

University of Pretoria Yearbook 2021

Law of specific contracts 802 (SKC 802)

Qualification	Postgraduate
Faculty	Faculty of Law
Module credits	30.00
NQF Level	09
Programmes	LLM Mercantile Law (Coursework) LLM Private Law (Coursework)
Prerequisites	No prerequisites.
Contact time	2 lectures per week
Language of tuition	Module is presented in English
Department	Mercantile Law
Period of presentation	Semester 1 or Semester 2

Module content

A. Sale

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

B. Lease

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