University of Pretoria Yearbook 2020

MPhil Environmental Law (Coursework) (04251008)

Minimum duration of study	2 years
Total credits	200
NQF level	09
Contact	Prof MJ Murcott u12367207@tuks.co.za +27 (0)124202415

Programme information

Closing date for applications: SA applicants – 30 November; non-SA applicants – 31 August

Particular MPhil programmes have additional specific selection criteria and deadlines specific to that programme.

A limited number of approximately between 10 and 20 students are selected per year according to the general selection guidelines.
For admission to the MPhil programme, students must have at least an honours degree in an academic discipline relevant to environmental law; or any other qualification in an academic discipline relevant to the environment and environmental law 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 4 years, substantial proven practical or professional experience in environmental law is further required, subject to the discretion of the Dean.
In addition to the general admission requirements, the following specific selection criteria are used in combination to select the eligible students:

i. a demonstrated professional, academic and personal interest in and commitment to environmental law;
ii. an indication that the applicant would be likely to put the qualification to good use in his or her future career, preferably in his or her country of origin (the 'multiplier effect');
iii. geographic representation (in the sense that an overrepresentation of students from a particular African country will be avoided, given the pan-African scope and ambitions of the programme);
iv. gender representation (in the sense that an equitable balance between women and men is sought);
v. equitable representation of persons from vulnerable communities (such as persons with disabilities, persons belonging to indigenous communities and LGBTI persons).
vi. The MPhil (Environmental Law) is presented in alternate years.

The curriculum will generally consist of:

- Four 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.
- Mini-dissertation. 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 Postgraduate Committee on recommendation of the head of department.

Also refer to the Postgraduate Brochure for the complete study programme as well as the Postgraduate administrative processes after registration.

Admission requirements

- At least an honours degree in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil coursework programme **OR** any other qualification in an academic discipline relevant to legal aspects in South Africa or Africa as well as to the contents of the specific MPhil coursework programme 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 legal aspects in South Africa or Africa will furthermore be required, subject to the discretion of the Dean.
- Foreign qualifications are subject to SAQA evaluation.
- A minimum average mark of 65% with respect to the prescribed modules of the honours programme is required for admission to the MPhil coursework programmes.
- An acceptable level of proficiency in English is required.

Other programme-specific information

Mini-dissertation

- The mini-dissertation must comprise 13 000 – 15 000 words – including footnotes but excluding the list of contents and the bibliography.
- The examination copies of the mini-dissertation, to send out to the external examiners, must be submitted to Student Administration not later than the end of October for the Autumn Graduation Ceremony, end of April for the Spring Graduation Ceremony. A final electronic version must be submitted to Student Administration on or before 15 February for the Autumn Graduation Ceremony, 15 July for the Spring Graduation Ceremony after the evaluation of the examination copies of the mini-dissertation to comply with degree requirements.

Examinations and pass requirements

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 consent of the Postgraduate Committee.

Although no supplementary examination will be granted with regard to LLM and MPhil modules, the General Regulations and rules apply with regard to special and ancillary examinations.

Research information

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/MPhil 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, subject to the approval of the Postgraduate Committee, also determine the research topic and the scope of the proposed research. (Refer to the Faculty of Law regulations regarding mini-dissertations and also Postgraduate administrative processes brochure for the Faculty)

Pass 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, as well as a minimum of 75% for the mini-dissertation. The modules must have been written for the first time.

General information

Period of registration
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. Programmes may also be structured to allow for one year of study only. The one- or two-year period may only be extended by the Postgraduate Committee on recommendation of the relevant head of department based on good reason shown and if it is clear that the student will be able to complete the programme in a further year of study.

Language of tuition
The official language of tuition is English. However, should circumstances allow it, a master's module may be presented in Afrikaans. The Dean, in consultation with the relevant head of department, determines the language of tuition.

Limiting of modules on offer in a particular academic year and availability to foreign students
The Dean may on recommendation of the relevant head of department limit the number of students to be allowed to register for any MPhil programme or module. Where such limitation applies, prospective students must be informed about the limitation when they apply. Where the Dean allows such a limitation, the relevant head of department must, in consultation with the relevant programme coordinator, select students who otherwise comply with the admission requirements for an MPhil coursework degree, according to the following selection guidelines:

1. General academic performance in the undergraduate degree; specific academic performance in undergraduate degree module(s) directly related to the particular MPhil; and academic performance in independent research essays or similar components.
2. Any academic qualifications other than the prescribed undergraduate degree.
3. Relevant practical experience and training.
4. Diversity.
5. Whether the relevant MPhil 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 (only complete applications will be considered - incomplete applications will be set aside and will not be considered until a complete application is received).

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

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%.

Curriculum: Year 1

Minimum credits: 100

Core modules

Administrative law 802 (ASL 802)

Module credits	30.00
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1 or Semester 2

Module content

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

Strategic environmental management 822 (ENS 822)

Module credits	15.00
Service modules	Faculty of Law
Prerequisites	No prerequisites.
Contact time	2 discussion classes per week, 5 lectures per week
Language of tuition	Module is presented in English
Department	Geography Geoinformatics and Meteorology
Period of presentation	Year

Module content

Strategic environmental planning: introduction, objectives and principles; levels; South African overview; guidelines: national and international; strategy and management; structure, strategy and agency; South African guidelines; diagnostic tools; RESP analysis; strategic resource planning; applications, implementation and control; development and policy implementation; South African environmental policy; evaluation frameworks; portfolio analysis; competitive forces; alliances; business benefits; intangibles, survival and catalytic contributions; South African legislation and regulations.

Environmental law 816 (ENV 816)

Module credits	15.00
Service modules	Faculty of Law
Prerequisites	No prerequisites.
Contact time	1 lecture per week, 1 web-based period per week, 2 practicals per week
Language of tuition	Module is presented in English

Department	Geography Geoinformatics and Meteorology
Period of presentation	Semester 1 or Semester 2

Module content

Legislation for sustainable development within the framework of international agreements, the different acts affecting water quality and water use, the SEMAs within the NEMA framework, the NEMA EIA regulations, legislation pertaining to hazardous substances, interaction between mining development and NEMA, energy law, strategic environmental legislation, marine and coastal management.

Research methodology 801 (RHP 801)

Module credits	5.00
Prerequisites	No prerequisites.
Contact time	8 seminars or block sessions
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Semester 1 or Semester 2

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

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

Module credits	30.00
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1 or Semester 2

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.

Curriculum: Final year

Minimum credits: 100

Core modules

Administrative law 802 (ASL 802)

Module credits	30.00
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1 or Semester 2

Module content

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

Strategic environmental management 822 (ENS 822)

Module credits	15.00
Service modules	Faculty of Law
Prerequisites	No prerequisites.
Contact time	2 discussion classes per week, 5 lectures per week
Language of tuition	Module is presented in English
Department	Geography Geoinformatics and Meteorology
Period of presentation	Year

Module content

Strategic environmental planning: introduction, objectives and principles; levels; South African overview; guidelines: national and international; strategy and management; structure, strategy and agency; South African guidelines; diagnostic tools; RESP analysis; strategic resource planning; applications, implementation and control; development and policy implementation; South African environmental policy; evaluation frameworks; portfolio analysis; competitive forces; alliances; business benefits; intangibles, survival and catalytic contributions; South African legislation and regulations.

Environmental law 816 (ENV 816)

Module credits	15.00
Service modules	Faculty of Law
Prerequisites	No prerequisites.
Contact time	1 lecture per week, 1 web-based period per week, 2 practicals per week
Language of tuition	Module is presented in English

Department	Geography Geoinformatics and Meteorology
Period of presentation	Semester 1 or Semester 2

Module content

Legislation for sustainable development within the framework of international agreements, the different acts affecting water quality and water use, the SEMAs within the NEMA framework, the NEMA EIA regulations, legislation pertaining to hazardous substances, interaction between mining development and NEMA, energy law, strategic environmental legislation, marine and coastal management.

Mini-dissertation 800 (MND 800)

Module credits	100.00
Prerequisites	RHP 801 and RHP 803
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Year

Module content

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

Research proposal 803 (RHP 803)

Module credits	5.00
Prerequisites	No prerequisites.
Language of tuition	Module is presented in English
Department	Law Deans Office
Period of presentation	Year

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.)

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

Module credits	30.00
Prerequisites	No prerequisites.
Contact time	2 lectures per week

Language of tuition	Module is presented in English
Department	Public Law
Period of presentation	Semester 1 or Semester 2

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.

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