



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA

Faculty of Law

Fakulteit Regsgeleerdheid
Lefapha la Molao



Postgraduate Prospectus 2017

<http://www.up.ac.za/postgraduate-students>

A GLOBAL LAW FACULTY IN AFRICA POSTGRADUATE PROGRAMMES

The Faculty of Law is widely recognised as a leader in the field of postgraduate programmes. The LL.M and LL.D programmes presented by the Faculty enable students to specialize in their chosen fields by engaging with experts at an advanced level. A postgraduate qualification in law offers appointments for personal and professional growth, and provides a competitive edge in respect of employment and promotion.

Students from South Africa, other parts of Africa and the rest of the world are invited to apply for admission to the postgraduate programmes at the Faculty in Law of the University of Pretoria.

The Faculty of Law at the University of Pretoria offers the following postgraduate programmes:

Master of Laws (LLM) through coursework

A vast variety of specialized Masters programmes are offered. These programmes require students to complete at least three taught modules, attend a module in Research Methodology, submit a research proposal and submit a mini-dissertation. Class attendance is compulsory. Class meetings are usually on weekdays from 17:30 - 19:30 and most of the class meetings take place once a week. The duration of the programme is one or two years.

Master of Laws (LLM) through research

Students registered for the Master of Laws through research programme are required to (under the auspices of a supervisor):

1. Attend the compulsory 3-day block session in Research Methodology;
2. Write and discuss with an examination panel and submit a final research proposal (before the end of the first year of registration);
3. Write a dissertation based on the final research proposal; and
4. Submit at least one approved (by the supervisor) article to a journal.

Master of Philosophy (MPhil) through coursework

Students who do not have a prior qualification in law, but who have at least an honours degree, may apply for any of the MPhil programmes offered by the Faculty of Law. These programmes require students to complete at least three taught modules, attend a module in Research Methodology, submit a research proposal and submit a mini-dissertation. Class attendance is compulsory. Class meetings are usually on weekdays from 17:30 - 19:30 and most of the class meetings take place once a week. The duration of the programme is one or two years.

Master of Philosophy (MPhil) through research

Students who do not have a prior qualification in law, but who have at least an honours degree, may apply for the Master of Philosophy through research programme. Students registered for the Master of Philosophy through research programme are required to (under the auspices of a supervisor):

1. Attend the compulsory 3-day block session in Research Methodology;
2. Write and discuss with an examination panel and submit a final research proposal (before the end of the first year of registration);
3. Write a dissertation based on the final research proposal; and
4. Submit at least one approved (by the supervisor) article to a journal.

Doctor of Laws (LLD)

Students registered for the Doctor of Laws programme are required to (under the auspices of a supervisor):

1. Attend the compulsory 3-day block session in Research Methodology;
2. Write and discuss with an examination panel and submit a final research proposal (before the end of the first year of registration);
3. Submit a thesis based on the final research proposal; which makes an original contribution to legal science and
4. Submit at least one article to an accredited journal (the supervisor may be a co-author of this article).

Doctor of Philosophy (DPhil)

Students registered for the Doctor of Philosophy (DPhil) programme are required to (under the auspices of a supervisor):

1. Attend the compulsory 3-day block session in Research Methodology;
2. Write and discuss with an examination panel and submit a final research proposal (before the end of the first year of registration);
3. Submit a thesis based on the final research proposal; which makes an original contribution to legal science and
4. Submit at least one article to an accredited journal (the supervisor may be a co-author of this article).

Master of Laws [LLM]: Coursework

(a) Admission requirements and limitation of student numbers

- Students who hold an LLB/Proc or equivalent degree completed at a South African Institution

Degree	Minimum Entry Requirements	Duration	Tuition Fees
LLM (Coursework)	An LLB/BProc degree or an equivalent degree from a foreign university that allows entrance to the formal legal profession A minimum average mark of 65% with respect to the prescribed final-year modules of the LLB/BProc degree	2 Years	± R36 000

- Students who hold an LLB/Proc or equivalent degree completed outside of South Africa

Degree	Minimum Entry Requirements	Duration	Tuition Fees
LLM (Coursework)	An equivalent degree from a foreign university that allows entrance to the formal legal profession A minimum average mark of 65% with respect to the prescribed final-year modules of the undergraduate programme completed Foreign qualifications are subject to SAQA (www.saga.org.za) evaluation. (Some LLM coursework programmes or modules as indicated in the yearbook may only be available to students who hold a relevant South African legal qualification.) Linguistic competence, primarily in English; foreign applicants who did not complete undergraduate studies through the medium of English must show proof of competence in English at a minimum average level of 6 out of 10 for IELTS or a minimum total score of 83 in TOEFL calculated as follows: reading 21, listening 17, speaking 23 and writing 22. In any other instance where there is doubt as to the English linguistic competence of an applicant, the Dean may require the same proof as prescribed for foreign applicants.	2 Years	± R72 000

- Where an average of below 65% is achieved, the student may be admitted on recommendation of the relevant head of department after consultation with the programme coordinator and consideration of other merits (eg relevant professional experience; the applicant's performance in undergraduate modules related to the particular LLM; the candidate's performance in independent research essays or similar components) and/or an admission examination.
- Even though a student may comply with the above requirements, the Dean may, on the recommendation of the head of department presenting a specific degree or module, refuse to accept a prospective student for any LLM programme if such a student's performance in the chosen modules or field of study during

undergraduate study was not satisfactory. Alternatively, the Dean could set additional requirements with a view to admission

- An admission examination may also be required in respect of a particular programme or module. Particular LL.M programmes have additional selection criteria and deadlines specific to that programme. These additional selection criteria and deadlines are set out below where the specific programmes are listed.

(b) Application process for LL.M Coursework programmes

Please note that different sets of documents must be submitted for coursework and research programmes.

Applicants must submit all of the following documents for LL.M Coursework:

1. The complete University of Pretoria application form, there are three ways to obtain the application form;
 - Online at <http://www.up.ac.za/new-students-undergraduate/article/256308/doen-aansoek-by-universiteit-van-pretoria>
 - By downloading a PDF form on www.up.ac.za/downloadpdfform
 - By contacting the Client Service Centre at csc@up.ac.za or 012 420 3111.

If applicants experience problems with the links above, please visit www.up.ac.za and go to Study at UP.

2. A certified copy of the relevant degree certificate
3. Transcript or academic record
4. Updated Curriculum vitae
5. Valid ID and/or passport particulars with photograph
6. A motivation letter written by the applicant indicating the applicant's personal and professional interest in the field of study, and why he or she would be likely to put the qualification to good use in his or her future career.
7. Two letters of recommendation by persons acquainted with the applicant's academic and professional qualities
8. where required, proof of English competence in the form of a TOEFL or IELTS test results.

In the case of a student who holds foreign qualification i.e an LL.B/Proc or equivalent degree completed outside South Africa; all of the above documents are required plus a SAQA certificate.

*Only complete applications will be considered. Incomplete applications will be set aside and will not be considered until a complete application is received.

Manual or paper-based applications may be posted to the following address:

Client Service Centre
University of Pretoria
Lynnwood Road
0002

Enquiries

For more information please contact Student Administration, Faculty of Law, at +27(0)12 420 4927 or llmapplications@up.ac.za.

(c) Application deadline

- Applications close on 31 October for South African students and on 31 August for International students, unless if otherwise indicated.

(d) Feedback on applications

- A system generated acknowledgement of application will be sent to the applicant which contains his or her student number. The student number can be used to access the Student Centre. It is important that you visit the Student Centre in the online UP Portal (MyTUKS login) regularly to track your admission status as well as to see all relevant letters under "Communications".

To visit the Student Centre, go to www.up.ac.za and click on **MyTUKS login** where you will be prompted for a username and password.

- **New applicants** should click on the "New User" link under the username and password fields. The link will prompt the user for a username and either a South African national ID number or a passport number (in the case of non-South Africans). This should be entered under the student number (starting with a "u"). The portal will then lead the user through the process of creating a new password for future use. Please wait 48 hours after the receipt of this letter before accessing the MyTuks login as your student number needs to be activated during this period. Once this period has lapsed you may use your **student number**

- (e.g u12345678) and new password to access the system.
- **Users of the website who were UP students before** and who have previously accessed the portal can sign in with their existing username and password.
- If you have trouble logging into your portal, please view the Selfhelp guides at www.up.ac.za/selfhelpsteps.
- Please note that no postal or e-mail correspondence will be sent about the outcome of an application. All correspondence will be posted to an applicant's student centre.

(e) General selection guidelines to LLM coursework programme

The Dean may on recommendation of the relevant head of a department limit the number of students to be allowed to register for any LLM programme or module. Where such limitation applies, prospective students must be informed about the limitation when they apply. Where the Dean allows such a limitation, the head of the department must, in consultation with the relevant programme coordinator, select students who otherwise comply with the admission requirements for an LLM coursework degree, according to the following selection guidelines:

1. General academic performance in the undergraduate degree; specific academic performance in undergraduate degree module(s) directly related to the particular LLM; and academic performance in independent research essays or similar components.
2. Any academic qualifications other than the prescribed undergraduate degree.
3. Relevant practical experience and training.
4. Diversity.
5. Whether the relevant LLM is the applicant's first choice.
6. Where an admission examination is prescribed, the results of such examination may be considered in addition to the above criteria.
7. Date on which a complete application was received.*

*Only complete applications will be considered. Incomplete applications will be set aside and will not be considered until a complete application is received.

(Where applicants satisfy the criteria set out above, applicants will in general be accepted on a date-of-receipt order of preference.)

Particular LLM programmes have additional specific selection criteria and deadlines specific to that programme. These additional selection criteria and deadlines are set out below where the specific programmes are listed and must be read with the general selection guidelines.

1. CENTRE FOR HUMAN RIGHTS

1.1 LLM HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA

- A limited number of up to 30 students are selected per year. Depending on the availability of funding, scholarships covering at least tuition, accommodation and official programme activities are covered for as many of these students as possible. Students who do not receive scholarships may be admitted as self-funding students, provided they meet all the minimum criteria below, and provided they guarantee payment of all or at least a significant part of tuition, accommodation and official programme activities, to an amount set by the Centre annually.
- Applicants must submit fully completed applications to the Centre for Human Rights by 30 June every year.
- In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:
 - a demonstrated professional, academic and personal interest in and commitment to human rights and democratisation in Africa;
 - an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
 - geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
 - (gender representation (in the sense that an equitable balance between women and men is sought);
 - equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

All complete applications, received by 30 June of a particular year, are processed and considered by the LLM/MPhil Programme Manager and Head of Research of the Centre, who identify a number of eligible candidates three times the available positions.

The Assistant Director of the Centre identifies a number of candidates twice the number of available positions.

Each of these applicants is then contacted and required to write an essay within a restricted time period (for example, 24 hours) of being given the topic. The Head of research and Director of the Centre assess these essays.

On the basis of all the assessments, including the essay, the Chair of the Council of Directors of the LLM/MPhil Programme, who is a representative of one of the partner faculties, scrutinises the applications and makes a recommendation on the pre-selected students.

A final selection is made by the full Admissions Committee, consisting of the Chair of the Council of Directors of the LLM/MPhil Programme (if available), the Director of the Centre for Human Rights, the Assistant Director of the Centre for Human Rights, the LLM/MPhil Programme Manager and the Head of Research, Centre for Human Rights.

1.2 **LLM INTERNATIONAL TRADE AND INVESTMENT LAW IN AFRICA**

A limited number of approximately between 15 and 25 students are selected per year. Depending on the availability of funding, scholarships covering at least tuition, accommodation and official programme activities are covered for as many of these students as possible. Students who do not receive scholarships may be admitted as self-funding students, provided they meet all the minimum criteria below, and provided they guarantee payment of at least all or a significant part of tuition, accommodation and official programme activities, to an amount set by the Centre annually.

As this LLM cycle runs over a two year period, new applicants are only admitted every second year. The programme is presented at the University of the Western Cape in the other alternate years. Applicants must submit fully completed applications to the Centre for Human Rights by 31 January every year, for eligibility to study on a programme starting in June/ July of a particular year.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to international trade and investment law in Africa;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- (gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

All complete applications, received by 31 January of a particular year, are processed and considered by the LLM Programme Coordinator, who identifies a number of eligible candidates three times the available positions, for consideration by the Director of the International Development Law Unit (IDLU).

The Director of IDLU presents the suggested candidates to the Director of the Centre for Human Rights and the Assistant Director of the Centre for Human Rights, for their confirmation.

2 DEPARTMENT OF MERCANTILE LAW

2.1 **LLM CORPORATE LAW**

A limited number of approximately between 10 and 15 students are selected per year.

As this LLM cycle runs over a two year period (consisting of 3 semester modules and one mini-dissertation), new applicants are only admitted every second year.

Applicants are required to write an admission test during January/February of the year in which the study commences. The test is designed to assess the basic competency of the candidates in respect of corporate and securities law and is also intended to equalise the different competencies, degrees and experience of

students. Subject to the general selection guidelines, the 10-15 students with the highest marks will be admitted to the programme.

2.2 LLM TAX LAW

This LLM is presented annually. A maximum of 8 candidates can be accommodated. It is a specific requirement that the applicant must have completed a module in taxation during the undergraduate studies and the candidate must have experience in the tax environment. The successful completion of the professional examinations to practice as an attorney or an advocate will be recommendations to be accepted on this LLM. If more than 8 candidates qualify to be admitted, the general selection guidelines will apply and an entry test to serve as a special selection criterium may be required to identify the successful candidates.

3 DEPARTMENT OF PRIVATE LAW

3.1 LLM LAW OF CONTRACT

A maximum number of 15 (fifteen) students are selected per two-year cycle of the LLM according to the general selection guidelines.

For admission to the LLM programme, students must have completed a South African LLB degree.. Knowledge of the general South African Law of Contract is required as a prerequisite for the advanced LLM modules. For this reason, foreign students can only be accommodated in this coursework LLM in exceptional circumstances.

Subject to the general selection guidelines, the first 15 students who comply with the requirements will be admitted. Applications open in March of the year preceding the first module, and applications are evaluated during September of the aforementioned year.

As this LLM-cycle runs over a two-year period (consisting of 3 semester modules and one mini-dissertation), new applicants are only admitted every second year. A pass mark for the first module is a prerequisite for admission to the second module; and a pass mark for the second module is a prerequisite for admission to the third module. Modules are not all presented in each academic year.

4 DEPARTMENT OF PUBLIC LAW

4.1 LLM EXTRACTIVE INDUSTRY LAW IN AFRICA

A limited number of approximately between 10 and 20 students are selected per year according to the general selection guidelines.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to extractive industry law in Africa;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- (gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

As this LLM cycle runs over a two year period, new applicants are only admitted every second year.

4.2 LLM INTERNATIONAL LAW

A limited number of approximately between 10 and 25 students are selected per year according to the general selection guidelines.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to international law;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');

- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- (gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

4.3 **LLM INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS IN MILITARY OPERATIONS**

A limited number of approximately between 10 and 25 students are selected per year according to the general selection guidelines.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to international humanitarian law and human rights in military operations;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- (gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

4.4 **LLM INTERNATIONAL AIR, SPACE AND TELECOMMUNICATIONS LAW**

A limited number of approximately between 10 and 25 students are selected per year according to the general selection guidelines.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to international air, space and telecommunications law;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- (gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

(d) Duration

The duration of the programme will in general be four semesters (2 years) but may be completed within two semesters (1 year) where possible, subject to fulfilment of all the requirements for the degree and payment of the full amount prescribed for the LLM degree. Programmes may also be structured to allow for one year of study only. The one- or two-year period may only be extended by the Postgraduate Committee on recommendation of the Head of Department based on good reason shown and if it is clear that the student will be able to complete the programme in a further year of study.

(e) Curriculum (unless stated otherwise)

The curriculum will generally consist of:

- Three modules counting 30 credits each (at least one of these modules must be completed during the first year of registration).
- A module in research methodology (RHP 801) counting 5 credits (this module must be completed during the first year of registration).
- A research proposal (RHP 803) counting 5 credits. The student must submit the research proposal (RHP 803) to the supervisor not later than the end of the first semester of the second year of registration for the LLM degree, prior to commencing with the writing of the mini-dissertation. This period may be extended with the approval of the head of department.
- A mini-dissertation is required. The examination copy of the mini-dissertation must be submitted to the Student Administration not later than the end of October for the Autumn Graduation Ceremony and the end of

April for the Spring Graduation Ceremony. After approval of the examination copy of the mini-dissertation, a final version must be submitted to Student Administration on or before 15 February for the Autumn Graduation Ceremony and 15 July for the Spring Graduation Ceremony. This mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Postgraduate Committee on recommendation of the head of department.

(f) Degree with distinction

For the degree to be awarded with distinction a student must obtain an average of at least 75% for all the coursework modules, as well as a minimum of 75% for the mini-dissertation. The modules must have been written for the first time.

(g) Examinations and supplementary examinations

In the event of having failed all modules during a particular year of study, a student will only be allowed to continue with his/her studies with the consent of the Postgraduate Committee.

Although no supplementary examination will be granted with regard to LLM modules, the General Regulations apply with regard to extraordinary and ancillary examinations.

(h) Language policy

The medium of instruction will be English. However, should circumstances allow it, an LLM module may be presented in Afrikaans. The Dean, in consultation with the relevant head of department, determines the language policy.

(i) Period of registration

At the commencement of a particular module students should be registered for that module and attend the lectures. Alternatively, the permission of the programme coordinator or head of the department should be obtained before a student may be allowed to follow a specific module in a another year of study.

(j) Limiting of modules on offer in a particular academic year and availability to foreign students

The Dean determines which modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances. The Dean may, on recommendation of the relevant head of department, determine the maximum number of registrations for a specific elective module in terms of the guidelines referred to in paragraph (a).

The Dean may also, on recommendation of the relevant head of department, determine that a particular LLM module will not be offered where on the first day of lectures four or fewer students are registered for such module.

In the case of foreign students additional requirements may be set by the Dean and the modules available to such students may also be limited.

(k) Replacement of modules

The Dean may, on recommendation of the relevant Head of Department, allow a student to replace one rescribed LLM module for a particular LLM programme with another LLM module where such an exception is not otherwise permitted, on condition that good cause is shown why such an exception is required.

(l) Credit for modules completed at another institution

The Dean may, on the recommendation of the relevant head of department, credit a student for a maximum of two modules completed at another institution on condition that it complies with the requirements of this Faculty. Where such modules do not bear the same titles as modules offered at this Faculty, modules with substantially the same content as determined by the relevant head of department may be granted credit in their place, or where, in the absence of such closely related modules, modules that are still relevant within the broad ambit of a specific LLM degree may be granted credit under special codes for the purposes of such a degree. Additional requirements may also be set before any such module will be granted credit in order to ensure compliance with the requirements of this Faculty.

(m) Credit for non-legal components

In order to qualify for an LLM degree with non-legal components, the specific degree can at most include one non-legal module of the prescribed number of modules from a related field, and with the special permission from the Faculty Board.

Note that with regard to both (j) and (k) credit will not be given for modules which form part of another degree where the student has already complied with the requirements of such a degree. This rule is also applicable in instances where the student is currently also registered for another degree.

(n) Re-registration for modules

A student may not register more than twice for the same module. In order to pass a module the student must obtain a final mark of 50%.

(o) Mini-dissertation, supervisor and title

The relevant head of department must recommend a supervisor and title for a mini-dissertation and these must be approved by the Postgraduate Committee. The mini-dissertation must be assessed and finalised as set out in the Faculty Board-approved LLM Policy Document of the Faculty.

Mini-dissertations, where required, must be submitted in the format determined by the supervisor and approved by the Postgraduate Committee. The supervisor may likewise and subject to the approval of the Postgraduate Committee also determine the research topic and the scope of the proposed research.

LLM: Coursework programmes offered in the various departments

CENTRE FOR HUMAN RIGHTS

LLM Option: Human Rights and Democratisation in Africa (04252020) Coordinator: Prof M Killander, tel 012 420 5407, email: magnus.killander@up.ac.za Closing date for applications: 31 June <i>(Programme may be taken by international students)</i>		
	Module code	Credits
Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation (18 000-20 00 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: NRM 801 and RHP 803]	MND 802	125
And		
Accredited course in human rights	ACH 802	20
Applied human rights	AHR 801	15
Democratisation in Africa	DIA 801	20
Human rights in Africa	HRA 801	20
International and comparative human rights	ICH 801	20
Introduction to the SA legal system and Bill of Rights	RVM 801	20
This is a selection programme and only selected applicants will be admitted to the programme. Duration: A minimum of 1 year full-time.		

LLM Option: International Trade and Investment Law in Africa (04252021) Coordinator: Prof FJ Viljoen Tel nr.: 012 420 3810 frans.viljoen@up.ac.za Dr OO Soyeju Tel nr.: 012 420 6202 femi.soyeju@up.ac.za Closing date for applications: 31 January <i>(Programme may be taken by international students)</i>		
	Module code	Credits
Research Methodology	RHP 801	5
Research Proposal	RHP 803	5
Mini-dissertation [prerequisite RHP 801 and RHP 803] (MND 800: 13 000 – 15 000 words)	MND 800	100
And		
Accredited module from another university Or An LLM module as approved by the Dean	ADC 802	30
Advanced International Investment and Business Law	GTB 802	30
Advanced International Trade Law	GIH 802	30
(ADC 802 can be completed at an overseas institution funding permitting or if self-funded)		

LLM Option: International Trade and Investment Law in Africa (04252022) Coordinator: Prof FJ Viljoen Tel nr.: 012 420 3810 frans.viljoen@up.ac.za or Dr OO Soyaju Tel nr.: 012 420 6202 femi.soyaju@up.ac.za Closing date for applications: 31 January (Programme may be taken by international students)		
	Module code	Credits
Research Methodology	RHP 801	5
Research Proposal	RHP 803	5
Mini-dissertation [prerequisite RHP 801 and RHP 803] (MND 803: 23 000 to 25 000 words)	MND 803	130
And		
Advanced International Investment and Business Law	GTB 802	30
Advanced International Trade Law	GIH 802	30

LLM Option: Multidisciplinary Human Rights (04252016) Coordinator: Prof M Hansungule, tel 012 420 4532 or Prof F Viljoen, tel 012 420 3810, email: michelo.hansungule@up.ac.za or frans.viljoen@up.ac.za Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug (Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) The methodology and content of the mini-dissertation should reflect legal perspectives of human rights) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Multidisciplinary human rights	MHR 801	30
and any TWO of the following modules of which at-least one should be a module marked with a # and one with a module marked with ##		
## Global perspectives on law, justice and development	LRD 802	30
## History and philosophy of human rights	HPH 801	30
## Post-apartheid jurisprudence	PAJ 801	30
# Socio-economic rights under comparative and international law	SRI 801	30
#An analysis of the SA Constitution and human rights	CMR 801	30
#Socio-economic rights in the SA Constitution	SRC 802	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

LLM Option: Sexual and Reproductive Rights in Africa (04252019) Coordinator: Prof C Ngwena, email: charles.ngwena@gmail.com or Prof FJ Viljoen, tel 012 420 3810, email: frans.viljoen@up.ac.za Closing date for SA applicants: 31 October and for non-SA applicants: 31 August (Programme may be taken by international students)		
	Module code	Credits
Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation (18 000-20 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: NRM 801 and RHP 803]	MND 802	125
International human rights law relevant to sexual and reproductive rights in Africa	HRA 802	20
Applying human rights principles to realise sexual and reproductive health rights claims	HRA 803	20
Applying human rights principles to selected reproductive health issues in Africa	HRA 804	20
Applying human rights principles to selected sexual rights and sexuality issues in Africa	HRA 805	20
Applying human rights principles to selected rights of sexual minorities in Africa	HRA 806	20
Research and advocacy to realise sexual, reproductive health and sexual minority rights claims in Africa	HRA 807	15
Duration: A minimum of two years part-time. The programme will be offered as a part-time, distance education programme, with a block session of one week (30 contact hours) per module.		

DEPARTMENT OF JURISPRUDENCE

LLM

Law and Political Justice (04250089)

Coordinator: Prof K van Marle, tel 012 420 2393, email: karin.vanmarle@up.ac.za

Closing date for applications: SA applicants – 31 Oct; Non SA applicants – 31 Aug

This programme is available for international students

	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: NRM 801 and RHP 803]	MND 800	100
and		
Post-apartheid jurisprudence	PAJ 801	30
Global perspectives on law, rights and development	LRD 802	30
Socio-economic rights in the South African Constitution	SRC 802	30

DEPARTMENT OF MERCANTILE LAW

LLM

Option: Banking Law (04250103)

Coordinator: Prof C van Heerden, tel 012 420 2377, email: corlia.vanheerden@up.ac.za

Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug

This programme is available for international students

	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
Banking law	BNK 802	30
Banking law – Capita Selecta	BNK 803	30
# Advanced consumer credit law	AML 802	30
# This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

LLM

Option: Consumer Protection Law (04252011)

Coordinator: Dr S Renke, tel 012 420 2363, email: stefan.renke@up.ac.za

Closing date for applications: SA applicants (only) – 31 October

	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
# ♦ Advanced consumer credit law	AML 802	30
# ♦ Advanced consumer protection	AML 803	30
# ♦ International consumer protection	AML 804	30
♦ Not offered to students without a South African LLB or BProc degree		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

LLM		
Option: Corporate Law (04252012)		
Coordinator: Prof P Delpont, tel 012 420 4092, email: piet.delpont@up.ac.za		
Closing date for applications: SA applicants (only) – 31 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
♦ Company law [prerequisite: must pass entrance test]	MKR 801	30
#♦ International take-overs and reorganisations [prerequisite: must pass entrance test]	TOR 802	30
♦ Law of securities [prerequisite: must pass entrance test]	LRR 801	30
# This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree This is a selection programme and only selected applicants will be admitted to the programme.		

LLM		
Option: Insolvency Law (04252007)		
Coordinator: Mrs Hermie Coetzee, tel 012 420 4375, email: hermie.coetzee@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug (Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Insolvency law	ISR 801	30
#International insolvency law	IIL 801	30
Liquidation and business rescue	LBR 802	30
# This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

LLM		
Option: Labour Law (04252005)		
Coordinator: Prof S van Eck, tel 012 420 2363, email: stefan.vaneck@up.ac.za		
Closing date for applications: SA applicants (only) – 1 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
♦Collective labour law	CLL 802	30
♦Individual labour law	IVL 801	30
and ONE of the following modules:		
#International labour law	ITA 802	30
#♦Advanced social security law	GSR 802	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

LLM Option: Mercantile Law (042502006) Coordinator: Prof J Lötz, tel 012 420 2877, email: johan.lotz@up.ac.za Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug (Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
and any THREE of the following modules:		
#♦Advanced social security law	GSR 802	30
#♦Advanced income tax law	ITL 801	30
# Advanced transnational business law [prerequisite: TBR 420]	TBL 802	30
#Banking law	BNK 802	30
#Information and communications technology	KUB 802	30
#♦Indirect tax	IDT 802	30
#International insolvency law	IIL 801	30
#♦Law of specific contracts	SKC 802	30
#Statutory competition law	SCL 801	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department. ♦ Not offered to students without a South African LLB or BProc degree		

LLM Option: Tax Law (04252015) Coordinator: Adv C Louw, tel 012 424 4107, email: clouw@lawcircle.co.za Closing date for applications: SA applicants (only) – 31 Oct		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (minimum of 15 000 words including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 804	70
Technical research reports	TAX 804	25
And		
General principles of tax	TAX 801	40
Current issues in taxation [prerequisite: TAX 801]	TAX 802	15
Income and consumption taxes [prerequisite: TAX 801]	TAX 803	40
This is a selection programme and only selected applicants will be admitted to the programme. <i>Consult the Faculty of Economic and Management Sciences yearbook for an MCom in this regard.</i>		

DEPARTMENT OF PRIVATE LAW

LLM Option: Child Law (04252009) Coordinator: Prof Anne Louw, tel 012 420 3923, email: anne.louw@up.ac.za Closing date for applications: SA applicants (only) – 31 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
♦Aspects of criminal and criminal procedural law pertaining to children	SSK 802	30
♦Aspects of private law pertaining to children	PLC 801	30
♦Constitutional and international law pertaining to Children	GIK 801	30
♦Not offered to students without a South African LLB or BProc degree		

LLM		
Option: Estate Law (04252001)		
Coordinator: Prof A van der Linde, tel 012 420 4277 email: anton.vanderlinde@up.ac.za		
Closing date for applications: SA applicants (only) – 31 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
♦Administration of estates	AOE 801	30
♦Aspects of the law of succession	ASC 801	30
♦Aspects of the law of trusts	AVT 802	30
♦ Not offered to students without a South African LLB or BProc degree		

LLM		
Option: Family Law (04252002)		
Coordinators: Prof LN van Schalkwyk tel 012 420 2036 and Dr Anne Louw, tel 012 420 3923, email: neil.vanschalkwyk@up.ac.za and anne.louw@up.ac.za		
Closing date for applications: SA applicants (only) – 31 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
♦Recognised and alternative life-partnerships	EAL 802	30
♦Aspects of divorce law	DLA 801	30
♦Matrimonial property law	MPL 802	30
♦ Not offered to students without a South African LLB or BProc degree		

LLM		
Option: Intellectual Property Law (04252003)		
Coordinators: Judge LTC Harms, tel 012 420 6813, email: louis.harms@up.ac.za and Prof SJ Cornelius, tel 012 420 3158, email: steve.cornelius@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and RHP 803]	MND 800	100
and all THREE of the following modules:		
Patent, design and plant protection law	IGZ 802	30
Trademark law and protection of intellectual property rights	IGZ 803	30
Fundamental principles of intellectual property law and copyright law	IGZ 804	30
Note: This programme is number limited.		

LLM		
Option: Private Law (04252000)		
Coordinator: Prof SJ Cornelius, tel 012 420 2307, email: steve.cornelius@up.ac.za		
Closing date for applications: SA applicants (only) – 31 Oct		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
and any THREE of the following modules		
#♦Aspects of divorce law	DLA 801	30
#♦Aspects of the law of succession	ASC 801	30
#♦Aspects of the law of trusts	AVT 802	30
#♦Aspects of private law pertaining to children	PLC 801	30
#Education law and policy	DLP 802	30
#♦Matrimonial property law	MPL 802	30
#♦Recognised and alternative life-partnerships	EAL 802	30
#Sports law	SRP 801	30
#♦Capita selecta of the general principles of contract law	GPC 801	30
#♦Law of specific contracts	SKC 802	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

DEPARTMENT OF PROCEDURAL LAW

LLM		
Option: Procedural Law (04252013)		
Coordinator: Prof WP de Villiers, tel 012 420 2840, email: wium.devilliers@up.ac.za		
Closing date for applications: SA applicants (only) – 31 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Advanced law of evidence	LOE 802	30
#♦Civil litigation	CLG 801	30
#♦Criminal procedure litigation	CCP 801	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

DEPARTMENT OF PUBLIC LAW

LLM		
Option: Constitutional and Administrative Law (04252014)		
Coordinator: Prof JJ Malan, tel 012 420 3733, email: koos.malan@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug (Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
and		
Administrative law	ASL 802	30
Constitutional law	CSL 801	30
and ONE of the following modules:		
#Environmental law	ENL 802	30
#Land and land reform law	GGH 802	30
#An analysis of the SA Constitution and human rights	CMR 801	30
#Socio-economic rights in the SA Constitution	SRC 802	30
#One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

LLM		
Option: Environmental Law (04252017)		
Coordinator: Ms M Murcott, tel 012 420 3860, email: melanie.murcott@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Environmental law	ENL 802	30
International environmental law	IEL 801	30
and ONE of the following modules:		
#Administrative law	ASL 802	30
#Socio-economic rights in the SA Constitution	SRC 802	30
#One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

LLM		
Option: Extractive Industry Law in Africa (04252018)		
Coordinators: Adv L Gerber tel 012 420 6667, email: leon.gerber@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and RHP 803]	MND 800	100
Rights to and regulation of natural resources	EIL 801	30
Sustainability aspects of extractive industries	EIL 802	30
and ONE of the following modules:		
The South African Mineral and Petroleum Resources Development Act, 2002 (MPRDA)	EIL 803	30
International law aspects of extractive industries	EIL 804	30
Civil liability aspects of extractive industries	EIL 805	30
This is a selection programme and only selected applicants will be admitted to the programme.		

LLM		
Option: International Law (04252008)		
Coordinator: Prof A Nienaber, tel 012 420 5778, email: annelize.nienaber@up.ac.za and Prof DD Tladi, tel (012) 420 6479: email: dire.tladi@up.ac.za		
Closing date for applications: SA applicants – 31 Aug; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
and		
Advanced international law	AIL 802	30
Applied international law	MCL 801	30
and ONE of the following modules:		
#Advanced transnational business law [prerequisite: TBR 420]	TBL 802	30
#International criminal law	ICL 802	30
#International environmental law	IEL 801	30
#International insolvency law	IIL 801	30
#Socio-economic rights under comparative and international law	SRI 801	30
#One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
The Faculty of Law offers a short course in public international law prior to the commencement of the first semester of each year.		
Prospective LLM International law students are strongly encouraged to enrol in this course, so as to ensure that all students will have the required knowledge to pursue studies in international law at postgraduate level.		
This is a selection programme and only selected applicants will be admitted to the Programme		

LLM		
Option: International Air, Space and Telecommunications Law (04250077)		
Coordinator: Prof E de Wet, tel 012 420 5243, email: erika.dewet@up.ac.za		
Closing date for applications: SA applicants – 31 Aug; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and RHP 803]	MND 800	100
and		
Advanced international law	AIL 802	30
Applied international law	MCL 801	30
International air, space and telecommunications law	SAL 801	30
The mini-dissertation for this programme must deal with international air, space and telecommunications law.		
The Faculty of Law offers a short course in public international law prior to the commencement of the first semester of each year. Prospective LLM international law students are strongly encouraged to enrol in this course, so as to ensure that all students will have the required knowledge to pursue studies in international law at postgraduate level.		
This is a selection programme and only selected applicants will be admitted to the programme.		

LLM		
Option: International Humanitarian Law and Human Rights in Military Operations (04250079)		
Coordinator: Prof E de Wet, tel 012 420 5243, email: erika.dewet@up.ac.za		
Closing date for applications: SA applicants – 31 Aug; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and RHP 803]	MND 800	100
and		
Advanced international law	AIL 802	30
Applied international law	MCL 801	30
International humanitarian law and human rights in military operations	IHM 801	30
The mini-dissertation for this programme must deal with international humanitarian law and human rights in military operations.		
The Faculty of Law offers a short course in public international law prior to the commencement of the first semester of each year. Prospective LLM international law students are strongly encouraged to enrol in this course, so as to ensure that all students will have the required knowledge to pursue studies in international law at postgraduate level.		
This is a selection programme and only selected applicants will be admitted to the programme.		

LLM		
Option: Socio-economic Rights (04252004)		
Coordinator: Prof D Brand, tel 012 420 2774, email: danie.brand@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug (Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-5 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Socio-economic rights in the SA Constitution	SRC 802	30
Socio-economic rights under comparative and International law	SRI 801	30
Compulsory for students who completed an LLB/BProc degree at a South African university:		30
Post-apartheid jurisprudence	PAJ 801	
Compulsory for students who did not complete an LLB/BProc at a South African university:		30
An analysis of the SA Constitution and human rights	CMR 801	30

These LLM's are generally offered by the Faculty of Law but will not have a new intake in 2017

LLM		
Option: Law of Contract (04252010)		
Coordinator: Prof B Kuschke, tel 012 420 2418, email: birgit.kuschke@up.ac.za		
Closing date for applications: SA applicants (only) – 31 October		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
♦Capita selecta of the general principles of contract Law	GPC 801	30
♦Interpretation of contracts [prerequisite: GPC801]	GPC 802	30
♦Advanced drafting theory [prerequisite: GPC 802]	GPC 803	30
♦Not offered to students without a South African LLB or BProc degree This is a selection programme and only selected applicants will be admitted to the programme.		

Master of Laws [LLM]: Research

Total number of NQF credits: 200

(a) Requirements for admission

Degree	Minimum Entry Requirements	Duration	Tuition Fees
LLM (Research)	An LLB/BProc degree or an equivalent degree from a foreign university that allows entrance to the formal legal profession Foreign qualifications are subject to SAQA evaluation A candidate will only be admitted to the LLM research programme if the Faculty can provide a suitable supervisor in light of the applicant's preliminary research proposal	2 Years	± R15 000 for local students ± R30 000 for international students

- Please see paragraphs C (Application deadline) and D (Feedback on applications) above

Applicants must submit all of the following documents for LLM Research programme:

1. The complete University of Pretoria application form, there are three ways to obtain the application form;
 - Online at <http://www.up.ac.za/new-students-undergraduate/article/256308/doen-aansoek-by-universiteit-van-pretoria>
 - By downloading a PDF form on www.up.ac.za/downloadpdfform
 - By contacting the Client Service Centre at csc@up.ac.za or 012 420 3111.

If applicants experience problems with the links above, please visit www.up.ac.za and go to Study at UP.

2. Previous academic records/transcripts
3. Previous studies' degree certificates
4. Copy of your LLB essay and/or additional proof of your own written work
5. CV
6. Copy of ID/Passport
7. Letter of motivation by prospective student (why do you wish to register for this particular programme?)
8. Preliminary research statement – At least a five hundred (500) word description of your proposed research field indicating a research topic and the broad scope of your proposed study
9. where required, proof of English competence in the form of a TOEFL or IELTS test results.

In the case of a student who holds foreign qualification i.e an LLB/Proc or equivalent degree completed outside South Africa; all of the above documents are required plus a SAQA certificate.

(b) Registration and renewal of registration

If admitted, a student can register immediately for the LLM programme. The following two or three modules must be registered for and completed within one year of registration:

1. Research methodology (RHP 802) offered by the Faculty of Law.
(If the student can show sufficient evidence of competence in research skills required at postgraduate level the Postgraduate Committee of the Faculty of Law, on recommendation of the supervisor, may exempt the student from this module.)
2. Research proposal and oral defence of the research proposal (RHP 804).
An oral defence of the research proposal including an assessment of the feasibility of the dissertation statement, research question or questions and argument to be developed in the LLM dissertation is required. A draft research proposal including a bibliography that covers the main fields to be covered by the study, the dissertation statement, research question or questions and argument must be sent to the examination panel three weeks prior to the oral defence. (Such a draft research proposal must first be approved by the supervisor.) The student must convince the adjudicating panel of the feasibility of the topic and his or her knowledge of the research subject and ability to conduct the research. Where required by the panel, the draft proposal must be further reworked in light of the comments at the oral defence and a final proposal submitted to the satisfaction of the supervisor before the student may embark on the writing of the dissertation. (*No exemption can be granted from this requirement.*)

A student who does not complete the abovementioned two modules within one year of registration may be excluded from the Faculty and if he/she seeks readmission to the Faculty, may submit a written request to the Dean that his/her application for readmission to the Faculty be considered in terms of the set procedure.

3. Structured research proposal preparation (RHP 806) (non-credit-bearing)
The supervisor may prescribe that a particular student must follow a structured programme to be determined by the supervisor and approved by the Postgraduate Committee. The supervisor may also set the requirements, as approved by the Postgraduate Committee, for complying with the module.

(c) Duration

The study extends over at least two semesters (1 year) or a maximum of 4 semesters (2 years) (subject to the General Regulations).

(d) Dissertation and article

With regard to the abovementioned curriculum, the relevant General Regulations apply and the dissertation counts 100% for the final mark. The dissertation consists of 36 000-48 000 words – including footnotes but excluding the list of contents and the bibliography. The final copy of the dissertation must be accompanied by a proof of submission of an article to a journal. The article must be based on the research that the student has

conducted for the dissertation and be approved by the supervisor.

(e) Agreement

A written agreement between the student and supervisor should be signed. The document serves as the basis for the interaction between the student and the supervisor. It indicates their individual roles, responsibilities and expectations and making it clear that they are entering into a binding undertaking with each other. The supervisor has the responsibility to ensure that the mini-dissertation is properly prepared by the student.

(f) Degree with distinction

For the degree to be awarded with distinction a student must obtain a minimum of 75% for the dissertation.

(g) Field of study

Programme code	Programme code	Research methodology	Research proposal and oral defence of the research proposal	Dissertation
LLM	04250003	RHP 802	RHP 804	LLM 890

Master of Philosophy: Coursework

(a) Admission requirements and limitation of student numbers

Degree	Minimum Entry Requirements	Duration	Tuition Fees
MPhil (Coursework)	<p>At least an honours degree in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil (coursework) programme</p> <p style="text-align: center;">OR</p> <p>any other qualification in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil (coursework) programme that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If the duration of that qualification is less than four years, substantial proven practical or professional experience in legal aspects in South Africa or Africa will furthermore be required, subject to the discretion of the Dean</p> <p>Foreign qualifications are subject to SAQA evaluation</p> <p>A minimum average mark of 65% with respect to the prescribed modules of the honours programme is required for admission to the MPhil coursework programmes</p>	2 Years	<p>± R36 000 for local students</p> <p>± R72 000 for international students</p>

- Where an average of below 65% is achieved, the student may be admitted on recommendation of the relevant head of department after consultation with the programme coordinator and consideration of other merits (eg relevant professional experience; the applicant's performance in undergraduate modules related to the particular MPhil; the candidate's performance in independent research essays or similar components) and/or an admission examination.
- Linguistic competence, primarily in English; foreign applicants who did not complete undergraduate studies through the medium of English must show proof of competence in English at a minimum average level of 6 out of 10 for IELTS or a minimum total score of 83 in TOEFL calculated as follows: reading 21, listening 17,

speaking 23 and writing 22. In any other instance where there is doubt as to the English linguistic competence of an applicant, the Dean may require the same proof as prescribed for foreign applicants.

- Foreign qualifications are subject to SAQA evaluation. (Some MPhil coursework programmes or modules as indicated in the yearbook may only be available to students who hold a relevant South African legal qualification.)
- Even though a student may comply with the above requirements, the Dean may, on the recommendation of the head of department presenting a specific degree or module, refuse to accept a prospective student for any MPhil programme if such a student's performance in the chosen modules or field of study during undergraduate study was not satisfactory. Alternatively, the Dean could set additional requirements with a view to admission
- An admission examination may also be required in respect of a particular programme or module. Particular MPhil programmes have additional selection criteria and deadlines specific to that programme. These additional selection criteria and deadlines are set out below where the specific programmes are listed.

(b) Application process

- **Please see paragraphs C (Application deadline) and D (Feedback on applications) above**

Applicants must submit all of the following documents for the MPhil coursework programme:

1. The complete University of Pretoria application form, there are three ways to obtain the application form;
 - Online at <http://www.up.ac.za/new-students-undergraduate/article/256308/doen-aansoek-by-universiteit-van-pretoria>
 - By downloading a PDF form on www.up.ac.za/downloadpdfform
 - By contacting the Client Service Centre at csc@up.ac.za or 012 420 3111.

If applicants experience problems with the links above, please visit www.up.ac.za and go to Study at UP.

2. a certified copy of the relevant degree certificate
 3. transcript of academic record
 4. curriculum vitae
 5. valid ID and/or passport particulars with photograph
 6. a motivation letter written by the applicant indicating the applicant's personal and professional interest in the field of study, and why he or she would be likely to put the qualification to good use in his or her future career.
 7. two letters of recommendation by persons acquainted with the applicant's academic and professional qualities
 8. where required, proof of English competence in the form of a TOEFL or IELTS test results.
- Except in the case of programmes of the Centre for Human Rights to which special dates and selection criteria as indicated below, apply, all complete applications received from international students by 31 August and from local students by 31 October of a particular year, are processed and considered by the programme coordinator of the particular MPhil, who identifies a number of eligible candidates for consideration by that programme coordinator in consultation with the Head of the Department.

(c) General selection guidelines to MPhil coursework programmes

The Dean may on recommendation of the relevant head of a department limit the number of students to be allowed to register for any MPhil programme or module. Where such limitation applies, prospective students must be informed about the limitation when they apply. Where the Dean allows such a limitation, the head of the department must, in consultation with the relevant programme coordinator, select students who otherwise comply with the admission requirements for an MPhil coursework degree, according to the following selection guidelines:

1. General academic performance in the undergraduate degree; specific academic performance in undergraduate degree module(s) directly related to the particular MPhil; and academic performance in independent research essays or similar components.
2. Any academic qualifications other than the prescribed undergraduate degree.
3. Relevant practical experience and training.
4. Diversity.
5. Whether the relevant MPhil is the applicant's first choice.
6. Where an admission examination is prescribed, the results of such examination may be considered in addition to the above criteria.
7. Date on which a complete application was received.*

*Only complete applications will be considered. Incomplete applications will be set aside and will not be considered until a complete application is received.

(Where applicants satisfy the criteria set out above, applicants will in general be accepted on a date-of-receipt order of preference.)

Particular MPhil programmes have additional specific selection criteria and deadlines specific to that programme. These additional selection criteria and deadlines are set out below where the specific programmes are listed and must be read with the general selection guidelines.

(d) Duration

The duration of the programme will in general be four semesters (2 years) but may be completed within two semesters (1 year) where possible, subject to fulfilment of all the requirements for the degree and payment of the full amount prescribed for the MPhil degree. Programmes may also be structured to allow for one year of study only. The one- or two-year period may only be extended by the Postgraduate Committee on recommendation of the Head of Department based on good reason shown and if it is clear that the student will be able to complete the programme in a further year of study.

(e) Curriculum (unless stated otherwise)

The curriculum will generally consist of:

- Three modules counting 30 credits each (at least one of these modules must be completed during the first year of registration).
- A module in research methodology (RHP 801) counting 5 credits (this module must be completed during the first year of registration).
- A research proposal (RHP 803) counting 5 credits. The student must submit the research proposal (RHP 803) to the supervisor not later than the end of the first semester of the second year of registration for the MPhil degree, prior to commencing with the writing of the mini-dissertation. This period may be extended with the approval of the head of department.
- A mini-dissertation (MND 800/802/803) of 13 000-15 000/18 000-20 000/20 000-22 000 words – including footnotes but excluding the list of contents and the bibliography – is required. The examination copy of the mini-dissertation must be submitted to the Student Administration not later than the end of October for the Autumn Graduation Ceremony and the end of April for the Spring Graduation Ceremony. After approval of the examination copy of the mini-dissertation, a final version must be submitted to Student Administration on or before 15 February for the Autumn Graduation Ceremony and 15 July for the Spring Graduation Ceremony. This mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her MPhil degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Postgraduate Committee on recommendation of the head of department.

(f) Degree with distinction

For the degree to be awarded with distinction a student must obtain an average of at least 75% for all the coursework modules, as well as a minimum of 75% for the mini-dissertation. The modules must have been written for the first time.

(g) Examinations and supplementary examinations

In the event of having failed all modules during a particular year of study, a student will only be allowed to continue with his/her studies with the consent of the Postgraduate Committee.

Although no supplementary examination will be granted with regard to MPhil modules, the General Regulations apply with regard to special and ancillary examinations.

(h) Language policy

The medium of instruction will be English. However, should circumstances allow it, an MPhil module may be presented in Afrikaans. The Dean, in consultation with the relevant head of department, determines the language policy.

(i) Period of registration

At the commencement of a particular module students must be registered for that module and attend the lectures. Alternatively, the permission of the programme coordinator or head of the department should be obtained before a student may be allowed to follow a specific module in another year of study.

(j) Limiting of modules on offer in a particular academic year and availability to foreign students

The Dean determines which modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances. The Dean may, on recommendation of the relevant head of department, determine the maximum number of registrations for a

specific elective module in terms of the guidelines referred to in paragraph (a). The Dean may also, on recommendation of the relevant head of department, determine that a particular MPhil module will not be offered where on the first day of lectures four or fewer students are registered for such module.

In the case of foreign students additional requirements may be set by the Dean and the modules available to such students may also be limited.

(k) Replacement of modules

The Dean may on recommendation of the relevant Head of Department allow a student to replace one prescribed MPhil module for a particular MPhil programme with another MPhil module where such an exception is not otherwise permitted, on condition that good cause is shown why such an exception is required.

(l) Credit for modules completed at another institution

The Dean may, on the recommendation of the relevant head of department, credit a student for a maximum of two modules completed at another institution on condition that it complies with the requirements of this Faculty. Where such modules do not bear the same titles as modules offered at this Faculty, modules with substantially the same content as determined by the relevant head of department may be granted credit in their place, or where, in the absence of such closely related modules, modules that are still relevant within the broad ambit of a specific MPhil degree may be granted credit under special codes for the purposes of such a degree. Additional requirements may also be set before any such module will be granted credit in order to ensure compliance with the requirements of this Faculty.

(m) Credit for another degree

Note that with regard to both (j) and (k) credit will not be given for modules which form part of another degree where the student has already complied with the requirements of such a degree. This rule is also applicable in instances where the student is currently also registered for another degree.

(n) Re-registration for modules

A student may not register more than twice for the same module. In order to pass a module the student must obtain a final mark of 50%.

(o) Mini-dissertation, supervisor and title

The relevant head of department must recommend a supervisor and title for a mini-dissertation and these must be approved by the Postgraduate Committee. The mini-dissertation must be assessed and finalised as set out in the Faculty Board-approved LLM/MPhil Policy Document of the Faculty.

Mini-dissertations, where required, must be submitted in the format determined by the supervisor and approved by the Postgraduate Committee. The supervisor may likewise and subject to the approval of the Postgraduate Committee also determine the research topic and the scope of the proposed research.

MPhil: Coursework programmes offered in the various departments

CENTRE FOR HUMAN RIGHTS

MPHIL HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA

A limited number of up to 10 students are selected per year. Depending on the availability of funding, scholarships covering at least tuition, accommodation and official programme activities are covered for as many of these students as possible. Students who do not receive scholarships may be admitted as self-funding students, provided they meet all the minimum criteria below, and provided they guarantee payment of at least all or a significant part of tuition, accommodation and official programme activities, to an amount set by the Centre annually.

For admission to the MPhil programme, students must have completed an Honours degree (at a South African University) or a degree allowing study at the Master's level in a discipline related to human rights and democratisation (in respect of non-South African universities).

Applicants must submit fully completed applications to the Centre for Human Rights by 30 June every year.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to human rights and democratisation in Africa;
 - an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the ‘multiplier effect’);
 - geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
 - (gender representation (in the sense that an equitable balance between women and men is sought);
 - equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

All complete applications, received by 30 June of a particular year, are processed and considered by the LLM/MPhil Programme Manager and Head of Research of the Centre, who identify a number of eligible candidates three times the available positions.

The Assistant Director of the Centre identifies a number of candidates twice the number of available positions. Each of these applicants is then contacted and required to write an essay within a restricted time period (for example, 24 hours) of being given the topic. The Head of Research and Director of the Centre assess these essays.

On the basis of all the assessments, including the essay, the Chair of the Council of Directors of the LLM/MPhil Programme, who is a representative of one of the partner faculties, scrutinises the applications and makes a recommendation on the pre-selected students.

A final selection is made by the full Admissions Committee, consisting of the Chair of the Council of Directors of the LLM/MPhil Programme (if available), the Director of the Centre for Human Rights, the Assistant Director of the Centre for Human Rights, the LLM/MPhil Programme Manager and the Head of Research, Centre for Human Rights.

MPhil		
Option: Human Rights and Democratisation in Africa (04251023)		
Coordinator: Prof M Killander, tel 012 420 5407, email: magnus.killander@up.ac.za		
Closing date for applications: 31 July		
<i>(Programme may be taken by international students)</i>		
	Module code	Credits
Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation (18 000-20 000 words – including footnotes but excluding the list of contents and the bibliography) (The methodology and content of the mini-dissertation should reflect a multidisciplinary perspective on human rights) [prerequisites: NRM 801 and RHP 803]	MND 802	125
And		
Accredited course in human rights	ACH 802	15
Applied human rights	AHR 801	20
Democratisation in Africa	DIA 801	20
Human rights in Africa	HRA 801	20
International and comparative human rights	ICH 801	20
Introduction to the SA legal system and Bill of rights	RVM 801	20
This is a selection programme and only selected applicants will be admitted to the programme. Duration: A minimum of 1 year full-time.		

MPhil		
Option: Multidisciplinary Human Rights (04251024)		
Coordinator: Prof M Hansungule, tel 012 420 4532 or Prof F Viljoen, tel 012 420 3810, email: michelo.hansungule@up.ac.za or frans.viljoen@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography). (The methodology and content of the mini-dissertation should reflect a multidisciplinary perspective on human rights) [prerequisites: RHP 801 and RHP 803]	MND 800	100
Multidisciplinary human rights	MHR 801	30
And		
Any TWO of the following modules to the value of 60 credits, of which at least one should be a module marked with an asterisk (*):		
*History and philosophy of human rights	HPH 801	30
*Global perspectives on law, rights and development	LRD 802	30
*Post-apartheid jurisprudence	PAJ 801	30
An analysis of the SA Constitution and human rights	CMR 801	30
Socio-economic rights under comparative and international law	SRI 801	30
Socio-economic rights in the SA Constitution	SRC 802	30

MPhil		
Option: Sexual and Reproductive Rights in Africa (04251025)		
Coordinator: Prof C Ngwena, email: charlesngwena@gmail.com or Prof FJ Viljoen, tel 012 420 3810, email: frans.viljoen@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation (18 000-20 000 words – including footnotes but excluding the list of contents and the bibliography) (The methodology and content of the mini-dissertation should reflect a multidisciplinary perspective on human rights) [prerequisites: NRM 801 and RHP 803]	MND 802	125
International human rights law relevant to sexual and reproductive rights in Africa	HRA 802	20
Applying human rights principles to realise sexual and reproductive health rights claims	HRA 803	20
Applying human rights principles to selected reproductive health issues in Africa	HRA 804	20
Applying human rights principles to selected sexual rights and sexuality issues in Africa	HRA 805	20
Applying human rights principles to selected rights of sexual minorities in Africa	HRA 806	20
Research and advocacy to realise sexual, reproductive health and sexual minority rights claims in Africa	HRA 807	15
This is a selection programme and only selected applicants will be admitted to the programme.		
Duration: A minimum of two years part-time. The programme will be offered as a part-time, distance education programme, with a block session of one week (30 contact hours) per module.		

DEPARTMENT OF JURISPRUDENCE

MPhil		
Option: Law and Political Justice (04250068)		
Coordinator: Prof K van Marle, tel 012 420 2393, email: karin.vanmarle@up.ac.za		
Closing date for applications: SA applicants – 31 Oct; non-SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Post-apartheid jurisprudence	PAJ 801	30
Global perspectives on law, rights and development	LRD 802	30
History and philosophy of human rights	HPH 801	30

DEPARTMENT OF PUBLIC LAW

MPHIL ENVIRONMENTAL LAW

A limited number of approximately between 10 and 20 students are selected per year according to the general selection guidelines.

For admission to the MPhil programme, students must have at least an honours degree in an academic discipline relevant to environmental law; or any other qualification in an academic discipline relevant to the environment and environmental law that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If that qualification has a duration of less than 4 years, substantial proven practical or professional experience in environmental law is further required, subject to the discretion of the Dean.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to environmental law;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

As this LLM cycle runs over a two year period (consisting of 3 semester modules and one mini-dissertation), new applicants are only admitted every second year.

MPhil		
Option: Environmental Law (04251008)		
Coordinator: Ms M Murcott, tel 012 420 3860, email: melanie.murcott@up.ac.za		
Closing date for applications: SA applicants – 31 Aug; non- SA applicants – 31 Aug		
(Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and 803]	MND 800	100
And		
Environmental law	ENL 802	30
Environmental law	ENV 816	20
Strategic Environmental Management	ENS 822	20
and ONE of the following modules:		
#Administrative law	ASL 802	30
#Socio-economic rights in the SA Constitution	SRC 802	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

MPHIL MEDICAL LAW AND ETHICS

A limited number of approximately between 10 and 20 students are selected per year according to the general selection guidelines.

For admission to the MPhil programme, students must have at least an honours degree in an academic discipline relevant to medical law and ethics, or any other qualification in an academic discipline relevant to medical law and ethics that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If that qualification has a duration of less than 4 years, substantial proven practical or professional experience in medical law and ethics is further required, subject to the discretion of the Dean. Registration as a healthcare practitioner/allied healthcare practitioner/nurse in terms of the applicable legislation will be a strong recommendation.

In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

- a demonstrated professional, academic and personal interest in and commitment to medical law and ethics;
- an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');

- geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
- gender representation (in the sense that an equitable balance between women and men is sought);
- equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).

As this LLM cycle runs over a two year period (consisting of 3 semester modules and one mini-dissertation), new applicants are only admitted every second year.

MPhil		
Option: Medical Law and Ethics (04250080)		
Coordinators: Prof Pieter Carstens, tel 012 420 4067, email: pieter.carstens@up.ac.za Dr Philip Stevens, tel: 012 420 2717, email: philip.stevens@up.ac.za		
Closing date for applications: SA applicants – 31 Aug; non-SA applicants – 31 Aug (Programme may be taken by international students)		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (13 000-15 000 words – including footnotes but excluding the list of contents and the bibliography) [prerequisites: RHP 801 and RHP 803]	MND 800	100
Theory and practice of medical law and medical ethics	PBL 811	30
Access to healthcare and medical malpractice litigation	PBL 812	30
Medico-legal issues	PBL 813	30
This is a selection programme and only selected applicants will be admitted to the programme.		
<i>Note: This programme will be offered only if the required resources are available.</i>		

Master of Philosophy [MPhil]: Research

Total number of NQF credits: 200

(a) Admission requirements and limitation of student numbers

Degree	Minimum Entry Requirements	Duration	Tuition Fees
MPhil (Research)	<p>At least an honours degree in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil (coursework) programme</p> <p style="text-align: center;">OR</p> <p>any other qualification in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil (coursework) programme that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If the duration of that qualification is less than four years, substantial proven practical or professional experience in legal aspects in South Africa or Africa will furthermore be required, subject to the discretion of the Dean</p> <p>Foreign qualifications are subject to SAQA evaluation</p> <p>A candidate will only be admitted to the MPhil programme if the Faculty can provide a suitable supervisor in light of the applicant's preliminary research proposal.</p>	2 Years	<p>± R15 000 for local students</p> <p>± R30 000 for international students</p>

- A candidate will only be admitted to the MPhil programme if he/she complies with the standard of competence in applicable subjects as determined by the head of department, also taking into account the candidate's academic record and any applicable experience.
- **Please see paragraphs C (Application deadline) and D (Feedback on applications) above**

Applicants must submit all of the following documents for MPhil Research programme:

1. The complete University of Pretoria application form, there are three ways to obtain the application form;
 - Online at <http://www.up.ac.za/new-students-undergraduate/article/256308/doen-aansoek-by-universiteit-van-pretoria>
 - By downloading a PDF form on www.up.ac.za/downloadpdfform
 - By contacting the Client Service Centre at csc@up.ac.za or 012 420 3111.

If applicants experience problems with the links above, please visit www.up.ac.za and go to Study at UP.

2. Previous academic records/transcripts
3. Previous studies' degree certificates
4. Copy of your LLB essay and/or additional proof of your own written work
5. CV
6. Copy of ID/Passport
7. Letter of motivation by prospective student (why do you wish to register for this particular programme?)
8. Preliminary research statement – At least a five hundred (500) word description of your proposed research field indicating a research topic and the broad scope of your proposed study
9. where required, proof of English competence in the form of a TOEFL or IELTS test results.

In the case of a student who holds foreign qualification i.e an LLB/Proc or equivalent degree completed outside South Africa; all of the above documents are required plus a SAQA certificate.

(b) Registration and renewal of registration

If admitted, a student can register immediately for the MPhil programme. The following two or three modules must be registered for and completed within one year of registration:

1. Research methodology (RHP 802) offered by the Faculty of Law.
(If the student can show sufficient evidence of competence in research skills required at postgraduate level the Postgraduate Committee of the Faculty of Law on recommendation of the supervisor, may exempt the student from this module.)
2. Research proposal and oral defence of the research proposal (RHP 804).
An oral defence of the research proposal including an assessment of the feasibility of the dissertation statement, research question or questions and argument to be developed in the MPhil dissertation is required. A draft research proposal including a bibliography that covers the main fields to be covered by the study, the dissertation statement, research question or questions and argument must be sent to the examination panel three weeks prior to the oral defence. (Such a draft research proposal must first be approved by the supervisor.) The student must convince the adjudicating panel of the feasibility of the topic and his or her knowledge of the research subject and ability to conduct the research. Where required by the panel, the draft proposal must be further reworked in light of the comments at the oral defence and a final proposal submitted to the satisfaction of the supervisor before the student may embark on the writing of the dissertation. *(No exemption can be granted from this requirement.)*

A student who does not complete the abovementioned two modules within one year of registration may be excluded from the Faculty and if he/she seeks readmission to the Faculty, may submit a written request to the Dean that his/her application for readmission to the Faculty be considered in terms of the set procedure.

3. Structured research proposal preparation (RHP 806) (non-credit-bearing)
The supervisor may prescribe that a particular student must follow a structured programme to be determined by the supervisor and approved by the Postgraduate Committee. The supervisor may also set the requirements, as approved by the Postgraduate Committee, for complying with the module.

(c) Duration

The study extends over at least two semesters (1 year) or a maximum of 4 semesters (2 years) (subject to the General Regulations).

(d) Dissertation and article

With regard to the abovementioned curriculum, the relevant General Regulations apply and the dissertation

counts 100% for the final mark. The dissertation consists of 36 000-48 000 words – including footnotes but excluding the list of contents and the bibliography. The topic of the dissertation must be relevant to a discipline in the field of legal studies, and be approved by the Dean. The final copy of the dissertation must be accompanied by a proof of submission of an article to a journal. The article must be based on the research that the student has conducted for the dissertation and be approved by the supervisor.

(e) Agreement

A written agreement between the student and supervisor should be signed. The document serves as the basis for the interaction between the student and the supervisor. It indicates their individual roles, responsibilities and expectations and making it clear that they are entering into a binding undertaking with each other. The supervisor has the responsibility to ensure that the mini-dissertation is properly prepared by the student.

(f) Degree with distinction

For the degree to be awarded with distinction a student must obtain a minimum of 75% for the dissertation.

(g) Field of study

Field of study	Programme code	Research methodology	Research proposal and oral defence of the research proposal	Dissertation
MPhil	04250004	RHP 802	RHP 804	MPI 890

LLM and MPhil modules alphabetical list

ACH 802 Accredited course in human rights 802

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 20

Module content:

During the second semester of the programme, students follow prescribed academic modules at the universities to which they are allocated and undertake internships with human rights organisations if so required.

ADC 802 Accredited module 802

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

During the second semester of the programme, a student may complete an applicable module at an international institution.

AHR 801 Applied human rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 15

Module content:

In this module, the principles and practice of international criminal law are discussed; students also undertake a visit to and report on the situation in a selected African state where they are exposed to the practical application of human rights, democratisation or international criminal law.

AIL 802 Advanced international law 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

The topics covered include:

- (a) International humanitarian law
- (b) Use of force
- (c) Terrorism
- (d) Humanitarian intervention
- (e) Extradition
- (f) Diplomatic law

AML 802 Advanced consumer credit law 802

Academic organisation: Department of Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

An advanced study in consumer credit law.

AML 803 Advanced consumer protection 803

Academic organisation: Department of Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English **Credits:** 30

Module content:

An advanced study in consumer protection law.

AML 804 International consumer protection 804

Academic organisation: Department of Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

An advanced study in international consumer protection.

AOE 801 Administration of estates 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) The administration process and legislation
- (b) Executor appointment and duties
- (c) Methods of liquidation
- (d) The liquidation and distribution account
- (e) Estate duty
- (f) Drafting of the executor's account

ASC 801 Aspects of the law of succession 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) General principles of intestate and testate succession
- (b) Formalities and incorporation by reference
- (c) Power of condonation
- (d) Influence of the Constitution on succession
- (e) Pactum successorium and massing
- (f) Aspects of revocation and revival of wills
- (g) Testamentary capacity and capacity to benefit

ASL 802 Administrative law 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

An advanced study of a selection of topics in the administrative law

AVT 802 Aspects of the law of trusts 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

- (a) The basic trust idea and the importance thereof in the formation and administration of trusts
- (b) The trust and other legal institutions; anomalies in the law of trusts
- (c) Essentialia of the trust with the emphasis on problems identified in case law;
- (d) the juridical construction of the inter vivos trust – a critical evaluation
- (e) The protection of trust beneficiaries with specific reference to the so-called “core elements” of the trust
- (f) Parties to the trust
- (g) The trust and taxation
- (h) The trust as instrument in estate planning

BNK 802 Banking law 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

An advanced study in banking law and the regulation of banks.

CCP 801 Criminal procedure litigation 801

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

The module comprises a study of selected capita of temporary issues relating to the law of criminal procedure. Aspects dealt with include the following:

- (a) Problematic aspects with regard to the application and interpretation of the Bill of Rights especially with regard to pre-trial procedures
- (b) A critical analysis of certain aspects regarding bail
- (c) Issues regarding plea bargaining

(d) Diversion as an effective alternative to prosecution

CLG 801 Civil litigation 801

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

The module comprises a capita selecta from contemporary issues relating to civil litigation. Aspects dealt with include the following:

- (a) Theoretical foundations of the law of civil procedure
- (b) Class actions
- (c) Application procedure
- (d) Security for costs
- (e) Provisional sentence and summary judgment
- (f) Impact of the Constitution of 1996 on civil procedural law
- (g) Aspects of preparation for trial
- (h) Special interdicts

CLL 802 Collective labour law 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module covers the following aspects:

- (a) International perspectives and the South African Constitution
- (b) Freedom of association and the duty to collective bargaining
- (c) Strikes and lockouts
- (d) Private and compulsory dispute resolution
- (e) Unfair discrimination and affirmative action

CMR 801 An analysis of the South African Constitution and human rights 801

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

This module deals with an analysis of the basic issues of the South African human rights dispensation. It places the greatest emphasis on the procedure and the structure of Bill of Rights analysis. The module also covers development regarding certain core rights of the South African Constitution such as equality, dignity and expression.

CRM 801 Capita selecta from general principles of South African criminal law 801

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) A critical analysis of justifiable homicide as ground of justification in the common law and legislation
- (b) A critical analysis of the legality principle in context of the Constitution
- (c) A critical analysis of the concept of consent in South African criminal law
- (d) Pathological incapacity in context of sections 77, 78 and 79 of the Criminal Procedure Act
- (e) Non-pathological incapacity (inclusive of youthfulness, intoxication and provocation)
- (f) A critical analysis of criminal negligence and the crime of culpable homicide
- (g) A comparative study between the psychological and normative concepts of fault
- (h) Vicarious liability in criminal context with reference to section 332 of the Criminal Procedure Act
- (i) The influence of the South African Constitution on the definitional elements in criminal law

CRM 802 Capita selecta from the specific crimes 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta from the following:

- (a) A critical analysis of the incomplete crimes
- (b) A critical analysis of the doctrine of participation in context of the Constitution
- (c) Serious economic offences (eg fraud, corruption, money laundering)
- (d) Internet crimes/computer crimes
- (e) The influence of morality on criminal offences with reference to prostitution; child pornography; decriminalisation of abortion; homosexuality; sodomy
- (f) A critical analysis of the Act on Sexual Offences
- (g) The impact of the South African Constitution on the classification/existence of crimes in South African criminal law
- (h) The euthanasia debate
- (i) Organised crime

CRM 803 Capita selecta from punishment, theories and forms in theory and practice 803

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 30

Module content:

Capita selecta from the following:

An advanced study of the principles of punishment, theories of punishment and forms of punishment in theory and practice with reference to constitutional implications and relevant legislation

CSL 801 Constitutional law 801

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium **Credits:** 30

Module content:

- (a) Revisiting the concept of constitutional supremacy and its interaction with popular Sovereignty
- (b) Constitutional dynamics – (tacit) constitutional change in ways not constitutionally Authorised
- (c) A critical reassessment of separation of powers, judicial independence and impartiality and the impact of judicial review in the contemporary state
- (d) Consideration of legality and constitutionality in view of relevant South African case law
- (e) The foundation of the state, effectiveness and legitimacy particularly in the face of rampant violent crime
- (f) Co-operative government in South African constitutional practice
- (g) Constitutional values with specific reference to democracy in the South African constitution
- (h) The legal claims of communities in contemporary constitutional law
- (i) New trends in South African constitutional Jurisprudence and the local and international scholarly discourse

DIA 801 Democratisation in Africa 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English **Credits:** 20

Module content:

This module examines the nature of the state and problems associated with state-building and constitutional change in Africa; provides an introduction to constitutional concepts such as the separation of powers, federalism and decentralisation, and their application to Africa; and examines the causes of and remedies for conflict in Africa.

DLA 801 Aspects of divorce law 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium **Credits:** 30

Module content:

This module deals with legal aspects relevant at the time of divorce, including:

- (a) Grounds for divorce – the focus will especially fall on the creation of a single ground for divorce.
- (b) Redistribution orders
- (c) Forfeiture of benefits orders
- (d) Maintenance agreements
- (e) Rule 43-applications
- (f) Children and divorce – especially after the enactment of the Children's Act 38 of 2005

DLP 802 Education law and policy 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 30

Module content:

Capita selecta of any of the following:

- (a) Constitutional education law applicable to schools
- (b) Principles of school law pertaining to learners and/or their parents
- (c) Delictual liability in the school context
- (d) Any other part of school law

EAL 802 Recognised and alternative life-partnerships 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 30

Module content:

- (a) Civil unions
- (b) Customary marriages
- (c) Religious marriages
- (d) Other/alternative life partnerships

EIL 801 Rights to and regulation of natural resources 801

Academic organisation: Public Law

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 1

Language of tuition: English **Credits:** 30

Module content:

The objective of this module is to equip students with a thorough understanding of the legal and policy aspects of natural resources and the regulation of natural resources and industries to extract natural resources. Topics include:

- (a) Industry background such as the extractive industry value chain and the role of extractive industries in national, regional and global economies, basic extractive industry business and project feasibility metrics, typical national public policy priorities, the differences between the mining and oil and gas industries, gas industry specifics, the various downstream industries (smelters, refineries and petrochemical and energy industries and policy issues pertaining to renewable energy and unconventional extraction methods such as hydraulic fracturing ("fracking");
- (b) Natural resource and extractive industry policy concepts and regulatory options;
- (c) Ownership of mineral rights dispensations (state versus private ownership of mineral rights), the legal position of the owner of the land and the owner of the products of extraction;
- (d) The advantages and disadvantages of the main granting methodologies applied by host governments including concessions, production sharing agreements, participation agreements, services agreements and hybrid methods;
- (e) Typical conditions to obtain, renew or transfer exploration or extraction rights and the veracity of the public policy basis of such requirements;
- (f) Agreements and transactions to transfer rights to prospect and/or to extract;
- (g) Constitutional and administrative law aspects of relevance in dealing with extractive industry legislation and regulation including the legality of administrative processes governed by an Act such as the MPRD Act and related regulation, the right of third parties to be heard in applications by resource companies under the MPRD Act and the constitutionality of the conversion of "old order mineral rights" to "new order mineral rights".

EIL 802 Sustainability aspects of extractive industries 802

Academic organisation: Public Law

Contact time: 30 hours per semester

Period of presentation: Semester 2 of year 1

Language of tuition: English

Credits: 30

Module content:

The objective of this module is to equip students with a thorough understanding of the sustainability aspects of extractive industries. Topics include:

- (a) A general introduction to sustainability, sustainable development, corporate social responsibility, good governance as it pertains to *governments* and good *corporate* governance;
- (b) International, regional and national instruments related to sustainability aspects of extractive industries such as the protection of human rights, forced labour, inappropriate security practices, "conflict minerals" and "blood diamonds" (including the Kimberley Process Certification Scheme and the US Dodd-Frank Act and SEC disclosure requirements); the Extractive Industry Transparency Initiative (EITI) and the UN Global Compact; [US Dodd-Frank Act];
- (c) Safety, health and environmental (SHE) aspects of extractive industries including emerging issues such as climate change and personal criminal liability of directors and officers for SHE contraventions;
- (d) Corporate governance and company law developments of relevance to sustainability including the King 3 Code and similar Codes internationally, Responsible Investment Codes, the role of Social and Ethics Committees as required by the Companies Act 2008, sustainability indexes of the stock exchanges such as the JSE SRI Index and the Dow Jones Sustainability Index, public reporting on sustainability and international reporting guidelines such as the Global Reporting Initiative.

EIL 803 The South African Mineral and Petroleum Resources Development Act 803

Academic organisation: Public Law

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 2

Language of tuition: English

Credits: 30

Module content:

The objective of this module is to equip students with a thorough understanding of conceptual and practical aspects of the South African Mineral and Resources Development Act and related jurisprudence.

EIL 804 International law aspects of extractive industries 804

Academic organisation: Public Law

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 2

Language of tuition: English

Credits: 30

Module content:

The objective of this module is to equip students with a thorough understanding of the international law aspects of extractive industries. Topics include:

- (a) Sovereignty in respect of legal regimes and laws governing extractive industries including the act of state doctrine, the doctrine of sovereign immunity and waivers of immunity and compensation for expropriation.
- (b) An overview of the most relevant treaties and conventions of relevance to extractive industries including the Convention on the Continental Shelf, the OILPOL convention, the UN Convention on Contracts for the International Sale of Goods, the UN Conventions of the Law of the Sea, the New York Convention, the Convention on the Settlement on Investment Disputes between States and Nationals of Other States, the Energy Charter Treaty to protect international energy investment and trade; international environmental law treaties and conventions and the Guiding Principles on Business and Human Rights.
- (c) Relevant aspects pertaining to the World Trade Organisation including extractive industry subsidies, environmental labelling and confiscatory taxation.
- (d) Direct and indirect forms of resource nationalisation and investment treaties to protect natural resource investors.
- (e) The legal status of offshore petroleum and mining installations and vessels including production platforms, floating production, storage and offloading (FPSOs) vessels and subsea pipelines as well as state jurisdiction in respect of such installations.
- (f) International dispute resolution mechanisms including enforcement of arbitration awards.

EIL 805 Civil law liability for extractive industry activities 805

Academic organisation: Public Law

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 2

Language of tuition: English

Credits: 30

Module content:

The objective of this module is to equip students with a thorough understanding of the legal and policy concepts shaping civil liability for activities pertaining to extractive industries.

Topics include:

- (a) The general principles of the law of delict and specific areas of civil liability risk for extractive industries including general international civil liability trends, class actions, "piercing the corporate veil", civil liability for SHE incidents and for competition law contraventions;
- (b) Principles of product liability;
- (c) Evolving climate change civil liability concepts;
- (d) Civil liability dimensions of unconventional extraction methods such as hydraulic fracturing and coal bed methane extraction.

ENL 802 Environmental law 802**Academic organisation:** Public Law**Contact time:** 28 hours (during the course of the semester)**Period of presentation:** Semester 2**Language of tuition:** English**Credits:** 30**Module content:**

This module involves advanced study of the following:

- (a) Key concepts and principles of environmental law in the context of a South African constitutional dispensation
- (b) South African legislation and policy concerned with environmental governance, compliance and enforcement, including in relation to integrated environmental management and environmental impact assessments, the protection of marine and terrestrial biodiversity, waste management, pollution control, mining and energy, water management, land use and planning and climate change.

GGH 802 Land and land reform law 802**Academic organisation:** Public Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

This module deals with a selection of legal issues flowing from land reform, with a specific focus on extension of security of tenure.

GIH 802 Advanced international trade law 802**Academic organisation:** Centre for Human Rights**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

- (a) Regulation of international trade – the WTO
- (b) Intellectual property law and transfer of technology
- (c) Trade, environment, human rights and labour
- (d) Agriculture
- (e) Services
- (f) Trade facilitation
- (g) Regionalism
- (h) Industrial products (NAMA)
- (i) Dispute resolution
- (j) Trade remedies
- (k) Trade negotiations

GIK 801 Constitutional and international law pertaining to children 801**Academic organisation:** Private Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Double medium**Credits:** 30**Module content:**

Capita selecta from the following:

- (a) Constitutional protection of children's rights
- (b) International law pertaining to children
- (c) African instruments on the protection of children

GPC 801 Capita selecta of the general principles of the law of contract 801**Academic organisation:** Private Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Double medium**Credits:** 30**Module content:**

- (a) Overview of the conclusion of contracts.
- (b) Consensus and factors that influence consensus
- (c) Time and place of conclusion of contracts
- (d) Effect of the constitution on contracts
- (e) Overview of breach of contract and remedies
- (f) Cancellation as remedy for breach of contract
- (g) Damages

GPC 802 Interpretation of contracts**Academic organisation:** Private Law**Prerequisite:** GPC 801**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** English**Credits:** 30**Module content:**

The topics covered include:

- (a) The nature of legal interpretation
- (b) The relationship between the interpretation of contracts and other legal instruments
- (c) Evidence that is admissible and evidence that is inadmissible in the interpretation of contracts.
- (d) Analysing the various terms that constitute a contract.
- (e) Rectification
- (f) Presumptions and rules of interpretation

GPC 803 Advanced drafting theory 803**Academic organisation:** Private Law

Prerequisite: GPC 802

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

The topics in this module include the following:

- (a) Advanced drafting theory
- (b) Systemic context: substantive dimension; interpretational dimension; constitutional dimension
- (c) Contractual instruments
- (d) Functional context: structural dimension; semantic dimension
- (e) Legislative plain language imperatives

GSR 802 Advanced social security law 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

- (a) General background, history, important concepts
- (b) The effects of the Constitution on the provision of social security
- (c) The provision of social security through social insurance
- (d) The provision of social security through social assistance
- (e) Socio-economic rights and the creation of a welfare state in South Africa

GTB 802 Advanced international investment and business law 802

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

- (a) Introduction to international law and regional law: theory and source
- (b) Economics literacy and basic business management skills
- (c) International financial institutions and loan transactions
- (d) Investment and trade in Africa: bilateral and multilateral perspectives
- (e) European Union law
- (f) Financial services and securities regulation
- (g) International business transactions
- (h) Investment and procurement

HPH 801 History and philosophy of human rights 801

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) Historical and philosophical perspectives on rights
- (b) Critical perspectives on rights
- (c) Legal philosophical and political notions of justice
- (d) Applications within the South African context

HRA 801 Human rights in Africa 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 20

Module content:

This module provides an overview of the human rights norms, institutions and processes of the African Union, with a focus on the African Charter on Human and Peoples' Rights.

HRA 802 International human rights law relevant to sexual and reproductive rights in Africa 802

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 1

Language of tuition: English

Credits: 20

Module content:

The focus of this module is on the principles and processes of international human rights law at the global and regional level, and their relevance to issues of reproductive and sexual health and to the situation of sexual minorities, with specific reference to Africa.

Topics include:

- (a) History, philosophy and ideology of human rights, with particular reference to Africa
- (b) Basic concepts of international and national human rights law
- (c) The global (UN) system of human rights protection: norms, institutions, procedures, and their relevance to reproductive and sexual rights
- (d) The African (African Union) system of human rights protection: norms, institutions, procedures, and their relevance to reproductive and sexual rights (placed in comparative perspective, with reference to European and inter-American systems)
- (e) The actual and potential role of regional economic communities (at sub-regional level) in Africa in the protection of human rights in Africa, with specific reference to reproductive and sexual rights
- (f) An overview of human rights protection at the domestic level, with specific reference to selected African states
- (g) Understanding the role of international human rights mechanisms in the protection of sexual minorities.

HRA 803 Applying human rights principles to realise sexual and reproductive health rights claims 803

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 1

Language of tuition: English

Credits: 20

Module content:

The focus of this module is on the application of human rights principles to reproductive and sexual health with a view to realising claims on these rights at domestic, regional and global levels.

Topics include:

- (a) Applying human rights to sexual and reproductive health, including the rights to equality, life, human dignity, freedom from inhuman and degrading treatment, health, information, education, reproductive self-determination, maternity protection in employment, liberty and security of the person, and privacy.
- (b) Developing a sexual and reproductive rights claim through identifying the reproductive health wrong, its causes and the wrongdoer; documenting the alleged wrong; determining which laws are implicated, identifying human rights standards for determining breach of a reproductive right.
- (c) Advancing a sexual and reproductive rights claim at the domestic level with reference to realising reproductive rights through regulatory and disciplinary procedures, courts of law, alternative dispute resolution, domestic human rights institutions, and ombudspersons.
- (d) Advancing a sexual and reproductive rights claim at the regional and sub-regional levels with reference to realising reproductive rights through African regional and sub-regional institutions.
- (e) Advancing a sexual and reproductive rights claim at the global level with particular reference to realising reproductive rights through United Nations treaty monitoring bodies.
- (f) Drawing lessons from comparable regional human rights systems with particular reference to the European and Inter-American regional human rights systems.

HRA 804 Applying human rights principles to selected reproductive health issues in Africa 804

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 2 of year 1

Language of tuition: English

Credits: 20

Module content:

The focus of this module is on the application of human rights principles to discrete reproductive health issues with a view to developing human rights responses to contemporary reproductive health challenges in the African region.

Topics include:

- (a) Contraception
- (b) Domestic violence
- (c) Female genital cutting
- (d) Infertility and medical-assisted reproduction
- (e) Maternal death
- (f) Sexual violence in times of conflict
- (g) Sexuality and reproductive health education
- (h) Trafficking in women and children
- (i) Unsafe abortion

HRA 805 Applying human rights principles to selected sexual rights and sexuality issues in Africa 805

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 2 of year 1

Language of tuition: English

Credits: 20

Module content:

The focus of this module is on the application of human rights principles to selected issues related to sexual and sexuality issues in Africa, with a view to developing human rights responses to related contemporary challenges in the African region.

Topics include:

- (a) Overview of relevant concepts
- (b) The foundation of sexual rights in international human rights instruments
- (c) Sexual norms and gender stereotypes
- (d) Sex work and human rights
- (e) Sexual coercion and abuse
- (f) Sexually transmitted infections including HIV and rights relating to information and prevention
- (g) The right to comprehensive sexual education
- (h) Harmful traditional practices that violate sexual rights
- (i) Link between sexual rights and reproductive health rights
- (j) Advocacy strategies for sexual rights

HRA 806 Applying human rights principles to selected rights of sexual minorities in Africa 806

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 2

Language of tuition: English

Credits: 20

Module content:

The focus of this module is on the application of human rights principles to selected issues affecting sexual minorities in Africa, with a view to developing human rights responses to related contemporary challenges in the African region.

Topics include:

- (a) Providing a critical understanding of the concepts 'sexual orientation' and 'gender identity', 'homosexual', 'bisexual', 'gay', 'lesbian', 'transgender', 'intersex', 'sexual minority', 'heterosexism', and 'queer'
- (b) Understanding theories on the psychology, biology and sociobiology of homosexuality
- (c) Investigating the global history of homosexuality, particularly in the 'West' (USA and Britain) and its influence on Africa
- (d) Investigating the evolution of homosexuality and society in Africa, including an anthropological review of homosexuality in traditional African societies, and under colonialism and in post-colonial Africa
- (e) Understanding the nature of the violation of rights of 'sexual minorities' (including violations to the rights to health; discrimination based on actual or presumed sexual orientation, gender identity and HIV status; sexual and other forms of violence; violations of the right to privacy; stigmatisation and its consequences) particularly by states and non-state actors in Africa
- (f) Understanding the reasons for rights violations and homophobia in Africa by investigating the role of culture/tradition, religion and majoritarianism
- (g) Considering the role of public policy, by focusing on the need and possibilities for legal reform, and strategies to sensitise communities for the rights of sexual minorities and change homophobic attitudes

HRA 807 Research and advocacy to realise sexual, reproductive health and sexual minority rights claims in Africa 807**Academic organisation:** Centre for Human Rights**Contact time:** 30 hours per semester**Period of presentation:** Semester 1 of year 2**Language of tuition:** English**Credits:** 15**Module content:**

This module aims to equip students with the skills for advocacy of and to conduct research on sexual and reproductive health issues, with a view to the realisation of these rights and the rights of sexual minorities in Africa.

Topics include:

- (a) Defining human rights violations
- (b) Analysing root causes of human rights violations
- (c) Social sciences research methods
- (d) Investigating facts and gathering evidence
- (e) Conducting interviews
- (f) Strategic thinking including developing strategic partnerships
- (g) Advanced legal reasoning and legal writing
- (h) Strategic impact litigation
- (i) Negotiation and mediation
- (j) Media advocacy
- (k) Engaging government and other stakeholders
- (l) Conducting a practical exercise as simulation of an actual intervention to decrease stigma and increase sensitisation and acceptance of the rights of LGBTI communities in the context of the country in which the students find themselves.

ICH 801 International and comparative human rights 801**Academic organisation:** Centre for Human Rights**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** English**Credits:** 20**Module content:**

In this module, introductory human rights concepts are examined; the human rights systems under the United Nations, Council of Europe and the Organisation of American States and some selected national law systems are also analysed.

ICL 802 International criminal law 802**Academic organisation:** Public Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

- (a) A general introduction to international criminal law; key concepts and basic definitions of international criminal law and international criminal jurisdiction
- (b) The origin of the International Criminal Court and the implementation of the Statute of the International Criminal Court in South African law
- (c) Participation in international crimes and defences against international criminal liability
- (d) The move from state liability to individual liability in international criminal law
- (e) The crimes of genocide, war crimes and crimes against humanity in international criminal law

IDT 802 Indirect tax 802**Academic organisation:** Mercantile Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

- (a) The basic working of VAT
- (b) Output tax
- (c) Input tax
- (d) Exempt supplies
- (e) Zero-rated supplies
- (f) Adjustments in respect of change of use
- (g) Objection and appeal procedure under the VAT Act

IEL 801 International environmental law 801**Academic organisation:** Public Law**Contact time:** 28 hours (during the course of the semester)**Period of presentation:** Semester 2**Language of tuition:** English**Credits:** 30**Module content:**

This module involves advanced study of the following:

- (a) Key concepts and principles of international environmental law
- (b) Climate change
- (c) Biodiversity
- (d) Hazardous substances and activities
- (e) Responsibility and liability for environmental harm
- (f) Oceans and the law of the sea

IET 811 International elective module 811**Academic organisation:** Law Dean's Office**Period of presentation:** Semester 2**Language of tuition:** English**Credits:** 30

IET 812 International elective module 812**Academic organisation:** Law Dean's Office**Period of presentation:** Semester 2**Language of tuition:** English**Credits:** 30**IGZ 802 Patent, design and plant protection law 802****Academic organisation:** Private Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Double medium**Credits:** 30**Module content:**

The following aspects will be dealt with:

- (a) Patents Act no. 57 of 1978
- (b) Designs Act 195 of 1993.
- (c) Plant Breeders' Rights Act 15 of 1976
- (d) History of Patent and Design law
- (e) Patent-related international instruments
- (f) Compliance with international instruments
- (g) Registrability of patents and designs
- (h) Capita selecta including: validity; interpretation of specifications; infringement; amendment or correction; compulsory licences; convention applications and exhaustion of rights.

IGZ 803 Trademark law and protection of intellectual property rights 803**Academic organisation:** Private Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

The following aspects will be dealt with:

- (a) Trade Marks Act 194 of 1993
- (b) Merchandise Marks Act 17 of 1941
- (c) Counterfeit Goods Act 37 of 1997
- (d) History of trade mark law
- (e) Relationship between registered trade marks and unregistered trade marks
- (f) Trademark-related international instruments
- (g) Compliance with international instruments.
- (h) Capita selecta including: registrability and validity; infringement; amendment or correction
- (i) Civil remedies for the infringement of intellectual property rights.
- (j) Criminal remedies for the infringement of intellectual property rights.

IGZ 804 Fundamental principles of intellectual property law and copyright law 804**Academic organisation:** Private Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

The following aspects will be dealt with:

- (a) The Nature of IPL
- (b) The justification for IP protection
- (c) Copyright Act 98 of 1978
- (d) Performers' Protection Act 11 of 1967
- (e) Registration of Copyright in Cinematograph Films Act 62 of 1977
- (f) History of copyright law.
- (g) Copyright-related international instruments
- (h) Compliance of South African law with international instruments
- (i) Capita selecta including: subsistence and conferral of copyright; scope of and exceptions to copyright; infringement of copyright

IHM 801 International humanitarian law and human rights in military operations 801**Academic organisation:** Institute for International and Comparative Law in Africa in collaboration with the Department of Public Law**Contact time:** 26 hours spread over two per week during 13 weeks**Period of presentation:** Semester 1**Language of tuition:** English**Credits:** 30**Module content:**

- (a) The applicability of international human rights law (IHRL) and international humanitarian law (IHL)
- (b) Basic principles of IHRL and IHL
- (c) Interplay, convergence and conflict between IHRL and IHL
- (d) Implementation and enforcement of IHRL and IHL
- (e) The relation of IHRL and IHL to other fields of international law
- (f) The deprivation of liberty in IHRL and IHL
- (g) The use of force in IHRL and IHL.

IIL 801 International insolvency law 801**Academic organisation:** Procedural Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

The module comprises a capita selecta from contemporary issues relating to the law of

international insolvency. Aspects dealt with include the following:

- (a) Modern trends and developments in insolvency law
- (b) Current issues in international insolvency law
- (c) Cross-border insolvency law systems in South Africa as well as in selected other jurisdictions

ISR 801 Insolvency law 801

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

- (a) The nature and purpose of insolvency law with reference to the collection process
- (b) The application of the proceeds and liability for contribution
- (c) Sequestration and rehabilitation applications
- (d) The assets of the insolvent estate
- (e) The assets of the solvent spouse
- (f) Unexecuted transactions
- (g) Impeachable transactions
- (h) Composition

ITA 802 International labour law 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module covers aspects of international labour law and includes:

- (a) International instruments (ILO and EU)
- (b) Employment equity
- (c) Termination of contracts of employment
- (d) Collective bargaining and strikes

ITL 801 Advanced income tax law 801

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) The basic principles pertaining to gross income
- (b) Specific inclusions in gross income – interest, royalties, etc
- (c) General principles pertaining to deductible expenses
- (d) Examples of allowable and non-allowable deductions – rent, improvements, royalties, etc
- (e) Tax evasion and tax avoidance under the Income Tax Act
- (f) Objection and appeal procedures

IVL 801 Individual labour law 801

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

Advanced study of:

- (a) Employment contract: essentialia and duties of parties
- (b) Application and scope of Labour Relations Act of 1995
- (c) Unfair labour practices
- (d) Unfair dismissal
- (e) Retrenchment and transfer of employment contracts

KUB 802 Information and communications technology law 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module will provide students with detailed knowledge and understanding of the underlying theory and diverse provisions of applicable international and domestic legislation as well as practical guidance on the application thereof. The following aspects will be addressed within the context of information and communications technology law:

- (a) General introduction to international and domestic information technology law
- (b) General principles of international and domestic electronic contracting
- (c) Capita selecta from electronic transacting: online gaming, auctions and the sales of restricted goods, electronic payment methods and digital banking/financial services
- (d) Consumer protection
- (e) Privacy and data protection
- (f) Free speech on the Internet
- (g) Cyber crime
- (h) Electronic challenges facing copyright law
- (i) Domain name regulation, governance and dispute resolution
- (j) Internet Service Provider (ISP) rights, duties and liabilities

LBR 802 Liquidation and business rescue 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

- (a) Compromises and arrangements in terms of section 311 of the Companies Act 61 of 1973
- (b) Initiation and consequences of the winding-up of companies and close corporations (c) Administration of insolvent estates and the drafting of liquidation and distribution Accounts
- (d) Judicial management and other business rescue mechanisms

LLM 890 Dissertation: Law 890

Academic organisation: Office of the Dean

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 200

LOE 802 Advanced law of evidence 802

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

The module comprises a study of selected capita of contemporary issues relating to the law of evidence. Aspects dealt with include the following:

- (a) Relevance and the fact-finding process: problematic aspects
- (b) Evidentiary aspects of the sentencing process with specific reference to the role of behavioural sciences
- (c) Expert witnesses and the "hired gun" phenomenon
- (d) A constitutional perspective on the privilege against self-incrimination
- (e) Specific aspects of the Electronic Communications and Transactions Act
- (f) Evidentiary aspects of the Sexual Offences Act

LRD 802 Global perspectives on law, justice and development 802

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with the following aspects:

- (a) Post-structural/postmodern legal theory
- (b) Post-colonial legal theory
- (c) Feminist legal theory
- (d) Application within a developmental context

LRR 801 Law of securities 801

Academic organisation: Mercantile Law

Prerequisite: Must pass an entrance test

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

- (a) Shares and debentures
- (b) Capital rules
- (c) Acquisition of capital and quasi shares
- (d) Secondary markets

MCL 801 Applied international law 801

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

The module deals with the principles of international law at an advanced level. It focuses on theoretical questions pertaining to sources of the law and the relationship between international and national law. It analyses new developments in international law such as the changing content of sovereignty and the phenomenon of regional integration.

MHR 801 Multidisciplinary human rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

A combination of at least seven of the following topics:

- (a) The state, democracy and human rights
- (b) International relations and human rights
- (c) History of human rights, including "grassroots narratives"
- (d) Human rights in visual media (art and film)
- (e) Human rights in literature
- (f) Human rights fact-finding and reporting; human rights journalism
- (g) Human rights and HIV/Aids
- (h) Medicine, medical ethics and human rights
- (i) Civil society, "grassroots movements" and human rights
- (j) Poverty and human rights

- (k) Globalisation and human rights
- (l) Human rights and social change
- (m) Social science research and human rights
- (n) Tradition, religion and human rights
- (o) Gender and human rights
- (p) Transitional justice, reconciliation and justice

MKR 801 Company law 801

Academic organisation: Mercantile Law

Prerequisite: Must pass an entrance test

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

- (a) The company concept
- (b) Capacity and representation of the company
- (c) Duties of the company director
- (d) Minority protection

MND 800 Mini-dissertation 800

Academic organisation: Law Dean's Office

Prerequisite: RHP 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 100

Module content:

The student must submit a research proposal during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.

A mini-dissertation (MND 800) of 13 000 to 15 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required.

The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the Postgraduate Committee

MND 802 Mini-dissertation 802

Academic organisation: Centre for Human Rights

Prerequisite: NRM 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 125

Module content:

- (a) The student must submit a research proposal during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.
- (b) A mini-dissertation (MND 802) of 18 000 to 20 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the study leader not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the Postgraduate Committee.

MND 803 Mini-dissertation 803

Academic organisation: Law Dean's Office

Prerequisite: RHP 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 130

Module content:

- (a) The student must submit a research proposal during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.
- (b) A mini-dissertation (MND 803) of 23 000 to 25 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the study leader not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the Postgraduate Committee.

MND 804 Mini-dissertation 804

Academic organisation: Law Dean's Office

Prerequisite: RHP 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 70

Module content:

- (a) The student must submit a research proposal during his/her second year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.
- (b) A mini-dissertation (MND 804) of minimum of 15 000 words including footnotes but excluding the list of contents and the bibliography – is required. The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the Postgraduate Committee

MPI 890 Dissertation: Law 890

Academic organisation: Office of the Dean

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 200

MPL 802 Matrimonial property law 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

- (a) Aspects of the Bill of Rights and the family law
- (b) Mediation in divorce law
- (c) Aspects of legal consequences of divorce between spouses
- (d) New development in the law of husband and wife

NRM 801 Research methodology for human rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 5

Module content:

In this module, the focus is on aspects of human rights research, fact finding, advocacy and education.

PAJ 801 Post-apartheid Jurisprudence 801

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with the following aspects:

- (a) Transformative constitutionalism
- (b) Post-apartheid jurisprudence
- (c) Law, memory, reconciliation and reparation

PBL 811 Theory and practice of medical law

Academic organisation: Public Law

Contact time: 2 lpw (50 minutes each)

Period of presentation: Semester 1

Language of instruction: English

Credits: 30

Module content:

The topics covered include:

- (a) Historical, philosophical and foundational aspects of medical law and ethics, in general, and with specific reference to the doctor-patient-hospital relationship
- (b) Basic concepts in medical law and ethics, in general, and with specific reference to informed consent, medical confidentiality, capacity, medical paternalism and patient autonomy.
- (c) The specific interface between medical law and medical ethics

PBL 812 Access to healthcare and medical malpractice litigation 812

Academic organisation: Public Law

Contact time: 2 lpw (50 minutes each)

Period of presentation: Semester 1

Language of instruction: English

Credits: 30

Module content:

In this module a multidisciplinary approach is adopted and the topics include the following:

- (a) Justice in the allocation of health resources, access to healthcare and healthcare insurance
- (b) The nature, scope and incidences of medical malpractice litigation in South Africa
- (c) The nature and scope of damages and compensation for medical negligence
- (d) Grounds of justification for medical interventions and other general defences in medical law
- (e) The various causes of action in medical malpractice litigation
- (f) Vulnerable patients (inclusive of children, the mentally ill/disabled and the elderly) and medical malpractice litigation
- (g) Allied healthcare practitioners (inclusive of nurses, psychologists, traditional healers etc) and medical malpractice
- (h) The role of telemedicine and e-health in medical malpractice
- (i) Reform of medical malpractice law
- (j) The drafting/assessment of pleadings in context of medical malpractice litigation

PBL 813 Medico-legal issues

Academic organisation: Public Law

Contact time: 2 lpw (50 minutes each)

Period of presentation: Semester 2

Language of instruction: English

Credits: 30

Module content:

In this module, specific aspects of medico-legal issues are discussed. Specifics topics include:

- (a) A legal analysis of clinical medical research and practice
- (b) Analysing the application of mental healthcare law and practice in South Africa
- (c) The status and application of end-of-life-decisions and living wills
- (d) A legal analysis of organ procurement and transplantation
- (e) The nature, scope and application of forensic pathology services, also in context of sexual offences, "unnatural deaths" and inquest legislation
- (f) A legal analysis of human procreation (inclusive of artificial insemination, stem cell research, surrogacy and genetics)
- (g) Environmental issues and medical law
- (h) Intellectual property rights and medical law: access to patented and generic medicine

PLC 801 Aspects of private law pertaining to children 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta from any of the following:

- (a) Private legal status of children in South Africa
- (b) Parent-child relationship

- (c) Children's rights and parental responsibilities
- (d) Adoption and alternative care
- (e) Reproductive and healthcare rights
- (f) The theory of children's rights

RHP 801 Research methodology 801

Academic organisation: Jurisprudence

Contact time: Period of intensive lectures during a Summer School or Winter School **Period of presentation:** February or May

Language of tuition: English

Credits: 5

Module content:

- (a) Planning and organising a research project
- (b) Drafting a research proposal: Hypotheses and research question
- (c) Theory in research and methodological approaches to legal research
- (d) Language
- (e) Citation and ethics of citation
- (f) Drafting of chapters and presentation

RHP 802 Research methodology 802

Academic organisation: Jurisprudence

Contact time: Period of intensive lectures during a Summer School and Winter School

Period of presentation: February or May

Language of tuition: English

Credits: 5

Module content:

- (a) Planning and organising a research project
- (b) Drafting a research proposal: Hypotheses and Research question
- (c) Theory in research and Methodological approaches to legal research
- (d) Language
- (e) Citation and ethics of citation
- (f) Drafting of chapters and presentation
- (g) Substantive themes in legal research

RHP 803 Research proposal 803

Academic organisation: Law Dean's Office

Period of presentation: Year

Language of tuition: Double medium

Credits: 5

Module content:

Development and presentation of a research proposal. (A research proposal must be submitted to the supervisor and accepted in the first semester of the second year of study before the student will be allowed to register for the mini-dissertation.)

RHP 804 Research proposal and oral defence 804

Academic organisation: Law Dean's Office

Period of presentation: Semester 1 or Semester 2

Language of tuition: Double medium

Module content:

Research proposal and oral defence of the research proposal. A draft proposal must be approved by the supervisor. The student must convince the panel of the feasibility of the research before the student may embark on the writing of the dissertation. This module must be completed within one year after registration.

RHP 806 Structured research proposal preparation 806

Academic organisation: Law Dean's office

Period of presentation: Semester 1 or Semester 2

Language of tuition: Double medium

Module content:

Structured preparation for the writing of the research proposal and the defence thereof.

RVM 801 Introduction to the South African legal system and Bill of Rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 20

Module content:

This module provides an introductory overview of the South African Bill of Rights and constitutional litigation and analyses some selected rights in more depth within a comparative African constitutional context.

SAL 801 International air, space and telecommunication law 801

Academic organisation: Institute for International and Comparative Law in Africa in collaboration with the Department of Public Law

Contact time: 26 hours distributed over block periods

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

- (a) The public and private law aspects of air law
- (b) The regulatory system of the International Telecommunication Union
- (c) The history and major principles of space law
- (d) The use of space for military purposes
- (e) Liability for the wrongful use of space

SCL 801 Statutory competition law 801

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module will provide students with detailed knowledge and understanding of the underlying policy and diverse provisions of the Competition Act 89 of 1998 (as amended) as well as practical guidance on the application thereof. The following aspects will be dealt with within the context of international comparative competition law:

- (a) Introduction to competition policy, jurisdiction and the structure of competition authorities
- (b) Economics of competition law
- (c) Relevant aspects of markets and market power
- (d) Horizontal agreements and restrictive horizontal practices
- (e) Vertical agreements and restrictive vertical practices
- (f) Abuse of dominance
- (g) The Competition Act and price setting
- (h) Exemption applications
- (i) Merger assessment
- (j) Merger regulation: legal and procedural aspects

SKC 802 Law of specific contracts 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

A. *Sale*

- 1. General principles
- 2. Capita selecta from:
 - (a) Historical background of the deed of sale
 - (b) Methods of determining the subject matter: purchase price and thing sold
 - (c) Formalities regulations for sale of land
 - (d) The Actio Empti, Actio Redhibitoria and Actio Quanti Minoris
 - (e) Transfer of ownership and warranty against eviction
 - (f) Payment of price: suspensive condition
 - (g) Benefit and risk

B. *Lease*

- 1. General principles
- 2. Capita selecta from:
 - (a) Nature of the contract of lease
 - (b) Essentialia
 - (c) Rental Housing Act 50 of 1999: nature and powers of rental housing tribunals
 - (d) Obligations of the lessor and lessee
 - (e) Remedies of the lessor and lessee
 - (f) "Huur gaat voor koop"
 - (g) Improvements to the leased property: rights, obligations and remedies

C. *Aspects of surety ship and agency*

SRC 802 Socio-economic rights in the South African Constitution 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

An analysis of the theory and practice of constitutional socio-economic rights in South Africa, with a specific focus on litigation and legal activism in this respect.

SRI 801 Socio-economic rights under comparative and international law 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) Protection of socio-economic rights in other domestic jurisdictions, in particular in Africa
- (b) Introduction to international human rights law
- (c) Socio-economic rights in the UN human rights system
- (d) Socio-economic rights in the African human rights system
- (e) Socio-economic rights in the European human rights system
- (f) Socio-economic rights in the inter-American human rights system
- (g) Socio-economic rights in other emerging regional human rights systems

SRP 801 Sports law 801

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

- (a) Aspects of sport contracts
- (b) Employment law issues in sport
- (c) Liability for sport injuries
- (d) Commercial rights
- (e) Doping in sport
- (f) Aspects of constitutional law

SSK 802 Aspects of criminal and criminal procedural law pertaining to children 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 30

Module content:

Capita selecta from any of the following:

- (a) Crimes against children
- (b) The child as witness
- (c) The child as perpetrator
- (d) Child pornography
- (e) Trafficking in children
- (f) Aspects of psychology and/or criminology regarding crimes against children

TAX 801 General principles of tax 801

Academic organisation: Department of Mercantile Law

Contact time: 2 lectures per week

Period of presentation: Semester 1

Language of tuition: Double medium **Credits:** 40

Module content:

- (a) Interpretation of tax legislation
- (b) Tax administration
- (c) Rules of the tax court
- (d) Other relevant principles of taxes

TAX 802 Current issues in taxation 802

Academic organisation: Department of Mercantile Law

Prerequisite: TAX 801

Contact time: 2 weeks intensive lectures, 40 hours per week

Period of presentation: Mid-year June-July

Language of tuition: Double medium **Credits:** 15

Module content:

- (a) Wealth transfer taxes
- (b) Taxes and international business activities
- (c) Customs and excises
- (d) Other current issues in taxation

TAX 803 Income and consumption taxes 803

Academic organisation: Department of Mercantile Law

Prerequisite: TAX 801

Contact time: 2 lectures per week

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 40

Module content:

- (a) South African Income Tax Act (No 58 of 1962)
- (b) Value-Added Tax Act (No 89 of 1991)
- (c) Other related income and consumption taxes

TAX 804 Technical research reports 804

Academic organisation: Department of Mercantile Law

Period of presentation: Semester 1 and Semester 2 (June and November)

Language of tuition: Double medium **Credits:** 25

Module content:

The technical research reports module will comprise a minimum of three (3) technical reports of 3 000 words (approximately 10 pages) each, related to the following:

- (a) The general principles of taxes
- (b) The current issues in taxation
- (c) The income and consumption taxes

All the required technical research reports in the module need to be submitted by the student and all the reports will count towards the final mark of the module. However, a subminimum of 40% for each technical research report and an average of 50% will be required for the student to successfully complete the module.

TBL 802 Advanced transnational business law 802

Academic organisation: Mercantile Law

Prerequisite: TBR 420

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 30

Module content:

- (a) International contracts including transport contracts and insurance contracts for goods in international transactions
- (b) Methods of payment in international contracts
- (c) Settling of disputes regarding international transactions: judicial and extra-judicial (international commercial arbitration)
- (d) International trade organisations
- (e) Foreign investments and financing

TOR 802 International take-overs and reorganisations 802

Academic organisation: Mercantile Law

Prerequisite: Have to pass entrance test

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium **Credits:** 30

Module content:

This module deals with aspects of the following topics:

- (a) South African take-overs and reorganisations
- (b) International (USA and EU) take-overs and reorganisations
- (c) Competition law

