

TSAR-STYLE — GUIDELINES FOR AUTHORS

THE MANUSCRIPT — GENERAL

- 1 *TSAR* considers, after anonymous peer review, original manuscripts in Afrikaans, English or Dutch of articles, notes, discussions of case law and book reviews that have not been presented for publication elsewhere. Copyright of publications vests in the publishers.
- 2 The original manuscript in *TSAR* style, accompanied by a copy on computer disk or compact disc or per e-mail, must be delivered to the editor. On the printed manuscript, the author should indicate against each reference with a ✓ that the applicable reference has been double-checked personally at first-hand. In the event of the editorial staff having to make more than 15 style-related or spelling-related changes, the piece will be returned to the author in order to be attended to.
- 3 Length: Unless agreed otherwise with the editor, articles, including footnotes, must not be longer than 8 000 words, and notes and discussions of case law, not longer than 7 000 words. Contributions of less than 4 000 words will not be considered.

B ARTICLES

- 1 Articles must be accompanied by a short summary of approximately 350 words in another of the official languages indicated in A 1 above. (An article written in Dutch must contain an English summary.) The summary must be provided with a title. No footnotes or references are allowed in the summary.
- 2 *Footnotes*
 - 2.1 The footnotes of articles, numbered sequentially, should be electronically incorporated into the text and should be shown at the bottom of pages and not at the end of the manuscript.
 - 2.2 In the text, the footnote number is generally shown after the first relevant punctuation mark, eg: Van der Merwe argues that the moon is made of cheese.²
 - 2.3 Identification of the writer of an article (as well as any acknowledgements) should be indicated in the footnotes, before note 1, with an *, as in : * Professor in Private Law, University of Johannesburg; Senior lecturer in Commercial Law, University of Pretoria. It is important for the sake of cross-referencing of later footnote numbers (see 2.9 below) that authors ensure that their word-processing programmes do not count this * as the first footnote.
 - 2.4 Footnotes begin with small letters unless the text in the footnote itself constitutes a full sentence, with a verb, eg: s 23(1); above, but Compare/See Van der Merwe 12. In English articles, *Cf* or *cf*, *ie* and *eg* should be italicized.
 - 2.5 All footnotes end with a full-stop.
 - 2.6 Refer to previous footnotes as follows: n 16 above and to footnotes which follow: see n 34 below [*ie*, a space should be left between n and 16/34]. *Supra* and *infra* are normally not used, but if used, should be in small letters if the word stands alone.
 - 2.7 In footnotes, a space should be left between the page number and *ff/et seq* — eg 124 ff (ff not italicized).
 - 2.8 In the event that several sources are referred to in the same sentence, separate information with ; except for the last two sources, where “and” should be used.
 - 2.9 Cross-references in footnotes: When referring to a source in a later footnote, which source has already been fully referenced in a previous footnote, the following shortened referencing-style should be used: Surname of the author or shortened case name (n #) 678 {where # is the first full reference to the particular source}. In the event of several sources of the same author being referred to in this previous footnote, the date of the particular source should be mentioned in (), in order to avoid confusion: Surname of the author (n # (1990)) 678, in order to distinguish it from another source of the same author, to which source full reference has been made in the same footnote. This shortened referencing-style naturally does not apply to case discussions and notes, where there are no numbered footnotes. In these last-mentioned instances, refer to the author and the applicable page or paragraph number — except when there is reference to more than one contribution by the same author in this contribution where a key word from the title is also provided.
- 2.10 In referring to case and book reviews, only the author, journal and page should be referred to. No reference to the title of the case or book review should be given, eg Van Wyk 1975 *THRHR* 152. With regard to subsequent references to reported case law in footnotes in articles as well as in notes and case discussions the shortened referencing style is used where merely a key word (normally the identifying name of the prominent party) is used with the word case followed by the relevant page number — eg the *Smith* case 687G and not merely “in *Smith*” (no cross-reference as for other sources — see B 2.9 above).
- 3 *Abbreviations*
 - 3.1 Apart from certain exceptions, abbreviations should not be used in the text but, owing to the fact that in discussions of case law and book

reviews no footnotes are used, abbreviations may be used in brackets in the text, as the part in brackets performs the function of a footnote. In the text, *BGB*, *BW*, *NBW*, *ABGB*, *CC* and *KO* may be used as abbreviations, as well as etc, *eg*, *ie*, *viz*. Foreign language abbreviations, such as *BGB*, in an English text, should be italicized as a foreign language. J or CJ etc should be used only in English contributions and will then follow directly after the surname of the particular judge: Innes CJ.

- 3.2 In footnotes, abbreviations should be used whenever possible.
- 3.3 Avoid full-stops in abbreviations. Words written together should be abbreviated without a space. Similarly, separate words should be abbreviated without full-stops (*SA*; *THRHR*; *TSAR*; *LLB*), except where confusion may result, then a space should be used.

C NOTES AND DISCUSSIONS OF CASE LAW

As under **B** regarding articles, but no footnotes are used. References etc, which would have been contained in footnotes, should be placed in brackets in the text and should — in the interests of legibility — be used sparingly; no summary in another language is given.

D REFERENCES

No initials or first names of authors are used unless there may be confusion (eg more than one author with the same surname has been referred to in the same footnote).

- 1 **Books**
De Wet and Van Wyk *Kontraktereg en Handelsreg* (1978) 136 [or (4th ed) 136, if the date is unknown — never both].
- 2 **Unpublished theses or dissertations**
Van der Walt *Risiko-aanspreeklikheid uit Onrengmatige Daad* (1974 thesis SA) 139-140.
- 3 **Papers of the law commission**
The South African Law Commission “Die instelling van ’n legitieme porsie of die verlening van ’n reg op onderhoud aan ’n langsewende gade” *Hersiening van die Erfreg* Paper 13, Project 22 (1986) 21-35. Take note that the law commission was renamed on 17 January 2003 (GG no 24277); South African Law Reform Commission / Suid-Afrikaanse Regshervormingskommissie.
- 4 **Journal articles**
Jansen “Die ontwikkeling van die nuwe vennootskapsreg” 1956 *SALJ* 593 598; Smith “The new European company” 1974 *Modern Law Review (MLR)* 683 where article begins on 593 or 683 but the specific reference is to 598.
- 5 **Newspapers**
Beeld (15-01-1983) 12 or *Beeld* (15 Jan 1983) 12. *Government Gazette* (in footnotes, abbreviated as *GG*) 6679 (28-09-1979).
- 6 **Case law**
Conradie v Rossouw 1965 2 SA 589 (K) 593F; *Green v Green* 1942 WLD 67 69; *Smith v Smith* 1946 AD 201. If reported in *SAFLII: Dewel Trust v Scholz* (11050/14) 2014 ZAWCHC 128 (18 Aug 2014). [] does not refer to paragraph and may not be used. Keep all references to sources as simple as possible.
Unreported case law
Whether in the text, in a footnote or as a heading of a case discussion: *Pienaar v Beukes* case no 492/90 (C) (unreported); or, in the event that the case number is not available, but the date upon which the judgment was delivered is: *Pienaar v Beukes* 15-01-1989 (C) (unreported).
- 7 **Legislation**: The Companies Act 61 of 1973.
- 8 **Old Authorities**: *D* 9 2 11 8; De Groot *Inleiding* 2 2 12 and Voet *Commentarius ad Pandectas* 7 1 13 — thus, no full-stops.
- 9 **Internet**: References to internet-based sources only are not encouraged. If used in addition to “normal” references: <http://www.lexml.de> (23-12-2005) ie not underlined or italicized and where the date last visited is provided between () as additional information.

E GENERAL

- 1 Capital letters — Use capital letters sparingly.
- 2 Further punctuation: *TSAR* style makes scant use of commas. A comma should be used only where clarity requires it. [] does not refer to paragraph. Quotation marks: Use double quotation marks, while single quotation marks should be used within a quote. Quotations of longer than three printed lines are indented and printed smaller.
- 3 Authors are encouraged to consult recently published editions of *TSAR* in cases of uncertainty regarding any matter or to contact the editor.

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2006