

**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

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FACULTY OF LAW**ACADEMIC PERSONNEL AS AT 1 OCTOBER 2013****DEAN**

Boraine, A., Blur LLB(Pretoria) LLM(Witwatersrand) LLD(Pretoria)

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)
 Burdette, D.A., Blur LLB(Unisa) LLD(Pretoria) Extraordinary Professor
 De Jager, J., Blur LLB (Unisa) LLM LLD(RAU) Extraordinary Professor
 McCoy, P., BA(Oberling College) JD(Berkeley)..... Extraordinary Professor
 Pillay, D., BProc LLB(Unisa) LLM(Natal) Extraordinary Professor
 Loubser, R.M., MCom(Unisa)..... Honorary Professor
 Delpont, P.A., BA(Law) LLB LLD(Pretoria) HDip(Tax)(Witwatersrand) .. Professor
 Lötzt, D.J., Blur LLB(Pretoria) LLM(Witwatersrand) LLD(Pretoria)..... Professor
 Nagel, C.J., BA(Law) LLB LLD(Pretoria) Professor
 Roestoff, M., BLC LLB LLM LLD(Pretoria) Professor
 Van Heerden, C.M., BProc LLB LLM(Pretoria) LLM(Unisa)
 LLD(RAU) Associate Professor
 Barnard, J., LLB(Pretoria) LLM(Unisa) LLD(Pretoria) Senior Lecturer
 Cassim, F., MBBCh LLB LLM(Witwatersrand)..... Senior Lecturer
 Chokuda, C.T., LLB LLM(Cape Town) Senior Lecturer
 Church, J., BCom LLB LLM(Pretoria) Senior Lecturer
 Coetzee, H., BCom(Law) LLB LLM(Pretoria)..... Senior Lecturer
 Morajane, T.C., BA LLB(Cape Town) LLM(Pretoria) Senior Lecturer
 Renke, S., BLC LLB LLM(Pretoria) Senior Lecturer
 Gericke, S.B., LLB LLM(Pretoria) Lecturer
 Joubert, E.P., LLB LLM(Pretoria) Lecturer
 Kreuser, M., LLB(Pretoria) Lecturer
 Papadopoulos, S.M., BLC LLB LLM(Pretoria) Lecturer
 Brink, G.F., BCom(Law) LLB LLD(Pretoria)..... Extraordinary Lecturer
 Legwaila, T.D., Bluris(Venda) LLB LLM(Witwatersrand)
 PGDip(Tax)(Cape Town) LLM(Cape Town) LLD(Pretoria) Extraordinary Lecturer

DEPARTMENT OF PRIVATE LAW

Boezaart, C.J., BA LLB LLD(Pretoria) Professor (Head)
 Bekker, J.C., BA LLB LLD(Unisa) Extraordinary Professor
 Du Plessis, E.D.P., BSc LLB(Pretoria) Extraordinary Professor
 G Grové, N.J, BA LLB LLM(Pretoria) LLD(RAU) Extraordinary Professor
 Harms, L.T.C., BA(Law) LLB(Pretoria) LLD(hc)(Free State) Extraordinary Professor
 Van der Merwe, A.P.S., BSc(Stellenbosch)
 BSc Eng(Witwatersrand) LLB(Unisa) PhD(Witwatersrand)..... Extraordinary Professor
 Van der Vyver, J.D., BCom LLB Hons BA(Potchefstroom)
 LLD(Pretoria) Extraordinary Professor
 Sinclair, J.D., BA LLB LLD(Witwatersrand) Honorary Professor
 Van Heerden, B.J., BA LLB(Stellenbosch) MA(Oxford) Honorary Professor
 Van Zyl, D.H., BA LLB BA(Hons)(Pretoria) DJuris(Leyden)
 PhD LLD(Cape Town) DLitt(Free State)..... Honorary Professor

Cornelius, S.J., BLuris LLB(Unisa) LLD(UP)	Professor
Maithufi, I.P., BLur LLB(University of the North) LLM(North-West) LLD(Pretoria)	Professor
Schoeman-Malan, M.C., BA LLB LLD(Pretoria)	Professor
Scott, T.J., BA(Hons) LLB(Pretoria) Dr Juris(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)	Associate Professor
Skelton, A.M., BA LLB(Natal) LLD(Pretoria)	Associate Professor
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 Pisani, A., LLB LLM(Pretoria)	Lecturer
Du Toit, C., BA(Law) LLB(Stellenbosch) LLM(Pretoria)	Extraordinary Lecturer
Ngidi, R.L.K., LLB LLM(Pretoria)	Extraordinary Lecturer

DEPARTMENT OF PROCEDURAL LAW

Cloete, R., BLC LLB(Pretoria) LLD(Unisa)	Professor (Head)
Van Loggerenberg, D.E., BLur LLB(Potchefstroom) LLD(Port Elizabeth)	Extraordinary Professor
De Villiers, W.P., BLur LLB LLD(Pretoria)	Professor
Van der Merwe, I.A., BProc LLB (Pretoria) LLM(Unisa) PhD(Rhodes)	Associate Professor
Bekker, P.M., BLur LLM LLD(Unisa)	Senior Lecturer
Illsley, E.D., BLC LLB(Pretoria) LLM(McGill)	Senior Lecturer
Curlewis, L.G., BLC LLB LLM LLD(Pretoria) LLM(Unisa)	Extraordinary Lecturer
Gravett, B.H., BLC LLB(Pretoria) LLM(Notre Dame, Indiana)	Extraordinary Lecturer
West, A.S., BProc(Unisa)	Extraordinary Lecturer

DEPARTMENT OF PUBLIC LAW

Carstens, P.A., BLC LLB LLD(Pretoria)	Professor (Head)
D'Oliveira, J.A. van S., BLur(Pretoria) LLB LLD(Unisa)	Extraordinary Professor
Kessie, E.K., LLB(Ghana) LLM(Toronto) LLM(Brussels) SJD(Sydney University of Technology)	Extraordinary Professor
Strauss, S.A., BA(Law)(Stellenbosch) LLB(Free State) LLD(Unisa) LLD(Pretoria)	Honorary Professor
Tladi, D., LLB(Pretoria) LLM(Connecticut) PhD(Law)(Erasmus University)	Honorary Professor
Bekink, B., BLC LLB LLM LLD(Pretoria)	Professor
Botha, C.J., LLB(Pretoria) BA(Hons) LLD(Unisa)	Professor
Malan, J.J., BA(Hons)(Pretoria) BLur LLB LLD(Unisa)	Professor
Brand, J.F.D., BLC LLB(Pretoria) LLM(Emory) LLD(Stellenbosch)	Associate Professor
Grobbelaar-Du Plessis, I., BLur LLB LLM LLD(Pretoria)	Senior Lecturer
Stevens, G.P., LLB LLM LLD(Pretoria)	Senior Lecturer
Murcott, M.J., LLB(Cape Town)	Lecturer
Radebe, M.K., LLB(Pretoria)	Lecturer
Saayman, G., MBChB MMed(Pretoria)	Extraordinary Lecturer

DEPARTMENT OF JURISPRUDENCE

Van Marle, K., BLC LLB(Pretoria) LLM LLD(Unisa).....	Professor (Head)
Cornell, D, BA(Antioch) JD(UCLA).....	Extraordinary Professor
Van der Walt, J.W.G., BLC BA(Hons) MA LLB(Pretoria) LLD(Johannesburg).....	Extraordinary Professor
Van der Walt, A.J., Blur LLB HonsBA(Potchefstroom) LLM(Witwatersrand) LLD(Potchefstroom).....	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) LLB LLM LLD(Pretoria) Dip Datametrics(Unisa).....	Associate Professor
Madlingozi, T., LLB LLM(Pretoria).....	Senior Lecturer
Arendse, L.E., LLB LLM (Western Cape).....	Lecturer
De Villiers, I., LLB LLM(Pretoria).....	Lecturer

CENTRES AND INSTITUTES**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., BA LLB(Natal) LLD(Pretoria).....	Director
Du Toit, C., BA(Law) LLB(Stellenbosch) LLM(Pretoria).....	Attorney
Ngidi, R.L.K., LLB LLM(Pretoria).....	Attorney

CENTRE FOR HUMAN RIGHTS

Viljoen, F.J., BLC LLB MA(Pretoria) LLM(Cantab) LLD(Pretoria).....	Director
Taku, N.A., LLB(Cameroon) LLM(Pretoria).....	Assistant Director
Bradlow, D., BA(Witwatersrand) JD(Northeastern) MLIC(Georgetown) LLD(Pretoria).....	Professor
De Gama, M., BProc LLB LLM(Louvain) LLD(Pretoria).....	Extraordinary Professor
Dugard, C.J.R., BA LLB(Stellenbosch) LLB Dip International Law LLD(Cantab).....	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
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
De Wet, E., Blur LLB(Free State) LLM(Harvard) LLD(Free State).....	Professor
Fombad, C.M., LLB(Yaounde) LLM PhD(London) Dip Conflict Resolution(Uppsala).....	Professor
Hansungule, M.K., LLB LLM(Zambia) LLM(SOAS, London) PhD(Graz).....	Professor
Heyns, C.H., BLC LLB BA(Hons) MA(Pretoria) LLM(Yale) PhD(Witwatersrand).....	Professor

Ngwenya, C., LLB LLM(Cardiff) LLD(Free State)Professor
Killander, U.M., jur kand(Lund) EMA(Padua) LLD(Pretoria)Senior Lecturer
Allain, J., BA(Carleton) MA DPhil(Geneva)Extraordinary Lecturer
Apfel, C., BA(Aix-Marseille) MA(Bruges) MLitt(Dublin)
PhD(Florence)Extraordinary Lecturer
Delport, E., BLC LLB LLM(Pretoria) LLM(Unisa)Extraordinary Lecturer
Dingake, O., LLB(Botswana) LLM(London) LLD(Cape Town)Extraordinary Lecturer
Ebobrah, S., LLB (River State) LLM(Pretoria) LLD(Pretoria)Extraordinary Lecturer
Fritz, N., BA(Natal) LLB(Witwatersrand) LLM(New York)Extraordinary Lecturer
Knuckey, S., BA LLB(Perth) LLM(Harvard).....Extraordinary Lecturer
Ramgobin, A., BA LLB(KwaZulu-Natal) LLM(Lund).....Extraordinary Lecturer

CENTRE FOR INTELLECTUAL PROPERTY LAW

Cornelius, S.J., Bluris LLB(Unisa) LLD(Pretoria).....Director

CENTRE FOR LAW AND MEDICINE

Carstens, P.A. BLC LLB LLD(Pretoria)Director (acting)

CENTRE FOR SPORTS AND ENTERTAINMENT LAW

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

INSTITUTE FOR INTERNATIONAL AND COMPARATIVE LAW IN AFRICA

Heyns, C.H., BLC LLB BA(Hons) MA(Pretoria) LLM(Yale)
PhD(Witwatersrand)Codirector
De Wet, E., Blur LLB(Free State) LLM(Harvard) LLD(Free State)Codirector

LAW CLINIC

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

STUDENT ADMINISTRATION

Slabbert, E.M.....Executive Head

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 September (for SA candidates) or 30 August (for non-SA candidates).

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 October.

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.

Residence 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 Director: Student Affairs.

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.

Leave of absence

If it is impossible for a registered student at the University of Pretoria to continue with his/her studies/research in a specific year, but he/she intends to continue in the following year, the student must apply in writing to the dean of the relevant faculty for **leave of absence**. The application must include: full names, student number, address, reasons and period for leave of absence, for example the whole year, first semester (January to June) or second semester (July to December), name of supervisor (where applicable), and the student's intentions for the period after his/her leave of absence. However, in accordance with the policy of the University of Pretoria, leave of absence is not granted for more than two years. Any outstanding fees should be paid in full upon the student's return from his/her leave of absence.

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

credits: 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 programme 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

grade point average based on module credits: an average mark that is calculated by multiplying the final mark achieved in a module with the credit value of that module and then dividing the sum of these values by the total of the credit values of all the modules for which a student was enrolled. The result of these calculations is a weighted average based on module credits.

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 third-year level).

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

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

REGULATIONS IN THE FACULTY OF LAW
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The rules for the degrees published here are subject to change and may be amended prior to the commencement of the academic year in 2014.

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 and if places are available. 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.

Degree	APS	Group A		Group B
		English or Afrikaans	Mathematics or Mathematical Literacy	3 other subjects
LLB	Candidates with an APS of 32 or higher will, on receipt of their applications, be accepted on a continuous basis until 30 September (SA candidates)/ 30 August (non-SA candidates) or until all places have been taken. A limited number of students are admitted.	5 (60 – 69%)	–	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 only if there are places available in the Faculty.
- 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 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, subminima 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 information management

The module AIM 101 Academic information management (or AIM 111 and 121), is compulsory for all first-year students of the Faculty of Law.

3. Registration for a particular year of study

At the beginning of an academic year, students register for all the modules they intend 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. Students may also only register for modules that do not clash with regard to the lecture, test and examination timetables. Application for re-registration can be refused on the grounds of poor academic performance in the previous year.

4. 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 registration.

Students cannot obtain any credits in a specific academic year for a module "passed" in this manner during a previous academic year and for which they were not registered. This arrangement applies even where students are prepared to pay the tuition fees.

5. 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.

6. Examination policy

6.1 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 Tipp-Ex in tests, examinations and assignments is prohibited.
- No cell phones or any other electronic means of communication are allowed in test or examination venues.

6.2 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.

6.3 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.

6.4 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. If the supplementary examination in the relevant module has already been written by the time that the result of the re-mark becomes available, a student will not be granted a supplementary examination based on the results of the re-mark.

6.5 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.

6.6 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/extraordinary 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.

6.7 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 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 fewer) modules the student must have obtained at least examination entrance in the final year of registration. However, if a student has a single 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.

6.8 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.

7. Test policy

7.1 Semester tests

- There will be at least two evaluation opportunities per semester or year module in the first three years of the LLB programme and at least one evaluation opportunity per semester for the final-year semester or year modules.
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.

7.2 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, unless the lecturer concerned, in consultation with the Head of Department, indicates otherwise. 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 or at the departmental secretary. 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, telephone number and the practice 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 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.

8. 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.

9. 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.

10. 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/plagiarism; the illegal use of notes during tests and examinations; the submission of forged medical certificates or false affidavits.

Prospective law students must note 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 [a minimum of 2 semesters (1 year), a maximum of 8 semesters (4 years)]
LLM Research [a minimum of 2 semesters (1 year), a maximum of 8 semesters (4 years)]
- (c) Master of Philosophy – MPhil Coursework [a minimum of 2 semesters (1 year) or 4 semesters (2 years)]
- (d) Doctor of Laws – LLD [a minimum of 4 semesters (2 years), a maximum of 8 semesters (4 years)]

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 04130007)

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 first be repeated and passed.) The Dean may, however, exercise discretion to grant exemption from this provision.
 - It is the student's responsibility to choose modules that will not lead to class, test or examination timetable clashes.
- (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 the 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 readmitted to the Faculty of Law. A student, who has forfeited readmission to the Faculty, may apply in writing to the Admissions Committee of the Faculty for conditional readmission to the Faculty – with the proviso that the Admissions Committee may stipulate further requirements for progress. A student's application for conditional readmission to the Faculty may be refused.
 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. Re-registration will only be permitted if a student is capable of completing the degree in the prescribed minimum period of 4 years plus a further 2 years according to the opinion of the Admissions Committee.

(f) Degree with distinction

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

(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 value of each module) of at least 75% in the preceding calendar year.

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

A student who failed module(s) or who failed to gain entrance to the exam in the module(s) in a given calendar year may not appear on the Dean's merit list for that calendar year. A student who registered for less than 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, a specific number of credits are allocated to each module.

Total number of credits: 496 (see table below for credit distribution)

Level	Year 1	Year 2	Year 3	Year 4
Fundamental modules	36/38	-	-	-
Core modules	59	120	132	85
Elective modules	24	-	-	40
Total	119/121	120	132	125

First year of study	Credits	lpw
<i>Fundamental modules:</i>		
Academic information management (AIM 101/ AIM 111, 121)	6/8	2 ppw
Jurisprudence 110, 120 (JUR 110, 120)	15 each	4 lpw + 1 tpw each
<i>Core modules:</i>		
Family law 121 (FMR 121)	15	4 lpw + 1 tpw
Law of persons 110 (PSR 110)	10	2 lpw + 1 tpw
Roman law 120 (ROM 120)	10	3 lpw + 1 tpw
plus		
A minimum of 24 credits from the following language modules (BA (Law) and BCom (Law) graduates: A minimum of 12 credits from the following language 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
• ENG 118 (English for specific purposes)	12	2 lpw
• 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
<i>Elective modules:</i>		
Two semester modules from the following list of non-law modules [BA (Law) and BCom (Law) students are exempted from this requirement]:		
Any language module offered by the Faculty of Humanities, other than those listed above		
Criminology 110, 120 (KRM 110, 120)		
Financial Accounting 111, 122 (FRK 111, 122) (Prerequisite: 5 or higher in the NSC for Mathematics)		
History 110, 120 (GES 110, 120)		
Philosophy 110, 120 (FIL 110, 120)		
Politics 111, 120 (PTO 111, 120)		
Sociology 110, 120 (SOC 110, 120)		
The following aspects should be kept in mind:		
<ul style="list-style-type: none"> • 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. 		

Second year of study	Credits	lpw
<i>Core modules:</i>		
Consumer protection 220 (VBB 220)	15	3 lpw
Law of contract 211 (KTR 211)	15	4 lpw + 2 tpw
Law of succession 222 (ERF 222)	15	4 lpw + 2 tpw
Legal interpretation 210 (RVW 210)	10	2 lpw
Legal pluralism 210 (RPR 210)	10	2 lpw + 1 tpw
Legal practice 210, 220 (RPK 210, 220)	10 each	2 lpw + 1 tpw each
Public law 200 (PBL 200)	20	2 lpw
Specific contracts 220 (KTH 220)	15	4 lpw

Third year of study	Credits	lpw
<i>Core modules:</i>		
Entrepreneurial law 320 (ODR 320)	12	3 lpw + 1 tpw
Insolvency law 310 (ISR 310)	10	2 lpw
Intellectual property law 320 (IGZ 320)	10	2 lpw
Jurisprudence 310 (JUR 310)	10	2 lpw + 1 tpw
Law of delict 320 (DLR 320)	15	4 lpw
Law of evidence 300 (BWR 300)	10	2 lpw
Law of things 310 (SAR 310)	15	4 lpw + 1 tpw
Payment methods 320 (VHD 320)	10	2 lpw
Public law 310, 320 (PBL 310, 320)	10 each	2 lpw each
Research methodology 320 (RHP 320)	10	10 lectures
Tax law 310 (BLR 310)	10	2 lpw

Fourth year of study	Credits	lpw
<i>Core modules:</i>		
Civil procedure 400 (SIP 400)	15	2 lpw
Criminal procedure 400 (SPR 400)	15	2 lpw
Essay and seminar 410 (SKY 410) [prerequisite: RHP 320]	15	1 lecture + 3 seminars
Labour law 410 (ABR 410)	10	2 lpw
Private law 420 (PVR 420)	10	2 lpw
Public law 410, 420 (PBL 410, 420)	10 each	3 lpw each
<i>Elective modules:</i>		
4 modules selected from the following list:*	10 each	
<ul style="list-style-type: none"> • African human rights law 410 (AMR 410) • Alternative dispute resolution 420 (AGF 420) • Child law 410 (KID 410) • Deeds and notarial practice 410 (ANO 410) [prerequisite: SAR 310] • Education law 420 (ONR 420) • Environmental law 410 (OMR 410) • Information and communications technology law 420 (KUB 420) • ♦ International elective module 1 (IET 411) • ♦ International elective module 2 (IET 412) • ♦ International elective module 3 (IET 413) • ♦ International elective module 4 (IET 414) • International humanitarian law 420 (PUR 420) 		2 lpw for 7 weeks 2 lpw 2 lpw 2 lpw 2 lpw 2 lpw 2 lpw 2 lpw 2 lpw

• Jurisprudence 420 (JUR 420)	2 lpw for 2 weeks + 2 spw for 6 weeks
• Land and land reform law 420 (GHR 420)	2 lpw
• Law and the community 420 (CLW 420)	2 lpw for 7 weeks and 20 hours community engagement
• Law of banking and financial institutions 410 (LBF 410)	2 lpw
• Law of damages 410 (SGR 410)	2 lpw
• Law of securities 410 (LOC 410)	2 lpw
• Legal problems of HIV and Aids 410 (RHV 410)	2 lpw
• Media law 420 (MDR 420)	2 lpw
• Medical law 410 (GRG 410)	2 lpw
• Moot Court 420 (SKH 420)(students representing UP in the African Human Rights Moot Court Competition or in the Phillip Jessup International Law Moot Court Competition)	2 practicals per week
• Municipal law 410 (MRG 410)	2 lpw
• Practical law 400 (PRR 400)(see # below) (20 credits; 2 electives)	1 lpw + 2 hours service in Law Clinic per week
• Private international law 410 (IPR 410)	2 lpw
• Social security law 420 (SOR 420)	2 lpw
• Sports law 420 (SRR 420)	2 lpw
• Statutory crimes 410 (SMI 410)	2 lpw
• Supervised internship 420 (SIS 420)	Minimum 120 hours
• Tax practice 420 (BLP 420)	2 lpw
• Transnational business law 420 (TBR 420)	2 lpw
• Trusts and estates 410 (TBS 410)	2 lpw

*The Dean determines which elective modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances. The Dean may determine the maximum number of registrations for a specific elective module. The Dean may, on recommendation of the relevant head of department, determine that a particular fourth-year elective module will not be offered where on the first day of lectures nine or fewer students are registered for the module.

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

Practical law 400

- (i) The number of students who may be admitted to the module Practical law (PRR 400) is predetermined by the Dean, in consultation with the Head of the Department of Procedural Law.
 - (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) Practical law (PRR 400) counts 20 credits and counts as two electives.
- ◆ Only applicable to exchange students

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

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

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

LLB I	
2012 Curriculum (Pipeline students register for these modules.)	2013 Curriculum (Pipeline students attend classes and perform appropriate assessment tasks in these modules.)
RVD 110	JUR 110*
RVD 120	JUR 120*

HVR 110	ROM 120*
HVR 120	ROM 120*
IDR 110	JUR 110*
IDR 120	JUR 120*
PSR 110 (no change)	PSR 110
FMR 110	FMR 121*
FMR 120	FMR 121*

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

LLB III	As from 2015
2012 Curriculum	2013 Curriculum
ADR 310	PBL 310
BWR 311	BWR 300*
BWR 321	BWR 300*

DLR 320 (no change)	DLR 320
ISR 310 (no change)	ISR 310
IGZ 320 (no change)	IGZ 320
ODR 320 (no change)	ODR 320
VHD 320 (no change)	VHD 320
RFF 311	JUR 310
RPK 310	RPK 210
RPK 320	RPK 220
SAR 310 (no change)	SAR 310
VRR 310 (Kept open for repeaters and students who registered in 2012 and prior to 2012. VRR 310 will be presented for a further two years and a Summer School may be held in 2014.)	
LLB IV	As from 2016
2012 Curriculum	2013 Curriculum
BLR 410	BLR 310
DVR 420 (Kept open for repeaters and students who registered in 2012 and prior to 2012. DVR 420 will be presented for a further two years and a Summer School may be held in 2015.)	
IPW 410	PBL 320
SIP 410	SIP 400*
SIP 420	SIP 400*
SGR 410 (Kept open for repeaters and students who registered before 2013.)	
SKY 400 (SKY 400 for pipeline students;	

RHP 320 offered for the first time in 2015 and SKY 410 offered for the first time in 2016.)	
SPR 410	SPR 400*
SPR 420	SPR 400*
STR 410	PBL 410
STR 420	PBL 420

Note:

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

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

Winter School 2014-2015		
Module outstanding:	Register for:	Class attendance (if not passed during the Winter School):
ERF 211	ERF 211	ERF 222
KTR 210	KTR 210	KTR 211
SRG 210	SRG 210	PBL 200
BWR 311	BWR 311	BWR 300
SIP 410	SIP 410	SIP 400
SPR 410	SPR 410	SPR 400

Summer School 2014-2016		
Module outstanding:	Register for:	Class attendance (if not passed during the Summer School):
ERF 221	ERF 221	ERF 222
HVR 110	HVR 110	ROM 110
HVR 120	HVR 120	ROM 110
MRT 220	MRT 220	PBL 200

SRG 220	SRG 220	PBL 200
BWR 321	BWR 321	BWR 300
SIP 420	SIP 420	SIP 400
SPR 420	SPR 420	SPR 400

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

Students obtain entrance to the Summer/Winter School by having previously acquired a semester mark in the module, except for BCom (Law) students who may register for HVR 110, HVR 120, MRT 220, SRG 210 and SRG 220 for the Summer/Winter School without having acquired a semester mark previously.

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

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

Postgraduate studies

Students have to complete their postgraduate studies within two 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 up to four years after first registration and with the proviso that the faculty's Admissions Committee may stipulate other requirements for progress or readmission.

Master of Laws [LLM]: Coursework

Also consult General Regulations G.30 to G.62 as well as the LLM Policy Document of the Faculty.

GENERAL REGULATIONS

(a) Examinations and supplementary examinations

In the event of having failed all modules during a particular year of study, a student will only be allowed to continue with his/her studies with the 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 determines which modules will be presented each year, taking into consideration the availability of lecturing personnel, space and financial implications and/or other circumstances. The Dean may, on recommendation of the relevant head of department, determine the maximum number of registrations for a specific elective module in terms of the guidelines referred to in paragraph (a) under "Specific Regulations" that a particular LLM module will not be offered where on the first day of lectures four or fewer students are registered for such module.

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

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

Note that with regard to both (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

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

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

A	LLM: Coursework programmes (consisting of three 30-credit modules, one 5-credit module on research methodology, a 5-credit research proposal module and a mini-dissertation of 100 credits)
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Total number of NQF credits: 200

SPECIFIC REGULATIONS

(a) Requirement for admission and limitation of student numbers

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. (Some LLM coursework programmes or modules as indicated in the yearbook may only be available to students who hold a relevant South African legal qualification.)

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 programme or module.

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

1. Academic performance in the undergraduate degree and relevant undergraduate degree module/s.
2. Any academic qualifications other than the prescribed undergraduate degree.
3. Relevant practical experience and training.
4. Diversity.
5. Whether the relevant LLM is the applicant's first choice.
6. Where an admission examination is prescribed, the results of such examination may be considered in addition to the above criteria.

7. Date on which a complete application was received.*

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

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

(b) Duration

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

(c) Curriculum

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

A1 LLM (Child Law) (04250099)		
Coordinator: Prof CJ Boezaart, tel 012 420 2354, email: trynie.boezaart@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		

◆ Aspects of criminal and criminal procedural law pertaining to children	SSK 802	30
◆ Aspects of private law pertaining to children	PLC 801	30
◆ Constitutional and international law pertaining to Children	GIK 801	30
◆ Not offered to students without a South African LLB or BProc degree		

A2 LLM (Constitutional and Administrative Law) (04250105)		
Coordinators: Prof JJ Malan, tel 012 420 3733, email: koos.malan@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
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
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

A3 LLM (Corporate Law) (04250102)		
Coordinator: Prof P Delpport, tel 012 420 4092, email: piet.delpport@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
◆ Company law [prerequisite: must pass entrance test]	MKR 801	30
#◆ International take-overs and reorganisations [prerequisite: must pass entrance test]	TOR 802	30
◆ Law of securities [prerequisite: must pass entrance test]	LRR 801	30
# This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
◆ Not offered to students without a South African LLB or BProc degree		

A4 LLM (Criminal Law) (04250106)		
Coordinator: Prof PA Carstens, tel 012 420 406, email: pieter.carstens@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Capita selecta from general principles of criminal law	CRM 801	30

Capita selecta from the specific crimes	CRM 802	30
Capita selecta from punishment, theories and forms in theory and practice	CRM 803	30

A5 LLM**Option: Environmental Law (04251004)**

Coordinator: Ms M Murcott, tel 012 420 3860, email: melanie.murcott@up.ac.za

	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
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

A6 LLM (Insolvency Law) (04250097)

Coordinator: Prof M Roestoff, tel 012 420 3359, email: melanie.roestoff@up.ac.za

	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	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
#This module may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

A7 LLM (International Law) (04250098)

Coordinator: Prof PA Carstens, tel 012 420 4067, email: pieter.carstens@up.ac.za

	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	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

A8 LLM (International Law)		
Option: International Humanitarian Law and Human Rights in Military Operations (04250076)		
Coordinators: Prof E de Wet, tel 012 420 5243, email: erika.dewet@up.ac.za, and		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and RHP 803]	MND 800	100
and		
Advanced international law	AIL 802	30
Applied international law	MCL 801	30
International humanitarian law and human rights in military operations [prerequisites: AIL 802 and MCL 801]	IHM 801	30
The Faculty of Law offers a short course in public international law prior to the commencement of the first semester of each year. Prospective LLM International law students are strongly encouraged to enrol in this course, so as to ensure that all students will have the required knowledge to pursue studies in international law at postgraduate level.		

A9 LLM (International Law)		
Option: International Air, Space and Telecommunications Law (04250070)		
Coordinators: Prof E de Wet, tel 012 420 5243, email: erika.dewet@up.ac.za, and		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and RHP 803]	MND 800	100
and		
Advanced international law	AIL 802	30
Applied international law	MCL 801	30
International air, space and telecommunications law [prerequisite: AIL 802 and MCL 801]	SAL 801	30

A10 LLM (Labour Law) (04250095)		
Coordinator: Prof S van Eck, tel 012 420 2363, email: stefan.vaneck@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
♦ 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
# 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		

A11 LLM (Law and Political Justice) (04250094)		
Coordinator: Prof K van Marle, tel 012 420 2393, email: karin.vanmarle@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
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

A12 LLM (Law of Contract) (04250100)		
Coordinator: Prof B Kuschke, tel 012 420 2418, email: birgit.kuschke@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
◆ Capita selecta of the general principles of contract law	GPC 801	30
◆ Interpretation of contracts [prerequisite: GPC801]	GPC 802	30
◆ Advanced drafting theory [prerequisite: GPC 802]	GPC 803	30
◆ Not offered to students without a South African LLB or BProc degree		

A13 LLM (Mercantile Law) (04250096)		
Coordinator: Prof J Lötzt, tel 012 420 2877, email: johan.lotz@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and any THREE of the following modules:		
#◆ Advanced social security law	GSR 802	30
#◆ Advanced income tax law	ITL 801	30
# Advanced transnational business law [prerequisite: TBR 420]	TBL 802	30
# Banking law	BNK 802	30
# Information and communications technology	KUB 802	30
#◆ Indirect tax	IDT 802	30
# International insolvency law	IIL 801	30
#◆ Law of specific contracts	SKC 802	30
# Statutory competition law	SCL 801	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
◆ Not offered to students without a South African LLB or BProc degree		

A14 LLM (Mercantile Law)		
Option: (Consumer Protection Law) (04250101)		
Coordinator: Dr S Renke, tel 012 420 2363, email: stefan.renke@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5

Mini-dissertation [prerequisites: RHP 801 and 803] and	MND 800	100
# ♦ Advanced consumer credit law	AML 802	30
# ♦ Advanced consumer protection	AML 803	30
# ♦ International consumer protection	AML 804	30
♦ Not offered to students without a South African LLB or BProc degree # One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

A15 LLM		
Option: Multidisciplinary Human Rights (04251003)		
Coordinator: Prof M Hansungule, tel 012 420 4532 or Prof F Viljoen, tel 012 420 3810, email: michelo.hansungule@up.ac.za or frans.viljoen@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803] (the methodology and content of the mini-dissertation should reflect legal perspectives of human rights) and	MND 800	100
Multidisciplinary human rights 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 ##	MHR 801	30
## Global perspectives on law, justice and development	LRD 802	30
## History and philosophy of human rights	HPH 801	30
## Post-apartheid jurisprudence	PAJ 801	30
# Socio-economic rights under comparative and international law	SRI 801	30
# Introduction to the SA Constitution and human rights	CMR 801	30
# Socio-economic rights in the SA Constitution	SRC 802	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		

A16 LLM (Private Law) (04250085)		
Coordinator: Prof CJ Boezaart, tel 012 420 2354, email: trynie.boezaart@up.ac.za		
	Module code	Credits
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
# Matrimonial property law	MPL 802	30
#♦ Recognised and alternative life-partnerships	EAL 802	30
# Sports law	SRP 801	30

#♦ Capita selecta of the general principles of contract law	GPC 801	30
#♦ Law of specific contracts	SKC 802	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

A17 LLM (Private Law)		
Option: (Estate Law) (04250086)		
Coordinator: Prof A van der Linde, tel 012 420 4277 email: anton.vanderlinde@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Administration of estates	AOE 801	30
♦ Aspects of the law of succession	ASC 801	30
♦ Aspects of the law of trusts	AVT 802	30
♦ Not offered to students without a South African LLB or BProc degree		

A18 LLM (Private Law)		
Option: (Family Law) (04250087)		
Coordinators: Prof LN van Schalkwyk tel 012 420 2036 and Dr Anne Louw, tel 012 420 3923, email: neil.vanschalkwyk@up.ac.za and anne.louw@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
♦ Recognised and alternative life-partnerships	EAL 802	30
♦ Aspects of divorce law	DLA 801	30
♦ Matrimonial property law	MPL 802	30
♦ Not offered to students without a South African LLB or BProc degree		

A19 LLM (Private Law)		
Option: Intellectual Property Law (04250088)		
Coordinators: Judge LTC Harms, tel 012 420 6813, email: louis.harms@up.ac.za and Prof SJ Cornelius, tel 012 420 3158, email: steve.cornelius@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and RHP 803]	MND 800	100
and all THREE of the following modules:		
Patent, design and plant protection law	IGZ 802	30
Trademark law and protection of intellectual property rights	IGZ 803	30
Fundamental principles of intellectual property law and copyright law	IGZ 804	30
Note: This programme is number limited.		

A20 LLM (Procedural Law) (04250104)		
Coordinator: Dr PM Bekker, tel 012 420 2409, email: thino.bekker@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Advanced law of evidence	LOE 802	30
#♦ Civil litigation	CLG 801	30
#♦ Criminal procedure litigation	CCP 801	30
# One of these modules may be substituted with any other LLM coursework module as recommended by the programme coordinator and approved by the head of department.		
♦ Not offered to students without a South African LLB or BProc degree		

A21 LLM (Socio-economic Rights) (04250093)		
Coordinator: Prof D Brand, tel 012 420 2774, email: danie.brand@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and 803]	MND 800	100
and		
Socio-economic rights in the SA Constitution	SRC 802	30
Socio-economic rights under comparative and international law	SRI 801	30
Compulsory for students who completed an LLB/BProc degree at a South African university: Post-apartheid jurisprudence	PAJ 801	30
Compulsory for students who did not complete an LLB/BProc at a South African university: Introduction to the SA Constitution and human rights	CMR 801	30

B	LLM Coursework degree programmes to which specific regulations as indicated apply
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B1 LLM (Human Rights and Democratisation in Africa) (04251017)

Total number of NQF credits: 250

SPECIFIC REGULATIONS

(a) Admission requirement

An 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 – including footnotes but excluding the list of contents and the bibliography – is required. The mini-dissertation must be submitted to the supervisor not later than August of the first year of registration for this LLM programme.

(d) Degree with distinction

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

(e) Curriculum

LLM (Human Rights and Democratisation in Africa) (04251017)		
Coordinator: Dr M Killander, tel 012 420 5407, email: magnus.killander@up.ac.za		
	Module code	Credits
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

B2 LLM (Sexual and Reproductive Rights in Africa) (04251010)**Total number of NQF credits: 250****SPECIFIC REGULATIONS****(a) Admission requirement**

An LLB or equivalent qualification is required for entrance into the legal profession. Foreign qualifications are subject to SAQA requirements.

(b) Duration

A minimum of two years part time. The programme will be offered as a part-time, distance education programme, with a block session of one week (30 contact hours) per module.

(c) Mini-dissertation

An approved research proposal (RHP 803) must be submitted before registration for the mini-dissertation (MND 800)

A mini-dissertation (MND 800) of 18 000 to 20 000 words — including footnotes but excluding the list of contents and the bibliography — is required.

(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

LLM (Sexual and Reproductive Rights in Africa) (04251010)		
Coordinator: Prof C Ngwenya, email: charlesngwenya@gmail.com or Prof FJ Viljoen, tel 012 420 3810, email: frans.viljoen@up.ac.za		
	Module code	Credits
Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: NRM 801 and RHP 803]	MND 802	125
International human rights law relevant to sexual and reproductive rights in Africa	HRA 802	20
Applying human rights principles to realise sexual and reproductive health rights claims	HRA 803	20
Applying human rights principles to selected reproductive health issues in Africa	HRA 804	20
Applying human rights principles to selected sexual rights and sexuality issues in Africa	HRA 805	20
Applying human rights principles to selected rights of sexual minorities in Africa	HRA 806	20
Research and advocacy to realise sexual, reproductive health and sexual minority rights claims in Africa	HRA 807	15

B3 LLM (International Trade and Investment Law in Africa) (04251018)**Total number of NQF credits: 200****SPECIFIC REGULATIONS****(a) Admission requirement:**

An LLB or equivalent qualification is 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) 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 800) of 13 000 to 15 000 words – including footnotes but excluding the list of contents and the bibliography – is required. The mini-dissertation must be submitted to the supervisor not later than January of the next year of registration for this LLM programme. Any request for an extension of the period for the submission of the mini-dissertation may only be granted by the Dean on recommendation of the Post-graduate Committee.

(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

Option 1: LLM (International Trade and Investment Law in Africa) (04251018)		
Coordinator: Prof FJ Viljoen, tel 012 420 3810, email: frans.viljoen@up.ac.za		
	Module code	Credits
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		
an 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)		

Option 2: LLM (International Trade and Investment Law in Africa) (04251019)		
Coordinator: Prof FJ Viljoen, tel 012 420 3810, email: frans.viljoen@up.ac.za		
	Module code	Credits
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

B4 LLM (Tax Law) (04250120)

Total number of NQF credits: 200

SPECIFIC REGULATIONS

(a) Admission requirement

An LLB or equivalent qualification required for entrance into the legal profession including an average of 65% in the final year of studies. Relevant work experience in the tax environment and the successful completion of the professional examinations to practice as an attorney or advocate will be recommendations. It may be required of candidates to pass an entry test before they will be permitted to register. Foreign qualifications are subject to SAQA evaluation.

(b) Duration

Two (2) years.

(c) Research methodology, research proposal and mini-dissertation

The research methodology module (RHP 801) must be completed in semester 1 of the first year of the programme. The research proposal (RHP 803) must be submitted to the supervisor by the end of March of the second year of registration for the programme. A mini-dissertation (MND 804) of a minimum of 15 000 words – including footnotes but excluding the list of contents and the bibliography – is required. The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for this LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the Postgraduate Committee.

(d) Degree with distinction

In order to obtain the degree with distinction an average of 75% must be obtained in the coursework modules, 75% in the technical research reports module, as well as a minimum of 75% for the mini-dissertation itself. The modules must have been written for the first time.

(e) Curriculum

LLM (Tax Law) (04250120)		
Coordinator: Adv C Louw, tel 012 424 4107, email: clouw@lawcircle.co.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation (MND 804: 15 000 words) [prerequisites: RHP 801 and 803]	MND 804	70
Technical research reports	TAX 804	25
and		
General principles of tax	TAX 801	40
Current issues in taxation [prerequisite: TAX 801]	TAX 802	15
Income and consumption taxes [prerequisite: TAX 801]	TAX 803	40
<i>Consult the Faculty of Economic and Management Sciences yearbook for an MCom in this regard.</i>		

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 two modules must be registered for and completed within one year of registration:

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

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

(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 to 48 000 words – including 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) Agreement

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

(f) Degree with distinction

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

(g) Field of study

Field of study	Programme code	Research methodology	Research proposal and oral defence of the research proposal	Dissertation
LLM	04250001	RHP 802	RHP 804	LLM 890

Master of Philosophy in Human Rights [MPhil (Human Rights)] Coursework

1 MPhil (Human Rights) Option: Human Rights and Democratisation in Africa (04251020)

Total number of NQF credits: 250

SPECIFIC REGULATIONS

(a) Admission requirement

At least an honours degree in an academic discipline relevant to human rights and democratisation in Africa,
OR

any other qualification in an academic discipline relevant to human rights and democratisation in Africa that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If the duration of that qualification is less than four years, substantial proven practical or professional experience in human rights and democratisation in Africa will furthermore be required, subject to the discretion of the Dean.

(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

An approved research proposal must be submitted before registration for the mini-dissertation (MND 802).

A mini-dissertation (MND 802) of 18 000 to 20 000 words – including footnotes but excluding the list of contents and the bibliography – is required.

(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

MPhil (Human Rights) Option: Human Rights and Democratisation in Africa (04251020)		
Coordinator: Dr M Killander, tel 012 420 5407, email: magnus.killander@up.ac.za		
	Module code	Credits
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] (the methodology and content of the mini-dissertation should reflect a multidisciplinary perspective on human rights)	MND 802	125
and		

Accredited course in human rights	ACH 802	15
Applied human rights	AHR 801	20
Democratisation in Africa	DIA 801	20
Human rights in Africa	HRA 801	20
International and comparative human rights	ICH 801	20
Introduction to the SA legal system and Bill of rights	RVM 801	20

2 MPhil (Human Rights) Option: Multidisciplinary Human Rights (04251021)

Total number of NQF credits: 200

SPECIFIC REGULATIONS

(a) Admission requirement

At least an honours degree in an academic discipline relevant to multidisciplinary human rights

OR

any other qualification in an academic discipline relevant to multidisciplinary human rights that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If that qualification has a duration of less than four years, substantial proven practical or professional experience in multidisciplinary human rights will furthermore be required, subject to the discretion of the Dean.

(b) Duration

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

(c) Curriculum

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

an extension of the period for submission of the mini-dissertation may only be granted by the 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) Curriculum

MPhil (Human Rights)		
Option: Multidisciplinary Human Rights (04251021)		
Coordinator: Prof M Hansungule, tel 012 420 4532 or Prof F Viljoen, tel 012 420 3810, email: michelo.hansungule@up.ac.za or frans.viljoen@up.ac.za		
	Module code	Credits
Research methodology	RHP 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: RHP 801 and RHP 803] (the methodology and content of the mini-dissertation should reflect a multidisciplinary perspective)	MND 800	100
Multidisciplinary human rights	MHR 801	30
and		
Any two of the following modules to the value of 60 credits, of which at least one should be a module marked with an asterisk (*):		
*History and philosophy of human rights	HPH 801	30
*Global perspectives on law, rights and development	LRD 802	30
*Post-apartheid jurisprudence	PAJ 801	30
Introduction to the SA Constitution and human rights	CMR 801	30
Socio-economic rights under comparative and international law	SRI 801	30
Socio-economic rights in the SA Constitution	SRC 802	30

<p>3 MPhil (Human Rights) Option: Sexual and Reproductive Rights in Africa (04251022)</p>
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Total number of NQF credits: 250

SPECIFIC REGULATIONS

(a) Admission requirements

At least an honours degree in an academic discipline relevant to sexual and reproductive rights in Africa

OR

any other qualification in an academic discipline relevant to sexual and reproductive rights in Africa that allows admission to a master's programme at the institution where the undergraduate qualification was obtained. If that qualification has a duration of less than four (4) years, substantial proven practical or professional experience in sexual and reproductive rights in Africa, subject to the discretion of the Dean, is further required.

(This is a selection course and applications must be submitted before 31 July of the preceding year.)

(b) Duration

A minimum of two years part time. The programme will be offered as a part-time, distance education programme, with a block session of one week (30 contact hours) per module.

(c) Mini-dissertation

An approved research proposal (RHP 803) must be submitted before registration for the mini-dissertation (MND 800).

A mini-dissertation (MND 800) of 18 000 to 20 000 words, inclusive of footnotes but excluding the list of contents and the bibliography, is required.

(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

MPhil (Human Rights)		
Option: Sexual and Reproductive Rights in Africa (04251022)		
Coordinator: Prof C Ngwenya, email: charlesngwenya@gmail.com or Prof FJ Viljoen, tel 012 420 3810, email: frans.viljoen@up.ac.za		
	Module code	Credits
Research methodology for human rights	NRM 801	5
Research proposal	RHP 803	5
Mini-dissertation [prerequisites: NRM 801 and RHP 803]	MND 802	125
International human rights law relevant to sexual and reproductive rights in Africa	HRA 802	20
Applying human rights principles to realise sexual and reproductive health rights claims	HRA 803	20
Applying human rights principles to selected reproductive health issues in Africa	HRA 804	20
Applying human rights principles to selected sexual rights and sexuality issues in Africa	HRA 805	20
Applying human rights principles to selected rights of sexual minorities in Africa	HRA 806	20
Research and advocacy to realise sexual, reproductive health and sexual minority rights claims in Africa	HRA 807	15

A Doctor of Laws [LLD]

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

Total number of NQF credits: 400

(a) Requirements for admission

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

Foreign qualifications are subject to SAQA evaluation.

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 two modules must be registered for and completed within one year of 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 and oral defence of the research proposal (RHP 904).
An oral defence of the research proposal including an assessment of the feasibility of the thesis statement, research question or questions and argument to be developed in the LLD thesis is required. A draft research proposal including a bibliography that covers the main fields to be covered by the study, the thesis statement, research question or questions and argument must be sent to the examination panel three weeks prior to the oral defence. (Such a draft research proposal must first be approved by the supervisor.) The student must convince the adjudicating panel of the feasibility of the topic and his or her knowledge of the research subject and ability to conduct the research. Where required by the panel, the draft proposal must be further reworked in light of the comments at the oral defence and a final proposal submitted to the satisfaction of the supervisor before the student may embark on the writing of the thesis. *(No exemption can be granted from this requirement).*

A student who does not complete the abovementioned two modules within one year of registration may be excluded from the Faculty and if he/she seeks

readmission to the Faculty, may submit a written request to the Dean that his/her application for readmission to the Faculty be considered in terms of the set procedure.

(c) Agreement

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

(d) Thesis

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

(e) Oral defence of the thesis

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

(f) Duration of the programme

The criterion for the award of the doctorate is original research. The degree will not be conferred until work equivalent to at least two years of study has been completed.

(g) Field of study

Field of study	Programme code	Research methodology	Research proposal and oral defence of the research proposal	Thesis and oral defence
LLD	04260001	RHP 902	RHP 904	LLD 990

B Doctor of Laws [LLD] by virtue of publications (04260000)

Doctoral degree by virtue of publications

- (a) 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.
- (b) An application for the doctoral degree by virtue of publications is considered and assessed according to the University's General Regulation G.56.

Special codes in the Faculty

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

ALPHABETICAL LIST OF MODULES IN THE FACULTY OF LAW

= 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 410 Labour 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) Individual labour law
- (b) Collective labour law
- (c) Resolution of labour disputes

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: Jurisprudence

Contact time: 2 lpw for the first seven weeks of the semester. The rest of the semester will be devoted to the completion of a research project.

Period of presentation: Semester 1

Language of tuition: English

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; comparative analysis of human rights situations in African countries.

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: English

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: Double medium

Credits: 10

Module content:

*For LLB

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

BLR 310 Tax 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) Foundations of income tax
- (b) Calculation of income tax payable
- (c) Capital gains tax

BWR 300 Law of evidence 300

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 10

Module content:

*For LLB

- (a) Basic principles of the law of evidence and rules relating to the admissibility of specific categories of evidence
- (b) Evidential aspects relating to the giving of evidence and the constitutional implications for the law of evidence

CLW 420 Law and the community 420

Academic organisation: Jurisprudence

Contact time: 2 lpw for 7 weeks and 20 hours community engagement

Period of presentation: Semester 1

Language of tuition: English

Credits: 10

Module content:

*For LLB

The module has both a theoretical and a community engagement component.

THEORETICAL

- (a) Law and the community
- (b) Streetlaw
- (c) Popular justice
- (d) Access to justice

COMMUNITY ENGAGEMENT

- (a) Involvement in local community projects
- (b) Presentation of lectures with legal themes at schools, factories, prisons and other local communities
- (c) Drafting of information booklets and conducting research on topics of law for local community bodies.

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

ERF 222 Law of succession 222

Academic organisation: Private Law

Contact time: 4 lpw, 2 tpw

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

FMR 121 Family law 121

Academic organisation: Private Law

Contact time: 4 lpw, 1 tpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 15

Module content:

*For LLB and BA specialising in law

- (a) Introduction to family law
- (b) General principles regarding the coming into existence of a marriage
- (c) Void, voidable and putative marriages
- (d) The invariable consequences of the marriage
- (e) Basic principles regarding the legal relationship between child and parent
- (f) The variable consequences of a marriage
- (g) Principles regarding the dissolution of a marriage
- (h) The consequences of the dissolution of a marriage
- (i) Customary marriages
- (j) Domestic partnerships and religious marriages

GHR 420 Land and land reform law 420

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

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: English

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

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: English

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

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 insolvent companies and closed corporations
- (h) Judicial management

JUR 110 Jurisprudence 110

Academic organisation: Jurisprudence

Contact time: 4 lpw, 1 tpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 15

Module content:

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

The module has both a theoretical and skills component. All elements described below will encompass conceptual knowledge combined with practical application.

UNDERLYING JURISPRUDENTIAL ASPECTS OF LAW/THE LAW IN GENERAL

- (a) A first year definition of law / the Law
- (b) The relationships between law and society, law and history, law and politics, law and language
- (c) Being a law student or lawyer in South Africa
- (d) Introduction to different perspectives on the law

**THE SOUTH AFRICAN LEGAL SYSTEM AND ITS HISTORICAL DEVELOPMENT
SOURCES OF SOUTH AFRICAN LAW AND THEIR HISTORICAL DEVELOPMENT**

- (a) Introduction to characteristics and components of the South African legal system
- (b) Mixed legal systems
- (c) The South African Constitution and its historical development
- (d) Customary law and its historical development
- (e) Common law and its historical development
- (f) Primary and other sources of modern South African law
- (g) Applying the sources of law to a set of facts and relying on the sources of law to answer a jurisprudential question.

**THE ABOVE CONTENT FORMS THE BASIS OF THE SKILLS COMPONENT
(INCORPORATING ACADEMIC LITERACY SKILLS) WHICH CONSISTS OF:**

- (a) Conducting research in the library
- (b) Finding, reading and applying the sources of law
- (c) Reading, understanding and summarising texts on topics of law
- (d) Analysing, criticising and improving ("edit") a piece of writing on the law in a theoretical sense; and
- (e) Writing a well-constructed essay or paragraph on legal problems and topics of law or legal history.

JUR 120 Jurisprudence 120

Academic Organisation: Jurisprudence

Contact time: 4 lpw, 1 tpw

Period of Presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 15

Module content:

*For LLB and BA/BCom specialising in law

BASIC PRINCIPLES OF THE:

- (a) Law of obligations (contract & delict)
- (b) Criminal law
- (c) Law of civil procedure

- (d) Law of criminal procedure
- (e) Law of evidence.

ACCESS TO JUSTICE:

- (a) Courts and alternative dispute resolution;
- (b) Legal profession; and
- (c) Access to justice and its promotion in South Africa (the idea, problems, representation in criminal matters, role of different organisations, etc).

THE ABOVE CONTENT FORMS THE BASIS OF THE SKILLS COMPONENT (INCORPORATING ACADEMIC LITERACY SKILLS) WHICH CONSISTS OF:

- (a) Drafting a simple contract based upon a set of facts (law of contract)
- (b) Reading, understanding, summarising a case on the law of delict and applying the principles of legal argument and logic to it
- (c) Summarising, analysing, criticising and improving ("edit") a piece of writing on the law of evidence
- (d) Understanding and applying the principles of examination in chief, cross-examination and re-examination to a concrete set of facts with a view to participation in a "moot court" or debate.

JUR 310 Jurisprudence 310

Academic organisation: Jurisprudence

Contact time: 2 lpw, 1 tpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 10

Module content:

*For LLB and BA (Law)

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.

JUR 420 Jurisprudence 420

Academic organisation: Jurisprudence

Contact time: 2 lpw for 2 weeks, 2 spw for 6 weeks

Period of presentation: Semester 2

Language of tuition: English

Credits: 10

Module content:

*For LLB

The module focuses on various jurisprudential approaches including philosophical perspectives; critical theory; and other inter- and transdisciplinary perspectives on law and their response and relation to contemporary issues.

KID 410 Child law 410

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

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, BA/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 suretyship
- (e) Law of letting and hiring of work

KTR 211 Law of contract 211

Academic organisation: Private Law

Contact time: 4 lpw, 2 tpw

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 obligations
- (b) Formation of the contract
- (c) Content of the contract
- (d) Interpretation of contracts
- (e) Breach of contract
- (f) Remedies for contracts
- (g) Termination of contractual obligations
- (h) Drafting of contracts

KUB 420 Information and communications technology law 420

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

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

LBF 410 Law of banking and financial institutions 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) Law pertaining to selected financial institutions
- (b) Banking law
- (c) Insurance law

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: English

Credits: 10

Module content:

*For LLB

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

- (a) The philosophical foundations and history of freedom of speech, and the role of the media in a democracy
- (b) Section 16 of the Constitution, and various limitations on freedom of expression
- (c) A legal comparative study of freedom of expression in the US, Canada and Germany
- (d) Defamation (including on-line defamation)
- (e) Privacy
- (f) Journalistic privilege in South African law
- (g) Regulation of advertising
- (h) The Films and Publication Act; and
- (i) Child pornography

MRG 410 Municipal 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) 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

ODR 320 Entrepreneurial law 320

Academic organisation: Mercantile Law

Contact time: 3 lpw, 1 tpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 12

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 2

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: 2 lpw

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

PBL 200 Public law 200

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 20

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) Co-operative government
- (h) The national legislative authority
- (i) The president and the national executive authority
- (j) Provincial government
- (k) Judicial authority
- (l) The Bill of Rights: History of human rights in South Africa, jurisprudential and political perspectives on human rights, application, justiciability and interpretation of the bill of rights, jurisdiction, procedures and remedies, limitation of human rights, an analysis of selected human rights
- (m) State institutions supporting constitutional democracy
- (n) The public administration
- (o) The South African security services
- (p) General provisions

PBL 310 Public law 310

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

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.

PBL 320 Public law 320

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) The historical development and theory of international law
- (b) Sources of international law
- (c) Territory
- (d) International legal personality
- (e) Jurisdiction, immunity from jurisdiction and extradition
- (f) Self-contained legal regimes and state responsibility
- (g) Judicial settlement of international disputes
- (h) International law in municipal law

PBL 410 Public law 410

Academic organisation: Public Law

Contact time: 3 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 10

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

PBL 420 Public law 420

Academic organisation: Public Law

Contact time: 3 lpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 10

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

PRR 400 Practical law 400

Academic organisation: Procedural Law

Contact time: 1 lpw, 2 hours service in law Clinic per week

Period of presentation: Year

Language of tuition: Double medium

Credits: 20

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.
- (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: 2 lpw, 1 tpw

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 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: English

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)

PVR 420 Private law 420

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

Capita selecta from any of the following:

- (a) Enrichment
- (b) Estoppel
- (c) Personality rights

RHP 320 Research methodology 320

Academic organisation: Jurisprudence

Contact time: 10 lectures (2 lpw for 5 weeks)

Period of presentation: Semester 2

Language of instruction: Both Afrikaans and English

Credits: 10

Module content:

*For LLB

The module has two main components: Generic research skills and methods and perspectives concerning legal research.

GENERIC SKILLS

- (a) How to plan a research project
- (b) How to write a research proposal
- (c) Drafting of chapters
- (d) Language
- (e) Citation, ethics of citation, presentation

METHODS AND PERSPECTIVES CONCERNING LEGAL RESEARCH

- (a) The nature and purpose of Comparative Law, the advantages, disadvantages, and pitfalls of comparative research, dogmatic and functional approaches to legal comparison, types of comparative studies and the comparative method
- (b) Legal historical research
- (c) Legal pluralism
- (d) Socio-legal approaches
- (e) Broad theoretical perspectives

RHV 410 Legal problems of HIV and Aids 410

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

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 healthcare, notification of HIV/Aids and the limits of privacy, as well as aspects arising from medical experimentation and the development of a vaccine.

ROM 120 Roman law 120

Academic organisation: Jurisprudence

Contact time: 3 lpw, 1 tpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 10

Module content:

*For LLB and BA/BCom specialising in law

General introduction to Roman law and European law as foundations of South African private law.

INTRODUCTION TO THE ROMAN LAW OF THINGS

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

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

RPK 210 Legal practice 210

Academic organisation: Procedural Law

Contact time: 2 lpw, 1 tpw

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 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
- (f) Research skills
- (g) Writing skills (letter of advice to client; office memorandum; heads of argument)

RPK 220 Legal practice 220

Academic organisation: Procedural Law

Contact time: 2 lpw, 1 tpw

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
- (f) Research skills
- (g) Writing skills (letter of advice to client; office memorandum; heads of argument)

RPR 210 Legal pluralism 210

Academic organisation: Private Law

Contact time: 2 lpw, 1tpw

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

RVW 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, 1 tpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 15

Module content:

*For LLB and 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 400 Civil procedure 400

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 15

Module content:

*For LLB

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

SIS 420 Supervised internship 420

Academic organisation: Law Dean's Office

Contact time: Minimum 120 hours

Period of presentation: Semester 2

Language of tuition: English

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:** English**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 410 Essay and seminar 410**Academic organisation:** Jurisprudence**Contact time:** 1 lpw, 3 spw**Period of presentation:** Semester 1**Prerequisite:** RHP 320 (as from 2016)**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 supervisor 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 one compulsory lecture 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%

Draft essay: 10%

SMI 410 Statutory crimes 410**Academic organisation:** Public Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** English**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: Double medium

Credits: 10

Module content:

*For LLB

- (a) Scope and functions of social security
- (b) Old age grants and insurance
- (c) Employment injuries and unemployment insurance
- (d) Sickness, invalidity and health care
- (e) Child and family maintenance

SPR 400 Criminal procedure 400

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 15

Module content:

*For LLB

- (a) The general principles of criminal procedure law in the lower courts, High Court and the High Court of Appeal of South Africa.
- (b) Drafting of pleadings
- (c) Practical application

SRR 420 Sports law 420

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 10

Module content:

*For LLB

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

TBR 420 Transnational business law 420

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 10

Module content:

*For LLB

- (a) International contracts of sale
- (b) International contracts of carriage
- (c) Insurance contracts in international transactions

TBS 410 Trusts and estates 410

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 10

Module content:

*For LLB

- (a) Aspects of trust law
- (b) Aspects of 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: 15

Module content:

*For LLB and BCom specialising in law

- (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 68 of 2008

VHD 320 Payment methods 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 and BCom specialising in Law

- (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
- (d) Electronic payment methods

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 802 Advanced consumer credit law 802**Academic organisation:** Department of Mercantile Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** English**Credits:** 30**Module content:**

An advanced study in consumer credit law.

AML 803 Advanced consumer protection 803

Academic organisation: Department of Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

An advanced study in consumer protection law.

AML 804 International consumer protection 804

Academic organisation: Department of Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

An advanced study in international consumer protection.

AOE 801 Administration of estates 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

ASC 801 Aspects of the law of succession 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

ASL 802 Administrative law 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

AVT 802 Aspects of the law of trusts 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

BNK 802 Banking law 802

Academic organisation: Department of Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

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

CCP 801 Criminal procedure litigation 801

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 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 development regarding certain core rights of the South African Constitution such as equality, dignity and expression.

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

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

CRM 802 Capita selecta from the specific crimes 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta from the following:

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

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

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta from the following:

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

CSL 801 Constitutional law 801

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

DIA 801 Democratisation in Africa 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 20

Module content:

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

DLA 801 Aspects of divorce law 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

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

DLP 802 Education law and policy 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta of any of the following:

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

EAL 802 Recognised and alternative life-partnerships 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

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 (genetically modified 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

GPC 802 Interpretation of contracts

Academic organisation: Private Law

Prerequisite: GPC 801

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

The topics covered include:

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

GPC 803 Advanced drafting theory 803

Academic organisation: Private Law

Prerequisite: GPC 802

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

The topics in this module include the following:

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

GSR 802 Advanced social security law 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

- (a) General background, history, important concepts

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

GTB 802 Advanced international investment and business law 802

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 30

Module content:

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

HPH 801 History and philosophy of human rights 801

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

HRA 801 Human rights in Africa 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 20

Module content:

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

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

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 1

Language of tuition: English

Credits: 20

Module content:

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

Topics include:

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

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

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 1

Language of tuition: English

Credits: 20

Module content:

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

Topics include:

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

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

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 2 of year 1

Language of tuition: English

Credits: 20

Module content:

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

Topics include:

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

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

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 2 of year 1

Language of tuition: English

Credits: 20

Module content:

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

Topics include:

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

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

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 2

Language of tuition: English

Credits: 20

Module content:

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

Topics include:

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

HRA 807 Research and advocacy to realise sexual, reproductive health and sexual minority rights claims in Africa 807

Academic organisation: Centre for Human Rights

Contact time: 30 hours per semester

Period of presentation: Semester 1 of year 2

Language of tuition: English

Credits: 15

Module content:

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

Topics include:

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

ICH 801 International and comparative human rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 20

Module content:

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

ICL 802 International criminal law 802

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

IDT 802 Indirect tax 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

IEL 801 International environmental law 801

Academic organisation: Public Law

Contact time: 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 802 Patent, design and plant protection law 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

The following aspects will be dealt with:

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

IGZ 803 Trademark law and protection of intellectual property rights 803

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

The following aspects will be dealt with:

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

IGZ 804 Fundamental principles of intellectual property law and copyright law 804

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

The following aspects will be dealt with:

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

IHM 801 International humanitarian law and human rights in military operations 801

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

Prerequisites: Candidates must have successfully completed both Advanced international law (AIL 802) and Applied international law (MCL 801)

Contact time: 26 hours spread over two per week during 13 weeks

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

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

IIL 801 International insolvency law 801

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

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

ISR 801 Insolvency law 801

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

- (a) The nature and purpose of insolvency law with reference to the collection process

- (b) The application of the proceeds and liability for contribution
- (c) Sequestration and rehabilitation applications
- (d) The assets of the insolvent estate
- (e) The assets of the solvent spouse
- (f) Unexecuted transactions
- (g) Impeachable transactions
- (h) Composition

ITA 802 International labour law 802

Academic organisation: Mercantile Law

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 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:** ISR 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

LLM 890 Dissertation: Law 890**Academic organisation:** Office of the Dean**Period of presentation:** Year**Language of tuition:** Both Afr and Eng**Credits:** 200**LOE 802 Advanced law of evidence 802****Academic organisation:** Procedural Law**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Double medium**Credits:** 30**Module content:**

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

- (a) Relevance and the fact-finding process: problematic aspects
- (b) Evidentiary aspects of the sentencing process with specific reference to the role of behavioural sciences

- (c) Expert witnesses and the “hired gun” phenomenon
- (d) A constitutional perspective on the privilege against self-incrimination
- (e) Specific aspects of the Electronic Communications and Transactions Act
- (f) Evidentiary aspects of the Sexual Offences Act

LRD 802 Global perspectives on law, justice and development 802

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with the following aspects:

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

LRR 801 Law of securities 801

Academic organisation: Mercantile Law

Prerequisite: Must pass an entrance test

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

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

MCL 801 Applied international law 801

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

MHR 801 Multidisciplinary human rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

A combination of at least seven of the following topics:

- (a) The state, democracy and human rights
- (b) International relations and human rights
- (c) History of human rights, including “grassroots narratives”
- (d) Human rights in visual media (art and film)

- (e) Human rights in literature
- (f) Human rights fact-finding and reporting; human rights journalism
- (g) Human rights and HIV/Aids
- (h) Medicine, medical ethics and human rights
- (i) Civil society, "grassroots movements" and human rights
- (j) Poverty and human rights
- (k) Globalisation and human rights
- (l) Human rights and social change
- (m) Social science research and human rights
- (n) Tradition, religion and human rights
- (o) Gender and human rights
- (p) Transitional justice, reconciliation and justice

MKR 801 Company law 801

Academic organisation: Mercantile Law

Prerequisite: Must pass an entrance test

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

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

MND 800 Mini-dissertation 800

Academic organisation: Law Dean's Office

Prerequisite: RHP 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 100

Module content:

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

A mini-dissertation (MND 800) of 13 000 to 15 000 words inclusive of footnotes but excluding the list of contents and the bibliography, is required. The mini-dissertation must be submitted to the supervisor not later than August of the second year of registration for the LLM programme. The mini-dissertation must deal with the subject content of one of the modules or a combination of the modules registered for by the student for his/her LLM degree. Any request for an extension of the period for submission of the mini-dissertation may only be granted by the Dean on recommendation of the Postgraduate Committee

MND 802 Mini-dissertation 802

Academic organisation: Centre for Human Rights

Prerequisite: NRM 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 125

Module content:

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

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

MND 803 Mini-dissertation 803

Academic organisation: Law Dean's Office

Prerequisite: RHP 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 130

Module content:

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

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

MND 804 Mini-dissertation 804

Academic organisation: Law Dean's Office

Prerequisite: RHP 801 and RHP 803

Period of presentation: Year

Language of tuition: Double medium

Credits: 70

Module content:

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

MPL 802 Matrimonial property law 802

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

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

NRM 801 Research methodology for human rights 801

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 5

Module content:

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

PAJ 801 Post-apartheid Jurisprudence 801

Academic organisation: Jurisprudence

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with the following aspects:

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

PLC 801 Aspects of private law pertaining to children 801

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta from any of the following:

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

RHP 801 Research methodology 801

Academic organisation: Jurisprudence

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

Period of presentation: February or May

Language of tuition: English

Credits: 5

Module content:

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

RHP 802 Research methodology 802

Academic organisation: Jurisprudence

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

Period of presentation: February or May

Language of tuition: English

Credits: 5

Module content:

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

RHP 803 Research proposal 803

Academic organisation: Law Dean's Office

Period of presentation: Year

Language of tuition: Double medium

Credits: 5

Module content:

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

RHP 804 Research proposal and oral defence 804

Academic organisation: Law Dean's Office

Period of presentation: Semester 1 or Semester 2

Language of tuition: Double medium

Module content:

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

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

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 20

Module content:

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

SAL 801 International air, space and telecommunication law 801

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

Prerequisites: AIL 802 and MCL 801

Contact time: 26 hours distributed over block periods

Period of presentation: Semester 1

Language of tuition: English

Credits: 30

Module content:

- (a) The public and private law aspects of air law

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

SCL 801 Statutory competition law 801

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

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

SKC 802 Law of specific contracts 802

Academic organisation: Mercantile Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

A. Sale

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

B. Lease

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

- (g) Improvements to the leased property: rights, obligations and remedies
C. *Aspects of surety ship and agency*

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

Academic organisation: Public Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

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

Academic organisation: Centre for Human Rights

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

SRP 801 Sports law 801

Academic organisation: Procedural Law

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 30

Module content:

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

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

Academic organisation: Private Law

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

Capita selecta from any of the following:

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

TAX 801 General principles of tax 801

Academic organisation: Department of Mercantile Law

Contact time: 2 lectures per week

Period of presentation: Semester 1

Language of tuition: Double medium

Credits: 40

Module content:

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

TAX 802 Current issues in taxation 802

Academic organisation: Department of Mercantile Law

Prerequisite: TAX 801

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

Period of presentation: Mid-year June-July

Language of tuition: Double medium

Credits: 15

Module content:

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

TAX 803 Income and consumption taxes 803

Academic organisation: Department of Mercantile Law

Prerequisite: TAX 801

Contact time: 2 lectures per week

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 40

Module content:

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

TAX 804 Technical research reports 804

Academic organisation: Department of Mercantile Law

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

Language of tuition: Double medium

Credits: 25

Module content:

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

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

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

TBL 802 Advanced transnational business law 802

Academic organisation: Mercantile Law

Prerequisite: TBR 420

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

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

TOR 802 International take-overs and reorganisations 802

Academic organisation: Mercantile Law

Prerequisite: Have to pass entrance test

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Double medium

Credits: 30

Module content:

This module deals with aspects of the following topics:

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

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

LLD 990 Thesis: Law 990

Academic organisation: Office of the Dean

Period of presentation: Year

Language of tuition: Both Afr and Eng

Credits: 400

RHP 902 Research methodology 902:

Academic organisation: Jurisprudence

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

Period of presentation: February or May

Language of tuition: English

Module content:

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

RHP 904 Research proposal and oral defence 904

Academic organisation: Law Dean's Office

Period of presentation: Semester 1 or Semester 2

Language of tuition: Double medium

Module content:

Research proposal and oral defence of the research proposal. A draft proposal must be approved by the supervisor. The student must convince the adjudicating panel of the feasibility of the topic and his or her knowledge of the research subject and ability to conduct the research. This module must be completed within one year after registration before the student may embark on the writing of the thesis.

LISTS OF SERVICE MODULES OFFERED BY OTHER FACULTIES

Modules offered by the Faculty of Economic and Management Sciences

FRK 111 Financial accounting 111

Academic organisation: Accounting

Contact time: 4 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 10

Module content:

The nature and function of accounting; the development of accounting; financial position; financial result; the recording process; processing of accounting data; treatment of VAT; elementary income statement and balance sheet; flow of documents; accounting systems; introduction to internal control and internal control measures; bank reconciliations; control accounts; adjustments; financial statements of a sole proprietorship; the accounting framework.

FRK 122 Financial accounting 122

Academic organisation: Accounting

Prerequisite: FRK 111 GS or FRK 133, FRK 143

Contact time: 4 lpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Budgeting, payroll accounting, taxation – income tax and an introduction to other types of taxes, credit and the new Credit Act, insurance, accounting for inventories (focus on inventory and the accounting entries, not calculations), interpretation of financial statements.

Modules offered by the Faculty of Engineering, Built Environment and IT

AIM 101 Academic information management 101

Academic organisation: School of Information Technology

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 6

Module content:

Find, evaluate, process, manage and present information resources for academic purposes using appropriate technology. Apply effective search strategies in different technological environments. Demonstrate the ethical and fair use of information resources. Integrate 21st-century communications into the management of academic information.

AIM 111 Academic information management 111

Academic organisation: School of Information Technology

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 4

Module content:

Find, evaluate, process, manage and present information resources for academic purposes using appropriate technology.

AIM 121 Academic information management 121**Academic organisation:** School of Information Technology**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Both Afr and Eng**Credits:** 4**Module content:**

Apply effective search strategies in different technological environments. Demonstrate the ethical and fair use of information resources. Integrate 21st-century communications into the management of academic information.

Modules offered by the Faculty of Humanities**AFR 110 Afrikaans 110****Academic organisation:** Afrikaans**Contact time:** 2 dpw, 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Afrikaans**Credits:** 12**Module content:***Taalkundekomponent:*

Inleiding tot die Afrikaanse taalkunde met klem op lees- en skryfvaardigheid

Letterkundekomponent:

Inleiding tot die Afrikaanse letterkunde aan die hand van kortverhale en gedigte

AFR 114 Afrikaans 114**Academic organisation:** Afrikaans**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Afrikaans**Credits:** 12**Module content:***Afrikaans for speakers of other languages (1)*

*No mother-tongue speakers of Afrikaans will be allowed to take this module.

A subject for advanced learners of Afrikaans. A basic knowledge of Afrikaans grammar and listening, reading, writing and speaking skills are required.

AFR 120 Afrikaans 120**Academic organisation:** Afrikaans**Contact time:** 2 dpw, 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Afrikaans**Credits:** 12**Module content:***Taalkundekomponent:*

Inleiding tot die Afrikaanse sintaksis, fonetiek en taalgeskiedenis

Letterkundekomponent:

Inleiding tot die Romankuns

Inleiding tot die Drama

ENG 110 English 110**Academic organisation:** English**Contact time:** 1 dpw, 2 lpw, 2 web-based periods per week**Period of presentation:** Semester 1**Language of tuition:** English**Credits:** 12

Module content:

*Alternative evening classes: 2 discussion classes per week

Introduction to Literature in English (1)

This module introduces the study of literature by examining a number of texts representing different genres (poetry, prose, drama). The texts studied here will be mainly from the pre-twentieth century era and may include texts written in English from both Africa and other parts of the world. The aim of this module is to equip students with the critical and analytical skills required for a perceptive reading of poetry, novels and plays.

ENG 118 English for specific purposes 118

Academic organisation: English

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: English

Credits: 12

Module content:

This module is intended to equip students with a thorough knowledge of English grammar and is particularly useful for those interested in a career in teaching, editing, document design or other forms of language practice.

ENG 120 English 120

Academic organisation: English

Contact time: 1 dpw, 2 lpw

Period of presentation: Semester 2

Language of tuition: English

Credits: 12

Module content:

*Alternative evening classes: 2 discussion classes per week

Introduction to Literature in English (2)

This module introduces the study of post-nineteenth century literature by examining a number of texts representing different genres (poetry, drama, prose). Texts will be from both Africa and other parts of the world. By the end of this module students should have the background and analytical skills to perceptively read modern and contemporary poetry, novels and plays.

FIL 110 Philosophy 110

Academic organisation: Philosophy

Contact time: 1 dpw, 2 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Introduction to Philosophy

The two semester modules at first-year level introduce students to the four main subfields of Philosophy, namely epistemology and metaphysics, ethics and political philosophy. This module introduces students to two of these subfields. Students must contact the Department of Philosophy to ascertain which two subfields are covered in each semester as the choice may change from time to time due to availability of teaching staff. Students will become acquainted with the nature of philosophical reflection by exploring a number of classical philosophical themes in each subfield. Throughout the module there is an emphasis on developing those critical thinking, reading and writing skills that are required in Philosophy, while students become acquainted with the power of critique as critical judgment and discernment.

FIL 120 Philosophy 120**Academic organisation:** Philosophy**Contact time:** 1 dpw, 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Both Afr and Eng**Credits:** 12**Module content:***Introduction to Philosophy*

The two semester modules at first-year level introduce students to the four main subfields of Philosophy, namely epistemology and metaphysics, ethics and political philosophy. This module introduces students to two of these subfields. Students must contact the Department of Philosophy to ascertain which two subfields are covered in each semester as the choice may change from time to time due to availability of teaching staff. Students will become acquainted with the nature of philosophical reflection by exploring a number of classical philosophical themes in each subfield. Throughout the module there is an emphasis on developing those critical thinking, reading and writing skills that are required in Philosophy, while students become acquainted with the power of critique as critical judgment and discernment.

FRN 181 French for LLM students 181**Academic organisation:** Modern European Languages**Contact time:** 2 lpw, 2 dpw**Period of presentation:** Semester 1**Language of tuition:** Double medium**Credits:** 12**Module content:**

*No previous knowledge of or experience in French. Only students who are registered for LLM (Human Rights and Democratisation in Africa) will be admitted to this module.

A special module for LLM (Human Rights and Democratisation in Africa) students only: intensive introductory study of the French language, with the acquiring of reading, writing, speaking and understanding skills.

GES 110 History 110**Academic organisation:** Historical and Heritage Studies**Contact time:** 2 lpw**Period of presentation:** Semester 1**Language of tuition:** Both Afr and Eng**Credits:** 12**Module content:***The Western world: a survey*

A broad historical overview from 3000 BC to 2000 AD. It focuses on the major historical episodes including the Ancient period, Middle Ages, Renaissance, rise of modern states, World Wars, Cold War and subsequent developments. It considers the forces of revolution, liberalism, nationalism and various other twentieth century ideologies.

GES 120 History 120**Academic organisation:** Historical and Heritage Studies**Contact time:** 2 lpw**Period of presentation:** Semester 2**Language of tuition:** Both Afr and Eng**Credits:** 12**Module content:***Africa and South Africa: a survey*

An overview focusing on the making of African and South African societies from the earliest times to the present with emphasis on the most significant historical forces, factors and events.

KRM 110 Criminology 110

Academic organisation: Social Work and Criminology

Contact time: 2 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Part 1: *Fundamental criminology*

Introduction to criminology, definition of crime, crime tendencies, classical and positivistic explanations of crime.

Part 2: *Violent crime*

A brief analysis of causes, consequences and mechanisms to prevent and reduce violent crime within a South African context. Define violent crime in terms of interpersonal violence, homicide, violent crimes within the criminal justice system and property-related violent crimes.

KRM 120 Criminology 120

Academic organisation: Social Work and Criminology

Prerequisite: KRM 110

Contact time: 2 lpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Part 1: *Penology*

In Penology attention is given to the criminal justice system to emphasise the importance of using an integrated approach in the handling of offenders. The impact of over-population in prisons is critically evaluated. Attention is also given to awaiting trial offenders, the importance of community-based sentences as well as the reintegration of offenders in the community.

Part 2: *Crime prevention and control*

Responsibilities of the police and the community in crime prevention and control. Primary, secondary and tertiary crime prevention, crime prevention and reduction in South Africa.

PTG 181 Portuguese for LLM students 181

Academic organisation: Modern European Languages

Contact time: 2 lpw, 2 dpw

Period of presentation: Semester 1

Language of tuition: Double medium: English-Portuguese **Credits:** 12

Module content:

*No previous knowledge of or experience in Portuguese is required. Only students who are registered for LLM (Human Rights and Democratisation in Africa) will be admitted to this module which will involve an intensive introductory study of the Portuguese language aimed at acquiring basic reading, writing, speaking and understanding skills.

PTO 111 Politics 111

Academic organisation: Political Sciences

Contact time: 3 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Part 1: *Basics of politics*

An introduction to the scientific study of the organised political society, with specific reference to concepts, approaches and methods. The emphasis is on the "state" and "political system" as frameworks for analysis.

Part 2: *Introduction to international relations*

The basic concepts of and frameworks for analysing international relations are explored. The development of the international system and the most salient changes brought about by globalisation are investigated.

PTO 120 Politics 120

Academic organisation: Political Sciences

Prerequisite: PTO 111(GS)

Contact time: 3 lpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Part 1: *Comparative politics*

The focus is on the comparison of different regime types. The analysis of institutions and processes in both democratic and non-democratic regimes are included. Attention is also paid to the challenges and dynamics of regime development and change.

Part 2: *International cooperation*

The nature, foundations and development of international cooperation, with a view to deal with global issues, are investigated. Particular attention is paid to problems related to cooperation in the absence of supranational institutions in an increasingly interdependent world.

SOC 110 Sociology 110

Academic organisation: Sociology

Contact time: 1 tpw, 3 lpw

Period of presentation: Semester 1

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Part 1: *The individual and society*

An introduction to sociology and the sociological paradigm.

Part 2: *The sociology of institutions*

A focus on the social dynamics of the institutions of society such as the family, the economy, religion, education, the polity and civil society.

SOC 120 Sociology 120

Academic organisation: Sociology

Contact time: 1 tpw, 3 lpw

Period of presentation: Semester 2

Language of tuition: Both Afr and Eng

Credits: 12

Module content:

Part 1: *Race, class and gender*

The nature and dynamics of social inequality. Race, gender and class are the foci of the module. The South African reality in this regard is highlighted.

Part 2: *Group dynamics diversity and social identity*

Micro sociological theories and methods such as interaction process analysis, social impact analysis, situational analysis and communication flow analysis. The cultural processes of the formation of social identities and diversity will be introduced.

E&OE