

Editorial

This edition of PER consists of eight articles, four notes and two book reviews covering a range of topics. The first article is by [Oliver Fuo](#), a postgraduate student of the North-West University (Potchefstroom Campus). His contribution deals with the status of executive policies and the basis for their judicial enforcement in a constitutional and socio-economic context. He demonstrates that "executive" policies may be perceived to have the force of law, especially where their enforcement may be imperative for the realisation of socio-economic rights. Secondly, [Ig Rautenbach](#) of the University of Johannesburg considers empirical data on the effectiveness of the Constitutional Court during the period 1995 to 2012. He focuses on the following three questions: "How did the cases reach the court", "why did the court refuse to consider some of them", and "how often did the court invalidate laws and actions". In the third article, [Magda Slabbert and Hendrik Pienaar](#), follows a multi-disciplinary approach to discuss the legal position of the *locum tenens* that is often used by medical practitioners in private practice. They recommend that a *locum tenens* be appointed as an independent contractor rather than an employee, and argues that the onus to ensure that he or she is registered and fit to practice rests on the principal. The fourth article by [Carika Keuler](#) deals with the "pay now, argue later" rule in terms of the Tax Administration Act 28 of 2011. She is of the opinion that the Act fails to address the imbalance between the duties of the South African Revenue Services and the right of the taxpayer to access the courts. [JC Knobel](#), the author of the fifth article, gives an overview of the conservation status of eagles in South Africa. He discusses the existing legal framework and makes a number of recommendations to improve their legal status. Two authors, [Laurence Juma and James Tsabora](#), both from Rhodes University, discuss the possibility of South Africa enacting a new law regulating private military and/or security companies, which they refer to as PMSC's. The seventh article by [Johan Kruger and Clarence Tshoose](#) gives a South African perspective on the impact of the Labour Relations Act 66 of 1995 on minority trade unions. In the eighth place, [Dave Holness](#) offers an analysis of compulsory "live client" clinical legal education as part of the LLB course as a means of improving access to justice for the indigent.

The first note by [Pieter du Toit and Gerrit Ferreira](#) discusses the regulation of the possession of weapons at gatherings. Their discussion focuses on the effectiveness of the Dangerous Weapons Act 15 of 2013 and the Regulation of Gatherings Act 205 of 1993. [Caroline Ncube](#) considers an appropriate theoretical framework for the harnessing of intellectual property for development in the second note. The last two notes are case discussions. The first one is a discussion of a decision of *Law Society of the Northern Provinces v Minister of Labour* 2013 1 SA 468 (GNP) by [Koboro Selala](#). The case deals with the right to legal representation at internal disciplinary hearings. The second case discussion is by [Reghard Brits](#) who comments on two judgments (*Opperman v Boonzaaier* (24887/2010) 2012 ZAWCHC 27 (17 April 2012) and *National Credit Regulator v Opperman* 2013 2 SA 1 (CC)) that deals with the arbitrary deprivation of an unregistered credit provider's right to claim restitution of performance rendered.

The last two contributions of this edition consist of two book reviews by [Alexander Paterson](#) (*Biodiversity and Climate Change: Linkages at International, National and Local Levels*) and [Christa Rautenbach](#) (*Managing Family Justice in Diverse Societies*).

Editor:
Prof C Rautenbach

