

# University of Pretoria Yearbook 2022

## PhD (04260004)

**Department** Law Dean's Office

**Minimum duration of study** 2 years

**Total credits** 360

**NQF level** 10

## Programme information

Also consult General Academic Regulations G42-G55.

The primary purpose of the PhD in Law is to educate and train researchers who can make a significant and original academic contribution at the frontiers of a field which is predominantly interdisciplinary and focused on an aspect of the interrelationship between one or more legal disciplines and at least one other non-law discipline.

The minimum duration of the programme is 2 years (4 semesters) and the maximum duration is 3 years (6 semesters). The study period may only be extended in an individual case with the approval of the Faculty Postgraduate Committee on recommendation of the relevant head of department, based on good reason shown and if the student has a reasonable prospect of completing the programme in a further year of study.

Closing date for applications: SA applicants and non-SA applicants – 31 May of the following year.

If admitted, a student can register immediately for the PhD programme. The following two or three 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 required at postgraduate level the Faculty Postgraduate Committee, 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 PhD thesis is required.

The supervisor convenes an adjudicating panel which is chaired by the head of department and includes the supervisor, at least one more internal adjudicator and at least one external adjudicator. An adjudicator should hold at least a doctoral degree.

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 proposal may only be submitted for oral defence with the written permission of the supervisor. Should the supervisor refuse to grant permission for submission, the candidate may request permission to submit from the Faculty Postgraduate Committee. The Faculty Postgraduate Committee considers the request and may allow the proposal to be submitted for defence or may turn down the request. Should the Faculty Postgraduate Committee turn down the request, the candidate may refer the matter to the Dean, who must consider the matter based on reports from the candidate, the supervisor and the Faculty Postgraduate Committee.

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.

### **3. Structured research proposal preparation (RHP 906) (non-credit-bearing)**

The supervisor may prescribe that a particular student must follow a structured programme to be determined by the supervisor and approved by the Faculty Postgraduate Committee. The supervisor may also set the requirements, as approved by the Faculty Postgraduate Committee, for complying with the module.

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.

Also consult General Academic Regulations G42-G55.

## Admission requirements

1. Relevant master's degree **or** relevant degree from a foreign university that allows entrance to a doctoral degree (SAQA level 9)
2. At least 65% for the research component at master's level **or** below 65% for the research component at master's level:
  - relevant work experience
  - other academic qualifications and
  - the merit of the research topic
3. An admissions examination may be required
4. A portfolio consisting of:
  - copy of the preceding master's research component
  - recent research-based essays or assignments
  - a letter of motivation

## Additional requirements

Subject to the stipulations of the relevant General Academic Regulations, a candidate for the PhD programme must be in possession of at least an MPhil degree, or an equivalent degree.

Foreign qualifications are subject to SAQA evaluation.

The Faculty Board may grant exemption from the above conditions.

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

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## Research information

### **Thesis and article**

The PhD degree is conferred by virtue of a thesis. The topic of the thesis must be relevant to a discipline in the field of legal studies, and be approved by the Dean. (See the relevant General Academic Regulation for finalisation of the thesis.) The final copy of the thesis must be accompanied by a proof of submission of an article to a journal accredited by the Department of Higher Education and Training. The article must be based on the research that the student has conducted for the thesis and be approved by the supervisor. The Faculty of Law guideline document on co-authorship with students applies.

### **Agreement**

A written agreement between the student and supervisor must 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 makes 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.

### **Oral defence of the thesis**

After receipt of the reports of the external examiners, the examiners' recommendations in terms of G50.4(d)(ii) which are preliminary in nature, must be subjected to the successful completion of revisions as required by the examiners and recommendations of the Faculty Postgraduate Committee. In exceptional cases and when recommended by the HOD and/or supervisor, the Faculty Postgraduate Committee may require that the candidate be called for an oral examination to question or to confirm these revisions and recommendations. The Faculty Postgraduate Committee may also require an oral examination when the examiners' reports do not reflect substantial consensus.

# Curriculum: Year 1

## Core modules

### Thesis: Law 990 (DPI 990)

<b>Module credits</b>	360.00
<b>NQF Level</b>	10
<b>Prerequisites</b>	No prerequisites.
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	Year

### Research methodology 902 (RHP 902)

<b>Module credits</b>	5.00
<b>NQF Level</b>	10
<b>Prerequisites</b>	No prerequisites.
<b>Contact time</b>	40 seminars
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	Semester 1 and Semester 2

#### Module content

- Planning and organising a research project
- Drafting a research proposal: Hypotheses and Research question
- Theory in research and Methodological approaches to legal research
- Language
- Citation and ethics of citation
- Drafting of chapters and presentation
- Substantive themes in legal research

### Research proposal and oral defence of the research proposal 904 (RHP 904)

<b>Module credits</b>	5.00
<b>NQF Level</b>	10
<b>Prerequisites</b>	No prerequisites.
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	Year

### **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.



## Curriculum: Final year

### Core modules

#### Thesis: Law 990 (DPI 990)

<b>Module credits</b>	360.00
<b>NQF Level</b>	10
<b>Prerequisites</b>	No prerequisites.
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	Year

#### Research proposal and oral defence of the research proposal 904 (RHP 904)

<b>Module credits</b>	5.00
<b>NQF Level</b>	10
<b>Prerequisites</b>	No prerequisites.
<b>Language of tuition</b>	Module is presented in English
<b>Department</b>	Law Deans Office
<b>Period of presentation</b>	Year

#### 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.

The regulations and rules for the degrees published here are subject to change and may be amended after the publication of this information.

The [General Academic Regulations \(G Regulations\)](#) and [General Student Rules](#) apply to all faculties and registered students of the University, as well as all prospective students who have accepted an offer of a place at the University of Pretoria. On registering for a programme, the student bears the responsibility of ensuring that they familiarise themselves with the General Academic Regulations applicable to their registration, as well as the relevant faculty-specific and programme-specific regulations and information as stipulated in the relevant yearbook. Ignorance concerning these regulations will not be accepted as an excuse for any transgression, or basis for an exception to any of the aforementioned regulations.