

Principles Of Property Law

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Property law is best understood as the complex of jural relationships between and between persons with respect to things. It is the sum of rights and duties, privileges and no-rights, powers and liabilities, disabilities and immunities that exist with respect to things. This holds true for both Western and non-Western legal systems.

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A property right is any legally recognised claim to or interest in property. A claim or action is lawful when it is acknowledged and protected by existing legal principles; unlawful when it is in conflict with or not acknowledged by the law.

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Among the formal functions of South African property law is the harmonisation of individual interests in property, the guarantee and protection of individual (and sometimes group) rights with respect to property, and the control of proprietary relationships between persons (both natural and juristic), as well as their rights and obligations.

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