
- South Africa: Law, Democracy and Development Law Journal
- Speculum Juris
- African Disability Rights Yearbook
- African Human Rights Law Journal
### Databases

<table>
<thead>
<tr>
<th>Legislation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Sabinet Bargaining Council Agreements</td>
</tr>
<tr>
<td>- National Legislation (NetLaw)</td>
</tr>
<tr>
<td>- SALLR Interactive E-Book</td>
</tr>
</tbody>
</table>

### Sources

**Use keywords or the title or number of the Act. Make sure that the spelling is correct.**

**You can also search Acts in force or the chronological list.**

Sabinet Legal has the most updated and relevant legislation available.

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**1 CHILDREN'S ACT 38 OF 2005**


**GENERAL EXPLANATORY NOTE:** ***** Areas marked with five asterisks (***** To give effect to certain rights of children as contained in the Constitution, to set out regulations relating to fees payable to Accredited Adoption Social Workers in respect of Adoption Services - GG 281 / GO 49733 / 20170331

**THE ACT** (GG 28944 / 20060619)

**AMENDMENT ACTS**

1. **REGULATIONS RELATING TO CHILDREN'S COURTS AND INTERNATIONAL CHILD ABDUCTION** - GG 250/2010
2. **GENERAL REGULATIONS REGARDING CHILDREN** - GG 261/2010
5. **CONSTITUTIONAL COURT JUDGMENT** - GG 391/2012
Databases

**Journals:**

- A-Z Publications
- Collections
- A-Z index of journals
- Accredited journals
- How to submit a paper

**Advanced Search**

Enter one or more search criteria below. Boolean AND, OR and NOT are supported, make use of the "+" button to add Boolean fields to your search. Use quotation marks (" ") to find an exact phrase (e.g. "baryon decay"). Use asterisks to match partial words in fields (e.g. enviro*). For proximity searching, use the operators of the tilde (¬) and a number to specify the number of words.

Search for a particular Topic

Other limitations such as date and collection are available
Treaties and Conventions

- African Court on Human and Peoples' Rights
- African Law Library
- OAU/AU Treaties, Conventions, Protocols & Charters
- SAFLII
  - Case law, legislation and open access law journals for South Africa.
  - Continuously updated.
  - SAFLII also hosts legal materials from other countries in the Southern African region.
- UN Declarations and Conventions
- UNICEF
- WORLDLII
  - Legal Information Institute that contains databases of case-law, legislation, treaties, law reform reports, law journals for most countries in the world.

[Links to reputable internet sources]

- African Union
  - OAU/AU Treaties, Conventions, Protocols & Charters
- African Court on Human and Peoples' Rights
- African Charter on Human and Peoples’ Rights
- Protocol on the African Charter on Human and Peoples’ Rights

[Links to reputable internet sources]

- UN Databases
  - UN Treaty Collection
  - Declarations and Conventions Contained in General Assembly Resolutions
Although UJoogle refers to various journals, it DOES NOT cover the Law databases. Rather use Sabinet African Journals, Jutastat, LexisNexis, etc.
Referencing and Citation

Moot Court

Gourand Brief

TSAR Guideline Brief

- TSAR Guidelines with examples 2015
- TSAR Style - Dr van Staden
Search Techniques

Making the best of searching: general tips

Search techniques

Search techniques are ways of using search terms in finding required information from search tools, such as search engines (Google), the library catalogue and online databases.

To achieve good search results, it is necessary to use search techniques. The following are some of the most common search techniques that are applicable to various searching tools:

- Boolean Logic
- Parentheses
- Phrase searching
- Truncation
- Wildcards
- Field searching
Summary of Essential Information

Primary Sources (Binding)

Case Law
- Jutastat
- LexisNexis
- SAFLII

Legislation and the Constitution
- Jutastat
- LexisNexis
- Sabinet Legal

Treaties and Conventions
- African Court on Human and People’s Rights
- African Union;
- Convention on the Rights of the Child
Secondary Sources (Persuasive authority)

Books, eBooks and journals (hardcopy)
- UJoogle (Ulink)
  - Remember the Zatrau code

Journals (e-format)
- Sabinet African Journals
- Jutastat
- Jutastat Online
- HeinOnline

Loose-leaf publications
- Jutastat
- LexisNexis

Additional references:
- Commentary on the Childrens Act
- Bill of Rights Compendium