

**FACULTIES OF THE  
UNIVERSITY OF PRETORIA**

HUMANITIES  
NATURAL AND AGRICULTURAL SCIENCES  
LAW  
THEOLOGY  
ECONOMIC AND MANAGEMENT SCIENCES  
VETERINARY SCIENCE  
EDUCATION  
HEALTH SCIENCES  
ENGINEERING, BUILT ENVIRONMENT AND INFORMATION TECHNOLOGY

Address all enquiries to:

**The Director: Academic Administration  
University of Pretoria  
PRETORIA  
0002**

Cheques and postal orders must be crossed and made payable to  
the *University of Pretoria*.

**Telephone: 012 420 4111  
Fax: 012 362 5168/362 5190  
Web address: [www.up.ac.za](http://www.up.ac.za)**

ISBN 978-1-86854-762-3



## TABLE OF CONTENTS

<b>ACADEMIC PERSONNEL</b> .....	1
<b>GENERAL INFORMATION</b>	
Admission .....	5
Selection .....	5
Statement of symbols .....	5
National Senior Certificate .....	5
Medium of instruction .....	5
Bursaries and loans .....	5
Accommodation .....	5
Welcoming day and academic orientation week .....	5
Prescribed books .....	5
Amendment of regulations and fees .....	6
Cancellation of modules .....	6
Definition of terms .....	6
<b>REGULATIONS</b>	
Admission to undergraduate study .....	8
Academic literacy .....	9
Computer and information literacy .....	10
Registration for a particular year of study .....	10
Credits for unregistered students .....	10
Exemption/credits for modules passed at other institutions .....	10
Examination policy .....	10
Test policy .....	12
Releasing of test and examination marks .....	13
Handling of problems and consulting hours of Dean and lecturers .....	13
Testimonials .....	14
<b>DEGREES CONFERRED IN THE FACULTY OF LAW</b>	
<b>Undergraduate studies</b>	
LLB .....	15
<b>Postgraduate studies</b>	
LLM: Research .....	20
LLM: Coursework .....	22
LLD .....	34
<b>SYLLABI</b> .....	35
<b>PRIZES, SCHOLARSHIPS AND MEDALS AWARDED IN THE FACULTY</b>	
<i>Please visit the Faculty website at <a href="http://www.up.ac.za/law">www.up.ac.za/law</a> for more information.</i>	



## FACULTY OF LAW

### ACADEMIC PERSONNEL AS AT 31 OCTOBER 2009

#### DEAN

Heyns, C.H., BLC LLB BA(Hons) MA(Pretoria) LLM(Yale)..... Professor  
PhD(Witwatersrand)

#### DEPARTMENT OF MERCANTILE LAW

Van Eck, B.P.S., BLC LLB LLD(Pretoria)..... Professor (Head)  
Van Jaarsveld, S.R., BA LLB LLD(Pretoria)..... Emeritus Professor  
Burdette, D.A., Blur LLB(Unisa) LLD(Pretoria)..... Extraordinary Professor  
Brassey, M.S.M., BA(UCT) LLB(Witwatersrand)..... Honorary Professor  
HDip(Tax)(Witwatersrand)  
Fourie, J.D., Blur(Pretoria) LLB(Unisa) ..... Honorary Professor  
Katz, M.M., BCom LLB(Witwatersrand) LLM(Harvard) ..... Honorary Professor  
Loubser, R.M., MCom(Unisa)..... Honorary Professor  
Delpont, P.A., BA LLB LLD(Pretoria) HDip(Tax)(Witwatersrand) ..... Professor  
Lötzt, D.J., Blur LLB(Pretoria) LLM(Witwatersrand)..... Professor  
LLD(Pretoria)  
Nagel, C.J., BA LLB LLD(Pretoria)..... Professor  
Roestoff, M., BLC LLB LLM LLD(Pretoria) ..... Professor  
Van Heerden, C.M., B Proc LLB LLM(Pretoria) LLM(Unisa)..... Associate Professor  
LLD(RAU)  
Botha, M.M., BLC LLB LLM(Pretoria) Bcom(Hons)(Pretoria)..... Senior Lecturer  
Church, J., BCom LLB LLM(Pretoria)..... Senior Lecturer  
Louw, C., BCom(Law) BCom(Hons) MCom LLB(Pretoria) ..... Senior Lecturer  
Morajane, T.C., BA LLB(Cape Town) LLM(Pretoria)..... Senior Lecturer  
Muller, E., BCom(Law) LLB LLM(Pretoria)..... Senior Lecturer  
Renke, S., BLC LLB LLM(Pretoria) ..... Senior Lecturer  
Barnard, J., LLB(Pretoria) LLM(Unisa)..... Lecturer  
Coetzee, H., BCom(Law) LLB(Pretoria) ..... Lecturer  
Gericke, S.B., LLB LLM(Pretoria)..... Lecturer  
Joubert, E.P., LLB LLM(Pretoria) ..... Lecturer  
Papadopoulos, S.M., BLC LLB LLM(Pretoria)..... Lecturer  
Pillay, M., LLB LLM(Pretoria) ..... Lecturer  
Brink, G.F., BCom(Law) LLB LLD(Pretoria) ..... Extraordinary Lecturer

#### DEPARTMENT OF PRIVATE LAW

Boezaart, C.J., BA LLB LLD(Pretoria)..... Professor (Head)  
Bekker, J.C., BA LLB LLD(Unisa) ..... Extraordinary Professor  
Grové, N., BA LLB LLM(Pretoria) LLD(RAU) ..... Extraordinary Professor  
Sinclair, J.D., BA LLB LLD(Witwatersrand) ..... Honorary Professor  
Van Heerden, B.J., BA LLB(Stellenbosch) BA(Hons) MA(Oxford)..... Honorary Professor  
Van Zyl, D.H., BA LLB BA(Hons)(Pretoria) Dr Jur(Leyden) ..... Honorary Professor  
PhD LLD(Cape Town) DLitt(Free State)  
Klopper, H.B., BA LLB LLD(Free State) ..... Professor  
Maithufi, I.P., Blur LLB(University of the North) ..... Professor  
LLM (Potchefstroom) LLD(Pretoria)  
Scott, T.J., BA(Hons) LLB(Pretoria) Dr Jur(Leyden) ..... Professor  
Van der Linde, A., BLC LLB LLM LLD(Pretoria)..... Professor  
Van Schalkwyk, L.N., BA LLB LLD(Pretoria)..... Professor

Buchner-Eveleigh, M., BLC LLB LLM(Pretoria).....	Senior Lecturer
Kuschke, B., BLC LLB(Pretoria) LLD(Unisa).....	Senior Lecturer
Louw, A.S., BA(Stellenbosch) Blur(Unisa) LLB LLD(Pretoria) .....	Senior Lecturer
Van der Spuy, P. de W., BA LLB(Stellenbosch).....	Senior Lecturer
Du Toit, C., BA(Law) LLB(Stellenbosch) LLM(Pretoria).....	Extraordinary Lecturer
Ngidi, R.L.K., LLB(Pretoria).....	Extraordinary Lecturer
Skelton, A.M., LLB(Natal) LLD(Pretoria) .....	Extraordinary Lecturer

**DEPARTMENT OF PROCEDURAL LAW**

Boraine, A., Blur LLB(Pretoria) LLM(Witwatersrand) .....	Professor (Head)
LLD(Pretoria)	
Jajbhay, M., BA(Durban-Westville) LLB LLM (Witwatersrand).....	Extraordinary Professor
Van Loggerenberg, D.E., Blur LLB(Potchefstroom) .....	Extraordinary Professor
LLD(Port Elizabeth)	
Cloete, R., BLC LLB(Pretoria) LLD(Unisa).....	Professor
De Villiers, W.P., Blur LLB LLD(Pretoria).....	Associate Professor
Van der Merwe, I.A., BProc LLB (Pretoria) LLM(Unisa).....	Associate Professor
PhD(Rhodes)	
Bekker, P.M., Blur LLM LLD(Unisa) .....	Senior Lecturer
Illsley, E.D., BLC LLB(Pretoria) LLM(McGill).....	Senior Lecturer
Christian, M.A., BProc LLB LLM(Pretoria).....	Lecturer
Curlewis, L.G., BLC LLB LLM LLD(Pretoria) LLM(Unisa) .....	Extraordinary Lecturer
West, A.S., BProc(Unisa) .....	Extraordinary Lecturer

**DEPARTMENT OF PUBLIC LAW**

Fombad, C.M., LLB(Yaounde) LLM PhD(London).....	Professor (Head)
Dip Conflict Resolution(Uppsala)	
De Wet, E., Blur LLB(Free State) LLM(Harvard).....	Extraordinary Professor
LLD(Free State)	
D'Oliveira, J.A. van S., Blur(Pretoria) LLB LLD(Unisa) .....	Extraordinary Professor
Kessie, E.K., LLB(Ghana) LLM(Toronto) LLM(Brussels) .....	Extraordinary Professor
SJD(Sydney University of Technology)	
Carpenter, G., BA LLB(Pretoria) BA(Hons)(Unisa) .....	Honorary Professor
Strauss, S.A., BA(Law)(Stellenbosch) LLB(Free State).....	Honorary Professor
LLD(Unisa) LLD(Pretoria)	
Botha, C.J., LLB(Pretoria) BA(Hons) LLD(Unisa) .....	Professor
Carstens, P.A., BLC LLB LLD(Pretoria) .....	Professor
Le Roux, J., Blur LLB(Port Elizabeth) LLD(Pretoria).....	Professor
Malan, J.J., BA(Hons)(Pretoria) Blur LLB LLD(Unisa) .....	Professor
Woolman, S., BA(Wesleyan University) MA(Columbia).....	Professor
JD(Columbia Law College) LLD(Pretoria)	
Bekink, B., BLC LLB LLM LLD(Pretoria) .....	Associate Professor
Brand, J.F.D., BLC LLB(Pretoria) LLM(Emory) .....	Senior Lecturer
LLD(Stellenbosch)	
Grobbelaar-Du Plessis, I., Blur LLB LLM(Pretoria) .....	Senior Lecturer
Hoffman, A., BProc LLB LLM(Johannesburg) LLM(Pretoria).....	Senior Lecturer
LLM(Columbia)	
Bishop, M.J., BA(Law) LLB LLM(Pretoria) .....	Extraordinary Lecturer
Oosthuizen, G.H., BLC LLB(Pretoria) LLM(Leyden) .....	Extraordinary Lecturer
Saayman, G., MBChB MMed(Pretoria) .....	Extraordinary Lecturer

## DEPARTMENT OF LEGAL HISTORY, COMPARATIVE LAW AND LEGAL PHILOSOPHY

Van Marle, K., BLC LLB(Pretoria) LLM LLD(Unisa) .....	Professor (Head)
Van der Westhuizen, J.V., BA LLB LLD(Pretoria) .....	Extraordinary Professor
Mokgoro, Y., Blur LLB LLM(North-West) LLM(Pennsylvania).....	Honorary Professor
Kleyn, D.G., BA LLB LLD(Pretoria) MASSAf .....	Professor
Nicholson, C.M.A., BProc LLB(Witwatersrand) LLM LLD(Unisa).....	Professor
Thomas, Ph.J., MR(Rotterdam) LLD(Unisa) .....	Professor
Kok, J.A., BCom(Law) LLB LLM LLD(Pretoria) .....	Associate Professor
Nienaber, A.G., BA(Pretoria) HDE BA(Hons)(Witwatersrand) .....	Associate Professor
LLB LLM LLD(Pretoria)	
Madlingozi, T., LLB LLM(Pretoria).....	Senior Lecturer

## CENTRE FOR ADVANCED CORPORATE AND INSOLVENCY LAW

Boraine, A., Blur LLB(Pretoria) LLM(Witwatersrand) .....	Associate Director
LLD(Pretoria)	
Delport, P.A., BA LLB LLD(Pretoria) HDip(Tax)(Witwatersrand) .....	Associate Director

## CENTRE FOR CHILD LAW

Skelton, A.M.A., LLB(Natal) LLD(Pretoria).....	Director
Du Toit, C., BA(Law) LLB(Stellenbosch) LLM(Pretoria).....	Attorney
Ngidi, R.L.K., LLB(Pretoria).....	Attorney

## CENTRE FOR HUMAN RIGHTS

Viljoen, F.J., BLC LLB MA(Pretoria) LLM(Cantab).....	Director
LLD(Pretoria)	
An-Naim, A.A., LLB(Sudan) LLM MA(Cambridge).....	Extraordinary Professor
PhD(Edinburgh)	
Kriegler, J., BA(Pretoria) LLB(Unisa) .....	Extraordinary Professor
Kwakwa, E., LLB(Ghana) LLM(Queens) JSD(Yale).....	Extraordinary Professor
Mwenda, K.K., LLB(Zambia) BCL MPhil(Oxford) MBA(Huil).....	Extraordinary Professor
LLD(Rhodes) PhD(Warwick)	
Padilla, D.J., BA JD(Detroit) MA(Pennsylvania).....	Extraordinary Professor
LLM(George Washington) MPA(Harvard)	
Robinson, M., MA LLB(Dublin) LLM(Harvard) LLD(Oxon) .....	Extraordinary Professor
Roux, T., BA(Hons) LLB(Cape Town) DPhil(Cantab) .....	Extraordinary Professor
Dugard, C.J.R., BA LLB(Stellenbosch) LLB .....	Honorary Professor
Dip International Law LLD(Cantab) LLD(Natal)	
Bradlow, D., BA(Witwatersrand) JD(North Eastern).....	Professor
MLIC(Georgetown)	
Hansungule, M.K., LLB LLM(Zambia) LLM(SOAS, London).....	Professor
PhD(Graz)	
Allain, J., BA (Carleton) MA DPhil(Geneva) .....	Extraordinary Lecturer
Aptel, C., BA(Aix-Marseille) MA(Bruges) MLitt(Dublin) .....	Extraordinary Lecturer
PhD(Florence)	
Delpont, E., BLC LLB LLM(Pretoria) LLM(Unisa) .....	Extraordinary Lecturer
Fritz, N., BA(Natal) LLB(Witwatersrand) LLM(New York) .....	Extraordinary Lecturer
Kollapen, J., BProc LLB(Witwatersrand).....	Extraordinary Lecturer
Lumina, C., LLB(Zambia) LLM(Essex) DPhil(Griffith) .....	Extraordinary Lecturer
Waschefort, G., LLB(Pretoria) .....	Extraordinary Lecturer
Taku, N.A., LLB(Cameroon) LLM(Pretoria).....	Assistant Director

**LAW CLINIC**

Haupt, F.S., BA(Hons)(Pretoria) LLB(Unisa)..... Director  
Grové, L.B., BCom(Law) LLB LLM(Pretoria)..... Attorney  
Williams, C., LLB(Pretoria) ..... Extraordinary Lecturer

**STUDENT ADMINISTRATION**

Slabbert, E.M..... Head

**FACULTY MANAGER**

Maponya, P.S., BAdmin(University of the North)  
Hons BAdmin(Unisa)



**GENERAL INFORMATION****Admission/readmission**

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 the LLB programme closes on 30 June.

**Selection**

A selection procedure takes place prior to admission to any degree programme in this Faculty.

**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 Grade 12 examination.

**National Senior Certificate**

All undergraduate candidates who enrol at the University of Pretoria for the first time, must show their original National Senior Certificate at the Student Administration of their faculty before the end of the first semester.

**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 module and any further level of that module 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 from the Section: Study Financing, University of Pretoria, 0002.

**Accommodation**

Applications for accommodation in university residences for a particular year can be submitted as from 1 March 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.

**Welcoming day and academic orientation week**

Details of the welcoming day to which all parents are cordially invited, and the subsequent academic orientation week during which all new first-year undergraduate 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.

### **Amendments of regulations and fees**

The University retains the right to amend the regulations and to change programme/module fees without prior notification.

Please note: The fees advertised and thus levied in respect of a module or study programme presentation represents a combination of the costs associated with the formal services rendered (for example lectures, practicals, access to laboratories, consumables used in laboratories, etc) as well as associated indirect overheads such as the provision of library and recreation facilities, security and cleaning services, electricity and water supply, etc. Therefore the fees in respect of a module or study programme presentation cannot simply be reconciled with the visible services that are rendered in respect of such module or study programme.

### **Cancellation of modules**

The cut-off date for cancellation of modules in the first and second semesters will be communicated to students by means of notices on the notice boards and announcements in the classes as well as in the timetable book. Students will not be allowed to cancel any module at a later date and lecturers/administrative staff will not supply any letters in this regard after the deadline.

#### **Definition of terms**

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

**academic year:** the duration of the academic year as determined by the University Council

**core module:** a module that is essential for a particular programme or package

**credit (or credit value):** a value unit (credit) accredited to every module and which represents the complexity of and amount of work needed for the module; one credit represents 10 notional/learning hours

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

**elective module:** a module that forms part of a package and which can be selected on an elective basis, with the proviso that enough credits are obtained at the specific year level, as required by the relevant degree or diploma

**examination mark:** the mark awarded to a student in a module on the basis of an examination in a paper/papers, including practical and clinical examinations, where applicable

**extended (study) programme:** a study programme for a degree or diploma which, in accordance with the regulations, is taken over a longer period than the normal minimum duration of the degree and diploma

**final mark:** the mark calculated on the basis of the semester/year mark and the examination mark awarded to a student in a module, using a formula which is determined from time to time by means of regulations for every module with the proviso that should no semester/year mark be required in a module, the examination mark serves as the final mark

**fundamental module:** a module that serves as the academic basis of the learning activities for a particular programme or package

**GS:** a combined mark (semester/year mark plus examination mark) of at least 40% required for admission to a specific prescribed module

**learning hours:** the notional number of hours a student should spend to master the learning content of a particular module or programme. The total number of learning hours for a module consists of the time needed for lectures, practicals, self-study and any other

activity required by the training programme. Learning hours for modules are calculated on the basis of 40 working hours per week x 28 weeks = 1 120 + 80 additional hours for evaluation = 1 200. For undergraduate modules, the total number of learning hours per module is calculated using the formula: number of credits (per module) x 10.

**level (or year level):** this is an indication of the complexity of a module (eg first, second or further level), and also implies a particular credit value. The first digit of the module code indicates the (year) level (thus ADR 310 is a module in the discipline of administrative law at level three).

**module:** an independent, defined learning unit, designed to result in a specific set of learning outcomes, and which is a component of a programme.

**package:** a group of modules which are connected and share a particular focus and which are taken by students as an area of specialisation within a programme

**programme coordinator:** the individual responsible for organising, compiling and arranging the teaching of/and guidance with a particular programme

**programme manager:** the individual responsible for the overhead management, organisation and composition of a particular programme, together with the packages that make up the programme

**regulation for admission:** a regulation compiled by the Dean concerning the admission of students to the faculty and which includes a provision regarding the selection process

**semester mark/year mark:** the mark awarded to a student on the basis of tests, class work, practical work or any other work which was done in a module

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

**syllabus:** the division of the study material for a specific module

**year module:** a module that extends over one year (two semesters)

<b>REGULATIONS IN THE FACULTY OF LAW</b>
--

*The rules for the degrees here published are subject to change and may be amended prior to the commencement of the academic year in 2010.*

## **1. Admission to undergraduate study**

### **1.1 Admission requirements for candidates with a National Senior Certificate (NSC)**

To be able to gain access to a faculty and specific programmes, prospective students require the appropriate combinations of recognised NSC subjects as well as certain levels of achievement in the said subjects. In this regard the determination of an admission point score is explained and a summary of the faculty-specific requirements, ie the Admission Point Score (APS) per programme and the specific subjects required per programme is provided.

#### **Determination of the Admission Point Score (APS)**

The calculation is based on a candidate's achievement in six 20-credit recognised subjects by using the NSC ratings, which is the "1 to 7 scale of achievement for each subject". Thus, the highest APS that can be achieved is 42.

Life Orientation is excluded from the calculation determining the APS required for admission.

<b>Rating code</b>	<b>Rating</b>	<b>Marks %</b>
7	Outstanding achievement	80-100%
6	Meritorious achievement	70-79%
5	Substantial achievement	60-69%
4	Adequate achievement	50-59%
3	Moderate achievement	40-49%
2	Elementary achievement	30-39%
1	Not achieved	0-29%

Provisional admission is based on the results obtained in the final Grade 11 examination. Final admission is based on Grade 12 results. Please note: The final Grade 12 results will be the determining factor with regard to admission.

#### Alternative admission channels:

Candidates with an APS lower than required could be considered for admission to a faculty if they meet the additional assessment criteria specified by a faculty from time to time. Preference will, however, be given to students who comply with the regular admission requirements of a faculty.

### **1.2 Specific requirements for the Faculty of Law for candidates with an NSC**

- (i) A valid National Senior Certificate with admission for degree purposes.
- (ii) The minimum subject and level requirements as indicated in the table on the next page.
- (iii) A motivation letter (contact Student Administration).

Degree	APS	Group A			Group B
		Two Languages	Mathematics or Mathematical Literacy	Life Orientation	3 Other subjects
LLB	Candidates with an APS of 38 or higher will on receipt of their applications be accepted immediately. After 30 June, the remaining spaces in the LLB programme will be filled by candidates with an APS of 32-37 by means of a selection process.	Any two languages, of which one language must be Afrikaans or English	Mathematics or Mathematical Literacy	Not taken into consideration when calculating the APS	Any three subjects

**Note:**

- The applications of candidates whose Grade 11 marks do not meet the admission requirements, but who comply with the above requirements in the Grade 12 examinations, will be reconsidered on request, if there are places available in the Faculty, on condition that the candidates applied for admission to LLB studies prior to 30 June of the previous year.
- Candidates, who are admitted provisionally on the basis of their Grade 11 results, retain their admission after sitting for the Grade 12 examinations, only if they obtain an NSC with admission for degree purposes and comply with all of the above requirements.

**1.3** The Senate may limit the number of students allowed to register for a specific field of study in which case the Dean concerned may, at his/her own discretion, select from the students who qualify for admission those who may be admitted. Students who take a module offered by another faculty, must familiarise themselves with the requirements for admission to the module in question as well as the regulations governing admission to the module concerned, sub minima in examinations, supplementary examinations, etc.

**1.4** The following persons may also be considered for admission:

- (i) A candidate who is in possession of a certificate that is deemed by the University to be equivalent to the required National Senior Certificate with admission for degree purposes.
- (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 is a graduate from another faculty at this University.

Note: A conditional exemption certificate does not grant admission to LLB study. *Prospective students are requested to contact the Faculty for more information regarding the admission requirements pertaining to the abovementioned categories.*

**2. Academic literacy**

It is expected of every new undergraduate student who wishes to register at the University to complete an academic literacy test. Based on the results of this test,

the student will be enrolled in academic literacy modules that have to be passed before the degree will be awarded.

In exceptional circumstances, the academic literacy modules may be substituted by other modules as approved by the Dean.

### **3. Computer and Information literacy**

The following modules in computer and information literacy are compulsory for all first-year students of the Faculty of Law: CIL 111 and CIL 121. If a student is of the opinion that he/she complies with the requirements, arrangements can be made to write an exemption test. (Only for CIL 111 – no exemption will be given for CIL 121 as the contents will be University specific.)

### **4. Registration for a particular year of study**

At the beginning of an academic year, a student registers for all the modules he/she intends taking in that particular year (whether these be first-semester, second-semester or year modules).

Changes to the chosen study programme may be made at the beginning of the second semester with the Dean's approval. A student may also only register for modules that will fit in on the lecture, test and examination timetables. Application for reregistration can be refused on the grounds of poor academic performance in the previous year.

### **5. Credits for unregistered students**

There are students who attend lectures, write tests and examinations and in this manner earn "marks", but have either not registered for modules or have not registered as students at all. These marks will not be communicated to any student before he/she has provided proof of enrolment.

A student cannot obtain any credits in a specific academic year for a module "passed" in this manner during a previous academic year and for which he/she was not registered. This arrangement applies even where the student is prepared to pay the tuition fees.

### **6. Exemption/credits for modules passed at other institutions**

Students must apply on the prescribed form that is only available at the Student Administration Office. The complete syllabus of the module concerned must accompany the application.

Students transferring from another university must complete at least half (50%) of the modules needed for the LLB degree at this University and must be a registered student of this University for at least two years.

### **7. Examination policy**

#### **7.1 General**

- The examinations in first-semester modules take place in May/June, while examinations in second-semester modules take place in October/November. Each student has the responsibility to ascertain when modules will be written according to the official examination timetable.
- The use of correction fluid such as TipEx in tests, examinations and assignments is prohibited.
- No cell phones are allowed in test or examination venues.

#### **7.2 Examination admission and pass requirements**

A semester mark of at least 40% is required in order to be admitted to the

examination in any module, with the exception of first-semester modules at 100-level for which the minimum requirement is 30%.

A final mark of at least 50% is required to pass. The final mark is the average mark of the semester and the examination mark but a subminimum of 40% is required in the examination in each module. Should the student fail to achieve the required subminimum, the lecturer could grant a supplementary examination, provided that the final mark is at least 40%.

The pass mark for essays, seminars, etc is at least 50%. The stipulations of G.60.4.d(vii) regarding requirements for dissertations, apply *mutatis mutandis* to essays.

### 7.3 Ancillary examinations

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

### 7.4 Re-marking of examination papers (also consult General Regulation G.14)

After an examination, departments provide 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 head of the department. Students may apply for re-marking of an examination paper after perusal of such paper within 14 calendar days after 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 concerned. A student can only pass or fail a re-marked paper – a supplementary examination will not be granted.

A student is only allowed either to write the supplementary examination or to apply for a re-mark but not both.

### 7.5 Supplementary examinations

- (i) Supplementary examinations in first-semester modules take place after the May/June examinations, while those in second-semester modules take place after the October/November examinations.
- (ii) To pass a supplementary examination, a student must obtain a minimum of 50% in the supplementary examination – the semester mark does not count.
- (iii) The highest final mark a student can obtain in a supplementary examination is 50%.

All students with a final mark of 40%-49% will qualify to write the supplementary examination. If a student does not write the supplementary examination on the scheduled day, there will **not be** any later opportunity for a rewrite.

### 7.6 Aegrotat/extraordinary examinations

Students, who do not write their examinations on the scheduled day, may apply for an aegrotat/extraordinary examination at the Student Administration Office. Each request is referred to the Dean and the Student Affairs Committee for a decision. Lecturers are not allowed to grant any permission for this category of examination. It is the responsibility of the student to ascertain whether his/her request has been successful. If permission has been granted, the student will be allowed to write the aegrotat/extraordinary examination during the supplementary examination. Such a student will not qualify for a further supplementary examination.

Application for the above examination must be handed in at the Student Administration Office together with a valid medical certificate not later than three days after the module should have been written. The worn excuses of having overslept or read the timetable incorrectly will not be accepted.

A student who has been granted permission to write an aegrotat/extra-ordinary examination and who then fails to write the examination will not qualify to submit any such application at a later stage.

#### **7.7 Special examinations**

A student who has complied with all the requirements for a degree, with the exception of a maximum of four semester modules in which a final mark of at least 40% has been obtained, may be admitted to a special examination in January of the following year. The applicable fee needs to be paid before sitting for the examination. Should the student fail the module(s), the particular module(s) must be repeated in full.

### **8. Test policy**

#### **8.1 Semester tests**

- There will be at least two evaluation opportunities per semester module.  
Exceptions:
  - Modules in which the Faculty has given permission in advance that the semester mark may be calculated in another manner.
  - Where a student is only taking a sick or an extraordinary test as described hereunder.
- The dates of official semester tests may only be changed with the permission of all members of a class group present during a scheduled lecture. If such a change of schedule occurs, the onus is on each student to find out about it. Absence from the class in which such arrangements were made will not serve as an excuse.
- Students are entitled to perusal of tests scripts but not to a re-mark by either the lecturer or an external examiner.

#### **8.2 Sick tests**

- There is only one sick or an extraordinary test opportunity and this takes place at the end of the semester. Students must obtain the details from the lecturer. The test will cover all the work completed up to the date of the test. There are no special provisions to supplement marks where an evaluation opportunity takes the form of an assignment or a series of class tests.
- A student who is unable to write an official semester test on the scheduled date or at the scheduled time, must apply in writing for a sick or extraordinary test.
- Application must be made in writing before the date of the test to the lecturer responsible for the administration of the module concerned. Where this is not possible, the application must be made within three working days after the date of the test.
- In the case of illness, a doctor who treated the student must certify on a medical certificate that the particular student was, in his/her opinion, not in a fit state to prepare for or to sit for the test as a result of ill health. It is the University's policy that a medical certificate indicating that the student was, according to his/her own opinion, unfit to prepare for or to sit for the test is unacceptable.



- In cases where a reason other than sickness is relied upon, the student must submit an affidavit that reflects the reason for his/her absence from the test. Further evidentiary documents or supporting affidavits from persons who may be able to give evidence regarding the situation must also be submitted. In the event of a funeral, a copy of the death certificate of the deceased or other substantiating evidence is required together with an explanation of the relationship between the student and the deceased.  
The worn excuses of having overslept or read the timetable incorrectly will not be accepted.
- Students must confirm with the lecturer that a sick or an extraordinary test has been granted. A student, who cannot get hold of the lecturer in person, must preferably hand the documentation to the relevant departmental secretary.
- A record is kept of every application for a sick or an extraordinary test. This information may later be disclosed to prospective employers who seek letters of reference from the Faculty.
- A student who has been granted permission to write a sick test or an extraordinary test and who then fails to write the test, will not qualify for any such test at a later stage.

#### **9. Releasing of test and examination marks**

- Lecturers will advise students where test scripts will be made available. The lecturer will give the students feedback on semester tests, either by way of a written memorandum or a class discussion. Each department will also make known to students the process by which changes to marks, etc will be handled in that department.
- Final marks will be published by Student Administration. Lecturers will advise students in advance of the date on which perusal of examination papers will take place. At such a perusal session there will be a written memorandum or the lecturer must otherwise, by a method that he/she shall determine, give the students feedback on the paper. Students who are unable to attend the official perusal session may apply to the lecturer, in the same manner as for sick and extraordinary tests, for an opportunity to see the examination script. No lecturer is under any obligation to grant any student such a perusal opportunity more than two weeks after the commencement of the following semester.
- Lecturers are entitled to destroy examination scripts one year after the completion of the relevant examination session.

#### **10. Handling of problems and consulting hours of the Dean and lecturers**

- Students who have a problem must first determine whether the problem relates to their registration with the University or to the module. In both instances the Student Administration should be consulted first.
- A problem regarding the content of a particular module must first be taken up with the specific lecturer responsible for the module. If the student cannot be assisted with his/her problem at this level, he/she must consult with the relevant head of department and afterwards with the Dean, if necessary.
- Lecturers in a specific department work under the guidance of a head of department. Lecturers or the head of the department can be consulted during their consulting hours or otherwise, by appointment. If a lecturer must be consulted by appointment, the appointment must be arranged with the relevant lecturer or the departmental secretary.

- Students may consult the Dean by making an appointment, in advance, with the Dean's secretary.

**11. Testimonials required for good conduct**

Students guilty of dishonest conduct are charged with misconduct. If the student is found guilty, disciplinary steps are taken, of which suspension from the university is one possibility. Dishonest conduct includes: copying of work during tests or examinations, copying of assignments, the illegal use of notes during tests and examinations, the submission of forged medical certificates or false affidavits.

Prospective law students must be aware that the Law Society requires every prospective candidate attorney who applies for clerkship to submit a testimonial to satisfy the Law Society that he/she is fit and proper to do so. The testimonial should disclose any previous criminal convictions or disciplinary steps taken against the applicant. In such instances a decision will be taken by the Law Society and it is possible that the application can be refused.

## DEGREES CONFERRED IN THE FACULTY OF LAW

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

- (a) Bachelor of Laws – LLB (4 years)
- (b) Master of Laws – LLM Coursework [minimum of 2 semesters (1 year), maximum of 8 semesters (4 years)]  
LLM Research [minimum of 2 semesters (1 year), maximum of 8 semesters (4 years)]
- (c) Doctor of Laws – LLD [minimum of 4 semesters (2 years), maximum of 8 semesters (4 years)]

### Codes:

Law Special (UG): 04180001/(PG): 04280001  
 Law Visiting (UG): 04190001/(PG): 04290001  
 Law Foreign (UG): 04185001/(PG): 04285001  
 Law Foreign Visiting (UG): 04185002/(PG): 04285002  
 Law Foreign Co-operation (UG): 04185003/(PG): 04285003  
 Law Foreign Exchange (UG): 04185004/(PG): 04285004  
 Law Foreign Postdoctoral Fellowship: 04285005

The Dean has the authority to decide about all matters that are not covered by the general or faculty regulations.

(Note: It is the sole responsibility of each student to ascertain whether he/she has all the necessary modules to comply with all the requirements for the degree.)

## UNDERGRADUATE STUDIES

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

## BACHELOR OF LAWS (LLB) (Code 04130004)

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.

- (a) **Duration**  
A minimum of four years.
- (b) **Admission requirements**  
A National Senior Certificate with admission for degree purposes and an APS as determined by the Faculty.
- (c) **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 ten modules per semester. (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 still 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.

**(d) 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.

**(e) Promotion requirements**

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

- A
1. A student must pass at least 8 semester modules in order to be promoted to the next year of study.
  2. Students who passed 4 to 7 semester modules may reregister but will not be promoted to the next year of study.
  3. A student who passed less than 4 semester modules will not be re-admitted 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.
  4. 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.
- B
1. Reregistration 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.

**(f) Degree with distinction**

For the degree to be awarded with distinction, a student must obtain a general average 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.

**(g) Composition of the curriculum**

(Abbreviations: lpw = lectures per week  
 tpw = tutorials per week  
 spw = seminars per week  
 dpw = discussion classes per week)

In terms of the National Qualifications Framework (NQF), which is endorsed by the Faculty, specific credits are allocated to each module.

**Total number of credits: 534** (see table below for credit distribution)

Level	Year 1	Year 2	Year 3	Year 4
Fundamental modules	28	0	0	0
Core modules	76	130	135	111
Elective modules	24	0	0	30
<b>Total</b>	<b>128</b>	<b>130</b>	<b>135</b>	<b>141</b>

<b>First year of study</b>	<b>Credits</b>	<b>lpw</b>
<i>Fundamental modules:</i>		
CIL 111 Computer literacy 111	4	2 lpw
CIL 121 Information literacy 121	4	2 lpw
Legal skills 110, 120 (RVD 110, 120)	10 each	2 lpw + 1 tpw each
<i>Core modules:</i>		
Family law 110,120 (FMR 110, 120)	7 each	2 lpw + 1 tpw each
Historical foundations of the SA private law 110, 120 (HVR 110, 120)	10 each	3 lpw + 1 tpw
Introduction to law 110,120 (IDR 110, 120)	10 each	2 lpw each
Law of persons 110 (PSR 110)	10	2 lpw + 1 tpw
<b>Plus</b>		
A minimum of 12 credits from the following modules: * ▼		
• AFR 110 (Taal- en teksvaardigheid)	12	2 lpw
• AFR 120 (Inleiding tot teksstudie)	12	2 lpw
• AFR 114 (Afrikaans vir sprekers van ander tale)(1)	12	2 lpw
• AFR 124 (Afrikaans vir sprekers van ander tale)(2)	12	2 lpw
• ENG 158 (English for specific purposes)	6	2 lpw + 1 dpw
• ENG 110 (Introduction to literature in English 1)	12	2 lpw + 1 dpw
• ENG 120 (Introduction to literature in English 2)	12	2 lpw + 1 dpw
• EOT 161 (Academic reading skills)	6	3 lpw
• EOT 162 (Academic writing skills)	6	3 lpw
• EOT 163 (Legal discourse)	6	3 lpw
• EOT 164 (Communication in organisations)	6	3 lpw
* <b>All</b> students write an academic literacy test during the academic orientation week. Students who fail the test will have to complete the two academic literacy modules (EOT 110 and 120). Students who pass the test should choose and register for any module/s from the list above to the value of 12 credits.		
<i>Elective modules:</i>		
Modules to the value of 24 credits from non-legal modules (select any modules offered by the University of Pretoria).		
The following aspects should be kept in mind:		
<ul style="list-style-type: none"> <li>• Students have to familiarise themselves with the prerequisites for modules from other faculties.</li> <li>• The modules must fit in on the timetable.</li> <li>• Number limits of some modules.</li> </ul>		

<b>Second year of study</b>	<b>Credits</b>	<b>lpw</b>
<i>Core modules:</i>		
Constitutional law 210, 220 (SRG 210, 220)	10 each	2 lpw each
Consumer protection 220 (VBB 220)	10	3 lpw
Human rights 220 (MRT 220)	10	2 lpw
Labour law 210 (ABR 210)	15	3 lpw
Law of contract 210, 220 (KTR 210, 220) [prerequisite for KTR 220: KTR 210 exam entrance]	10 each	2 lpw + 1 tpw each
Law of succession 211, 221 (ERF 211, 221)	10 each	2 lpw + 1 tpw each
Legal interpretation 210 (RVW 210)	10	2 lpw
Legal pluralism 210 (RPR 210)	10	2 lpw
Specific contracts 220 (KTH 220)	15	4 lpw

<b>Third year of study</b>	<b>Credits</b>	<b>lpw</b>
<i>Core modules:</i>		
Administrative law 310 (ADR 310) [prerequisite: RVW 210 and SRG 210]	10	2 lpw
Entrepreneurial law 320 (ODR 320)	15	4 lpw
Insolvency law 310 (ISR 310)	10	2 lpw
Insurance law 310 (VRR 310)	10	2 lpw
Intellectual property law 320 (IGZ 320)	10	2 lpw
Law of delict 320 (DLR 320)	15	4 lpw
Law of evidence 311, 321 (BWR 311, 321) [prerequisite for BWR 321: BWR 311 exam entrance]	6 each	2 lpw each
Law of negotiable instruments 320 (VHD 320)	10	2 lpw
Law of things 310 (SAR 310)	15	4 lpw
Legal philosophy 311 (RFF 311) ][prerequisite: HVR 110, 120 and IDR 110, 120 and RVD 110, 120]	10	2 lpw
Legal practice 310 (RPK 310)	8	2 lpw
Legal practice 320 (RPK 320)	10	2 lpw

<b>Fourth year of study</b>	<b>Credits</b>	<b>lpw</b>
<i>Core modules:</i>		
§ Civil procedure 410, 420 (SIP 410, 420) [prerequisite for SIP 420: SIP 410 exam entrance]	8 each	2 lpw each
Criminal law 410, 420 (STR 410, 420)	12 each	3 lpw each
Criminal procedure 410, 420 (SPR 410, 420) [prerequisite for SPR 420: SPR 410 exam entrance]	8 each	2 lpw each
Essay and seminar 400 (SKY 400)	15	
International law 410 (IPW 410)	10	2 lpw
Law of damages 410 (SGR 410)	10	2 lpw
Tax law 410 (BLR 410)	10	2 lpw
Third party compensation law 420 (DVR 420)	10	2 lpw
<i>Elective modules:</i>		
3 modules selected from the following list:*	10 each	
<ul style="list-style-type: none"> <li>• African human rights 410 (AMR 410)</li> <li>• Alternative dispute resolution 420 (AGF 420)</li> <li>• Child law 410 (KID 410)</li> <li>• Comparative law 410 (RVG 410)</li> <li>• Critical race and gender theory 420 (KGT 420)</li> <li>• Cyber law 420 (KUB 420)</li> <li>• Deeds and notarial practice 410 (ANO 410) [prerequisite: SAR 310]</li> <li>• Environmental law 410 (OMR 410)</li> <li>• Fundamental labour law 420 (ABR 420)</li> <li>• Insolvency practice 410 (IBP 410)[prerequisite: ISR 310]</li> <li>• ♦ International elective module 1 (IET 411)</li> <li>• ♦ International elective module 2 (IET 412)</li> <li>• ♦ International elective module 3 (IET 413)</li> <li>• ♦ International elective module 4 (IET 414)</li> <li>• International humanitarian law 420 (PUR 420)</li> <li>• International private law 410 (IPR 410)</li> <li>• Land and land reform law 420 (GHR 420)</li> </ul>		<ul style="list-style-type: none"> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 spw</li> <li>2 spw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> <li>2 lpw</li> </ul>

• Law and literature 420 (RLT 420)	2 lpw
• Law of education 420 (ONR 420)	2 spw
• Law of securities 410 (LOC 410)	2 lpw
• Legal problems of HIV/Aids 410 (RHV 410)	2 lpw
• Media law 420 (MDR 420)	2 lpw
• Medical law 410 (GRG 410)	2 lpw
• Moot Court 420 (SKH 420)(students representing UP in the All African Human Rights Moot Court Competition or in the Phillip Jessup International Law Moot Court Competition)	2 lpw
• Municipal law 410 (MRG 410)	2 lpw
• Philosophical perspectives on legal problems 410 (FPS 410)	2 spw
• Practical law 410 and 420 (PRR 410 and 420)(see # below)	1 lpw + 2 hours service in Law Clinic each
• Private law (Capita selecta) 410 (PCS 410)	2 lpw
• Social security law 420 (SOR 420)	2 lpw
• Sources of the Roman-Dutch law 410 (RHO 410)	1 lpw
• Sports law 420 (SRR 420)	2 lpw
• Statutory crimes 410 (SMI 410)	2 lpw
• Street law 410 (SLW 410)	2 lpw
• Supervised internship 420 (SIS 420)	
• Tax practice 420 (BLP 420)	2 lpw
• Transnational business law 420 (TBR 420)	2 lpw
• Trusts and estates 410 (TBS 410)	2 lpw

\* The Dean can determine which optional modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances, provided that the Dean may also determine the minimum and maximum number of registrations for a specific elective module. The Dean has the discretion to credit any other legal module of equal standard passed at another institution as an elective.

#### # Practical law 410 and 420

- (i) The number of students who may be admitted to the module Practical law (PRR 410/420) is predetermined by the Dean, in consultation with the Head of the Department of Procedural Law.
- (ii) Prospective students must apply for admission to the module.
- (iii) 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.
- (iv) Students are promoted on the basis of tests, satisfactory execution of assignments, sessions in the Law Clinic and an oral examination.
- (v) Students must take PRR 420 in the same year as PRR 410.

#### \$ Civil procedure

Students who have passed a module/course in civil procedure at another university but not the subsection Pleadings, must register for and pass SIP 420 before any exemption will be granted for SIP 410.

- ◆ Only applicable to exchange students

## POSTGRADUATE STUDIES

Students have to complete their postgraduate studies within four years after first registration for the degree. The Dean, on the recommendation of the head of the relevant department, may in exceptional circumstances grant approval for a limited fixed extension of the period and with the proviso that the faculty's Admissions Committee may stipulate other requirements for progress or readmission.

## MASTER OF LAWS (LLM): RESEARCH

### Total number of NQF credits: 200

Also consult General Regulations G.30 to G.41.

#### (a) Requirements for admission

Subject to the stipulations of General Regulations G.1.3, G.30 and G.62, a candidate for the LLM programme should be in possession of at least an LLB or a BProc degree or an equivalent degree from a foreign university that allows entrance to the formal legal profession.

Foreign qualifications are subject to SAQA evaluation.

A candidate will only be admitted to the LLM programme if he/she complies with the standard of competence in applicable subjects as determined by the head of department, also taking into account the candidate's academic record and any applicable experience:

A candidate will only be admitted to the LLM programme if the Faculty can provide a suitable supervisor in light of the applicant's preliminary research proposal.

#### (b) Registration and renewal of registration

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

1. Research methodology (RHP 802) offered by the Faculty of Law. If the student can show sufficient evidence of competence in research skills the head of department, on recommendation of the supervisor, may exempt the student from this module.
2. Research proposal (RHP 804).
3. Oral examination that deals with a prescribed programme of advanced study in a major subject and two subsidiary subjects as 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. The examination must also include a defence of the research proposal.

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



**(c) Duration**

The study extends over at least two semesters (1 year) or a maximum of 8 semesters (4 years) (subject to the General Regulations G.30-G.61).

**(d) Dissertation**

With regard to the abovementioned curriculum, the General Regulations. G.57-G.61 apply and the dissertation counts 100% for the final mark. The dissertation consists of 36 000-48 000 words inclusive of footnotes but excluding the list of contents and the bibliography. The dissertation must be accompanied by at least one draft article for publication in a recognised academic journal. The draft article should be based on the research that the student has conducted for the dissertation and be approved by the supervisor.

**(e) Degree with distinction**

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

**(f) Fields of study**

Field of study	Programme code	Research methodology	Research proposal	Oral examination	Dissertation
Human rights	04250091	RHP 802	RHP 804	MRT 800	MRT 890
Legal history, comparative law and legal philosophy	04250031	RHP 802	RHP 804	RGS 800	RGS 890
Mercantile law	04250067	RHP 802	RHP 804	HRG 800	HRG 890
Private law	04250081	RHP 802	RHP 804	PVR 800	PVR 890
Procedural law	04250024	RHP 802	RHP 804	SPR 800	SPR 890
Public law	04250071	RHP 802	RHP 804	PUR 800	PUR 890

## MASTER OF LAWS (LLM): COURSEWORK

Also consult General Regulations G.30 to G.41.

### GENERAL REGULATIONS

**(a) Examinations and supplementary examinations**

In the event of having failed two modules, a student will only be allowed to continue with his/her studies with the Dean's consent.

Although no supplementary examination will be granted with regard to LLM modules, the General Regulations (Regulation G.12.3 and G.12.6) apply with regard to special and ancillary examinations.

**(b) Language policy**

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

**(c) Period of registration**

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

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

The Dean can determine which modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances. The Dean may, on recommendation of the relevant head of department, limit the minimum or maximum number of students who want to register for a specific module.

**Students should note that all the modules offered in a specific academic year are marked with an \*.**

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

**(e) Credit for modules completed at another institution**

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

**(f) Credit for non-legal components**

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

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

**(g) Reregistration for modules**

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

**(h) Mini-dissertation**

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

**A**

**LLM: COURSEWORK PROGRAMMES (consisting of three 30-credit modules, one 5-credit module on Research methodology, a 5-credit research proposal module and a mini-dissertation of 100 credits)**

**Total number of NQF credits: 200**

**SPECIFIC REGULATIONS****(a) Requirement for admission**

In addition to an LLB, BProc or equivalent qualification from a foreign university that allows the applicant entrance to the formal legal profession, the following requirement is set for admission of a prospective student to the LL.M Coursework programme:

A minimum average mark of 65% with respect to the prescribed final-year modules of the undergraduate programme.

Where an average of below 65% is achieved, the student may be admitted on recommendation of the relevant head of department after consultation with the programme coordinator and/or the course leader and consideration of other merits and/or an admission examination.

Foreign qualifications are subject to SAQA evaluation.

Even though a student may comply with the above requirements, the Dean may, on the recommendation of the head of department presenting a specific degree or module, refuse to accept a prospective student for any LL.M programme if such a student's performance in the chosen modules or field of study during undergraduate study was not satisfactory. Alternatively, the Dean could set additional requirements with a view to admission.

An admission examination could also be required in respect of a particular module.

**(b) Duration**

The duration of the programme will in general be four semesters (2 years) but may be completed within two semesters (1 year) where possible, subject to fulfilment of all the requirements for the degree and payment of the full amount prescribed for the LLM degree. The maximum duration is 4 years.

**(c) Curriculum**

- Three modules counting 30 credits each.
- A module in research methodology (RHP 801) counting 5 credits and a research proposal (RHP 803) counting 5 credits.
- The student must submit the research proposal (RHP 803) during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation. This period may be extended with the approval of the head of department.
- A mini-dissertation (MND 800) of 13 000-15 000 words inclusive of footnotes but excluding the list of contents and the bibliography. A draft mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for the LLM programme and the final version must be submitted on or before 30 November of the second year of study. This mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the head of department.

**(d) Degree with distinction**

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

**(e) Fields of study**

<b>A1 LLM GENERAL: LEGAL HISTORY, COMPARATIVE LAW AND LEGAL PHILOSOPHY (04251002)</b>		
Coordinator: Prof K van Marle, tel 012 420 2055, email <a href="mailto:karin.vanmarle@up.ac.za">karin.vanmarle@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
** Post-apartheid jurisprudence	PAJ 801	30
** History and philosophy of human rights	HPH 801	30
** Comparative law	RSV 802	30
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
<b>A2 LLM GENERAL: MULTIDISCIPLINARY HUMAN RIGHTS (04251003)</b>		
Coordinator: Prof M Hansungule, tel 012 420 4532 or Prof F Viljoen, tel 012 420 3228, email <a href="mailto:michelo.hansungule@up.ac.za">michelo.hansungule@up.ac.za</a> or <a href="mailto:frans.viljoen@up.ac.za">frans.viljoen@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5

Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
* Multidisciplinary human rights	MHR 801	30
any two of the following modules of which at least one should be a module marked with a #		
Global perspectives on law, justice and development	LRD 802	30
* History and philosophy of human rights	HPH 801	30
* Socio-economic rights under comparative and international law	SRI 801	30
*# Introduction to the SA Constitution and human rights	CMR 801	30
*# Socio-economic rights in the SA Constitution	SRC 802	30
* Post-apartheid jurisprudence	PAJ 801	30
<b>Consult the Faculty of Humanities' yearbook for an MPhil option in this regard</b>		
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

**A3 LLM GENERAL: ENVIRONMENTAL LAW (04251004)**Coordinator: Judge AJ Hoffmann, tel 012 420 3366, email [albert.hoffmann@up.ac.za](mailto:albert.hoffmann@up.ac.za)

	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Environmental law	ENL 802	30
International environmental law	IEL 801	30
Compliance with and enforcement of multilateral environmental agreements [prerequisite IEL 801]	VAM 801	30

**A4 LLM CHILD LAW (04250099)**Coordinator: Prof CJ Boezaart, tel 012 420 2354, email [trynie.boezaart@up.ac.za](mailto:trynie.boezaart@up.ac.za)

	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
*♦ Aspects of criminal and criminal procedural law pertaining to children	SSK 802	30
*♦ Aspects of private law pertaining to children	PLC 801	30
Constitutional and international law pertaining to children	GIK 801	30
* Will be offered in 2010		
♦ Not offered to students without a South African LLB or BProc degree		

**A5 LLM CONSTITUTIONAL AND ADMINISTRATIVE LAW (04250105)**Coordinator: Prof CJ Botha, tel 012 420 2649, email [christo.botha2@up.ac.za](mailto:christo.botha2@up.ac.za)

	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5

Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 800	100
* Administrative law	ASL 802	30
Constitutional law	CSL 801	30
and one of the following modules:		
# Environmental law	ENL 802	30
# Land and land reform law	GGH 802	30
# Municipal law	MUR 801	30
*# Introduction to the SA Constitution and human rights	CMR 801	30
*# Socio-economic rights in the SA Constitution	SRC 802	30
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

**A6 LLM CORPORATE LAW (04250102)**Coordinator: Prof P Delpont, tel 012 420 4092, email [piet.delpont@up.ac.za](mailto:piet.delpont@up.ac.za)

	Module code	Credits
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 800	100
* Company law [prerequisite: must pass entrance test]	MKR 801	30
International take-overs and reorganisations [prerequisite: must pass entrance test]	TOR 802	30
* Law of securities [prerequisite: must pass entrance test]	LRR 801	30
* Will be offered in 2010		

**A7 LLM CRIMINAL LAW (04250106)**Coordinator: Prof PA Carstens, tel 012 420 406, email [pieter.carstens@up.ac.za](mailto:pieter.carstens@up.ac.za)

	Module code	Credits
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 800	100
* Capita selecta from general principles of criminal law	CRM 801	30
* Capita selecta from the specific crimes	CRM 802	30
Capita selecta from punishment, theories and forms in theory and practice	CRM 803	30
* Will be offered in 2010		

**A8 LLM INSOLVENCY LAW (04250097)**Coordinator: Prof M Roestoff, tel 012 420 3359, email [melanie.roestoff@up.ac.za](mailto:melanie.roestoff@up.ac.za)

	Module code	Credits
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 800	100
* Insolvency law	ISR 801	30
International insolvency law	IIL 801	30

* Liquidation and business rescue [prerequisite ISR 801]	LBR 802	30
* Will be offered in 2010		

<b>A9 LLM INTERNATIONAL LAW (04250098)</b>		
Coordinator: Judge AJ Hoffmann, tel 012 420 3366, email <a href="mailto:albert.hoffmann@up.ac.za">albert.hoffmann@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Advanced international law	AIL 802	30
* Applied international law	MCL 801	30
and one of the following modules:		
* Advanced transnational business law	TBL 802	30
International criminal law	ICL 802	30
International environmental law	IEL 801	30
International insolvency law	IIL 801	30
* Socio-economic rights under comparative and international law	SRI 801	30
International take-overs and reorganisations [prerequisite: entrance test passed]	TOR 802	30
* Will be offered in 2010		

<b>A10 LLM LABOUR LAW (04250095)</b>		
Coordinator: Prof S van Eck, tel 012 420 2763, email <a href="mailto:stefan.vaneck@up.ac.za">stefan.vaneck@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Collective labour law [prerequisite IVL 801]	CLL 802	30
Individual labour law [prerequisite ABR 420]	IVL 801	30
and one of the following modules:		
*# International labour law [prerequisites: IVL 801 and CLL 802]	ITA 802	30
#♦ Advanced social security law	GSR 802	30
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

<b>A11 LLM LAW AND POLITICAL JUSTICE (04250094)</b>		
Coordinator: Prof K van Marle, tel 012 420 2393, email <a href="mailto:karin.vanmarle@up.ac.za">karin.vanmarle@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
* Post-apartheid jurisprudence	PAJ 801	30
Global perspectives on law, justice and development	LRD 802	30

* History and philosophy of human rights	HPH 801	30
* Will be offered in 2010		

<b>A12 LLM LAW OF CONTRACT (04250100)</b>		
Coordinator: Dr B Kuschke, tel 012 420 2418, email <a href="mailto:birgit.kuschke@up.ac.za">birgit.kuschke@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Advanced consumer protection	AML 801	30
* Capita selecta of the general principles of contract law	GPC 801	30
* Law of specific contracts	SKC 802	30
* Will be offered in 2010		

<b>A13 LLM MERCANTILE LAW (04250096)</b>		
Coordinator: Prof J Lötzt, tel 012 420 2877, email <a href="mailto:johan.lotz@up.ac.za">johan.lotz@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and any three of the following modules:		
Advanced consumer protection	AML 801	30
#♦ Advanced social security law	GSR 802	30
*#♦ Advanced income tax law	ITL 801	30
*# Advanced transnational business law	TBL 802	30
*# Advanced cyber law	KUB 802	30
*#♦ Indirect tax	IDT 802	30
International insolvency law	IIL 801	30
*# Law of specific contracts	SKC 802	30
*# Statutory competition law	SCL 801	30
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

<b>A14 LLM PRIVATE LAW: GENERAL (04250085)</b>		
Coordinator: Prof CJ Boezaart, tel 012 420 2354, email <a href="mailto:trynie.boezaart@up.ac.za">trynie.boezaart@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and any three of the following modules		
Aspects of divorce law	DLA 801	30
*♦ Aspects of the law of succession	ASC 801	30
*♦ Aspects of the law of trusts	AVT 802	30
Aspects of private law pertaining to children	PLC 801	30
Education law and policy	DLP 802	30



Law of damages	SDV 801	30
Matrimonial property law	MPL 802	30
Real security law [reading knowledge of Afrikaans necessary for this module]	SLS 801	30
*♦ Recognised and alternative life-partnership	EAL 802	30
*# Sports law	SRP 801	30
*# Capita selecta of the general principles of contract law	GPC 801	30
*# Law of specific contracts	SKC 802	30
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

**A15 LLM PRIVATE LAW: ESTATE LAW (04250086)**

Coordinators: Prof A van der Linde, tel 012 420 4277  
email [anton.vanderlinde@up.ac.za](mailto:anton.vanderlinde@up.ac.za)

	Module code	Credits
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Administration of estates	AOE 801	30
*♦ Aspects of the law of succession	ASC 801	30
*♦ Aspects of the law of trusts	AVT 802	30
* Will be offered in 2010		
♦ Not offered to students without a South African LLB or BProc degree		

**A16 LLM PRIVATE LAW: FAMILY LAW (04250087)**

Coordinators: Prof LN van Schalkwyk tel 012 420 2036 and Dr Anne Louw,  
tel 012 420 3923, email [neil.vanschalkwyk@up.ac.za](mailto:neil.vanschalkwyk@up.ac.za) and [anne.louw@up.ac.za](mailto:anne.louw@up.ac.za)

	Module code	Credits
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
*♦ Recognised and alternative life-partnership	EAL 802	30
Aspects of divorce law	DLA 801	30
Matrimonial property law	MPL 802	30
* Will be offered in 2010		
♦ Not offered to students without a South African LLB or BProc degree		

**A17 LLM PROCEDURAL LAW (04250104)**

Coordinator: Prof A Boraine, tel 012 420 2055, email [andre.boraine@up.ac.za](mailto:andre.boraine@up.ac.za)

	Module code	Credits
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
* Advanced law of evidence	LOE 802	30
*#♦ Civil litigation	CLG 801	

Criminal procedure litigation	CCP 801	30
* Will be offered in 2010		
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

<b>A18 LLM SOCIO-ECONOMIC RIGHTS: THEORY AND PRACTICE (04250093)</b>		
Coordinator: Dr D Brand, tel 012 420 2774, email <a href="mailto:danie.brand@up.ac.za">danie.brand@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
* Socio-economic rights in the SA Constitution	SRC 802	30
* Socio-economics rights under comparative and international law	SRI 801	30
<b>Compulsory for students who completed an LLB/a BProc degree at a South African university:</b>		
* Post-apartheid jurisprudence	PAJ 801	30
<b>Compulsory for students who did not complete an LLB/a BProc degree at a South African university:</b>		
* Introduction to the SA Constitution and human rights	CMR 801	30
* Will be offered in 2010		

<b>B</b>	<b>LLM COURSEWORK DEGREE PROGRAMMES TO WHICH SPECIFIC REGULATIONS AS INDICATED APPLY</b>
----------	--

<b>B1 LLM HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA</b>
--

**Total number of NQF credits: 250**

**SPECIFIC REGULATIONS**

**(a) Admission requirement**

LLB or equivalent qualification required for entrance into the legal profession. Foreign qualifications are subject to SAQA evaluation. (This is a selection course and applications must be submitted before 31 July of the preceding year.)

**(b) Duration**

A minimum of 1 year full time.

**(c) Mini-dissertation**

The student must submit a research proposal to the supervisor prior to commencing with the writing of the mini-dissertation.

A mini-dissertation (MND 802) of 18 000 to 20 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the supervisor not later than August of the first year of registration for this LLM programme.

**(d) Degree with distinction**

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

**(e) Curriculum**

<b>LLM HUMAN RIGHTS AND DEMOCRATISATION IN AFRICA (04251017):</b>		
Coordinator: Prof F Viljoen, tel 012 420 2374, email <a href="mailto:frans.viljoen@up.ac.za">frans.viljoen@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: NRM 801 and RHP 803]	MND 802	125
and		
* Accredited course in human rights	ACH 802	20
* Applied human rights	AHR 801	15
* Democratisation in Africa	DIA 801	20
* Human rights in Africa	HRA 801	20

* International and comparative human rights	ICH 801	20
* Introduction to the SA legal system and Bill of Rights	RVM 801	20
* Will be offered in 2010 (MND 802: 18 000-20 000 words)		

## B2 LLM INTERNATIONAL TRADE AND INVESTMENT LAW IN AFRICA

**Total number of NQF credits: 200**

### SPECIFIC REGULATIONS

**(a) Admission requirement:**

LLB or equivalent qualification required for entrance into the legal profession. Foreign qualifications are subject to SAQA evaluation.  
(This is a selection course and applications must be submitted before 31 January.)

**(b) Duration**

A minimum of 1 year full time.

**(c) Degree with distinction**

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

**(d) Curriculum**

<b>Option 1: LLM INTERNATIONAL TRADE AND INVESTMENT LAW IN AFRICA (04251018)</b>		
Coordinator: Prof D Bradlow, tel 012 420 6202, email <a href="mailto:danny.bradlow@up.ac.za">danny.bradlow@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Accredited module from another university or An LLM module as approved by the Dean	ADC 802	30
Advanced international investment and business law	GTB 802	30
Advanced international trade law	GIH 802	30
(ADC 802 can be completed at an overseas institution funding permitting or if self-funded) (MND 800: 13 000-15 000 words)		

<b>Option 2: LLM INTERNATIONAL TRADE AND INVESTMENT LAW IN AFRICA (04251019)</b>		
Coordinator: Prof D Bradlow, tel 012 420 6202, email <a href="mailto:danny.bradlow@up.ac.za">danny.bradlow@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
Research methodology	RHP 801	5
Research proposal	RHP 803	5

Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 803	130
Advanced international investment and business law	GTB 802	30
Advanced international trade law (MND 803: 23 000-25 000 words)	GIH 802	30

### B3 LLM TAX LAW

**Total number of NQF credits: 260**

#### SPECIFIC REGULATIONS

**(a) Admission requirement**

LLB or equivalent qualification required for entrance into the legal profession including a suitable taxation module in which the student obtained an average of at least 60%. Foreign qualifications are subject to SAQA evaluation.

**(b) Duration**

A minimum of 2 years and a maximum of 4 years.

**(c) Mini-dissertation**

A mini-dissertation (MND 803) of 23 000 to 25 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for this LLM programme.

**(d) Degree with distinction**

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

**(e) Curriculum**

<b>LLM TAX LAW (04250120)</b>		
Coordinator: Mr C Louw, tel 012 420 2344, email <a href="mailto:kerneels.louw@up.ac.za">kerneels.louw@up.ac.za</a>		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 803	130
* General principles of income tax law	ATL 801	30
Indirect taxation	IDB 802	30
Individual and corporate taxation	CTI 802	30
* International taxation	BLR 802	30
<b>Consult the Faculty of Economic and Management Sciences' yearbook for an MCom in this regard</b>		
* Will be offered in 2010 (MND 803: 23 000-25 000 words)		

**DOCTOR LEGUM (LLD)**

Also consult General Regulations G.45-G.62.

**Total number of NQF credits: 400**

**(a) Requirements for admission**

Subject to the stipulations of General Regulation G.1.3, G.45 and G.62, a candidate for the LLD programme must be in possession of at least an LL.M degree or an equivalent degree from a foreign university.

Foreign qualifications are subject to SAQA evaluation.

A candidate will only be admitted to the LLD programme if he/she complies with a standard of competence in applicable subjects as determined by the head of department, also taking into account the candidate's academic record and any applicable experience.

A candidate will only be admitted to the LLD programme if the faculty can provide a suitable supervisor in light of the applicant's preliminary research proposal.

**(b) Registration and renewal of registration**

If admitted, a student can register immediately for the LLD programme. The following three modules must be registered for and passed within one year after registration:

- 1 Research methodology (RHP 902), offered by the Faculty of Law. If the student can show sufficient evidence of competence in research skills, the head of department, on recommendation of the supervisor, may exempt the student from this module.
- 2 Research proposal (RHP 904).
- 3 Oral examination (see relevant module code under (f) Fields of study) that deals with a prescribed programme of advanced study in a major subject and two subsidiary subjects as 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 thesis is closely linked. A subsidiary subject refers to a subject from a related field of study. The examination must also include a defence of the research proposal. The Faculty Board may grant a candidate exemption from a part of or the whole examination 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.

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

**(c) Thesis**

The LLD degree is conferred by virtue of a thesis, and a oral defence of the thesis. The topic of the thesis must be selected from the field of law, and be approved by the Dean. (See G.57.4(h) and (i) for finalisation of the thesis.)

**(d) Doctoral degree by virtue of publications (Programme code: 04260000)**

The doctoral degree may also be conferred on a candidate who:

- (i) by virtue of his or her publications, enjoys international recognition by virtue of outstanding and extensive research in a subdiscipline taught within the Faculty; and
- (ii) complies, in all relevant respects, with the Faculty Regulations for the awarding of the doctoral degree.

An application for the doctoral degree by virtue of publications is considered and assessed according to the University's General Regulations and Information, G.56.

**(e) Oral defence of the thesis**

After receipt of the reports of the external examiners, the supervisor arranges and oral defence opportunity for the candidate chaired by the head of department during which the candidate is required to do a presentation in defence of the thesis. (See G.60.4.(e)(ii)).

**(f) Duration of the programme**

The doctorate will be conferred on account of original research and only after work equivalent to two years of study has been completed.

**(g) Fields of study**

Field of study	Programme code	Research methodology	Research proposal	Oral examination	Dissertation and oral defence
Human rights	04260091	RHP 902	RHP 904	MRT 900	MRT 990
Legal history, comparative law and legal philosophy	04260031	RHP 902	RHP 904	RGS 900	RGS 990
Mercantile law	04260062	RHP 902	RHP 904	HRG 900	HRG 990
Private law	04260081	RHP 902	RHP 904	PVR 900	PVR 990
Procedural law	04260022	RHP 902	RHP 904	SPR 900	SPR 990
Public law	04260071	RHP 902	RHP 904	PUR 900	PUR 990

**SYLLABI**

Note:

The list of modules and the module descriptions are available at:  
<http://web.up.ac.za/modules>