



University of Pretoria Yearbook 2023

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

Regulations and rules

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.

University of Pretoria Programme Qualification Mix (PQM) verification project

The higher education sector has undergone an extensive alignment to the Higher Education Qualification Sub-Framework (HEQF) across all institutions in South Africa. In order to comply with the HEQSF, all institutions are



legally required to participate in a national initiative led by regulatory bodies such as the Department of Higher Education and Training (DHET), the Council on Higher Education (CHE), and the South African Qualifications Authority (SAQA). The University of Pretoria is presently engaged in an ongoing effort to align its qualifications and programmes with the HEQSF criteria. Current and prospective students should take note that changes to UP qualification and programme names, may occur as a result of the HEQSF initiative. Students are advised to contact their faculties if they have any questions.