

**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



## TABLE OF CONTENTS

<b>ACADEMIC PERSONNEL .....</b>	<b>1</b>
<b>GENERAL INFORMATION</b>	
Admission .....	5
Selection .....	5
Statement of symbols .....	5
National Senior Certificate .....	5
Language of tuition .....	5
Bursaries and loans .....	5
Accommodation .....	5
Welcoming day, registration and start of the academic year .....	5
Prescribed books .....	6
Amendment of regulations and fees .....	6
Cancellation of modules .....	6
Definition of terms .....	6
<b>REGULATIONS IN THE FACULTY OF LAW</b>	
Admission to undergraduate study .....	8
Academic literacy .....	10
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 .....	13
Releasing of test and examination marks .....	14
Handling of problems and consulting hours of Dean and lecturers .....	14
Testimonials required for good conduct .....	15
<b>DEGREES CONFERRED IN THE FACULTY OF LAW</b>	
<b>Undergraduate studies</b>	
LLB .....	16
<b>Postgraduate studies</b>	
LLM: Research .....	22
LLM: Coursework .....	24
LLD .....	37
<b>ALPHABETICAL LIST OF MODULES IN THE FACULTY OF LAW .....</b>	<b>39</b>
<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 2010

#### DEAN

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

#### DEPUTY DEAN

Kok, J.A., BCom(Law) LLB LLM LLD(Pretoria)..... Associate Professor

#### DEPARTMENT OF MERCANTILE LAW

Van Eck, B.P.S., BLC LLB LLD(Pretoria) ..... Professor (Head)  
 Bertelsmann, E., BA(Law)(Stellenbosch) LLB(Unisa) ..... Extraordinary Professor  
 Burdette, D.A., Blur LLB(Unisa) LLD(Pretoria) ..... Extraordinary Professor  
 De Jager, J., Blur LLB (Unisa) LLM LLD(RAU) ..... Extraordinary Professor  
 Pillay, D., BProc LLB(Unisa) LLM(Natal) ..... Extraordinary Professor  
 Fourie, J.D., Blur(Pretoria) LLB(Unisa)..... Honorary Professor  
 Loubser, R.M., MCom(Unisa)..... Honorary Professor  
 Delport, P.A., BA LLB LLD(Pretoria) HDip(Tax)(Witwatersrand)..... Professor  
 Löt, 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)  
 Van Jaarsveld, S.R., BA LLB LLD(Pretoria) ..... Research Fellow  
 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 LLD(Pretoria)..... Senior Lecturer  
 Renke, S., BLC LLB LLM(Pretoria) ..... Senior Lecturer  
 Barnard, J., LLB(Pretoria) LLM(Unisa) ..... Lecturer  
 Coetzee, H., BCom(Law) LLB LLM(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  
 Legwaila, T.D., Bluris(Venda) LLB LLM(Witwatersrand) ..... Extraordinary Lecturer  
 LLM(Cape Town) LLD(Pretoria)  
 Marais, P.J.J., BA(Law) LLB(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.J., BA LLB LLM(Pretoria) LLD(RAU) ..... Extraordinary Professor  
 Van der Vyver, J.D., BCom LLB Hons BA(Potchefstroom) ..... Extraordinary Professor  
 LLD(Pretoria)  
 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) ..... PhD LLD(Cape Town) DLitt(Free State)	Honorary Professor
Cornelius, S.J., Bluris LLB(Unisa) LLD(UP) .....	Professor
Klopper, H.B., BA LLB LLD(Free State) .....	Professor
Maitlhi, I.P., Blur LLB(University of the North) ..... LLM (Potchefstroom) LLD(Pretoria)	Professor
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
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
Buchner-Eveleigh, M., BLC LLB LLM(Pretoria) LLD (Unisa) .....	Lecturer
Du Toit, C., BA(Law) LLB(Stellenbosch) LLM(Pretoria) .....	Extraordinary Lecturer
Ngidi, R.L.K., LLB LLM(Pretoria) .....	Extraordinary Lecturer
Skelton, A.M., LLB(Natal) LLD(Pretoria) .....	Extraordinary Lecturer

**DEPARTMENT OF PROCEDURAL LAW**

Boraine, A., Blur LLB(Pretoria) LLM(Witwatersrand) ..... LLD(Pretoria)	Professor (Head)
Van Loggerenberg, D.E., Blur LLB(Potchefstroom) .....	Extraordinary Professor
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)	
Wolfrum, R. R., (First & Second State Examinations; Dr Jur ..... (University of Bonn)	Extraordinary Professor
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-Bouwer, J., Blur LLB(Port Elizabeth) LLD(Pretoria) .....	Professor
Malan, J.J., BA(Hons)(Pretoria) Blur LLB LLD(Unisa) .....	Professor
Bekink, B., BLC LLB LLM LLD(Pretoria) .....	Associate Professor
Brand, J.F.D., BLC LLB(Pretoria) LLM(Emory) .....	Senior Lecturer
LLD(Stellenbosch)	

Grobelaar-Du Plessis, I., BLur LLB LLM LLD(Pretoria).....	Senior Lecturer
Bishop, M.J., BA(Law) LLB LLM(Pretoria).....	Extraordinary Lecturer
Waschefort, G., LLB(Pretoria).....	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)
Cornell, D, BA(Antioch) JD(UCLA).....	Extraordinary Professor
Van der Walt, J, BLC BA(Hons) MA LLB(Pretoria) LLD(Johannesburg).....	Extraordinary Professor
Kleyn, D.G., BA LLB LLD(Pretoria) MASSAf.....	Professor
Nicholson, C.M.A., BProc LLB(Witwatersrand) LLM LLD(Unisa).....	Professor
Kok, J.A., BCom(Law) LLB LLM LLD(Pretoria).....	Associate Professor
Nienaber, A.G., BA(Pretoria) HDE B(Hons)(Witwatersrand).....	Associate Professor
LLB LLM LLD(Pretoria) Dipl Datametrics(Unisa)	
Madlingozi, T., LLB LLM(Pretoria).....	Senior Lecturer

#### **CENTRE FOR ADVANCED CORPORATE AND INSOLVENCY LAW**

Boraine, A., BLur LLB(Pretoria) LLM(Witwatersrand) LLD(Pretoria).....	Associate Director
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) LLD(Pretoria).....	Director
De Gama, M., BProc LLB LLM(Leuven) LLD(Pretoria).....	Extraordinary Professor
Dugard, C.J.R., BA LLB(Stellenbosch) LLB Dip International Law LLD(Cantab) LLD(Natal).....	Extraordinary Professor
Kriegler, J., BA(Pretoria) LLB(Unisa).....	Extraordinary Professor
Kwakwa, E., LLB(Ghana) LLM(Queens) JSD(Yale).....	Extraordinary Professor
Lumina, C., LLB(Zambia) LLM(Essex) DPhil(Griffith).....	Extraordinary Professor
Mwenda, K.K., LLB(Zambia) BCL MPhil(Oxford) MBA(Huil) LLD(Rhodes) PhD(Warwick).....	Extraordinary Professor
Padilla, D.J., BA JD(Detroit) MA(Pennsylvania) LLM(George Washington) MPA(Harvard).....	Extraordinary Professor
Robinson, M., MA LLB(Dublin) LLM(Harvard) LLD(Oxon).....	Extraordinary Professor
Mokgoro, J.Y., BLur LLB LLM(North-West) LLM(Pennsylvania).....	Honorary Professor
Van der Westhuizen, J.V., BA LLB LLD(Pretoria).....	Honorary Professor
Bradlow, D., BA(Witwatersrand) JD(North Eastern) MLIC(Georgetown).....	Professor
Hansungule, M.K., LLB LLM(Zambia) LLM(SOAS, London) PhD(Graz).....	Professor
Allain, J., BA (Carleton) MA DPhil(Geneva).....	Extraordinary Lecturer
Aptel, C., BA(Aix-Marseille) MA(Bruges) MLitt(Dublin) PhD(Florence).....	Extraordinary Lecturer

Delport, 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  
Taku, N.A., LLB(Cameroon) LLM(Pretoria) .....Assistant Director

**CENTRE FOR SPORTS AND ENTERTAINMENT LAW**

Cloete, R., BLC LLB(Pretoria) LLD(Unisa) .....Director  
Cornelius, S.J., Biuris LLB(Unisa) LLD(UP).....Associate Director

**LAW CLINIC**

Haupt, F.S., BA(Hons)(Pretoria) LLB(Unisa) .....Director  
Grové, L.B., BCom(Law) LLB LLM(Pretoria) .....Attorney  
De Villiers, D.W., MA Mth(Old Testament)(Stellenbosch).....Extraordinary Lecturer  
Dth(Old Testament) LLB(Unisa) MCom(Pretoria)  
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.

### **Language of tuition**

In conducting its general business, the University uses two official languages, namely Afrikaans and English.

In formal education, the language of tuition is either Afrikaans or English or both languages, taking the demand as well as academic justification and economic viability into consideration. However, it remains the student's responsibility to determine in which language a module and any further level of that module is presented. This information is published annually in the Timetable. The University reserves the right to change the language of tuition on short notice, depending on the size of the groups and the availability of lecturers. In respect of administrative and other services, a student may 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, registration and start of the academic year**

Details of the welcoming day to which all parents are cordially invited, and the subsequent programme for registration and start of the academic year during which all new first-year students **must** be present, are obtainable from the office of the Dean of Students.

### Prescribed books

Lists of prescribed books are not available. The relevant 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 2011.*

## 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.

Rating code	Rating	Marks %
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	3 other subjects
LLB	Candidates with an APS of 38 or higher will, on receipt of their applications, be accepted on a continuous basis until 30 June. 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	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, based on their results in the institutional proficiency test and only if there are places available in the Faculty, and 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 in consultation with 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 must 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 working 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.

A medical certificate will not be accepted where it states that a student appeared ill or declared him-/herself unfit to write the examination.

A medical certificate will not be accepted if it does not contain the physical address and telephone number of the doctor/medical practice.

Where in the course of his/her studies at the University of Pretoria a student applies for an extraordinary examination in a law module for the fifth (or further) time, that student may be requested to appear before the Student Affairs Committee of the Faculty to substantiate why he/she should be allowed to write another extraordinary examination.

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 examination. 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.

### **7.7 Special examinations**

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

For all four (or less) of these modules:

- (a) A final mark of at least 40% must have been obtained or the student should have been admitted to the supplementary examination;
- (b) The requirement in (a) must have been met in the final year of registration. However, if a student has a single semester module outstanding to complete the LLB degree, she/he will be allowed to write the January special examination if she/he had at any time during her/his studies obtained at least examination entrance for that outstanding module.

### **7.8 Class attendance**

Class attendance in all law modules and for the full duration of the LLB programme is compulsory for all students. The course coordinator of a particular law module must publish the attendance requirements of that module in the study guide and must set out how class attendance will be monitored.

A student may be refused admission to the examination in a particular law module if he/she failed to fulfil the published attendance requirements in that module.



## 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 an aegrotat 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 Aegrotat tests

- There is only one aegrotat 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 an aegrotat 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 a student being required to write two semester tests that are scheduled to take place on the same day and time, the student must write the scheduled semester test in the module that he/she is repeating, and the extraordinary test in the module that he/she is not repeating.
- In the case of illness, a doctor who treated the student must certify on a medical certificate that the particular student was, in the doctor's opinion, not in a fit state to prepare for or to sit for the test as a result of ill health. 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.
- A medical certificate will not be accepted if it does not contain the physical address and telephone number of the doctor/medical practice.
- 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 an aegrotat 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 an aegrotat 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 an aegrotat or an extraordinary test and who then fails to write the test, will not qualify for any such test at a later stage.
- Where a student wishes to write two or more aegrotat/extraordinary tests that are scheduled to take place on the same day and time, the student must apply in writing to the Student Affairs Committee to be allowed to write aegrotat/extraordinary tests in all relevant modules. The Student Affairs Committee must consider the application and may grant or deny the application to write one or more aegrotat/extraordinary tests. If the application to write all relevant aegrotat/extraordinary tests is granted, the Committee must rule on how the clash is to be resolved.

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

**(g) Dean's merit list**

The student administration office publishes the Dean's merit list by March of every calendar year. The list contains the student numbers, in chronological sequence, of those students who achieved a weighted average (ie in accordance with the credit weighting of each module) of at least 70% in the preceding calendar year. The weighted average is calculated as follows: The final mark obtained for each module for which the student registered in the preceding calendar year is multiplied by the credit weighting for that particular module. All of the values so obtained for each module are added together and divided by the total credit weighting of all modules for which the student registered in the

preceding calendar year. The average so calculated is not rounded off. A student who failed module(s) or who failed to gain entrance to the exam in the module(s) in a given calendar year may not appear on the Dean's merit list for that calendar year. A student who registered for less than ten modules in a calendar year may not appear on the Dean's merit list for that calendar year. Modules passed at other universities are not considered in calculating the weighted average.

**(h) 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	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>

First year of study	Credits	lpw
<i>Fundamental modules:</i>		
CIL 111 Computer literacy 111	4	1 ppw
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	4 lpw
• AFR 120 (Inleiding tot teksstudie)	12	4 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 students write an academic literacy test during the academic orientation week.</b>		

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.

*Elective modules:*

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:

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

<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	3 lpw + 2 seminars

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
<b>Elective modules:</b>		
3 modules selected from the following list:*	10 each	
<ul style="list-style-type: none"> <li>• African human rights 410 (AMR 410) 2 lpw</li> <li>• Alternative dispute resolution 420 (AGF 420) 2 lpw</li> <li>• Child law 410 (KID 410) 2 lpw</li> <li>• Comparative law 410 (RVG 410) 2 spw</li> <li>• Critical race and gender theory 420 (KGT 420) 2 spw</li> <li>• Deeds and notarial practice 410 (ANO 410) 2 lpw</li> <li style="padding-left: 20px;">[prerequisite: SAR 310]</li> <li>• Education law 420 (ONR 420) 2 spw</li> <li>• Environmental law 410 (OMR 410) 2 lpw</li> <li>• Fundamental labour law 420 (ABR 420) 2 lpw</li> <li>• Information and communications technology law 420 (KUB 420) 2 spw</li> <li>• Insolvency practice 410 (IBP 410)[prerequisite: ISR 310] 2 lpw</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) 2 lpw</li> <li>• Land and land reform law 420 (GHR 420) 2 lpw</li> <li>• Law and literature 420 (RLT 420) 2 spw</li> <li>• Law of securities 410 (LOC 410) 2 lpw</li> <li>• Legal problems of HIV/Aids 410 (RHV 410) 2 lpw</li> <li>• Media law 420 (MDR 420) 2 lpw</li> <li>• Medical law 410 (GRG 410) 2 lpw</li> <li>• 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 practical per week</li> <li>• Municipal law 410 (MRG 410) 2 lpw</li> <li>• Philosophical perspectives on legal problems 410 (FPS 410) 1 lpw + 2 hours service in Law Clinic each</li> <li>• Practical law 410 and 420 (PRR 410 and 420)(see # below)</li> <li>• Private international law 410 (IPR 410) 2 lpw</li> <li>• Private law (Capita selecta) 410 (PCS 410) 2 lpw</li> <li>• Social security law 420 (SOR 420) 2 lpw</li> <li>• Sports law 420 (SRR 420) 2 lpw</li> <li>• Statutory crimes 410 (SMI 410) 2 lpw</li> <li>• Street law 410 (SLW 410) 2 lpw</li> <li>• Supervised internship 420 (SIS 420) Minimum 120 hours</li> <li>• Tax practice 420 (BLP 420) 2 lpw</li> <li>• Transnational business law 420 (TBR 420) 2 lpw</li> <li>• Trusts and estates 410 (TBS 410) 2 lpw</li> </ul>		

\*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 LLB-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) Re-registration for modules**

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

**(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.

<b>A</b>	<b>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)</b>
----------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**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 LLM 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 LLM programme if such a student's performance in the chosen modules or field of study during undergraduate study was not satisfactory. Alternatively, the Dean could set additional requirements with a view to admission.

An admission examination 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 fulfillment 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 Child Law (04250099)</b>		
Coordinator: Prof CJ Boezaart, tel 012 420 2354, email 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 2011		
♦ Not offered to students without a South African LLB or BProc degree		

<b>A2 LLM Constitutional and Administrative Law (04250105)</b>		
Coordinators: Prof CM Fombad, tel 012 420 2649 email charles.fombad@up.ac.za and Prof JJ Malan, tel 012 420 3733, email koos.malan@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		
* 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
# 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 2011		
# 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>A3 LLM Corporate Law (04250102)</b>		
Coordinator: Prof P Delpert, tel 012 420 4092, email piet.delpert@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		
*♦ 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 2011		
# This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department		
♦ Not offered to students without a South African LLB or BProc degree		

<b>A4 LLM Criminal Law (04250106)</b>		
Coordinator: Prof PA Carstens, tel 012 420 406, email pieter.carstens@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		
* <i>Capita selecta</i> from general principles of criminal law	CRM 801	30
<i>Capita selecta</i> from the specific crimes	CRM 802	30
* <i>Capita selecta</i> from punishment, theories and forms in theory and practice	CRM 803	30
* Will be offered in 2011		

<b>A5 LLM</b>		
<b>Option: Environmental Law (04251004)</b>		
Coordinator: Adv M van der Linde, tel 012 420 2415 email mvdl@absamail.co.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
* Will be offered in 2011		

<b>A6 LLM Insolvency Law(04250097)</b>		
Coordinator: Prof M Roestoff, tel 012 420 3359, email melanie.roestoff@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		
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 2011		
# This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department		

<b>A7 LLM International Law (04250098)</b>		
Coordinator: Prof CM Fombad, tel 012 420 2649 email charles.fombad@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		
* Advanced international law	AIL 802	30
* Applied international law	MCL 801	30
and one of the following modules:		
* Advanced transnational business law [prerequisite: TBR 420]	TBL 802	30
* International criminal law	ICL 802	30
International environmental law	IEL 801	30
* International insolvency law	IIL 801	30
* Socio-economic rights under comparative and international law	SRI 801	30
* International take-overs and reorganisations [prerequisite: entrance test passed]	TOR 802	30
* Will be offered in 2011		



<b>A8 LLM Labour Law (04250095)</b>		
Coordinator: Prof S van Eck, tel 012 420 2763, email stefan.vaneck@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		
*♦ 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 2011		
# 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>A9 LLM Law and Political Justice (04250094)</b>		
Coordinator: Prof K van Marle, tel 012 420 2393, email karin.vanmarle@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		
* 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 2011		

<b>A10 LLM Law of Contract (04250100)</b>		
Coordinator: Dr B Kuschke, tel 012 420 2418, email birgit.kuschke@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		
*♦ 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 2011		
♦ Not offered to students without a South African LLB or BProc degree		

<b>A11 LLM</b>		
<b>Option: Legal History, Comparative Law and Legal Philosophy (04251002)</b>		
Coordinator: Prof K van Marle, tel 012 420 2055, email karin.vanmarle@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		
*# Post-apartheid jurisprudence	PAJ 801	30
*# History and philosophy of human rights	HPH 801	30
*# Comparative law	RSV 802	30
* Will be offered in 2011		
# 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>A12 LLM Mercantile Law (04250096)</b>		
Coordinator: Prof J Lötzt, tel 012 420 2877, email johan.lotz@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 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 [prerequisite: TBR 420]	TBL 802	30
*# Information and communications technology	KUB 802	30
#♦ Indirect tax	IDT 802	30
*# International insolvency law	IIL 801	30
*#♦ Law of specific contracts	SKC 802	30
*# Statutory competition law	SCL 801	30
* Will be offered in 2011		
# 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>A13 LLM</b>		
<b>Option: Multidisciplinary Human Rights (04251003)</b>		
Coordinator: Prof M Hansungule, tel 012 420 4532 or Prof F Viljoen, tel 012 420 3228, email michelo.hansungule@up.ac.za or frans.viljoen@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		
* Multidisciplinary human rights	MHR 801	30

and any two of the following modules of which at least one should be a module marked with a # and one with a module marked with ##		
### Global perspectives on law, justice and development	LRD 802	30
### History and philosophy of human rights	HPH 801	30
*# 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 2011		
# 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>A14 LLM Private Law</b>		
<b>Option: Estate Law (04250086)</b>		
Coordinators: Prof A van der Linde, tel 012 420 4277 email anton.vanderlinde@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		
* 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 2011		
◆ Not offered to students without a South African LLB or BProc degree		

<b>A15 LLM Private Law</b>		
<b>Option: Family Law (04250087)</b>		
Coordinators: Prof LN van Schalkwyk tel 012 420 2036 and Dr Anne Louw, tel 012 420 3923, email neil.vanschalkwyk@up.ac.za and anne.louw@up.ac.za		
	<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		
◆ 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 2011		
◆ Not offered to students without a South African LLB or BProc degree		

<b>A16 LLM Private Law (04250085)</b>		
Coordinator: Prof CJ Boezaart, tel 012 420 2354, email 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] and any three of the following modules	MND 800	100
# 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 [only Afrikaans ]	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 2011		
# 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>A17 LLM Private Law</b>		
<b>Option: Intellectual Property Law (04250088)</b>		
Coordinator: Prof Rian Cloete, tel 012 420 3671, email rian.cloete@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 RHP 803] and	MND 800	100
* Intellectual property law in international context [compulsory] and any two of the following modules:	IGZ 801	30
*# Patent law and practice [prerequisite: IGZ 801]	IGZ 802	30
*# Trademark law and practice [prerequisite: IGZ 801]	IGZ 803	30
*# Copyright law and practice [prerequisite: IGZ 801]	IGZ 804	30
* Will be offered in 2011		
# 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>A18 LLM Procedural Law (04250104)</b>		
Coordinator: Prof A Boraine, tel 012 420 2055, email andre.boraine@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
* Advanced law of evidence	LOE 802	30
#♦ Civil litigation	CLG 801	
*#♦ Criminal procedure litigation	CCP 801	30
* Will be offered in 2011		
# 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>A19 LLM Socio-economic Rights: Theory and Practice (04250093)</b>		
Coordinator: Dr D Brand, tel 012 420 2774, email danie.brand@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
* Socio-economic rights in the SA Constitution	SRC 802	30
* Socio-economic rights under comparative and international law	SRI 801	30
<b>Compulsory for students who completed an LLB/BProc degree at a South African university</b>	PAJ 801	30
* Post-apartheid jurisprudence		
<b>Compulsory for students who did not complete an LLB/BProc at a South African university</b>		
Introduction to the SA Constitution and human rights	CMR 801	30
* Will be offered in 2011		

<b>B</b>	<b>LLM Coursework degree programmes to which specific regulations as indicated apply</b>
----------	------------------------------------------------------------------------------------------

<b>B1</b>	<b>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.

**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 (MND 802: 18 000-20 000 words) [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 2011		

<b>B2 LLM International Trade and Investment Law in Africa</b>
----------------------------------------------------------------

**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 danny.bradlow@up.ac.za		
	<b>Module code</b>	<b>Credits</b>
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (MND 800: 13 000-15 000 words) [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)		

<b>Option 2: LLM International Trade and Investment Law in Africa (04251019)</b>		
Coordinator: Prof D Bradlow, tel 012 420 6202, email danny.bradlow@up.ac.za		
	<b>Module code</b>	<b>Credits</b>
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (MND 803: 23 000-25 000 words) [prerequisites: RHP 801 and 803]	MND 803	130
and		
Advanced international investment and business law	GTB 802	30
Advanced international trade law	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 kerneels.louw@up.ac.za		
	<b>Module code</b>	<b>Credits</b>
* Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (MND 803: 23 000-25 000 words) [prerequisites: RHP 801 and 803]	MND 803	130
and		
General principles of income tax law	ATL 801	30
* Indirect tax	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 2011		



<b>Doctor Legum [LLD]</b>
---------------------------

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 LLM degree or an equivalent degree from a foreign university.

Foreign qualifications are subject to SAQA evaluation.

Faculty Board may grant exemption from the above conditions.

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)).

**(e) 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

<b>ALPHABETICAL LIST OF MODULES IN THE FACULTY OF LAW</b>
-----------------------------------------------------------

**# = Concurrent registration**  
**() = Examination admission**  
**dpw = discussions per week**  
**GS = combined (final) mark (semester/year mark plus examination mark) of at least 40% - 49%**  
**hpw = hours per week**  
**LP = Lecturer's permission**  
**lpw = lectures per week**  
**ppw = practicals per week**  
**spw = seminars per week**  
**TDH = Permission by head of department**  
**tpw = tutorials per week**

**LLB****ABR 210 Labour law 210****Academic organisation:** Mercantile Law**Contact time:** 3 lpw**Period of presentation:** Semester 1**Language of tuition:** Both Afr and Eng**Credits:** 15**Module content:**

\*For LLB and BA/BCom specialising in law

- (a) Introduction to mercantile law
- (b) Basic principles in respect of individual labour law
- (c) General principles in respect of collective labour law
- (d) Resolution of labour disputes
- (e) Arbitration procedures in respect of labour disputes

**ABR 311 Labour law 311****Academic organisation:** Mercantile Law**Contact time:** 3 lpw**Period of presentation:** Semester 1**Language of tuition:** Both Afr and Eng**Credits:** 20**Module content:**

Basic principles of the employment contract. Collective labour law. Statutory conditions of employment. Individual labour disputes. Collective labour disputes. Settlement procedures.

**ABR 420 Fundamental labour law 420****Academic organisation:** Mercantile Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Both Afr and Eng**Credits:** 10**Module content:**

\*For LLB

- (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**

**Academic organisation:** Public Law

**Prerequisite:** RVW 210 and SRG 210

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BAdmin

An overview of judicial review of administrative action in light of the Constitution and the Promotion of Administrative Justice Act 3 of 2000, with a focus on the legitimate scope of such judicial review and the grounds for judicial review.

**AGF 420 Alternative dispute resolution 420**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 10

**Module content:**

\*For LLB

Theory pertaining to negotiating, mediation and arbitration as well as the theoretical and practical implementation thereof in various legal fields such as criminal law, matrimonial law, international law, labour law and sectional title law.

**AMR 410 African human rights law 410**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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

**ANO 410 Deeds and notarial practice 410**

**Academic organisation:** Procedural Law

**Prerequisite:** SAR 310

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) Transfer duty
- (b) Value-added tax
- (c) Diverse tax matters

**BLR 410 Tax law 410**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) Basic principles
- (b) Calculation of tax payable
- (c) Gross income
- (d) Allowable deductions
- (e) Formula for determining tax payable
- (f) Objections and appeals
- (g) Capital gains tax

**BWR 311 Law of evidence 311**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 6

**Module content:**

\*For LLB

Basic principles of the law of evidence and rules relating to the admissibility of specific categories of evidence.

**BWR 321 Law of evidence 321**

**Academic organisation:** Procedural Law

**Prerequisite:** BWR 311 exam entrance

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 6

**Module content:**

\*For LLB

Evidential aspects relating to the giving of evidence and the constitutional implications for the law of evidence.

**DLR 320 Law of delict 320**

**Academic organisation:** Private Law

**Contact time:** 4 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 15

**Module content:**

\*For LLB and BA/BCom specialising in law

- (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**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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) Restrictions of recoverable damage
- (f) Prescription
- (g) Claims handling
- (h) Recourse of the Road Accident Fund

**ERF 211 Law of succession 211**

**Academic organisation:** Private Law

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in law  
Testate succession

**ERF 221 Law of succession 221**

**Academic organisation:** Private Law

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in law

- (a) Intestate succession
- (b) Administration of estates:
  - Function of the Master
  - Appointment and function of the executor
  - The executor's account
  - Aspects of estate duty

**FMR 110 Family law 110**

**Academic organisation:** Private Law

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 7

**Module content:**

\*For LLB and BA/BCom specialising in law

- (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 Family law 120**

**Academic organisation:** Private Law

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 7

**Module content:**

\*For LLB and BA/BCom Law specialising in law

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

**FPS 410 Philosophical perspectives on legal problems 410**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 spw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

The study of legal problems within a post-apartheid context by way of relevant jurisprudential and legal theoretical approaches.

**GHR 420 Land and land reform law 420**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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

**GRG 410 Medical law 410**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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) Liability for wrongful conception/birth/life
- (h) Transsexualism and sex-change operations
- (i) The moment of death and euthanasia
- (j) Aspects of the medical disciplinary hearings

**HVR 110 Historical foundations of South African private law 110**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 1 tpw 3 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA specialising in law

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; British occupation; ZAR; Union; Apartheid; common law; Constitution; religious legal systems

INTRODUCTION TO THE ROMAN LAW OF THINGS

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

**HVR 120 Historical foundations of South African private law 120**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 1 tpw 3 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA specialising in law

INTRODUCTION TO THE ROMAN LAW OF CONTRACT

- (a) General principles of the law of contract
- (b) Specific contracts
- (c) Quasi contracts

INTRODUCTION TO THE ROMAN LAW OF DELICT

- (a) General principles of the law of delict
- (b) Specific delicts
- (c) Quasi delicts

**IBP 410 Insolvency practice 410**

**Academic organisation:** Mercantile Law

**Prerequisite:** ISR 320

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10



**Module content:**

\*For LLB

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

**IDR 110 Introduction to law 110**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB, BA/BCom specialising in law and BCom Taxation

- (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**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in law

- (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)

**IET 411 International elective module (1) 411**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 10

**IET 412 International elective module (2) 412**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 10

**IET 413 International elective module (3) 413**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 10

**IET 414 International elective module (4) 414**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 10

**IGZ 320 Intellectual property law 320**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) General principles of intellectual property law
- (b) Copyright
- (c) Law relating to inventions and designs
- (d) Trademark law
- (e) Law relating to plant breeders' rights
- (f) Law of competition

**IPR 410 Private international law 410**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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
  - (v) law of succession
- (e) Recognition and enforcement of foreign judgements

**IPW 410 International law 410**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) The nature and history of international law
- (b) Sources of international law
- (c) International law in municipal law

- (d) Recognition of states and governments
- (e) Territory
- (f) Jurisdiction, international crimes and immunity
- (g) International human rights
- (h) State responsibility

**ISR 310 Insolvency law 310**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BCom specialising in law

- (a) General introduction and historical background
- (b) The 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**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 spw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

In this module, students study theoretical and practical problems related to the law's approach to race and gender. Equality, discrimination and other aspects are investigated within a postapartheid context.

**KID 410 Child law 410**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) The status of children in South African law
- (b) The constitutional protection of children
- (c) General principles of the Children's Act 38 of 2005
- (d) Parental responsibilities and rights
- (e) Children courts
- (f) Adoption and alternative care
- (g) International instruments pertaining to children's rights
- (h) Inter-country adoption and international abduction
- (i) Children and the criminal justice system

**KTH 220 Specific contracts 220**

**Academic organisation:** Mercantile Law

**Contact time:** 4 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 15

**Module content:**

\*For LLB and BCom specialising in law

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

**KTR 210 Law of contract 210**

**Academic organisation:** Private Law

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in law

- (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**

**Academic organisation:** Private Law

**Prerequisite:** KTR 210 exam entrance

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in law

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

**KUB 420 Information and communications technology lae 420**

**Academic organisation:** Mercantile Law

**Contact time:** 5 ppw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) Introduction to the study of information and communications technology law:
  - The place of information and communications technology law in the legal system
  - The nature and scope of information and communications technology law
  - Sources of information and communications technology law
  - Inception and influence of the Internet
- (b) Regulation of the Internet:
  - National/International

- Jurisdiction
- (c) Aspects of intellectual property law and the Internet
- (d) E-commerce activities and the Internet:
  - Aspects of jurisdiction and signing of contracts
  - Data protection and encryption
  - Liability of Internet service providers
- (e) Advertising and the Internet
- (f) Criminal liability in information and communications technology law
- (g) Constitutional aspects in information and communications technology law:
  - The right to privacy/freedom of expression/information

**LOC 410 Law of securities 410**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 10

**Module content:**

\*For LLB

- (a) Legal principles in respect of the regulation of the primary security markets
- (b) Legal principles in respect of secondary security markets

**MDR 420 Media law 420**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

Capita selecta from media and communications law in the light of the Constitution.

**MDR 421 Media law 421**

**Academic organisation:** Public Law

**Contact time:** 1 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*Journalism students

- (a) Introduction: General background to the South African legal system (including the supreme Constitution, distinction between public and private law, courts, legislation and common law, general legal concepts, etc)
- (b) The journalist and the law: the fundamental right to freedom of expression, limitations and hate speech
- (c) The legal position of journalists during armed conflict
- (d) Journalistic privilege and the disclosure of confidential sources
- (e) Defamation and the media
- (f) The journalist and the Internet
- (g) The Films and Publications Act 1996 and child pornography
- (h) Regulation of advertising in South Africa (legislation and the Advertising Standards Authority)
- (i) The journalist and the Promotion of Access to Information Act 2000

**MRG 410 Municipal law 410**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) Introduction to local government law in general
- (b) Process of local government transformation
- (c) Status, objects and challenges of local government
- (d) Legal nature and duties of municipalities
- (e) Co-operative government
- (f) New institutional models in local government
- (g) Demarcation of local government jurisdictions.
- (h) Composition and election of local government structures
- (i) Role of traditional leaders in local government
- (j) Powers and functions
- (k) Political structures
- (l) Municipal services and other functional activities
- (m) Human resources and labour issues
- (n) Municipal finances and fiscal management
- (o) Development, planning and unique local government law matters

**MRT 220 Human rights 220**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA specialising in law

- (a) History of human rights in South Africa
- (b) Jurisprudential and political perspectives on human rights
- (c) Application, justiciability and interpretation of the bill of rights
- (d) Jurisdiction, procedures and remedies
- (e) Limitation of fundamental rights
- (f) International human rights
- (g) An analysis of selected fundamental rights

**ODR 320 Entrepreneurial law 320**

**Academic organisation:** Mercantile Law

**Contact time:** 4 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 15

**Module content:**

\*For LLB and BCom specialising in law

- (a) Company law
- (b) Law relating to close corporations
- (c) Partnership law

**OMR 410 Environmental law 410**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 10

**Module content:**

\*For LLB

- (a) The nature and scope of environmental law
- (b) The Constitution and the environment
- (c) Environmental framework regulation
- (d) Planning law
- (e) Environmental assessment
- (f) Water law
- (g) Pollution control and waste management
- (h) Mining and energy sources
- (i) Biodiversity and conservation of forests, plant resources and wild animals
- (j) Heritage resources
- (k) Living marine resources

**ONR 420 Education law 420**

**Academic organisation:** Private Law

**Contact time:** 5 ppw

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 10

**Module content:**

\*For LLB

- (a) Introduction to the nature and role of the law of education
- (b) Fundamental right to education and 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

**PCS 410 Private law 410**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

Capita selecta from any of the following:

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

**PRR 410 Practical law (Part 1 of 2) 410**

**Academic organisation:** Procedural Law

**Contact time:** 1 lpw 2 other per week

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 10

**Module content:**

\*For LLB

(a) Practical legal work according to a duty roster at the University's Law Clinic during the academic year, including consultations with clients, drafting of pleadings and attendance at trials. Students do this work as a group to a greater degree than in PRR 420.

- (b) Discussion classes regarding cases that are being dealt with at the Law Clinic
- (c) Assignments

**PRR 420 Practical law (Part 2 of 2) 420**

**Academic organisation:** Procedural Law

**Contact time:** 1 lpw 2 other per week

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 10

**Module content:**

\*For LLB

a) Practical legal work according to a duty roster at the University's Law Clinic during the academic year, including consultations with clients, drafting of pleadings and attendance at trials. Students do this work as a group to a lesser degree than in PRR 410.

- (b) Discussion classes regarding cases that are being dealt with at the Law Clinic
- (c) Assignments

**PSR 110 Law of persons 110**

**Academic organisation:** Private Law

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in Law

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

**PUR 420 International humanitarian law 420**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) What is international humanitarian law (the law of war)?: the distinction between ius ad bellum and ius in bello
- (b) The historical development and sources of international humanitarian law (IHL)
- (c) Different types of armed conflict: The distinction between international and non-international armed conflicts
- (d) Distinction between combatants and civilians
- (e) The prisoner of war (POW) status: soldiers, spies, mercenaries and guerrillas
- (f) Conduct of hostilities: legal restraints on how war is to be waged (including the prohibition of certain weapons and the targets that may be engaged during hostilities)
- (g) The distinction between genocide, crimes against humanity and war crimes
- (h) Winners or losers: war, international politics and the implementation of IHL
- (i) The protection of women and children during armed conflict
- (j) Accountability or impunity: the prosecution of war crimes by national courts, ad hoc tribunals (the ICTY and ICTR) and the International Criminal Court (ICC)
- (k) The devil made me do it: superior orders and command responsibility during war
- (l) The role of International Committee of the Red Cross (ICRC)



**RFF 311 Legal philosophy 311**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Prerequisite:** HVR 110, HVR 120, IDR 110, IDR 120, RVD 110 and RVD 120

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

An overview of the most important jurisprudential approaches amongst others natural law, positivism, realism, critical legal theory, modern and postmodern approaches. The theoretical and practical value of these approaches are investigated within a post-apartheid context.

**RHV 410 Legal problems of HIV/Aids 410**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 1 ppw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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.

**RPK 310 Legal practice 310**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 8

**Module content:**

\*For LLB

- (a) An overview of the origin and development of the various legal professions
- (b) Statutory provisions applicable to the legal profession
- (c) Professional conduct and ethics
- (d) Professional costs and fees
- (e) Professional liability of legal practitioners

**RPK 320 Legal practice 320**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) Practice management
- (b) Taking of instructions
- (c) Bookkeeping for legal practices
- (d) Aspects of trial advocacy
- (e) Practical application

**RPR 210 Legal pluralism 210**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA specialising in law

- (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

**RVD 110 Legal skills 110**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB, BA/BCom specialising in law and BCom Taxation

- (a) Finding, reading and applying legislation
- (b) Law library orientation
- (c) Finding, reading and applying the common law
- (d) Finding, reading and applying court cases
- (e) Finding, reading and applying academic articles
- (f) Legal terminology

**RVD 120 Legal skills 120**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 1 tpw 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BA/BCom specialising in law

- (a) Court visit
- (b) Accessible legal language
- (c) Drafting an office memorandum

- (d) Drafting a letter to a client
- (e) Drafting heads of argument
- (f) Court appearance skills
- (g) Moot Court

**RVG 410 Comparative law 410**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 spw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 10

**Module content:**

\*For LLB

- (a) General introduction: what is comparative law, methodology, advantages, disadvantages, pitfalls
- (b) General characteristics of the most important legal families:
  - The Anglo-American and Roman-Germanic systems
  - Traditional and religious systems
- (c) Overview of a number of specific notional systems
- (d) The study of specific subjects on a comparative basis

**RWV 210 Legal interpretation 210**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB, BAdmin, BA specialising in law and BCom Taxation  
Statute law:

- (a) General introduction: relationship between text and context
  - (b) What is legislation: categories and types of legislation
  - (c) The structure and format of legislation (enacted law texts)
  - (d) Commencement, amendment and demise of legislation
- Principles of interpretation:
- (a) How to interpret legislation: various theories and methods of interpretation and the influence of the supreme Constitution on statutory interpretation
  - (b) Internal and external aids to determine the legislative purpose
  - (c) So-called peremptory and directory provisions
  - (d) Statutory interpretation and judicial lawmaking
  - (e) Basic principles of constitutional interpretation

**SAR 310 Law of things 310**

**Academic organisation:** Private Law

**Contact time:** 4 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 15

**Module content:**

\*For LLB and BA/BCom specialising in law

- (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)

**SGR 410 Law of damages 410**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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

**SIP 410 Civil procedure 410**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 8

**Module content:**

\*For LLB

- (a) Aspects of litigation techniques
- (b) General principles of civil procedure
- (c) Practical application

**SIP 420 Civil procedure 420**

**Academic organisation:** Procedural Law

**Prerequisite:** SIP 410 exam entrance

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 8

**Module content:**

\*For LLB

- (a) Aspects of litigation techniques
- (b) Compiling pleadings
- (c) General principles of civil procedure
- (d) Practical application

**SIS 420 Supervised internship 420**

**Academic organisation:** Law Dean's Office

**Contact time:** Minimum 120 hours

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

The objective of this service learning programme is to expose students to the context in which the law operates and where possible to render community service. Internships may be served at any institution where the student will gain valuable experience and exposure related to his/her studies. Criteria in regard to the kinds of institutions shall be set by the Faculty Board. Possible institutions include international organisations (such as the United Nations and the African Union), state institutions (such as Parliament, the Competition Tribunal and the Human Rights Commission), entrepreneurial organisations (such as the JSE), civil society organisations and NGOs. Law firms may be hosts to the extent that pro bono work is involved.

Students will be expected to serve a minimum of 120 hours at host institutions. Before admission to this module the student must submit a working plan to the Dean for approval indicating the nature of the work to be undertaken as well as the number of hours that will be spent doing the work. The proposed working plan must be supported by the academic member of staff who will serve as the academic supervisor of the internship.

A co-supervisor at the institution where the student will be placed must be identified in the proposed working plan.

The student, academic supervisor and co-supervisor must each write a report at the completion of the internship.

The student delivers an oral presentation before a panel consisting of the Dean, academic supervisor and an external examiner during which the student defends his/her report. The panel awards a mark after considering the three written reports and the oral presentation.

### **SKH 420 Moot Court 420**

**Academic organisation:** Procedural Law

**Contact time:** 2 ppw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

Students who officially represent the Faculty 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 Essay and seminar 400**

**Academic organisation:** Law Dean's Office

**Contact time:** 2 spw 3 lpw

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 15

**Module content:**

\*For LLB

(a) The essay deals with a subject from the field of law.

(b) The Dean advises final-year students of the date on which the subject of the essay must be submitted to him for approval.

(c) The head of department responsible for the subject, or a lecturer designated by him/her, acts as project leader and as examiner: Provided that the head of department may appoint an external examiner should he/she deem it necessary.

(d) Two typed, duplicated or printed copies of the essay of between 8 000 and 14 000 words (with an indication of the amount of words on the last page of the essay), must be submitted. The date when the essay must be submitted is the first Monday after the September/October recess.

Each lecturer supervises a maximum of 15 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 one-hour lectures on the approach to and writing of an essay. Following this, each lecturer organises one seminar of two hours with his or her group of students, during which students submit the topics and basic structure of their essays.

After completion of the essays, a copy of each essay 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 each student presents his or her conclusions for the group to criticise. At these seminars, the lecturer also involves another faculty member or expert.

The evaluation is as follows:

Written document 70%

Participation in seminar 30%

#### **SLW 410 Street law 410**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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.

#### **SMI 410 Statutory crimes 410**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

Crimes:

Capita selecta from:

- (a) Computer crimes
- (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
- (m) Minimum sentencing

Forensic criminalistics:

- (a) Components and objectives of criminal investigation
- (b) Identification, comparison and individualisation
- (c) Information-gathering through communication
- (d) Serological examinations
- (e) Odontological examinations
- (f) Dactyloscopic examinations
- (g) Trichological examinations

**SOR 420 Social security law 420**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 8

**Module content:**

\*For LLB

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

**SPR 420 Criminal procedure 420**

**Academic organisation:** Procedural Law

**Prerequisite:** SPR 410 exam entrance

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 8

**Module content:**

\*For LLB

- (a) Drafting of pleadings
- (b) Practical application

**SRG 210 Constitutional law 210**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BAdmin and BA specialising in law

- (a) Introduction to constitutional law theory
- (b) Basic principles: the law, the state and the individual
- (c) The historical development of the South African constitutional law
- (d) Different elements of a state
- (e) Sources of the South African constitutional law
- (f) The founding provisions, the legal order and symbols of the South African state
- (g) The South African Bill of Rights
- (h) Co-operative government
- (i) The president and the national executive authority

**SRG 220 Constitutional law 220**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB and BAdmin and BA specialising in law

- (a) The national legislative authority
- (b) Provincial government
- (c) Local government
- (d) Judicial authority
- (e) State institutions supporting constitutional democracy
- (f) The public administration
- (g) The South African security services
- (h) Traditional leaders
- (i) Finance
- (j) General provisions and transitional arrangements

**SRR 420 Sports law 420**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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

**STR 410 Criminal law 410**

**Academic organisation:** Public Law

**Contact time:** 3 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 12

**Module content:**

\*For LLB

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 classification 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**

**Academic organisation:** Public Law

**Contact time:** 3 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 12

**Module content:**

\*For LLB

Specific crimes:

- (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

**TBR 420 Transnational business law 420**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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

**TBS 410 Trusts and estates 410**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

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

**VBB 220 Consumer protection 220**

**Academic organisation:** Mercantile Law

**Contact time:** 3 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (a) Basic principles of the National Credit Act 34 of 2005
- (b) Aspects regarding the law applicable to credit agreements
- (c) Basic principles of the Consumer Protection Act

### **VHD 320 Law of negotiable instruments 320**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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 traveller's cheques
- (d) The promissory note

### **VRR 310 Insurance law 310**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 10

**Module content:**

\*For LLB

- (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

### **WRG 110 Social welfare law 110**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Both Afr and Eng

**Credits:** 7

**Module content:**

This module is designed to introduce students to some of the legal aspects of particular importance to social workers. The module includes the following components: An introduction to law in general including an overview of the sources of law, the South African court system, the legal profession, legal aid and the procedural law; the law of persons, with specific reference to the commencement and termination of legal subjectivity and the legal status of a person; an introduction to the criminal law and punishment and the role of the social worker in the criminal process.

### **WRG 120 Social welfare law 120**

**Academic organisation:** Private Law

**Prerequisite:** WRG 110 GS

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Both Afr and Eng

**Credits:** 7

**Module content:**

This module is a continuation of the first module in social welfare law which aims to familiarise students with certain aspects of the law of particular importance to social workers. The module consists of the following components: an introduction to the matrimonial law, the matrimonial property law and the divorce law; parental authority including aspects such as the acquisition, nature, content and interference with parental authority; the role of the social worker in the family law context.

## LLM

### **ACH 802 Accredited course in human rights 802**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 20

**Module content:**

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

### **ADC 802 Accredited module 802**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 30

**Module content:**

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

### **AHR 801 Applied human rights 801**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 15

**Module content:**

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

### **AIL 802 Advanced international law 802**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

The topics covered include:

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

### **AML 801 Advanced consumer protection 801**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Applied law of contract and more specifically credit agreements
- (b) The influence of specific consumer protection measures, namely the National Credit Act 34 of 2005 and the Alienation of Land Act 68 of 1981 on the general principles of the law of contract and on certain types of contract
- (c) Issues relating to the mentioned legislation

**AOE 801 Administration of estates 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**ASC 801 Aspects of the law of succession 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**ASL 802 Administrative law 802**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**ATL 801 General principles of income tax law 801**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Interpretation of tax legislation
- (b) Gross income
- (c) General deductions
- (d) Specific deductions and allowances

- (e) Assessed losses
- (f) Objections and appeals
- (g) Rules of the Tax Court
- (h) General Anti-Avoidance Rule (GAAR)

**AVT 802 Aspects of the law of trusts 802**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**BLR 802 International taxation 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Overview of DTAs
- (b) Jurisdiction to taxation
- (c) Permanent establishment and business income
- (d) Interpretation of tax treaties
- (e) Distributive rules in DTAs
- (f) Trusts
- (g) Tax havens and intermediate companies
- (h) Transfer pricing and thin capitalisation
- (i) Foreign companies and dividends
- (j) Controlled foreign companies
- (k) Tax relief measures

**CCP 801 Criminal procedure litigation 801**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

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

**CLG 801 Civil litigation 801****Academic organisation:** Procedural Law**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

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

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

**CLL 802 Collective labour law 802****Academic organisation:** Mercantile Law**Prerequisite:** IVL 801**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Double medium**Credits:** 30**Module content:**

This module covers the following aspects:

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

**CMR 801 Introduction to the South African Constitution and human rights 801****Academic organisation:** Centre for Human Rights**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** English**Credits:** 30**Module content:**

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

**CRM 801 Capita selecta from general principles of criminal law 801****Academic organisation:** Public Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Double medium**Credits:** 30**Module content:**

- (a) A critical analysis of justifiable homicide as ground of justification in the common law and legislation
- (b) A critical analysis of the legality principle in context of the Constitution
- (c) A critical analysis of the concept of consent in South African criminal law

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

**CRM 802 Capita selecta from the specific crimes 802**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from the following:

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

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

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from the following:

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

**CSL 801 Constitutional law 801**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Revisiting the concept of constitutional supremacy and its interaction with popular sovereignty
- (b) Constitutional dynamics – (tacit) constitutional change in ways not constitutionally authorised



- (c) A critical reassessment of separation of powers, judicial independence and impartiality and the impact of judicial review in the contemporary state
- (d) Consideration of legality and constitutionality in view of relevant South African case law
- (e) The foundation of the state, effectiveness and legitimacy particularly in the face of rampant violent crime
- (f) Co-operative government in South African constitutional practice
- (g) Constitutional values with specific reference to democracy in the South African constitution
- (h) The legal claims of communities in contemporary constitutional law
- (i) New trends in South African constitutional jurisprudence and the local and international scholarly discourse

**CTI 802 Individual and corporate taxation 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Fringe benefits
- (b) PAYE
- (c) Labour brokers and personal service companies
- (d) Donations tax
- (e) Estate duty
- (f) Capital Gains Tax
- (g) Dividends and STC
- (h) General deductibility of interest
- (i) Structured finance transactions
- (j) Alternative funding transactions and derivatives
- (k) Special rules on companies
- (l) Small business entities
- (m) Special taxpayers

**DIA 801 Democratisation in Africa 801**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 20

**Module content:**

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

**DLA 801 Aspects of divorce law 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

- (a) Grounds for divorce – the focus will especially fall on the creation of a single ground for divorce.

- (b) Redistribution orders
- (c) Forfeiture of benefits orders
- (d) Maintenance agreements
- (e) Rule 43-applications
- (f) Children and divorce – especially after the enactment of the Children’s Act 38 of 2005

**DLP 802 Education law and policy 802**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta of any of the following:

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

**EAL 802 Recognised and alternative life-partnerships 802**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**ENL 802 Environmental law 802**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Nature and scope of environmental law
- (b) Environmental framework legislation
- (c) Current challenges for environmental governance: some national and international perspectives
- (d) Compliance and enforcement in environmental law
- (e) Administrative justice and the environment
- (f) Land use and planning
- (g) Pollution control and waste management
- (h) Environmental assessment
- (i) Biodiversity, traditional knowledge, GMOs (genetic manipulated organisms)
- (j) Water law
- (k) Mining and energy

**GGH 802 Land and land reform law 802**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**GIH 802 Advanced international trade law 802**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**GIK 801 Constitutional and international law pertaining to children 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from the following:

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

**GPC 801 Capita selecta of the general principles of the law of contract 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**GSR 802 Advanced social security law 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

### **GTB 802 Advanced international investment and business law 802**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 30

**Module content:**

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

### **HPH 801 History and philosophy of human rights 801**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

### **HRA 801 Human rights in Africa 801**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 20

**Module content:**

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

### **HRG 800 Mercantile law 800**

**Academic organisation:** Mercantile Law

**Period of presentation:** Year

**Language of tuition:** English

**HRG 890 Dissertation: Mercantile law 890**

**Academic organisation:** Mercantile Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 200

**ICH 801 International and comparative human rights 801**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 20

**Module content:**

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

**ICL 802 International criminal law 802**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**IDB 802 Indirect tax 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) VAT
- (b) Stamp duty
- (c) Transfer duty
- (d) SDL
- (e) UIF

**IDT 802 Indirect tax 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) The basic working of VAT
- (b) Output tax

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

**IEL 801 International environmental law 801**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) The history and development of international environmental law (IEL) – from Stockholm to Johannesburg
- (b) IEL institutions and enforcement of IEL
- (c) Climate change
- (d) Waste and other toxic substances
- (e) Liability for environmental damage
- (f) Protection of ocean and seas
- (g) Protection of biodiversity
- (h) Human rights and the environment
- (i) Trade and the environment

**IET 811 International elective module 811**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 30

**IET 812 International elective module 812**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 2

**Language of tuition:** English

**Credits:** 30

**IGZ 801 Intellectual property in international context 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

The following aspects will be dealt with:

- (a) Overview of different species of IP
- (b) Overview of international bodies active in the area of IP
- (c) Compliance of South African law with international instruments relating to substantive law
- (d) Compliance of South African law with international instruments relating to procedural law.
- (e) Compliance of South African law with international instruments relating to classification.
- (f) Regional instruments relating to intellectual property

**IGZ 802 Patent law and practice 802**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

The following aspects will be dealt with:

- (a) South African Patents Act no. 57 of 1978 and the Regulations issued in terms thereof
- (b) South African Plant Breeders' Rights Act no. 15 of 1976
- (c) The patent-related international instruments applicable in South Africa
- (d) Norms and principles applied to determine registrability of patents
- (e) Norms and principles applied to determine validity of patents
- (f) Amendment or correction of patent applications and patents
- (g) Assignment, voluntary licensing and devolution of patent rights
- (h) Rights of third parties

**IGZ 803 Trademark law and practice 803**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

The following aspects will be dealt with:

- (a) South African Trade Marks Act no. 194 of 1993 and the Regulations issued in terms thereof
- (b) Merchandise Marks Act no. 17 of 1941 and the Regulations issued in terms thereof
- (c) Counterfeit Goods Act no. 37 of 1997 and the Regulations issued in terms thereof
- (d) The trademark-related international instruments applicable in South Africa
- (e) Norms and principles applied to determine registrability of trademarks
- (f) Norms and principles applied to determine validity of trademarks
- (g) Amendment or correction of trademark applications and registrations
- (h) Assignment, voluntary licensing and devolution of trademark rights
- (i) Rights of third parties

**IGZ 804 Copyright law and practice 804**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

The following aspects will be dealt with:

- (a) South African Copyright Act no. 98 of 1978 and the Regulations issued in terms thereof
- (b) Performers' Protection Act no 11 of 1967
- (c) Registration of Copyright in Cinematograph Films Act no 62 of 1977 and the Regulations issued in terms thereof
- (d) The copyright-related international instruments applicable in South Africa
- (e) Norms and principles applied to determine the subsistence of copyright
- (f) Norms and principles applied to determine validity and infringement of copyright
- (g) Assignment, voluntary licensing and devolution of copyright
- (h) Collecting societies

**IIL 801 International insolvency law 801**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

The module comprises a capita selecta from contemporary issues relating to the law of international insolvency. Aspects dealt with include the following:

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

**ISR 801 Insolvency law 801**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module deals with aspects of the following topics:

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

**ITA 802 International labour law 802**

**Academic organisation:** Mercantile Law

**Prerequisite:** IVL 801 and CLL 802

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module covers aspects of international labour law and includes:

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

**ITL 801 Advanced income tax law 801**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) The basic principles pertaining to gross income
- (b) Specific inclusions in gross income – interest, royalties, etc
- (c) General principles pertaining to deductible expenses
- (d) Examples of allowable and non-allowable deductions – rent, improvements, royalties, etc



- (e) Tax evasion and tax avoidance under the Income Tax Act
- (f) Objection and appeal procedures

**IVL 801 Individual labour law 801**

**Academic organisation:** Mercantile Law

**Prerequisite:** ABR 420

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Advanced study of:

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

**KUB 802 Information and communications and technology law 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

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

**LBR 802 Liquidation and business rescue 802**

**Academic organisation:** Mercantile Law

**Prerequisite:** IVR 801

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**LOE 802 Advanced law of evidence 802**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

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

**LRD 802 Global perspectives on law, justice and development 802**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module deals with the following aspects:

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

**LRR 801 Law of securities 801**

**Academic organisation:** Mercantile Law

**Prerequisite:** Must pass an entrance test

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module deals with aspects of the following topics:

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

**MCL 801 Applied international law 801**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**MHR 801 Multidisciplinary human rights 801**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

A combination of at least seven of the following topics:

- (a) The state, democracy and human rights
- (b) International relations and human rights
- (c) History of human rights, including “grassroots narratives”
- (d) Human rights in visual media (art and film)
- (e) Human rights in literature
- (f) Human rights fact-finding and reporting; human rights journalism
- (g) Human rights and HIV/Aids
- (h) Medicine, medical ethics and human rights
- (i) Civil society, “grassroots movements” and human rights
- (j) Poverty and human rights
- (k) Globalisation and human rights
- (l) Human rights and social change
- (m) Social science research and human rights
- (n) Tradition, religion and human rights
- (o) Gender and human rights
- (p) Transitional justice, reconciliation and justice

**MKR 801 Company law 801**

**Academic organisation:** Mercantile Law

**Prerequisite:** Must pass an entrance test

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module deals with aspects of the following topics:

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

**MND 800 Mini-dissertation 800**

**Academic organisation:** Law Dean's Office

**Prerequisite:** RHP 801 and RHP 803

**Period of presentation:** Year

**Language of tuition:** Double medium

**Credits:** 100

**Module content:**

- (a) The student must submit a research proposal during his/her first year of registration for the LLM degree to the supervisor prior to commencing with the writing of the mini-dissertation.
- (b) A mini-dissertation (MND 800) of 13 000 to 15 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for

submission of the mini-dissertation may only be granted by the Dean on recommendation of the LLM Committee

**MND 802 Mini-dissertation 802**

**Academic organisation:** Centre for Human Rights

**Prerequisite:** NRM 801

**Period of presentation:** Year

**Language of tuition:** Double medium

**Credits:** 125

**Module content:**

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

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

**MND 803 Mini-dissertation 803**

**Academic organisation:** Law Dean's Office

**Prerequisite:** RHP 801 and RHP 803

**Period of presentation:** Year

**Language of tuition:** Double medium

**Credits:** 130

**Module content:**

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

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

**MPL 802 Matrimonial property law 802**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

(a) Aspects of the Bill of Rights and the family law

(b) Mediation in divorce law

(c) Aspects of legal consequences of divorce between spouses

(d) New development in the law of husband and wife

**MRG 881 Local government law 881**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 50

**Module content:**

Capita selecta from the following:

- (a) Introduction and overview of the new legislative framework for local government in South Africa
- (b) The status, objectives and challenges for local government
- (c) The legal nature and rights and duties of municipal governments
- (d) Aspects concerning the composition and election of municipal councils
- (e) The powers and functions of municipal governments
- (f) Provision of essential services and internal functional activities of municipal structures
- (g) Municipal fiscal powers and fiscal management procedures
- (h) Aspects concerning municipal development, planning and specialised legal services

**MRT 890 Dissertation: Human rights 890**

**Academic organisation:** Centre for Human Rights

**Period of presentation:** Year

**Language of tuition:** English

**Credits:** 200

**MUR 801 Municipal law 801**

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from the following:

- (a) Introduction and overview of the new legislative framework for local government in South Africa
- (b) The status, objectives and challenges for local government
- (c) The legal nature and rights and duties of municipal governments
- (d) Aspects concerning the composition and election of municipal councils
- (e) The powers and functions of municipal Governments
- (f) Provision of essential services and internal functional activities of municipal structures
- (g) Principles of municipal fiscal powers and fiscal management procedures
- (h) Aspects concerning municipal development, planning and specialised legal services

**NRM 801 Research methodology for human rights 801**

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 5

**Module content:**

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

**PAJ 801 Post-apartheid jurisprudence 801**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module deals with the following aspects:

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

**PLC 801 Aspects of private law pertaining to children 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from any of the following:

- (a) Private legal status of children in South Africa
- (b) Parent-child relationship
- (c) Children's rights and parental responsibilities
- (d) Adoption and alternative care
- (e) Reproductive and health-care rights
- (f) The theory of children's rights

**PUR 800 Public law 800**

**Academic organisation:** Public Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**PUR 890 Dissertation: Public law 890**

**Academic organisation:** Public Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 200

**PVR 800 Private law 800**

**Academic organisation:** Private Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**PVR 890 Dissertation: Private law 890**

**Academic organisation:** Private Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 200

**RGS 800 Legal history, 800**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 1 other per week

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**RGS 890 Dissertation: Legal history, 890**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 200

**RHP 801 Research methodology: Multidisciplinary human rights 801**

**Academic organisation:** Law Dean's Office

**Contact time:** 2 lpw

**Period of presentation:** Semester 1 or Semester 2

**Language of tuition:** Double medium

**Credits:** 5

**Module content:**

- (a) Overview of the research and writing process
- (b) Research methods
- (c) Philosophical and ethical issues in research
- (d) Methodological approaches to legal research
- (e) Logic and argument
- (f) Writing

**RHP 802 Research methodology 802**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Module content:**

- (a) Overview of the research and writing process
- (b) Research methods
- (c) Philosophical and ethical issues in research
- (d) Methodological approaches to legal research
- (e) Logic and argument
- (f) Writing

**RHP 803 Research proposal 803**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Year

**Language of tuition:** Double medium

**Credits:** 5

**Module content:**

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

**RHP 804 Research proposal 804**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1 or Semester 2

**Language of tuition:** Double medium

**RSV 802 Comparative law 802**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

- (a) Legal History,
- (b) Approaches to private law comparisons

- (c) Comparative constitutionalism and human rights
- (d) African systems and human rights
- (e) Other systems

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

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** English

**Credits:** 20

**Module content:**

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

**SCL 801 Statutory competition law 801**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

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

**SDV 801 Law of damages 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from any of the following:

- (a) The law of contractual damages
- (b) The law of third party compensation
- (c) Any other part of the law of damages

**SKC 802 Law of specific contracts 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2



**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

A. Sale

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

B. Lease

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

C. Aspects of suretyship and agency

**SLS 801 Real security law 801**

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

\*Reading knowledge of Afrikaans is necessary for this module.

- (a) Introduction to real security
- (b) Aspects of mortgage
- (c) Notarial bonds
- (d) Cession in securitatem debiti
- (e) Aspects of tacit hypothecs
- (f) Aspects of liens

**SPR 800 Procedural law 800**

**Academic organisation:** Procedural Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**SPR 890 Dissertation: Procedural law 890**

**Academic organisation:** Procedural Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 200

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

**Academic organisation:** Public Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

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

**Academic organisation:** Centre for Human Rights

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**SRP 801 Sports law 801**

**Academic organisation:** Procedural Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

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

**Academic organisation:** Private Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

Capita selecta from any of the following:

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

**STR 800 Criminal law 800**

**Academic organisation:** Public Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 24

**STR 890 Dissertation: Criminal law 890**

**Academic organisation:** Public Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 200

**TBL 802 Advanced transnational business law 802**

**Academic organisation:** Mercantile Law

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

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

**TOR 802 International take-overs and reorganisations 802**

**Academic organisation:** Mercantile Law

**Prerequisite:** Have to pass entrance test

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module deals with aspects of the following topics:

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

**VAM 801 Compliance with and enforcement of multilateral environmental agreements 801**

**Academic organisation:** Public Law

**Prerequisite:** IEL 801

**Contact time:** 2 lpw

**Period of presentation:** Semester 2

**Language of tuition:** Double medium

**Credits:** 30

**Module content:**

This module provides students with guidance on the practical aspects of negotiating, implementing, and enforcing environmental law at international and national levels.

Aspects dealt with include the following:

- (a) Negotiating MEAs
- (b) Implementation of MEAs
- (c) Compliance processes
- (d) Responses to non-compliance
- (e) Synergy and linkages in compliances and enforcement

- (f) Implementation of MEAs in national law
- (g) Institutional arrangements
- (h) Enforcement mechanisms
- (i) Public education and working with the media
- (j) Case studies on national institutions and processes

## LLD

### **HRG 900 Mercantile law 900**

**Academic organisation:** Mercantile Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

### **HRG 990 Thesis: Mercantile law 990**

**Academic organisation:** Mercantile Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 400

### **MRT 900 Human rights 900**

**Academic organisation:** Centre for Human Rights

**Period of presentation:** Year

**Language of tuition:** English

### **MRT 990 Thesis: Human rights 990**

**Academic organisation:** Centre for Human Rights

**Period of presentation:** Year

**Language of tuition:** English

**Credits:** 400

### **PUR 900 Public law 900**

**Academic organisation:** Public Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

### **PUR 990 Thesis: Public law 990**

**Academic organisation:** Public Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 400

### **PVR 900 Private law 900**

**Academic organisation:** Private Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

### **PVR 990 Thesis: Private law 990**

**Academic organisation:** Private Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 400

**RGS 900 Legal history, 900**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**RGS 990 Thesis: Legal history, 990**

**Academic organisation:** Legal History, Comparative Law and Legal Philosophy

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 400

**RHP 902 Research methodology 902**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1

**Language of tuition:** Double medium

**Module content:**

- (a) Overview of the research and writing process
- (b) Research methods
- (c) Philosophical and ethical issues in research
- (d) Methodological approaches to legal research
- (e) Logic and argument
- (f) Writing

**RHP 904 Research proposal 904**

**Academic organisation:** Law Dean's Office

**Period of presentation:** Semester 1 or Semester 2

**Language of tuition:** Double medium

**SPR 900 Procedural law 900**

**Academic organisation:** Procedural Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**SPR 990 Dissertation: Procedural law 990**

**Academic organisation:** Procedural Law

**Period of presentation:** Year

**Language of tuition:** Both Afr and Eng

**Credits:** 400

**Note:**

Modules not listed in this publication, can be accessed at: <https://www.up.ac.za>