

# University of Pretoria Yearbook 2016

## LLB Law (04130007)

**Duration of study** 4 years

### Programme information

The LLB is the first professional qualification for legal practitioners and provides qualifiers with the necessary theoretical knowledge and practical skills to gain entry into the formal legal profession (eg attorneys/advocates), or to follow other careers in law.

### Admission requirements

- In order to register for degree programmes NSC/IEB/Cambridge candidates must comply with the minimum requirements for degree studies as well as the minimum requirements for the relevant study programme.
- Life Orientation is excluded when calculating the Admission Point Score (APS).
- To gain access to the Faculty of Law, prospective students require the appropriate combinations of recognised National Senior Certificate (NSC) subjects, as well as certain levels of achievement in these subjects.
- The following persons may also be considered for admission: a candidate who is in possession of a certificate that is deemed by the University to be equivalent to the required Grade 12 certificate with university endorsement; a candidate who is a graduate from another tertiary institution or has been granted the status of a graduate of such an institution; and a candidate who is a graduate of another faculty at the University of Pretoria.

#### Note:

- A conditional exemption certificate is not accepted for admission to LLB studies.
- Only applicants who comply with all the abovementioned admission requirements will be considered for admission.
- Candidates who obtained a BA (Law) or BCom (Law) degree at UP will not be subjected to a selection process and will automatically be admitted to register for the LLB degree.
- International students must obtain a full exemption certificate from Higher Education South Africa (HESA) before they will be considered for admission. All students who commenced with their studies for BA (Law) BCom (Law) and LLB prior to 2013 irrespective of the institution have to register for and complete the LLB according to the 2012 curriculum. Students who are admitted as first-year students at UP in 2015 have to register for the new curriculum.
- LLB is a full-time four-year programme. Students are not permitted to obtain full-time employment while registered for LLB.

Minimum requirements for 2016				
Achievement level				
Afrikaans or English				APS
NSC/IEB	HIGCSE	AS-Level	A-Level	
5	3	C	C	32*

\*Candidates with an APS of 32 or higher will on receipt of their applications be accepted on a continuous basis until 30 September or until all available places have been taken. Candidates with an APS of 38 or higher will be accepted on a continuous basis until January of the next academic year irrespective of the number of candidates already accepted.

## Other programme-specific information

The Dean determines which elective 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 determine the maximum number of registrations for a specific elective module. The Dean may, on recommendation of the relevant head of department, determine that a particular fourth-year elective module will not be offered where on the first day of lectures nine or fewer students are registered for the module.

The Dean has the discretion to credit any other legal module of equal standard passed at another institution as an elective.

The following aspects should be kept in mind:

- Students have to familiarise themselves with the prerequisites for modules from other faculties.
- The modules must fit in on the timetable.
- Number limits of some modules.

Advisory note: Students who intend to pursue an LLB degree must note that to obtain the LLB degree they will be required to obtain at least 24 credits from the following list of language modules: AFR 110, AFR 120, AFR 114, ENG 118, ENG 110, ENG 120.

Elective modules for fourth year of study:

4 modules selected from the following list:

- Law and transformation 410 (AMR 410)
- Alternative dispute resolution 420 (AGF 420)
- Child law 410 (KID 410)
- Deeds and notarial practice 410 (ANO 410) [prerequisite: SAR 310]
- Education law 420 (ONR 420)
- Environmental law 410 (OMR 410)
- Information and communications technology law 420 (KUB 420)
- International elective module 1 (IET 411)
- International elective module 2 (IET 412)
- International elective module 3 (IET 413)
- International elective module 4 (IET 414)
- International humanitarian law 420 (PUR 420)
- Jurisprudence 420 (JUR 420)
- Land and land reform law 420 (GHR 420)
- Law and the community 420 (CLW 420)
- Law of banking and financial institutions 410 (LBF 410)
- Law of damages 410 (SGR 410)
- Law of securities 410 (LOC 410)
- Legal problems of HIV and Aids 410 (RHV 410)
- Media law 420 (MDR 420)

- Medical law 410 (GRG 410)
- Moot Court 420 (SKH 420)(students representing UP in the African Human Rights Moot Court Competition or in the Phillip Jessup International Law Moot Court Competition)
- Municipal law 410 (MRG 410)
- Practical law 400 (PRR 400)(see # below) (20 credits; 2 electives)
- Private international law 410 (IPR 410)
- Social security law 420 (SOR 420)
- Sports law 420 (SRR 420)
- Statutory crimes 410 (SMI 410)
- Tax practice 420 (BLP 420)
- Transnational business law 420 (TBR 420)
- Trusts and estates 410 (TBS 410)

### # Practical law 400

The number of students who may be admitted to the module Practical law (PRR 400) is predetermined by the Dean, in consultation with the Head of the Department of Procedural Law.

Prospective students must apply for admission to the module.

Should more students apply for admission to the module than can be accepted, a selection process will take place on the basis of a student's previous performance and an interview with the Director of the Law Clinic.

Students are promoted on the basis of tests, satisfactory execution of assignments, sessions in the Law Clinic and an oral examination.

Practical law (PRR 400) counts 20 credits and counts as two electives.

Certain modules are only applicable to exchange students.

### General requirements

#### 1. Repeating of modules and maximum number of modules per year

- Students who fail modules must repeat the modules in the following year.
- Students will, however, not be allowed to take more than 200 credits per year. (This will mean that in certain instances students will not be allowed to take all the modules required for a specific year as the outstanding modules must first be repeated and passed.) The Dean may, however, exercise discretion to grant exemption from this provision.
- It is the student's responsibility to choose modules that will not lead to class, test or examination timetable clashes.

#### 2. Credit for modules

Students transferring from another university can only obtain credit for at the most 50% of the modules needed for the degree and must complete at least 50% of the modules at the University of Pretoria.

### Dean's merit list

The Student Administration office publishes the Dean's merit list by March of every calendar year. The list contains the student numbers, in chronological sequence, of those students who achieved a weighted average (ie in accordance with the credit value of each module) of at least 75% in the preceding calendar year.

The weighted average is calculated as follows: The final mark obtained for each module for which the student registered in the preceding calendar year is multiplied by the credit value for that particular module. The sum of the values so obtained for each module are added together and divided by the total of the credit values of all modules for which the student registered in the preceding calendar year. The average so calculated is not rounded off.

A student who failed module(s) or who failed to gain entrance to the exam in the module(s) in a given calendar year may not appear on the Dean's merit list for that calendar year. A student who registered for less than nine

modules in a calendar year may not appear on the Dean's merit list for that calendar year. Modules passed at other universities are not considered in calculating the weighted average.

## Transitional measures

### Transitional measures for students who registered for the LLB for the first time prior to 2013:

1. Students who registered for the LLB for the first time prior to 2013 will be allowed to register for the modules as set out in the relevant (pre-2013) yearbook. Yearbooks available at <http://web.up.ac.za/default.asp?ipkCategoryID=1797>
2. A student must pass at least 8 semester modules in order to be promoted to the next year of study. First-year students who passed 4 to 7 semester modules may reregister but will not be promoted to the next year of study and therefore will have to register for the 2013 curriculum. The same will apply mutatis mutandis for second-, third- and fourth-year students in 2013 and beyond. (General Regulation G.5.2.c read with paragraph (e), page 17, 2013 Faculty of Law yearbook.)
3. A student who passed less than 4 semester modules will not be readmitted to the Faculty of Law. A student who has forfeited readmission to the Faculty, may apply in writing to the Admissions Committee of the Faculty for conditional readmission to the Faculty – with the proviso that the Admissions Committee may stipulate further requirements for progress. A student's application for conditional readmission to the Faculty may be refused. A student who has been conditionally readmitted to the Faculty will have to register for the 2013 curriculum and his/her studies will be monitored after the first-semester examination in order to determine whether such student has met the set conditions.
4. The table below sets out the equivalent module(s) in the revised curriculum. Students who registered for the LLB for the first time prior to 2013 register for the "old" first-year module but attend the classes of the "new" module. The module coordinators for each of the "new" modules will devise detailed transitional arrangements, and publish these arrangements in the study guides, so that "old" students only attend lectures and tutorials dealing with the "old" curriculum, and so that "old" students are only assessed on the "old" curriculum. (Pre-2013 LLB students register for the module in the left-hand column and attend the relevant classes and perform the relevant assessment tasks for the modules in the right-hand column. The module coordinators must ensure that pre-2013 students attend the classes and perform the assessment tasks that correspond with the course content of the pre-2013 modules). Repeating students who fail "old" first-year modules again in 2013 must still register for the "old" module in 2014 but will be expected to complete the content of the "new" module. Repeating students who fail "old" second- to fourth-year modules again in 2014 must still register for the "old" module in 2015 but will be expected to complete the content of the "new" module.

Please note: The new module codes for 2nd-, 3rd- and 4th-year modules become effective in 2014, 2015 and 2016 respectively.

LLB I	
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<b>2012 Curriculum (Pipeline students register for these modules.)</b>	<b>2013 Curriculum (Pipeline students attend classes and perform appropriate assessment tasks in these modules.)</b>
<b>RVD 110</b>	JUR 110*
<b>RVD 120</b>	JUR 120*
<b>HVR 110</b>	ROM 120*
<b>HVR 120</b>	ROM 120*
<b>IDR 110</b>	JUR 110*
<b>IDR 120</b>	JUR 120*
<b>PSR 110 (no change)</b>	PSR 110
<b>FMR 110</b>	FMR 121*
<b>FMR 120</b>	FMR 121*

<b>LLB II</b>	<b>As from 2014</b>
<b>2012 Curriculum</b>	<b>2013 Curriculum</b>
<b>ABR 210</b>	ABR 410
<b>KTH 220 (no change)</b>	KTH 220
<b>ERF 211</b>	ERF 222*
<b>ERF 221</b>	ERF 222*
<b>KTR 210</b>	KTR 211*
<b>KTR 220</b>	KTR 211*
<b>MRT 220</b>	PBL 200*
<b>RPR 210 (no change)</b>	RPR 210
<b>RVW 210 (no change)</b>	RVW 210
<b>SRG 210</b>	PBL 200*
<b>SRG 220</b>	PBL 200*
<b>VBB 220 (no change)</b>	VBB 220

<b>LLB III</b>	<b>As from 2015</b>
<b>2012 Curriculum</b>	<b>2013 Curriculum</b>
<b>ADR 310</b>	PBL 310
<b>BWR 311</b>	BWR 300*
<b>BWR 321</b>	BWR 300*
<b>DLR 320 (no change)</b>	DLR 320
<b>ISR 310 (no change)</b>	ISR 310
<b>IGZ 320 (no change)</b>	IGZ 320
<b>ODR 320 (no change)</b>	ODR 320
<b>VHD 320 (no change)</b>	VHD 320
<b>RFF 311</b>	JUR 310
<b>RPK 310</b>	RPK 210



<b>RPK 320</b>	<b>RPK 220</b>
<b>SAR 310 (no change)</b>	<b>SAR 310</b>
<b>VRR 310 (Kept open for repeaters and students who registered in 2012 and prior to 2012. VRR 310 will be presented for a further two years and a Summer School may be held in 2014.)</b>	

<b>LLB IV</b>	<b>As from 2016</b>
<b>2012 Curriculum</b>	<b>2013 Curriculum</b>
<b>BLR 410</b>	<b>BLR 310</b>
<b>DVR 420 (Kept open for repeaters and students who registered in 2012 and prior to 2012. DVR 420 will be presented for a further two years and a Summer School may be held in 2015.)</b>	
<b>IPW 410</b>	<b>PBL 320</b>
<b>SIP 410</b>	<b>SIP 400*</b>
<b>SIP 420</b>	<b>SIP 400*</b>
<b>SGR 410 (Kept open for repeaters and students who registered before 2013.)</b>	
<b>SKY 400 for pipeline students (RHP 320 offered for the first time in 2015 and SKY 410 offered for the first time in 2016.)</b>	
<b>SPR 410</b>	<b>SPR 400*</b>
<b>SPR 420</b>	<b>SPR 400*</b>
<b>STR 410</b>	<b>PBL 410</b>
<b>STR 420</b>	<b>PBL 420</b>

Note:

\*Detailed transitional arrangements will be provided in the study guides to these modules.

**Summer and Winter Schools that may possibly be offered to assist pipeline students to complete their studies:**



Winter School 2014-2015		
Module outstanding:	Register for:	Class attendance (if not passed during the Winter School):
ERF 211	ERF 211	ERF 222
SRG 210	SRG 210	PBL 200

Summer School 2014-2016		
Module outstanding:	Register for:	Class attendance (if not passed during the Summer School):
ERF 221	ERF 221	ERF 222
MRT 220	MRT 220	PBL 200
SRG 220	SRG 220	PBL 200

In terms of the Faculty of Law Summer/Winter School policy a student may register for a maximum of two modules per Summer/Winter School. If a student fails more than two first-year modules and wishes to enrol for two Summer/Winter School modules, the modules offered by the Department of Jurisprudence must be given preference, as the changes to the content of these modules in the revised curriculum are more far-reaching than those for Family Law (FMR).

Students obtain entrance to the Summer/Winter School by having previously acquired a semester mark in the module, except for BCom (Law) students who may register for ERF 211, ERF 221, MRT 220, SRG 210 and SRG 220 and BA (Law) students who may register for ERF 211 and ERF 221 for the Summer/Winter School without having acquired a semester mark previously.

Summer and Winter Schools will be offered depending on the availability of funds.

The Dean of the Faculty of Law has the discretion to make an equitable and practical ruling where an unforeseen situation arises in the application of the transitional arrangements or where a particular issue has not explicitly been set out in the transitional arrangements.

## Examinations and pass requirements

Please consult the Examination and Test policy as contained in the Faculty Regulations.

## Promotion to next study year

### Promotion to next study year

*(According to Regulation G.3 the Faculty Board may set promotion requirements which students must adhere to before they will be promoted.)*

1. A student must pass modules to the value of 60 credits in order to be promoted to the next year of study.
2. A student who passed less than 4 semester modules will not be readmitted to the Faculty of Law. A student, who has forfeited readmission to the Faculty, may apply in writing to the Admissions Committee of the Faculty for conditional readmission to the Faculty – with the proviso that the Admissions Committee may stipulate



further requirements for progress. A student's application for conditional readmission to the Faculty may be refused.

3. A student who has been conditionally readmitted to the Faculty will have his/her studies monitored after the first-semester examination in order to determine whether such student has met the set conditions.

Re-registration will only be permitted if a student is capable of completing the degree in the prescribed minimum period of 4 years plus a further 2 years according to the opinion of the Admissions Committee.

## Pass with distinction

For the 4-year LLB degree to be awarded with distinction, a student must obtain a grade point average (ie in accordance with the credit value of each module) of at least 75% in respect of all the modules prescribed for the third and fourth years of the LLB degree, completed at this University. The grade point average is calculated as follows: The final mark obtained for each third- and fourth-year module prescribed for the LLB degree, including the electives, is multiplied by the credit value of that particular module. The sum of these values are added together and divided by the total of the credit values of all prescribed third- and fourth-year LLB modules. The average so calculated is not rounded off. A student who failed a third- or fourth-year LLB module, including any of the electives, may not be awarded the degree with distinction.

### **BA (Law) graduates**

For the LLB degree to be awarded with distinction to a BA (Law) (UP) graduate, a student must obtain a grade point average (ie in accordance with the credit value of each module) of at least 75% in respect of the following modules completed at this University:

RPK 210 and 220

VBB 220

BLR 310

BWR 300

IGZ 320

ISR 310

ODR 320

PBL 310 and 320

SAR 310

VHD 320

ABR 410

PBL 410 and 420

PVR 420

SIP 400

SKY 410

SPR 400

Four final-year electives

The grade point average is calculated as follows: The final mark obtained for each of the modules listed above, including the electives, is multiplied by the credit value of that particular module. The sum of these values are added together and divided by the total of the credit values of the modules listed above. The average so calculated is not rounded off. A BA (Law) (UP) graduate who failed any of the modules listed above, including any of the electives, may not be awarded the LLB degree with distinction.

### **BCom (Law) graduates**

For the LLB degree to be awarded with distinction to a BCom (Law) (UP) graduate, a student must obtain a grade



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point average (ie in accordance with the credit value of each module) of at least 75% in respect of the following modules completed at this University:

FMR 121  
PBL 200  
RPK 210 and 220  
RPR 210  
RVW 210  
BLR 310  
BWR 300  
IGZ 320  
JUR 310  
PBL 310 and 320  
ABR 410  
PBL 410 and 420  
PVR 420  
SIP 400  
SKY 410  
SPR 400  
Four final-year electives

The grade point average is calculated as follows: The final mark obtained for each of the modules listed above, including the electives, is multiplied by the credit value of that particular module. The sum of these values are added together and divided by the total of the credit values of the modules listed above. The average so calculated is not rounded off. A BCom (Law) (UP) graduate who failed any of the modules listed above, including any of the electives, may not be awarded the LLB degree with distinction.

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The information published here is subject to change and may be amended after the publication of this information. The [General Regulations \(G Regulations\)](#) apply to all faculties of the University of Pretoria. It is expected of students to familiarise themselves well with these regulations as well as with the information contained in the [General Rules](#) section. Ignorance concerning these regulations and rules will not be accepted as an excuse for any transgression.