

SUMMARY

delict – *iniuria* – unauthorised publication of photograph for advertising purposes constitutes an *iniuria* – primarily an infringement of right to identity – also constitutes infringement of right to privacy and *dignitas* – identity infringed by falsification of person's true image – fact that plaintiff a public figure cannot avail defendant where image has been wrongfully appropriated for advertising purposes – defence of consent not upheld – purpose for which photograph used not falling within ambit of consent – surrender of personality rights does not occur where plaintiff uses a company to promote her image and persona