

**FACULTIES OF THE
UNIVERSITY OF PRETORIA**

HUMANITIES

EDUCATION

NATURAL, AGRICULTURAL AND INFORMATION SCIENCES

LAW

THEOLOGY

ECONOMIC AND MANAGEMENT SCIENCES

VETERINARY SCIENCE

HEALTH SCIENCES

DENTISTRY

ENGINEERING AND THE BUILT ENVIRONMENT

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University of Pretoria
PRETORIA
0002**

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FACULTY OF LAW

ACADEMIC PERSONNEL AS ON 30 JUNE 1999

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 Prozesky-Kuschke, B., BLC LLB(Pret) Senior Lecturer
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 Burdette, D.A., Blur LLB(Unisa) Lecturer
 Lombard, S., LLB(Pret) LLM(Unisa) Lecturer
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 Schoeman, M.C., BA LLB LLD(Pret) Professor
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 Visser, P.J., BA LLB(Pret) LLD(Unisa) Professor
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Law

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Swart, E.D., BLC LLB(Pret) LLM(Unisa).....	Senior Lecturer
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Nienaber, A.G., BA(Pret) HOD BA Hons(Witwatersrand) LLB LLM(Pret)	Senior Lecturer
Van Marle, K., BLC LLB(Pret) LLM(Unisa)	Senior Lecturer
Mbonani, S., BLC LLB(Pret).....	Lecturer
Tladi, D., BLC LLB(Pret)	Lecturer

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Heyns, C.H., BLC LLB BA(Hons) MA(Pret) LLM(Yale) PhD(Witwatersrand)	Director
Kisoon, C., BA(Regte) LLB(Durban Westville)	Vice Director

FACULTY ADMINISTRATION

Nel, C., BA(SW)(Pret).....	Head
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GENERAL INFORMATION

Admission

Any person who wishes to register at the University for the first time, or after an interruption of studies, should apply or reapply for admission. Application for admission to all courses closes on 30 September.

Selection

A selection procedure takes place prior to admission to any degree course in this Faculty. Students who do not pass a sufficient number of courses at the end of the first year of study to be admitted to the second year of study, have to apply for readmission.

Statement of symbols

When registering at this University for the first time, a candidate has to submit a record of symbols obtained for each subject in the Matriculation examination.

Medium of instruction

In conducting its business, the University uses two official languages, namely Afrikaans and English. In formal education, the medium of instruction is either Afrikaans or English, or both of these languages, provided that there is a demand and that it is academically and economically justifiable.

However, it remains the student's responsibility to ascertain on an annual basis in which language a course and any further level of that course is presented.

In respect of administrative and other services, a student has the right to choose whether the University should communicate with him or her in Afrikaans or English.

Bursaries and loans

Particulars of bursaries and loans are available on request.

Accommodation

Applications for accommodation in university residences for a particular year should be submitted as from April 1 of the preceding year. Applications will be considered as long as vacancies exist, and prospective students are advised to apply well in advance. Please note that admission to the University does not automatically mean that lodging will also be available.

Open day and orientation

Details of the open day to which all parents are cordially invited, and the subsequent orientation week during which all new first-year students must be present, are obtainable from the Dean of Students, University of Pretoria 0002.

Prescribed books

Lists of prescribed books are not available. The appropriate lecturers will supply information regarding prescribed books to students at the commencement of lectures.

Amendment of regulations and fees

The University retains the right to amend the regulations and to change course fees without prior notification.

Definition of terms

Familiarise yourself with the following terms. They are used generally in all faculties.

academic year: the duration of the academic year which is determined by the University Council and consists of two semesters

course: a selected division of a subject deemed to be a unit and to which a course code is allocated

course code: consists of an equal number of capitals and digits, which indicate the name of the course, the year of study, the period of study and the level of the course

curriculum: a series of courses grouped together from different subjects over a specified period of time and in a certain sequence according to the regulations

examination mark: the mark a student obtains for an examination in a course, including practical and clinical examinations where applicable. If necessary, the examination mark is finalised after ancillary examinations have been completed

extramural study: classes attended after hours by students who register for the curriculum of a first degree or diploma that is presented over a longer period than the minimum duration indicated in the regulations for the particular degree or diploma

final mark: the mark calculated on the basis of the semester/year mark and the examination mark a student obtained in a particular course according to a formula which is determined from time to time in the regulations for each course with the proviso that should no semester/year mark be required in a course, the examination mark serves as the final mark

GS: a combined mark (semester/year mark plus examination mark) of at least 40%

level of a course or level: the academic level of a course which is indicated in the course code

registration: the process a candidate is required to complete to be admitted as a student of the University or for admission to a course

semester course: a course that extends over one semester

semester/year mark: the mark a student obtains during the course of a semester or a year for tests, class-work, practical work or any other work in a particular course as approved by regulation

subject: a demarcated field of study of which one course or more may be chosen for a degree

syllabus: the division of the study material for a specific course, according to the regulations

year course: a course that extends over one year (two semesters)

REGULATIONS AND CURRICULA

1. Admission to undergraduate study

1.1 General

1.1.1 To register for the LLB degree at the University, a candidate must, in addition to the required matriculation exemption certificate, comply with the specific admission requirements for particular courses and fields of study as prescribed in the admission regulations and the faculty regulations of the departments.

It is expected of every new undergraduate student who wishes to register at the University of Pretoria, to complete a language proficiency test. Based on the results of this test, the student will be enrolled in language development courses that have to be passed before the degree will be awarded. In exceptional circumstances, the language development courses may be substituted by other courses as approved by the Dean.

1.1.2 The following persons may also be considered for admission:

- (i) A candidate who is in possession of a certificate which is deemed by the University to be equivalent to the required matriculation certificate with university exemption.
- (ii) A candidate who is a graduate from another tertiary institution or has been granted the status of a graduate of such an institution.
- (iii) A candidate who passes an entrance examination, which is prescribed by the University from time to time.

Note: A conditional exemption certificate does not grant admission to bachelor's study. However, in certain circumstances, some of the faculties do accept a conditional exemption on the basis of mature age. Candidates are advised to contact the specific faculty administration in this regard.

1.1.3 The Senate may limit the number of students allowed to register for a course, in which case the Dean concerned may, at his own discretion, select from the students who qualify for admission those who may be admitted.

Students, who take a course offered by another faculty, must familiarise themselves with the requirements for admission to the subject in question as well as the regulations governing subminima in examinations and supplementary examinations.

2. Registration for a particular year of study

At the beginning of an academic year, a student registers for all the courses he or she intends taking in that particular year (whether these be first-semester, second-semester or year courses). Changes to the chosen course of study may be made at the beginning of the second semester with the Dean's approval. A student may also only register for courses that will fit in on the lecture, test and examination timetables. Should a student be prepared to attend one course after hours to avoid clashes on the timetables, the approval of the Dean is not required. (This will only be possible if the course in question is offered full-time and extramurally.)

3. Examination and pass requirements

A semester mark of at least 40% is required in order to be admitted to the examination in any course, with the exception of first-semester courses at 100 level for which the requirement is 30%. Excluding cases where faculty regulations require a higher percentage, a subminimum of 40% is required in the examination in each course. A final mark of at least 50% is required to pass. The pass mark for dissertations, seminars, etc is at least 50%. The stipulations of G.60.2.1.2(a) regarding requirements for theses, apply *mutatis mutandis* to dissertations.

3.1 Subminima in examinations

Where applicable, the subminima required in examinations appear in the regulations of the degree in question and in the syllabi of the courses required for that degree.

3.2 Examinations

The examinations for first-semester courses take place in May/June, while examinations in second-semester courses take place in October/November.

3.3 Ancillary examinations

After completion of an examination and before the examination results are published, the examiners may summon a student for an ancillary examination on particular aspects of the work of that course.

3.4 Re-marking of examination papers (also consult Reg G.14)

After an examination, departments give feedback to students about the framework that was used by the examiners during the examination. The way in which feedback is given, is determined by the departmental heads. Students may apply for re-marking of an examination paper within 14 calendar days of commencement of lectures in the next semester. The prescribed fee has to be paid. The paper will then be re-marked by an examiner appointed by the Head of the Department. A student can only pass or fail a re-marked paper – a supplementary examination will not be granted.

3.5 Supplementary examinations

- (a) Supplementary examinations in first-semester courses take place after the June examinations, while those in second-semester take place after the November examinations.
- (b) To pass a supplementary examination, a student must obtain a minimum of 50% in the supplementary examination – the semester mark does not count.
- (c) The highest final percentage a student can obtain in a supplementary examination is 50%.

3.6 Special examinations

A student who has complied with all the requirements for a degree, with the exception of a maximum of four semester courses or two year courses in which a final mark of at least 40% has been obtained, may be admitted to a special examination at any time prior to the scheduled examinations in the relevant courses.

DEGREES CONFERRED/AWARDED IN THE FACULTY OF LAW

The following degrees and diplomas are conferred/awarded in the Faculty (minimum duration of study is indicated in brackets):

- (a) Baccalaureus Legum – LLB (4 years)
- (b) Magister Legum – LLM (minimum of 2 semesters)
- (c) Doctor Legum – LLD (as agreed with promotor)

Phasing-out regulations apply to the following degree:

- (d) Baccalaureus Procurationis – BProc (4th year)

General Regulations G.1 to G.15 are applicable to a bachelor's degree.

Codes:

Law Special (UG): 04180001/(PG): 04280001

Law Foreign (UG): 04185001/(PG): 04285001

Law Foreign Co-operation (UG): 04185003/(PG): 04285003

Law Foreign Exchange (UG): 04185004/(PG): 04285004

The Dean has the authority to decide about all matters which are not covered by the general or faculty regulation

UNDERGRADUATE STUDIES

In 2000 only the following undergraduate programmes are offered:

- Baccalaureus Procuracionis – BProc (final year)
Only students who are registered already will be allowed to complete the BProc degree in 2000.
- Baccalaureus Legum – LLB (4 years)

L.1 BACCALAUREUS LEGUM (LLB) (Code 04130002) (1999 Syllabus) (Code 04130004) (Syllabus as from 2000)

Transitional measures for LLB (four years)

At present there are two LLB programmes: the 1999 programme and the 2000 programme.

All students who register at the Faculty of Law for the first time in 2000 for undergraduate studies (new first-year students, as well as students from other tertiary education institutions) have to follow the 2000 programme.

All students who registered during 1999 for the first-year of the 1999 LLB programme at the University, and who did not pass the equivalent of at least four semester courses in the case of full-time students, or the equivalent of two semester courses for after-hours students, have to change over to the 2000 programme and meet all the requirements of that programme in order to be awarded a degree at the end of the studies.

All other students follow and complete the 1999 programme. For the LLB only the subjects of the 2000 programme are presented. Students who follow the 1999 programme, continue to register for the 1999 subject courses according to their codes. However, they have to attend classes equal to the courses of the 2000 programme as set out in the table on page 16 and as scheduled in the timetable. In case of timetable clashes, full-time students have to attend the classes after hours, or vice versa, or students have to follow the courses in a non-scheduled year of study. Also consult the Transitional Measures for some subjects on page 16 and the Exemption Table for Mercantile Law subjects on page 18.

Note: It is the responsibility of the student to ascertain whether he or she complies with all the requirements for the degree.

Law

(a) Duration

A minimum of four years.

(b) Admission requirements

A matriculation exemption certificate; and
an M score as determined by the Faculty

(c) Subjects

The curriculum for the Baccalaureus Legum (1999 Syllabus) in this Faculty is compiled from the following list of subjects.

Subjects	Subject codes	
Administrative Law	ADR 320	
African Human Rights Law	AMR 410	
Anthropology of Law	RNP 410	
Civil Procedure	SIP 410 SIP 411 (Pleadings)	(See note 2 on page 13)
Comparative Law	RVG 410	
Computer Information	CIL 174	
Computer Literacy	CIL 171 CIL 172	
NB: There is no official prerequisite, but a subsequent code presupposes knowledge of the preceding code.		
Constitutional Law	SRG 310 SRG 320	
Criminal Law	STR 210 STR 220	
Criminal Procedure	SPR 210 SPR 221 (Pleadings)	(See Note 3 on page 13)
Deeds and Notarial Practice	ANO 410	
Dissertation	SKY 400	
Family Law	FMR 120	
Historical Foundations of the South African Private Law	PVR 110 PVR 120	
Human Rights	MRT 220	
Insolvency Practice	IBP 410	

Intellectual Property Law	IGZ 320
International Protection of Human Rights	IBZ 410
International Law	IPW 410
Introduction to Law	IDR 110 IDR 120
Jurisprudence	RFF 311
Labour Law	ABR 520
Land and Land Reform Law	GHR 420
Law and Literature	RLT 420
Law in respect of Regional Integration	RRI 410
Law of Contract	KTR 210
Law of Damages	SGR 410
Law of Delict	DLR 320
Law of Education	OWR 420
Law of Evidence	BWR 220
Law of Persons	PSR 110
Law of Securities	EFR 410
Law of Succession	ERF 220
Law of Things	SAR 310
Legal Hermeneutics	RHM 310
Legal Pluralism	RPR 210 RPR 120
Legal Practice	RPK 110 RPK 420
Legal Skills	RVD 110/111 RVD 120/121
Media Law	MDR 420

Law

Medical Law	GRG 410	
Mercantile Law	HRG 211 HRG 221 HRG 311 HRG 321 HRG 411 HRG 421	
Municipal Law	MRG 410	
Philosophical Foundations of Legal Problems	FGR 420	
Planning, Environmental and Development Law	BOO 420	
Practical Law	PRR 400	See Note 1 on page 13
Private International Law	IPR 410	
Private Law	PVR 421	
Social Security Law	SOR 420	
Sources of the Roman- Dutch Law	RHO 420	
Sports Law	SRR 420	
Statutory Crimes	SMI 420	
Street Law	AMR 400	
Tax Practice	BLP 420	
Transnational Business Transactions	TRB 420	
Trusts and Estates	TBS 410	

*For LLB subjects: 04130004 (from 2000) see pages 13 –16.

NB: A student who registers for a subject course presented by another faculty, has to familiarise him or herself with the specific prerequisites set for those subjects (also see 1.1.3).

**A. Curriculum (Code 04130002)
(For students who registered before 2000)**

First year of study

No new first-year students will be accepted for this curriculum.

Second year**

- (1) Law of Evidence 220
- (2) Law of Succession 220
- (3) Mercantile Law 211, 221 •
- (4) Law of Contract 210
- (5) Human Rights 220
- (6) Legal Pluralism 210
- (7) Criminal Procedure 210 (See Note 3, p.13)
- (8) Criminal Law 210, 220

- ** See the comment at Financial Accounting as an optional subject in the fourth year of study.
- See the comment at Mercantile Law in the fourth year of study.

Third year**

- (1) Administrative Law 320
- (2) Law of Delict 320
- (3) Mercantile Law 311, 321 •
- (4) Intellectual Property Law 320
- (5) Jurisprudence 311
- (6) Legal Hermeneutics 310
- (7) Law of Things 310
- (8) Constitutional Law 310, 320
- (9) Information Literacy 174

- ** See the comment at Financial Accounting as an optional subject in the fourth year of study.
- See the comment at Mercantile Law in the fourth year of study.

Fourth year**

- (1) Mercantile Law 411, 421 •
- (2) International Law 410
- (3) Litigation Technique 410, 420 (Expires in 2000. Students who pass/passed Civil Procedure 410 as well as Criminal Procedure 410 and 420, will be exempted.)
- (4) Practical Law 400 (can be taken as optional course, see Note 1, p.13)
- (5) Private Law 421
- (6) Legal Practice 420
- (7) Civil Procedure 410 (See Note 2, p.13)
- (8) Law of Damages 410
- (9) Dissertation and Seminar 400
- (10) Any four of the following courses , and/or from the optional courses of the 2000 programme *:
 - (two in the first semester, two in the second semester)
 - African Human Rights Law 410

Law

Anthropology of Law 410
Comparative Law 410
Deeds & Notarial Practice 410
Financial Accounting 151,152,181; or Financial Accounting 161, 162, 181 ♦
Insolvency Practice 410
International Protection of Human Rights 410
International Private Law 410
Labour Law 520
Land and Land Reform Law 420
Law and Literature 420
Law in respect of Regional Integration 410
Law of Education 420
Law of Securities 410
Media Law 420
Medical Law 410
Municipal Law 410
Philosophical Foundations of Legal Problems 420
Planning, Environmental and Development Law 420
Private International Law 410
Social Security Law 420
Sources of the Roman-Dutch Law 420
Sports Law 420
Statutory Crimes 420
Street Law 400 •
Tax Practice 420
Transnational Business Transactions 420
Trusts and Estates 410
With the Dean's consent, students may complete the courses Military Law and International Legal Principles of Air and Marine Transport at Unisa.

- * The Dean determines each year which optional course will be presented that year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances: Provided that the Dean may determine the minimum and maximum number of registrations for a specific optional course.
- A student who follows the course Street Law 400, must also follow one optional course in the first semester and two optional courses in the second semester of the fourth year of study.
- ♦ Financial Accounting may be taken as an additional course in any of the preceding years of study: Provided that no lecture, test and examination clashes occur on the timetable. If passed, the student obtains exemption from this course as an optional course in the fourth year of study: Provided further that such a student must present three additional courses in the fourth year of study.
NB: The remaining three optional courses must be taken from both semesters and **are not interchangeable**.
- For Mercantile Law 211, 221, 311, 321, 411 and 421, there are no course prerequisites: Provided that no lecture, test or examination clashes occur on the timetable where any of these courses are taken outside the prescribed year of study.

Note 1:

- (i) The number of students who may be admitted to the course Practical Legal Skills is predetermined by the Dean, in consultation with the Head of the Department of Formal Law.
- (ii) Prospective students must apply for admission to the course.
- (iii) Should more students apply for admission to the course than can be accepted, a selection process will take place on the basis of a student's performance in Law of Evidence 220 and Criminal Procedure 210, 221 and an interview with the Director of the Legal Aid Clinic.
- (iv) Students are promoted on the basis of tests, satisfactory execution of assignments and sessions in the Legal Aid Clinic.

Note 2:

A student must, as part of the course Civil Procedure 410, obtain a subminimum of 50% in the subsection Pleadings. Students who have passed Civil Procedure at another University, but not the subsection Pleadings, must register for SIP 411 and pass the course before exemption will be granted.

Note 3:

A student must, as part of the course Criminal Procedure 210, obtain a subminimum or 50% in the subsection Pleadings. Students who have passed Criminal Procedure at another university, but not the subsection Pleadings, must register for SPR 221 and pass the course before exemption will be granted.

(d) Maximum number of courses per year

A student may only register for the prescribed number of courses of the relevant study year. The Dean may, however, give permission to register for any additional courses in a relevant year of study.

(e) Promotion to the next year of study

A student is admitted to the next year of study if he or she has passed at least 70% of the courses in the preceding year of study. The Dean may, however, grant exemption from this provision.

(f) Degree with distinction

A student must obtain a minimum of 75% in at least 20 courses, of which six must be in the final year, in order to pass with distinction: Provided that the student has also obtained a general average of 70% in each year of study. The dissertation is also regarded as a course for the purposes of obtaining the degree with distinction

**B. New LLB Curriculum (Code 04130004)
(For students who register as from 2000.)**

In terms of the new system of modules in the Faculty, a number of credits is allocated to each module. However, this does not apply to the old LLB-degree course (Code 04130002).

First year of study	Credits
Family Law 110,120	7 each
Historical Foundations of the SA Private Law 151,152	5 each

Historical Foundations of the SA Private Law 120	10 each
Introduction to Law 110,120	10 each
Law of Persons 110	10 each
Legal Skills 110/111, 120/121 ♦	10 each
Computer Literacy 171,172	3 each

A minimum of 12 credits from the following modules:		Credits
AFA151 (Regstaalkommunikasie (1))	6	
AFA 152 (Regstaalkommunikasie (2))		6
AFA 153 (Regstaalkommunikasie (3))		6
AFA 155 (Kommunikasievaardighede T2-studente (1))		6
AFA 156 (Kommunikasievaardighede T2-studente (2))	6	
AFA 157 (Afrikaanse taalkunde T2 (inl))		6
AFA 158 (Afrikaanse letterkunde T2 (inl))		6
AFR 151 (Afrikaanse poësie ná 1976)		6
AFR 152 (Afrikaanse prosa)		6
AFR 155 (Leesvaardigheid)		6
AFR 156 (Skryfvaardigheid)		6
ENG 151 (Introduction to poetry)		6
ENG 152 (Introduction to critical reading, writing and language skills)		6
ENG 153 (Introduction to prose)		6
ENG 154 (Introduction to drama)		6
ENG 155 (Academic reading skills)		6
ENG 156 (Academic writing skills)		6
ENG 157 (English for specific purposes (1))		6
ENG 158 (English for specific purposes (2))		6
EOR 151 (Language skills I)		3*
EOR 152 (Language skills II)		3*
EOR 153 (Language skills III)		3*
EOR 154 (Language skills IV)		3*

* **All** students write a language proficiency test during the orientation week. The outcome of the test determines whether a student will have to complete all four of the language proficiency modules, or whether he or she will be exempted from this prerequisite.

24 credits from non-legal modules (Any modules offered by the University of Pretoria.)

The following aspects should be kept in mind:

- Students have to familiarise themselves with the prerequisites of subjects from other Faculties.
- The subject must fit in on the timetable.
- Number limits of some courses.

♦NB:

Legal Skills 111/110

All first-year students register for the course Legal Skills 110 and 120 at the beginning of the academic year. After evaluation, the subject head may recommend that certain students should change their registration to the course Legal Skills 111 and 121.

Second year	Credits
Labour Law 210	15
Law of Contract 210,220	10 each
Legal Pluralism 210	10
Legal Interpretation 210	10
Constitutional Law 210, 220	10 each
Specific Contracts 220	15
Law of Succession 220	15
Insurance Law 220	10
Human Rights 220	10
Computer Literacy 174	3

Third year	Credits
Administrative Law 310	10
Entrepreneurial Law 310	15
Jurisprudence 310	10
Legal Practice 310	8
Legal Practice 320	10
Law of Things 310	15
Law of Evidence 320	12
Law of Delict 320	15
Insolvency Practice 320	10
Intellectual Property Law 320	10
Law of Negotiable Instruments 320	10
Legal Practice 320	
Consumer Protection 320	8

Fourth year	Credits
Tax Law 410	10
International Law 410	10
Civil Procedure 410,420	8 each
Law of Damages 410	10
Dissertation and Seminar 400*	15
Criminal Procedure 410,420	8 each
Criminal Law 410, 420	12 each
Third Party Compensation Law 420	10

3 modules selected from the following (10 credits each):
(one in the first semester and two in the second semester **or**
two in the first semester and one in the second semester)

- African Human Rights 410
- Alternative Dispute Resolution 420
- Anthropology of Law 410
- Comparative Law 410
- Critical Race and Gender Theory 420
- Deeds and Notarial Practice 410
- Environmental Law 410
- Fundamental Labour Law 420

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- Insolvency Practice 410
- International Private Law 410
- International Protection of Human Rights 410
- Land and Land Reform Law 420
- Law and Literature 420
- Law in respect of Regional Integration 410
- Law of Education 420
- Law of Securities 410
- Legal Problems of HIV/AIDS 410
- Media Law 420
- Medical Law 410
- Moot Court 420 (Students representing UP in the All African Human Rights Moot Court Competition or in the Phillip Jessup International Law Moot Competition.)
- Municipal Law 410
- Philosophical Foundations of Legal Problems 420
- Practical Law 400
- Private Law (*capita selecta*) 410
- Social Security Law 420
- Sources of the Roman-Dutch Law 420
- Sports Law 420
- Statutory Crimes 420
- Street Law 400
- Tax Practice 420
- Transnational Business Law 410
- Trusts and Estates 410

C. TRANSITIONAL MEASURES FOR CERTAIN SUBJECTS

1. Subject course codes and names that change in 2000

1999 Courses (old courses)	2000 Courses (new courses)
Administrative Law 320 (ADR 320)	Administrative Law 310 (ADR 310)
Not offered	Alternative Dispute Resolution (AGF 420)
Labour Law (ABR 420)	Fundamental Labour Law (ABR 420)
Planning, Environmental and Development Law (BOO 420)	Environmental Law (OMR 410)
Law of Evidence (BWR 220)	Law of Evidence (BWR 320)
Third Party Compensation Law (DVR 420)	Option expires
Family Law (FMR 120)	Family Law (FMR 110 + FMR 120)
Mercantile Law 211 (HRG 211)	Labour Law 210 (ABR 210)
Mercantile Law 221 (HRG 221)	Specific Contracts 220 (KTH 220)
Mercantile Law 311 (HRG 311)	Entrepreneurial Law 310 (ODR 310)
Mercantile Law 321 (HRG 321)	*Law of Negotiable Instruments (VHD 320) and *Insolvency Law (ISR 320)
Mercantile Law 411 (HRG 411)	*Insurance Law (VRR 220) and *Third Party Compensation Law (DVR 420)
Mercantile Law 421 (HRG 421)	*Consumer Protection (VBB 320)

Mercantile Law 201 (HRG 201)	Specific Contracts 220 (KTH 220)
Mercantile Law 202 (HRG 202)	Entrepreneurial Law 310 (ODR 310)
Mercantile Law 310 (HRG 310)	*Tax Law (BLR 410) and *Third Party Compensation Law (DVR 420)
Mercantile Law 320 (HRG 320)	*Labour Law 210 (ABR 210) and *Law of Negotiable Instruments (VHD 320)
Historical Foundations of SA Private Law (PVR 110)	Historical Foundations of SA Private Law (PVR 151, 152)
Law of Contract (KTR 210)	*Law of Contract 210 (KTR 210) and *Law of Contract 220 (KTR 220)
Not offered	Critical Race and Gender Theory(KGT 420)
Litigation Technique (LGT 410, 420)	Expires in 2000
Research Methodology (NME 310)	Dissertation and Seminar (SKY 400)
Not offered	Environmental Law (OMR 410)
Private Law (PVR 421)	Private Law (<i>capita selecta</i>) (PCS 410)
Legal Hermeneutics (RHM 310)	Legal Interpretation (RVW 210)
Legal Practice (RPK 110, 420)	Legal Practice (RPK 310, 320)
Not offered	Legal Problems of HIV/AIDS (RHV 410)
Civil Procedure (SIP 410)	Civil Procedure (SIP 410, 420)
Dissertation (SKX 410)	Dissertation and Seminar (SKY 400)
Constitutional Law (SRG 310, 320)	Constitutional Law (SRG 210, 220)
Criminal Procedure (SPR 210, 221)	Criminal Procedure (SPR 410, 420)
Criminal Law (STR 210, 220)	Criminal Law (STR 410, 420)
Transnational Business Law (TRB 420)	Transnational Business Law (TRB 410)

2. Transitional measures for specific subjects

General

Family Law: Students who take FMR 120 in 1999, and do not pass, will have to take both FMR 110 and FMR 120 in 2000.

Litigation Technique 410 and 420: Students must have passed Civil Procedure 410 as well as Criminal Procedure 410 and 420 in order to be exempted.

Private Law 421: Students who fail Private Law 421 in 1999, may register for Private Law 410 in 2000.

Legal Pluralism 120 and 210: Have been combined in Legal Pluralism 210. Students who pass 120 or 210, will only be examined on those parts not yet passed.

A student who failed any Mercantile Law subject before 2000 and is entitled to still register for it, should register in terms of the old code as from 2000, but should attend classes and write tests and examinations where the corresponding component is offered in 2000.

A student who has passed a Mercantile Law subject at another university, will receive recognition for a corresponding Mercantile Law subject at the University of Pretoria if the Head of the Department is satisfied with the content and standard of the subject offered at the other institution

3. Exemption Table for subjects in Mercantile Law

1998-LLB

Subject still needed for 1998/1999-LLB	Where component for needed subject is offered in 2000
Mercantile Law 211	Labour Law 210 (ABR 210)
Mercantile Law 221	Specific Contracts 220 (KTH 220)
Mercantile Law 311	Entrepreneurial Law 310 (ODR 310)
Mercantile Law 321	a. Law of Negotiable Instruments 320 (VHD 320) b. Insolvency Law 320 (ISR 320)
Mercantile Law 411	a. Insurance Law 220 (VRR 220) c. Third Party Compensation Law 420 (DVR 420)
Mercantile Law 421	a. Consumer Protection 320 (VBB 320) b. Tax Law 410 (BLR 410)

SYLLABI FOR THE LLB

(ABR 210) LABOUR LAW 210 (For LLB and BCom specialising in Law) – 4 lectures per week

- (a) Introduction to Mercantile Law.
- (b) Labour Law.
- (c) Arbitration Law.

(ABR 420) FUNDAMENTAL LABOUR LAW 420 (for LLB) - 2 lectures per week

- (a) Right to fair labour practices.
- (b) Right to organise and associate
- (c) Right to collective bargaining.
- (d) Right to strike.
- (e) Right not to be unfairly dismissed.

(ADR 310) ADMINISTRATIVE LAW 310 (for LLB and BAdmin) - 4 lectures per week

- (a) Nature, scope and sources of Administrative Law.
- (b) Administrative relationships, acts and functions.
- (c) Requirements for a valid administrative act.
- (d) Control over the validity of administrative conduct.
- (e) Civil liability of the State.

(AGF 420) ALTERNATIVE DISPUTE RESOLUTION 420 (for LLB) - 2 lectures per week

- (a) Fundamental rules of mediation.
- (b) Fundamental rules of arbitration.
- (c) Plea negotiations in criminal cases.

(AMR 400) STREET LAW 400 (for LLB) - 2 lectures per week

The basic principles and theory of "Public Interest Law" and the accessibility of the law; group classes which entail practical exercises; practical work, including the presentation of lectures at schools, factories and prisons, moot courts, mediation, liaison with legal practitioners and visits to courts.

(AMR 410) AFRICAN HUMAN RIGHTS LAW 410 (for LLB) - 2 lectures per week

Introductory debate on universality and cultural specificity of human rights; historical overview of human rights in Africa; the OAU and human rights; an overview and analysis of the African Charter on Human and People's Rights; the role of regional organisations in Africa, and future trends and prospects.

(ANO 410) DEEDS AND NOTARIAL PRACTICE 410 (for LLB) - 2 lectures per week

- (a) An overview of the origin and development of the professions of conveyancer and notary.
- (b) Statutory provisions applicable to conveyancers and notaries.
- (c) Professional responsibility and ethics.
- (d) Aspects surrounding the transfer of immovable property, registration of mortgage bonds, servitudes and real rights.
- (e) Practical drafting of deeds and notarial documents.

(BLP 420) TAX PRACTICE 420 (for LLB) - 2 lectures per week

- (a) Donations tax.
- (b) Estate duty.
- (c) Transfer duty.
- (d) Stamp duty.
- (e) Value-added Tax.
- (f) Diverse taxes.

(BLR 410) TAX LAW 410 (for LLB) - 4 lectures per week

- (a) Basic principles.
- (b) Calculation of tax payable.
- (c) Gross income.
- (d) Allowable deductions.
- (e) Formula for determining tax payable.

(BWR 320) LAW OF EVIDENCE 320 (for LLB) - 4 lectures per week

The rules pertaining to the provision of evidence in the Civil as well as the Criminal procedure in the Lower Courts, High Court and the High Court of Appeal of South Africa.

(CIL 171) COMPUTER LITERACY 171 (for LLB) - duration 7 weeks

Keyboard and mouse skills, e-mail, basic Internet and Web skills, a basic theoretical introduction to apparatus and programs, Windows operating system.

(CIL 172) COMPUTER LITERACY 172 (for LLB) - duration 7 weeks

Word-processing programmes: Creation, editing and formatting of documents, automatic numbering and footnotes, tables and columns, incorporation of multimedia, data

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exchanging etc; presentation programs; creation of presentations including figures, text animation and the incorporation of multimedia.

(CIL 174) COMPUTER INFORMATION 174 (for LLB) - duration seven weeks

Formulation of search strategy, the use of Boolese operators, natural language and controlled language; search on CD-ROM and Internet evaluation of Internet search engines, organisation and synthesising of information; study of sources.

(DLR 320) LAW OF DELICT 320 (for LLB and BCom specialising in Law) - 4 lectures per week

- (a) General principles of the law of delict.
- (b) *Capita selecta* from the principles applicable to specific delicts.

(DVR 420) THIRD PARTY COMPENSATION LAW 420 (for LLB and BCom specialising in Law) – 2 lectures per week

- (a) Basis of and requirements for liability in cases where owner and/or driver is identified.
- (b) Requirements for liability in hit-and-run claims.
- (c) Exclusion of liability of the Road Accident Fund.
- (d) Assessment of damage.
- (e) Astrictions of recoverable damage.
- (f) Prescription.
- (g) Claims handling.
- (h) Recourse of the Road Accident Fund.

(EFR 410) LAW OF SECURITIES 410 (for LLB) - 2 lectures per week

- (a) Legal principles in respect of the Regulation of the Primary Security Markets.
- (b) Legal principles in respect of secondary security markets.

(ERF 220) LAW OF SUCCESSION 220 (for LLB and BCom specialising in Law) - 4 lectures per week

- (a) Intestate succession.
- (b) Testate succession.
- (c) Content of wills.
- (d) Adiation, repudiation, joint/reciprocal wills, estate massing, election.
- (e) Accrual (*ius accrescendi*).
- (f) Collatio bonorum.
- (g) Succession by contract (*pactum successorium*).
- (h) Interpretation and rectification of wills.
- (i) Administration of estates:
 - Function of the Master;
 - Appointment and function of the executor;
 - The executor's account; and
 - Aspects of estate duty.

(FGR 420) PHILOSOPHICAL FOUNDATIONS OF LEGAL PROBLEMS 420 (for LLB) - 2 lectures per week

Study of topical legal problems in the light of relevant philosophies.

(FMR 110) FAMILY LAW 110 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Introduction to family law.
- (b) Relevant fundamental rights.

- (c) The engagement.
- (d) General principles regarding the coming into existence of a marriage.
- (e) Void, voidable and putative marriages.
- (f) The invariable consequences of the marriage.
- (g) Basic principles regarding the legal relationship between child and parent.

(FMR 120 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) The variable consequences of a marriage.
- (b) Principles regarding the dissolution of a marriage.
- (c) The consequences of the dissolution of a marriage.

(GHR 420) LAND AND LAND REFORM LAW 420 (for LLB) - 2 lectures per week

- (a) Introduction to the land and land reform law.
- (b) A selection of policy documentation, constitutional and other statutory measures in respect of the use of land and land reform law.
- (c) Relevant aspects of the law regarding conveyancing.

(GRG 410) MEDICAL LAW 410 (for LLB) - 2 lectures per week

- (a) General foundations of Forensic Medicine.
- (b) Legal Basis of the Relationship between Doctor/Hospital and Patient.
- (c) Grounds of Justification for Medical Interventions.
- (d) Medical Negligence and Vicarious Liability.
- (e) The Patient's Privacy and Medical Confidentiality.
- (f) Artificial Human Procreation.
- (g) Wrongful Conception/Birth/Life Liability.
- (h) Transsexualism and Sex-Change Operations.
- (i) The Moment of Death and Euthanasia.

(HRG 321) MERCANTILE LAW 321 (for LLB and BCom specialising in Law) - 4 lectures per week

Changes to Law of Negotiable Instruments 320 (VHD 320) and Insolvency Law 320 (ISR 320)

(HRG 411) MERCANTILE LAW 411 (for LLB) - 4 lectures per week

Changes to Insurance Law 220 (VRR 220) and Third Party Compensation Law 420 (DVR 420).

(HRG 421) MERCANTILE LAW 421 (for LLB) - 4 lectures per week

Changes to Consumer Protection 320 (VBB 320) and Tax Law 410 (BLR 410).

(IBP 410) INSOLVENCY PRACTICE 410 (for LLB) - 2 lectures per week

- (a) The appointment, duties and powers of the trustee/liquidator.
- (b) Meetings of creditors.
- (c) The proof of claims.
- (d) Insolvency interrogations (inquiries).
- (e) The realisation and application of the proceeds of estate assets
- (f) The drafting of liquidation and distribution accounts.
- (g) The administration of an insolvent estate practise.

(IBZ 410) INTERNATIONAL PROTECTION OF HUMAN RIGHTS 410 (for LLB) - 2 lectures per week

- (a) International (including regional) human rights dispensations.

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- (b) Bills of Rights in comparative perspective.
- (c) The general clauses and specific rights in the South African Bill of Rights in comparative perspective.
- (d) A practical component, which entails that students must attend a court case and write a judgement.

(IDR 110) INTRODUCTION TO LAW 110 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) The law (distinction between the law and other normative systems, law and justice, law and certainty).
- (b) Sources of the law (overview of the sources of South African law).
- (c) Divisions of the law (overview of the branches of the law).
- (d) Aspects of private law (basic concepts of private law, doctrine of subjective rights).
- (e) Civil procedure (overview of basic steps and role of civil procedure).
- (f) Aspects of criminal law (basic principles of criminal law).
- (g) Criminal procedure (overview of basic steps and role of criminal procedure).
- (h) Law of evidence (basic principles of the law of evidence).

(IDR 120) INTRODUCTION TO LAW 120 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Law and the business world (introduction to the law of contract, forms of entrepreneurship and basic accounting terminology).
- (b) Court structure (structure and jurisdiction of various courts, alternative dispute resolution).
- (c) Constitution (overview of constitutional history, main features of the 1996 Constitution).
- (d) Human rights (overview of the contents and functioning of the Bill of Rights in the Constitution).
- (e) Legal comparison (overview of major legal families, South Africa's position).
- (f) Perspectives on the law (introduction to various approaches to the law).

(IGZ 320) INTELLECTUAL PROPERTY LAW 320 (for LLB) - 2 lectures per week

- (a) General principles of intellectual property law.
- (b) Copyright.
- (c) Law relating to inventions and models.
- (d) Trade mark law.
- (e) Law relating to plant breeders' right.
- (f) Law of competition.

(IPR 410) PRIVATE INTERNATIONAL LAW 410 (for LLB) - 2 lectures per week

- (a) Theoretical and historical background.
- (b) Conceptual problems.
- (c) Determination of foreign law.
- (d) Conflict rules for the determination of an appropriate norm of the
 - (i) family law;
 - (ii) law of contract;
 - (iii) law of delict;
 - (iv) law of things; and
 - (v) law of succession.
- (e) Recognition and enforcement of foreign judgements.

(IPW 410) INTERNATIONAL LAW 410 (for LLB) - 2 lectures per week

- (a) The nature and sources of international law.
- (b) The relationship between international and national law.
- (c) Recognition, territory, jurisdiction and extradition.
- (d) International human rights law and humanitarian law.

(ISR 320) LAW OF INSOLVENCY 320 (for LLB and BCom specialising in Law) – 2 lectures per week

- (a) General introduction.
- (b) Die process of sequestration.
- (c) Effects of sequestration.
- (d) Voidable and void dispositions.
- (e) Overview of administration of insolvent estates.
- (f) Composition, rehabilitation and offences.
- (g) Liquidation of companies and closed corporations.
- (h) Judicial management.

(KGT 420) CRITICAL RACE AND GENDER THEORY 420 (for LLB) – 2 lectures per week

Legal scholars in a transforming society are increasingly confronted by the ethical relationship with the “other”. In this module, students have to read, analyse and apply texts concerning theoretical and practical problems of the legal approach to race and gender. Students will have to discuss a specific topic in race and gender theory in a mini dissertation.

(KTH 220) SPECIFIC CONTRACTS 220 (for LLB and BCom specialising in Law) – 4 lectures per week

- (a) Law of purchase and sale.
- (b) Law of letting and hiring.
- (c) Law of agency.
- (d) Law of surety.

(KTR 210) LAW OF CONTRACT 210 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) General principles of the law of obligations.
- (b) Formation of the contract.
- (c) Content of the contract.
- (d) Interpretation of written contracts.

(KTR 220) LAW OF CONTRACT 220 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Breach of contract.
- (b) Remedies for contracts.
- (c) Termination of contractual obligations.

(MDR 420) MEDIA LAW 420 (for LLB) - 2 lectures per week

- (a) Introduction: The philosophical foundations and history of freedom of speech.
- (b) Systems of control: self-regulatory systems as against statutory systems.
- (c) Legislation: The Film and Publications Act 1996, The Independent Broadcasting Authority Act 1993, The Telecommunications Act 1996, Legislation regarding the right to information.

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- (d) Codes: Code of the Press Ombudsman and decisions of the Press Council and the Ombudsman, Code of the Broadcasting Complaints Commission, Code of the Advertising Standards Authority, and decisions of the Authority.
- (e) A legal comparative study of similar systems in the US, Canada, the United Kingdom and Germany.
- (f) Constitutional aspects.
- (g) Private law aspects.

(MRG 410) MUNICIPAL LAW 410 (for LLB) - 2 lectures per week

- (a) The historical development of different forms of local authorities as well as the development of local authorities within the new Constitutional framework of South Africa.
- (b) Constitutional implications of and requirements for local authorities.
- (c) Local governing bodies including election procedures.
- (d) Local taxes and financial administration.
- (e) Functional activities of local authorities with emphasis on services and regulation as well as control thereof.
- (f) Corporate powers and authorities with regard to the nature and control thereof.
- (g) The administration of personnel matters within labour related requirements.
- (h) The relationship and co-operation between local authorities and national and provincial government institutions.

(MRT 220) HUMAN RIGHTS 220 (for LLB) - 2 lectures per week

- (a) Philosophical foundations and historical development of the concept of human rights.
- (b) International and regional systems for the protection of human rights.
- (c) The protection of human rights in the constitutions of a number of countries: US, Canada, Germany, India, Namibia, etc.
- (d) The protection of human rights in the South African Constitution.
- (e) Operational clauses in the Bill of Rights; application; limitation; interpretation.
- (f) A comparative study of selected human rights.

(ODR 310) ENTREPRENEURIAL LAW (for LLB and BCom specialising in Law) – 2 lectures per week

- (a) Company Law.
- (b) Law relating to Close Corporations.
- (c) Partnership Law.

(OMR 410) ENVIRONMENTAL LAW 410 (Vir LLB) - 2 lectures per week

- (a) Legislative requirements with regard to township development, town planning, guide plans as well as measures to facilitate the RDP.
- (b) The constitutional protection and conservation of the environment as well as statutory arrangements relating to the conservation of the environment, regulation of pollution and international arrangements aimed at sustainable development.

(OWR 420) LAW OF EDUCATION 420 (for LLB) - 2 lectures per week

- (a) Introduction to the nature and role of the law of education.
- (b) The fundamental right to education and other constitutional principles relevant to education.
- (c) Certain specific rights of students, learners, parents and educators.
- (d) Basic legal principles of education management in public schools.
- (e) Basic legal principles regarding tertiary education.

- (f) Other relevant aspects of the law of education.

(PRR 400) PRACTICAL LAW 400 (for LLB) - 2 lectures per week

- (a) Practical legal work according to a duty roster at the University's Legal Aid Clinic during the academic year, which includes consultations with clients, drafting of pleadings and the attendance of trials.
- (b) Discussion classes regarding case studies which are being dealt with at the Legal Aid Clinic.
- (c) Assignments in respect of cases and trials which were dealt with by the student.

(PSR 110) LAW OF PERSONS 110 (for LLB and BCom specialising in Law) - 2 lectures per week

The material legal rules in respect of the coming into existence, private law status and termination of a natural person or legal subject.

(PVR 151) HISTORICAL FOUNDATIONS OF SOUTH AFRICAN PRIVATE LAW 151 (for LLB and BCom specialising in Law) - 3 lectures per week

INTRODUCTION TO EXTERNAL LEGAL HISTORY

- (a) Introduction to characteristics and components of the South African legal system.
- (b) African law.
- (c) Roman legal history; reception.
- (d) Dutch republic; Dutch law.
- (e) English legal history.
- (f) Human Rights; historical development; philosophy; international documents and systems.
- (g) South Africa; Cape; English occupation; ZAR; Union; Apartheid; common law; Constitution; religious legal systems.

(PVR 152) HISTORICAL FOUNDATIONS OF SOUTH AFRICAN PRIVATE LAW 152 (for LLB and BCom specialising in Law) - 3 lectures per week

INTRODUCTION TO THE ROMAN LAW OF THINGS

- (a) Thing, real rights, possession.
- (b) Ownership, limitations, acquisition, protection.
- (c) Limited real rights, servitudes, real security.

(PVR 120) HISTORICAL FOUNDATIONS OF THE SOUTH AFRICAN PRIVATE LAW 120 (for LLB and BCom met specialising in Law) - 3 lectures per week

INTRODUCTION TO THE ROMAN LAW OF CONTRACT

- (a) General principles of the Law of Contract.
- (b) Specific contracts.
- (c) Short overview of basic concepts from the Roman law of persons and family law.

INTRODUCTION TO THE ROMAN LAW OF DELICT

- (a) General principles of the Law of Delict.
- (b) Specific delicts.
- (c) Short overview of the basic concepts from the Roman law of succession.

(PCS 410) PRIVATE LAW 410 (*capita selecta*) (for LLB) - 2 lectures per week

Capita selecta from any of the following:

- (a) Enrichment.
- (b) Session.
- (c) Any other part of private law.

(RFF 310) JURISPRUDENCE 310 (for LLB and BCom specialising in Law) - 2 lectures per week

The course consists of two components:

- (a) An overview of the most important jurisprudential schools, inter alia positivism, natural law, realism and modern trends.
- (b) Selected problems of legal philosophy, for example
 - law and morality;
 - theories of social justice;
 - "reasonableness" in a divided society;
 - law, truth and reconciliation; and
 - civil disobedience.

(RHO 420) SOURCES OF THE ROMAN-DUTCH LAW 420 (for LLB) - 2 lectures per week

- (a) Analysis of the concept Roman-Dutch law.
- (b) Analysis of the various sources of the Roman-Dutch law.
- (c) Survey of literature on the topic.
- (d) Analysis of relevant South African case law.

(RHV 410) LEGAL PROBLEMS OF HIV/AIDS 410 (for LLB) – 2 lectures per week

An introduction to the medical and social aspects of the disease, and aspects of the legal position of people with HIV/AIDS; seminar assignments (mini dissertations) about problems of a moral and legal nature, such as the criminalisation of HIV infection as a separate statutory offence, implications of the right to health care, notification of HIV/AIDS and the limits of privacy, as well as aspects arising from medical experimentation and the development of a vaccine.

(RLT 420) LAW AND LITERATURE 420 (for LLB) - 2 lectures per week

Themes such as the origin of law and the duty to obey the law; the life of the lawyer; law, criminology and punishment; and punishment, truth and reconciliation are discussed in the light of texts from English and Afrikaans literature.

(RNP 410) ANTHROPOLOGY OF LAW 410 (for LLB) - 2 lectures per week

- (a) The concepts anthropology of law, ethnology of law and ethnography of law.
- (b) Topical themes in the field of anthropology of law, with the emphasis on Africa.

(RPK 310) LEGAL PRACTICE 310 (for LLB and BCom specialising in Law) - 4 lectures per week

- (a) An overview of the origin and development of the various legal professions.
- (b) Statutory prescriptions applicable to the legal profession.
- (c) Professional responsibility and ethics.

(RPK 320) LEGAL PRACTICE 320 (for LLB) - 4 lectures per week

- (a) Professional responsibility and ethics.
- (b) Practical drafting of various legal documents.
- (c) Practical estate planning and the administration of deceased estates.
- (d) Aspects of entrepreneurial law.

(RPR 210) LEGAL PLURALISM 210 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Indigenous culture groups, their culture, and the definition of legal pluralism.
- (b) Law of persons and family law of indigenous culture groups.

- (c) Indigenous Law of Delict.
- (d) Indigenous Law of Succession.
- (e) Indigenous Law of Contract.
- (f) Legal conflict and court structure.
- (g) Legal systems based on religion in South Africa.

(RRI 410) LAW IN RESPECT OF REGIONAL INTEGRATION 410 (for LLB) - 2 lectures per week

- (a) The historical and philosophical background to the development of regional integration organisations.
- (b) A comparative study of regional integral models such as the European Union, NAFTA, MERCOSUR and ECOWAS.
- (c) Regional integration organisations in Southern Africa such as the Customs Union, SADC, and COMESA.

(RVD 110) LEGAL SKILLS 110 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Introduction to communication: the communication model.
- (b) Listening skills.
- (c) Reading skills.
- (d) Writing skills.

(RVD 120) LEGAL SKILLS 120 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Public-speaking skills.
- (b) Legal terminology; reading and drafting of basic legal texts in English.
- (c) Legal argument and logic.
- (d) Basic legal research.

(RVD 111) LEGAL SKILLS 111 (for LLB and BCom specialising in Law) - 4 lectures per week

- (a) Time planning and organisation skills.
- (b) Introduction to communication: the communication model.
- (c) Listening skills.
- (d) Reading skills.
- (e) Writing skills.

(RVD 121) LEGAL SKILLS 121 (for LLB and BCom specialising in Law) - 4 lectures per week

- (a) Basic public-speaking skills.
- (b) Basic English legal terminology.
- (c) Legal argument and logic.
- (d) Basic legal research.

(RVG 410) COMPARATIVE LAW 410 (for LLB) - 2 lectures per week

- (a) General characteristics of the most important legal families:
 - The Anglo-American and Roman-Germanic systems.
 - Traditional and religious systems.
- (b) Overview of a number of specific notional systems.
- (c) The study of specific subjects on a comparative basis.

(RVW 210) LEGAL INTERPRETATION 210 (for LLB and BCom specialising in Law) - 2 lectures per week

- (a) Introduction to Hermeneutics.
- (b) Interpretation of Statutes.
- (c) Theories of Interpretation.
- (d) Modification of Language.
- (e) Other aids – internal aids.
- (f) Other aids – external aids.
- (g) Presumptions of Interpretation.
- (h) Conflicting Provisions.
- (i) Peremptory and Directory Provisions.
- (j) Constitutional Interpretation.
- (k) Interpretation of International Conventions.

(SAR 310) LAW OF THINGS 310 (for LLB and BCom specialising in Law) - 4 lectures per week

- (a) General principles of the law of things.
- (b) Constitutional aspects.
- (c) Control (possession and holdership).
- (d) Ownership (including joint ownership and sectional-title property).
- (e) Limited real rights (including servitudes, limiting provisions, public servitudes, mineral rights and real security rights).

(SIP 410) CIVIL PROCEDURE 410 (for LLB) - 4 lectures per week

General principles of civil procedure in the magistrates courts, High Courts, High Court of Appeal and the Constitutional Court of South Africa.

(SIP 420) CIVIL PROCEDURE 420(for LLB) - one lecture per week

- (a) Aspects of Litigation Techniques.
- (b) Compiling pleadings.

(SGR 410) LAW OF DAMAGES 410 (for LLB) - 2 lectures per week

- (a) General principles and doctrines of the law of damages.
- (b) Specific principles regarding delictual damages.
- (c) Specific principles regarding contractual damages.
- (d) Procedural principles in the law of damages.

(SKH 420) Moot Court 420

Students who represent the faculty officially at the annual All African Human Rights Moot Court Competition or the Phillip C. Jessup International Law Moot Court Competition, or any other moot court competition approved by the Dean, obtain credit for Moot Court 420 during the year of official participation.

(SKY 400) DISSERTATION AND SEMINAR 400

- (a) The dissertation deals with a subject from the field of law.
- (b) The Dean advises proposed final-year students of the date on which the subject of the dissertation must be submitted to him for approval.
- (c) The Head of the Department under which the subject falls, or a lecturer designated by him, acts as project leader and as examiner: Provided that the Head of the Department may appoint an external examiner should he deem it necessary.
- (d) Two typed, duplicated or printed copies of the dissertation, with a maximum of 50 pages (one and a half spacing), must be submitted to the Dean. The date when the

dissertation must be submitted is 30 September or the last Friday in September of every year.

Each lecturer supervises a maximum of 10 students annually. The topics chosen by these students must preferably be thematically linked. At the beginning of the year, all registered students as a group attend three compulsory two-hour lectures on the approach to the writing of a dissertation. Following this, each lecturer organises one seminar with his or her group of students, during which students submit the topics and basic structure of their dissertations. After completion of the dissertations, a copy of each dissertation is made available to students. For this purpose, one copy must be handed in at the library, and the other at the supervisor. The lecturer then organises a further series of seminars, where every student present their conclusions for the group to criticise. At these seminars, the lecturer also involves another faculty member or other expert.

The evaluation is as follows:
Written document 70%
Participation in Seminar 30%

(SMI 420) STATUTORY CRIMES 420 (for LLB) - 2 lectures per week

STATUTORY CRIMES

- (a) Gambling Offences.
- (b) Liquor and Drug Offences.
- (c) Economic Offences.
- (d) Sexual Offences.
- (e) Offences within the Family and against Children.
- (f) Offences against Animals.
- (g) Offences relating to Dangerous Weapons, Firearms and Explosives.
- (h) Police and Prisons Offences.
- (i) Offences against the Public Safety and Order.
- (j) Offences against the Safety of the State.
- (k) Offences against the Environment.
- (l) Traffic Offences.

FORENSIC CRIMINALISTICS

- (a) Components and Objectives of Criminal Investigation.
- (b) Identification, Comparison and Individualisation.
- (c) Information through Communication.
- (d) Serological Examinations.
- (e) Odontological Examinations.
- (f) Dactyloscopic Examinations.
- (g) Trichological Examinations.

(SOR 420) SOCIAL SECURITY LAW 420 (for LLB) - 2 lectures per week

- (a) State administrative structures.
- (b) Training of and the provision of work for employees.
- (c) Unemployment, pension and illness insurance.
- (d) Safety and health measures in respect of the employee.

(SPR 410) CRIMINAL PROCEDURE 410 (for LLB and BCom specialising in Law) - 2 lectures per week

The general principles of criminal procedure in the lower courts, High Court and the High Court of Appeal of South Africa.

(SPR 420) CRIMINAL PROCEDURE 420 (for LLB and BCom specialising in Law) - 4 lectures per week

Drafting of Pleadings.

(SRG 210) CONSTITUTIONAL LAW 210 (for LLB and BAdmin) - 3 lectures per week

- (a) Basic concepts of Constitutional Law.
- (b) Forms of government and unions of states.
- (c) History of Constitutional Law.
- (d) The following aspects of the South African constitutional dispensation:
 - The head of state, his or her functions and powers.
 - The executive authority and its powers.
 - Provincial and local government.

(SRG 220) CONSTITUTIONAL LAW 220 (for LLB and BAdmin) - 3 lectures per week

- (a) The following aspects of the South African constitutional dispensation:
 - The role of the courts.
 - The legislature.
- (b) Electoral systems.
- (c) Citizenship.
- (d) Human rights and especially the human rights as embodied in the South African Constitution and their application by the Constitutional Court.

(SRR 420) SPORTS LAW 420 (for LLB) - 2 lectures per week

- (a) Delictual liability.
- (b) Contractual liability.
- (c) Criminal liability.
- (d) Insurance law.
- (e) Diverse aspects arising from sports claims.

(STR 410) CRIMINAL LAW 410 (for LLB and BCom specialising in Law) - 3 lectures per week

INTRODUCTION TO CRIMINAL LAW

- (a) Criminal Law and the Legal System.
- (b) Criminal Law and Law of Delict.
- (c) The Concepts "Criminal Law" and "Crime".
- (d) The History and Sources of Our Criminal Law.
- (e) Determinism and Indeterminism.
- (f) The Purpose and Function of the Criminal Law and Crime.
- (g) The Lectureification of Criminal Law and Crimes.

GENERAL PRINCIPLES OF CRIMINAL LAW: ELEMENTS OF CRIMINAL LIABILITY

- (a) Legality.
- (b) The Deed.
- (c) Unlawfulness.
- (d) Capacity.
- (e) Fault.
- (f) Multiple Defences.

(STR 420) CRIMINAL LAW 420 (for LLB and BCom specialising in Law) - 3 lectures per week

SPECIFIC OFFENCES

- (a) Attempt, Incitement and Conspiracy.
- (b) Participation and Accessories after the Fact.

- (c) Crimes against Life.
- (d) Crimes against Bodily Integrity and Parental Authority.
- (e) Crimes against Reputation and Dignity.
- (f) Crimes against Property and Freedom of Will.
- (g) Crimes against Sexual Morality and Family Life.
- (h) Crimes against Public Morality and Religious Feelings.
- (i) Crimes against the Administration of Justice and Public Administration.
- (j) Crimes against the State.

PUNISHMENT

- (a) Theories of Punishment.
- (b) Forms of Punishment.

(TBS 410) TRUSTS AND ESTATES 410 (for LLB) - 2 lectures per week

- (a) Estate planning.
- (b) Aspects of trust law.
- (c) Administration of deceased estates.

(TRB 410) TRANSNATIONAL BUSINESS TRANSACTIONS 410 (for LLB) - 2 lectures per week

- (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.

(VBB 320) CONSUMER PROTECTION 320 (for LLB) – 2 lectures per week

- (a) Basic Principles of the Credit Agreement Act.
- (b) Basic Principles of the Usury Act.
- (c) Aspects regarding Consumer Protection.

(VHD 320) LAW OF NEGOTIABLE INSTRUMENTS 320 (for LLB and BCom specialising in Law) – 2 lectures per week

- (a) Elements of negotiability; the bill of exchange, cheque and promissory note; parties to bills, cheques and notes.
- (b) Requirements for validity, negotiation, holdership and acceptance.
- (c) The banker-client relationship; crossings and additions to crossings; the legal position of the drawee and collecting bank and the legal nature of travellers' cards.
- (d) The legal position of the issuer, cardholder and supplier in case of tri-partite credit cards.

(VRR 220) INSURANCE LAW 220 (for LLB) – 4 lectures per week

- (a) Nature and history of insurance.
- (b) Sources of South African Insurance Law and Classification of Insurance Contracts.
- (c) Insurance Contracts.
- (d) Specific aspects regarding Indemnity Insurance.
- (e) Specific aspects regarding Non-indemnity Insurance.

L.2 BACCALAUREUS PROCURATIONIS (BProc) (Code 04131001)**Phasing-out regulations apply to the following degree:**

Note: The onus lies with each student to ascertain whether he or she complies with all the requirements for the degree.

- (i) **Duration**
Four years of full-time or after-hours study.
- (ii) **The BProc degree will be phased out as follows:**
- In 2000, BProc IV will be presented for the last time;
NB: Students who do not pass their fourth year BProc fully in 2000, are compelled to switch to third year LLB (four years) (04130002) in 2001.

Fourth year

- (1) Administrative Law 220 (ADR 220)
 - (2) Law of Evidence 400 (BWL 400)
 - (3) Indigenous Law 200 (IRG 200)
 - (4) Attorney's Practice 400 (PRP 400)
 - (5) Computer Literacy 400 RNV 400)
 - (6) Civil Procedure 500 (SIP 500)
 - (7) Constitutional Law 210, 220 (SRG 210, 220)
 - (8) Criminal Law 200 (STR 200)
- (iii) **Maximum number of courses per year**
Only in exceptional cases and with the Dean's permission, will a student be permitted to take more than eight courses per semester, including courses that are taken for non-degree purposes.
- (iv) **Degree with distinction**
The degree will be conferred with distinction on a student who has obtained a minimum of 75% in at least 12 courses, of which six must be final-year courses.
- (v) For the purposes of promotion or obtaining the degree with distinction, the courses Law of Contract 300, Family Law 100, Law of Delict 300, Law of Persons 100, Law of Succession 200, Law of Things 200 and Mercantile Law 201, 202, 310, 320 are regarded as semester courses.

Exemption Table for subjects in Mercantile Law for BProc**Pre-1998 dispensation (Only BProc IV)**

Subject still needed for BProc IV	Where components for subject needed will be presented in 2000
Mercantile Law 201	Specific Contracts 220 (KTH 220)
Mercantile Law 202	Entrepreneurial Law 310 (ODR 310)

Mercantile Law 310	a. Tax Law 410 (BLR 410)
	b. Third Party Compensation Law 420 (DVR 420)
Mercantile Law 320	a. Labour Law 210 (ABR 210)
	b. Reg insake Verhandelbare Dokumente 320 (VHD 320)

SYLLABI FOR BProc

(ADR 220) ADMINISTRATIVE LAW 220 - 2 lectures per week

- (a) The nature, extent and sources of Administrative Law.
- (b) Administrative relationships, actions and functions.
- (c) Control over the validity of administrative performance.
- (d) Composition and functioning of some administrative government authorities.
- (e) Civil liability of the State.

(BWL 400) LAW OF EVIDENCE 400 - 2 lectures per week

The regulations concerning the furnishing of proof in the civil as well as the penal procedure in the Lower Courts and the Supreme Court of South Africa.

(IRG 200) INDIGENOUS LAW 200 - 2 lectures per week

- (a) Indigenous Law and Indigenous Jurisprudence.
- (b) Indigenous Law of Procedure.
- (c) Indigenous Private Law.
- (d) Aspects of Indigenous Constitutional Law.

(PRP 400) ATTORNEY'S PRACTICE 400 - 2 lectures per week

- (a) A synoptical study concerning the origin and development of the attorney's profession and advocacy.
- (b) Statutory prescriptions applicable to attorneys and advocates.
- (c) Professional responsibility and ethics.
- (d) Practical compilation of several legal documents.
- (e) Estate planning and administration of deceased estates.
- (f) Synoptical study of conveyancing and notarial practice.

(RNV 400) COMPUTER LITERACY 400 - 12 lectures per year

- (a) Introduction to micro computers.
- (b) Introduction to the programmes (MS-Dos).
- (c) Word explanation.
- (d) Data basis.
- (e) Sight pages.
- (f) Information systems such as Jutastat and Index to Legal Periodicals.

(SIP 500) CIVIL PROCEDURE 500 - 2 lectures per week (2 papers)

The general principles of civil procedures in the Magistrate's Courts and the Supreme Court of South Africa, and a course in the drafting of pleadings.

(SRG 210) CONSTITUTIONAL LAW 210 - 2 lectures per week

- (a) Basic concepts of Constitutional Law.

Law

- (b) Forms of government and unions of states.
- (c) History of Constitutional Law.
- (d) The following aspects of the South African constitutional dispensation:
 - The head of state, his or her functions and powers.
 - The executive authority and its powers.
 - Provincial and local government.

(SRG 220) CONSTITUTIONAL LAW 220 - 2 lectures per week

- (a) The following aspects of the South African constitutional dispensation :
 - The role of the courts.
 - The legislature.
- (b) Electoral systems.
- (c) Citizenship.
- (d) Human rights and especially the Bill of Rights as embodied in the SA Constitution and its application by the Constitutional Court.

(STR 200) CRIMINAL LAW 200 - 2 lectures per week

Particular crimes in Criminal Law (continued) and the basic principles of punishment.

POSTGRADUATE STUDIES

L.3 MAGISTER LEGUM (LLM)

Also consult General Regulation G.30 to G.36

(a) Requirement for admission

Subject to the stipulations of General Regulation G.1.3 and G.62, a candidate for the LLM degree must be in possession of at least an LLB or a BProc degree.

(b) Duration

The study extends over at least two semesters.

(c) Curriculum

A student follows the curriculum in (i) or (ii) as explained below:

- (i) An examination and a dissertation.
 - The examination deals with a prescribed programme of advanced study and instruction in a major subject and two subsidiary subjects, approved by the Dean. A major subject refers to the subject or particular field within a subject that is recognised for the bachelor's degree and to which the dissertation is closely linked. A subsidiary subject refers to a subject from a related field of study.
- (ii)
 1. (aa) Four LLM subjects and an dissertation, **or**
 2. For a General LLM, a student may select subjects from any of the approved LLM course work modules, subject to the approval of the Dean in consultation with the specific Head of Department.
 3. For a course work LLM, the student has to register in terms of the approved curriculum (which is published in a separate publication),

subject to the approval of the Dean in consultation with the specific Head of Department.

4. The dissertation should comprise a maximum of 35 to 50 typed pages (with one and a half spacing) and should deal with a topic from a discipline that is approved by the Head of Department responsible for that discipline, in consultation with the supervisor nominated for the particular dissertation.
5. Either the Head of Department responsible for the particular discipline under which the dissertation topic falls, or a lecturer in the Faculty nominated by him, acts as supervisor and examiner. The Dean, in consultation with the Head of the Department concerned, nominates an external examiner.
6. The Dean, in consultation with the Heads of Departments concerned, determines which subjects will be offered in a particular year: Provided that the presentation of subjects in a particular discipline may be extended to a maximum of four semesters.
7. The Dean may grant exemption from a maximum of two courses by virtue of courses passed for an LLM degree, or an equivalent subject course.

(d) Examinations and supplementary examinations

- (i) With regard to curriculum (i), the General Regulations apply.
- (ii) The following regulations apply to curriculum (ii):
 - Supplementary examinations may be allowed in a maximum of two subjects.
 - In the event of having failed two subjects, a student will only be allowed to continue with his or her studies with the Dean's consent.
- (iii) A minimum pass mark of at least 50% is required in the supplementary examination. No semester mark is required.

(e) Degree with distinction

In order to acquire the degree with distinction, a student, who follows curriculum (i), must obtain a minimum of 75% in the examination as well as for the dissertation. A student who follows curriculum (ii), must obtain a minimum of 75% for the dissertation and an average of at least 75% in all the subjects required for the degree.

(f) Field of study

MAGISTER LEGUM (LLM)

Examination and dissertation: Field of study	Degree code	Subject code	Dissertation
Criminal Law	04250051	STR 800	STR 890
Formal Law	04250021	PRL 800	PRL 890
Legal History, Comparative Law and Jurisprudence	04250031	RGS 800	RGS 890
Mercantile Law	04250061	HAR 800	HAR 890
Private Law	04250081	PVR 800	PVR 890
Public Law	04250071	PUR 800	PUR 890

Law

Legal Pluralism and Legal Hermeneutics	04250011	IRG 800	IRG 890
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Course work:		Dissertation	
Fundamental Rights and Constitutional Practice	04251012	}	
Formal Law	04250022	}	
Mercantile Law	04250062	}	
Private Law	04250082	}	
Public Law	04250072	}	
Tax Law	04250092	}	
Criminal Law*	04250073	}	SKR 894
Law of Contract**	04250083	}	
Comparative Law**	04250032	}	
Labour Law	04250063	}	
Child Law**	04250083	}	
Insolvency Law	04250065	}	
Corporate Law	04250064	}	
Human Rights and Democratisation in Africa***	04251013	}	

- * Admission requirements: LLB (04130001) (2 year course); LLB (04130002) (4 year course)
Duration: Minimum one year full-time: 2 modules per semester
Minimum two years part-time: one module per semester
Syllabus: Consult Head of Department
- ** Admission requirements: LLB (04130001) (2 year course); LLB (04130002) (4 year course)
Duration: Minimum two years
- *** Admission requirements: LLB (04130001)(2 year course) or LLB (04130002)(4 year course) or equivalent degree allowing entrance to the legal profession in any African country
Duration: Minimum one year (full-time)

L.4 DOCTOR LEGUM (LLD)

Also consult General Regulations G.45 to G.55 and G.57 to G.62.

- (a) Subject to the stipulations of General Regulation G.1.3 and G.62, a candidate who holds an LLM degree or the LLB degree, may be admitted to the study for the LLD degree, except where the Faculty Council grants exemption.
- (b) The LLD degree is conferred by virtue of a doctoral examination and a thesis.
- (c) The examination deals with a prescribed programme of advanced study in a major subject and two subsidiary subjects as approved by the Dean.
- (d) A major subject refers to the subject, or particular field within a subject, that is recognised for the bachelor's degree and to which the thesis is closely linked. A subsidiary subject refers to a subject, or a particular field within a subject, that is

recognised for the bachelor's degree, or a subject or subsection of a subject from a related field of study.

- (e) Thesis: The topic of the thesis must be selected from the field of Law, and be approved by the Dean. The examination panel may require a student to submit him or herself to an oral examination on the thesis.
- (f) The Faculty Board can grant a candidate exemption from a part of or the whole examination referred to in (c) in cases where the Faculty Board is of the opinion that the candidate's qualifications, publications and/or other experience justify it. An application for exemption must be accompanied by a recommendation from the Head of department. Such a doctorate will be conferred on account of original research and only after work equivalent to two credits (i.e. 2 years of study) has been completed.
- (g) **Field of study**

DOCTOR LEGUM (LLD)

Field of study	Degree code	Subject code	Thesis
Criminal Law	04260051	STR 900	STR 990
Legal Pluralism and Legal Hermeneutics	04260011	IRG 900	IRG 990
Formal Law	04260021	PRL 900	PRL 990
Legal History, Comparative Law and Jurisprudence	04260031	RGS 900	RGS 990
Mercantile Law	04260061	HAR 900	HAR 990
Private Law	04260081	PVR 900	PVR 990
Public Law	04260071	PUR 900	PUR 990

PRIZES AND MEDALS IN THE FACULTY

Name	Donor	Award
Adams & Adams Prize	Attorneys Adams & Adams	For the best performance in Intellectual Property Law 320
Annette Krause Prize	Transvaal Law Society	For the best female student in the final of the BProc degree in the Transvaal
Bliss Prize	Department of Formal Law	For the best student in Civil Procedure 410, 420
Buckle Prize	Transvaal Law Society	For the best student in the final year of the BProc degree
Butterworth Prize	Butterworth & Co SA (Pty) Ltd	For the final-year LLB student who wrote the best dissertation
Daan Pont Prize	Dr DF Mostert	For the LLB student with the best performance in the examination in Law of Damages 410, Law of Education 420 or Trusts and Estates 410 and Intellectual Property Law 320
Digma Prize	Digma Publications (Pty) Ltd	For the student with the best performance in Tax Practice 420
DM Kisch Inc Prize	DM Kisch Incorporated	For the best student in Legal Practice 310, 320
EM Hamman Floating Trophy	Prof Dr EM Hamman	For the candidate with the best performance in Law of Securities 410 and Transnational Business Transactions 420 for the LLB Degree
Gildenhuys Van der Merwe Prize	Gildenhuys Van der Merwe Incorporated	For the best student in Practical Law 400
Grotius Medal	Pretoria Bar Council	For the student with the best results in the final year LLB examination
Harold Galasko	Prize Family Galasko	For the student who performed the best in the final year of the LLB (subject to him or her having passed all the courses at the first attempt)
Chief Justice F L H Rumpff Floating Trophy	Former Chief Justice FLH Rumpff	For the student with the highest marks in Criminal Law 210, 220 or 410, 420
Johan Verloren van Themaat Prize	Family Verloren van Themaat	For the best student in Constitutional Law 210, 220 or 310, 320
Juta Law Prize	Juta & Co	For the final-year student who achieved the best aggregate percentage in respect of any degree course in the Faculty
Nelson Mandela Prize	Judge DA Basson	For the best student in Human Rights 220
Law Societies Prize	Transvaal Law Society	For the best student in the final year of the BProc degree in the Transvaal

Name	Donor	Award
Rooth and Wessels Prize	Rooth and Wessels	For the best student in Medical Law 410
Rorich, Wolmarans and Luderitz Prize	Rorich, Wolmarans and Luderitz Inc	For the best student in Criminal Procedure 210 or 410, 420
Schilz Prize	Mr R Schilz	For the best student in the third year of the LLB degree.
Tuks Bookshoppe Prize	Tuks Bookshoppe	Books to the value of a maximum of R1 000 selected by the prize winner for the best first-year student for the LLB
Van der Merwe Du Toit en Fuchs Prize	Van der Merwe Du Toit and Fuchs	For the best student in the course Law of Things 310.
Willem van der Merwe Prize	Mrs N van der Merwe	For the best student in the fourth year of study of the LLB degree
William Hitge Prize	Transvaal Law Society	For the student with the best performance in the examinations for the BProc degree at the University of Pretoria
Other		
SRC Medal of Honour *	Student Representative Council	For the student who delivered the best service to the student community

*Not limited to the Faculty of Law.

The Afrikaans text of this publication is the official version and will be given precedence in the interpretation of the content.