



2018

UNIVERSITY OF THE FREE STATE
FACULTY OF
LAW



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Inspiring excellence. Transforming lives.
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UNIVERSITY OF THE
FREE STATE
UNIVERSITEIT VAN DIE
VRYSTAAT
YUNIVESITHI YA
FREISTATA





PRESIDENT C.



FACULTY OF LAW

Only studies in Law (LLB) offer a choice of 75 career possibilities, such as the professions of attorney and advocate, other legal practitioners (prosecutors, magistrates, judges, commissioners, etc.), labour law consultants, and legal advisors in the banking, military, state departments, insurance and corporate world.

Studying Law in the judicial capital of South Africa means that you do not only get a thorough grounding in legal theory, but also a sound practical foundation.

WHY STUDY LAW AT KOVSIES?

This Faculty of Law is rated amongst the best in the country. Its location in the judicial capital, Bloemfontein, exposes Law students to the practice of law in the lower and higher divisions of the courts.

The expertise of judges and legal practitioners is shared with the students. The high academic standard of the Faculty of Law has always been its pride.

Successful attendance of the School for Legal Practice (Free State) after obtaining a LLB degree shortens the period of articles for candidate attorneys. Furthermore, the faculty provides compulsory practical legal training in the Law Clinic, which gives Kovsie Law students an additional advantage. This faculty offers a unique opportunity of study at national, as well as international level, because of the close ties the faculty have with international universities and their various exchange programmes. You are able to specialise in your field of interest with the wide range of electives at undergraduate and postgraduate levels. All prospective Law students must have proven reading, writing, and numerical skills to succeed in the legal career.

Alumni of our faculty occupy high positions in their various fields across South Africa, while still remaining loyal to their alma mater. The faculty boasts its own Kovsie Law Alumni, an association of ex-students who are dedicated to ensuring the continued growth and progress of the Faculty of Law at the University of the Free State.

Welcome to the Faculty of Law
DEAN: PROF CMA NICHOLSON



APPLICATION AND ADMISSION TO STUDY AT THE UFS

APPLICATION TO STUDY AT THE UFS IS FREE FOR SA, SADC, AND NON-SADC STUDENTS

ONLINE application: Go to www.ufs.ac.za. Follow the link 'how to apply' – online application. For assistance, contact +27 51 401 9538.

Remember to upload copies of:

- Your ID or passport
- Your parent's ID or passport if you are younger than 18 years
- Your Grade 11 final results and Grade 12 June results, both with the school's stamp
- Your academic records if you are a current student at another institution of higher learning

WRITTEN application: Go to www.ufs.ac.za. Follow the link 'how to apply' and download the application. Complete and sign it, and post it with all the relevant documentation to: The Application Office, PO Box 339, Bloemfontein 9300.

Remember to include copies of:

- Your ID or passport
- Your parent's ID or passport if you are younger than 18 years
- Your Grade 11 final results and Grade 12 June results, both with the school's stamp
- Your academic records if you are a current student at another institution of higher learning

ADMISSION

Pay attention to the following important information:

- Higher Education South Africa (HESA) sets specific admission requirements that you should meet if you want to study at any South African university. If you finished school in or after 2008, and have a National Senior Certificate (NSC), you need the following to apply for admission to a Bachelor's Degree at any South African university:
 - Four (4) of the seven (7) subjects included in your NSC subject package, should be from the designated subject list.
 - A performance level of at least 4 (50%) in each of these four (4) subjects
- All admission requirements apply to first-year students in 2018.
- Admission to study at the UFS is dependent on the following:
 - Your application should meet all the minimum requirements for the programme
 - The programme must have available space and capacity to admit students
 - You have to submit valid school results with your application
- The UFS reserves the right to change the minimum requirements of each programme without notifying you.
- Applications for all non-selection programmes close on 29 September 2017.

An admission point (AP) consisting of seven levels is used. Points will be awarded for six academic modules.

Note: No points will be awarded for achievement levels lower than 30%:

Percentage	7 (90–100%)	7 (80–89%)	6 (70–79%)
AP	8	7	6
5 (60–69%)	4 (50–59%)	3 (40–49%)	2 (30–39%)
5	4	3	2

One point is awarded for Life Orientation (LO) from achievement level 5 (60%) or higher.

Contact details: +27 51 401 2451 • +27 51 401 9777 • Fax: +27 51 401 3043 • law@ufs.ac.za • www.ufs.ac.za/law



E-LEARNING IN THE FACULTY OF LAW

The E-learning division in the Faculty of Law handles the management of teaching and learning of the off-campus students in the faculty. E-learning studies are especially ideal for working students residing outside of Bloemfontein and/or not able to attend classes physically. The LLB (4 year curriculum) is available on E-learning.

For more information, contact: Ms Cronette Nel: +27 51 401 2433 • NelC1@ufs.ac.za
Mr Vernol van der Ross: +27 51 401 3532 • VanDerRossRV@ufs.ac.za

The following programmes are presented only on the Bloemfontein Campus:

Programme Description		Minimum Admission Requirements				
Programme	Academic Plan Code	AP	Language of instruction	Mathematics	Mathematical Literacy	Compulsory National Benchmark Test
Bachelor of Laws (LLB) Four years*	3302	33	6 (70%)	4 (50%)	6 (70%)	AL, QL
Bachelor of Laws (LLB) Extended Curriculum Programme	3303	28-32	4 (50%)			AL, QL

Programme Description		Minimum Admission Requirements				
Programme	Academic Plan Code	AP	Language of instruction	Mathematics	Mathematical Literacy	Compulsory National Benchmark Test
		Notwithstanding this: <ul style="list-style-type: none"> • a candidate in possession of a National Senior Certificate with an AP of 25–27, who has successfully completed the first year of study in an extended degree/programme in another faculty, can at the recommendation of the Dean and having complied with certain requirements, be admitted to the first year of the five-year LLB; or • a candidate with an AP of less than 25 who has successfully completed the entire University Preparation Programme (UPP), can at the recommendation of the Dean and having complied with certain requirements, be admitted to the first year of study of the five-year LLB. 				

Note: *Either Mathematics or Mathematical Literacy is required.



CAREER OPPORTUNITIES

The Faculty of Law at the University of the Free State produces a number of sought-after graduates annually. An active placement programme for graduates into suitable positions, managed within the faculty, ensures a good future for the successful student who makes use of this opportunity. The School for Legal Practice (Free State), where graduates receive further vocational training, also actively facilitates the placement of candidate attorneys in vacancies. However, a legal qualification does not mean that you are limited to becoming either an advocate or an attorney. Many jurists follow successful careers in other professions.

Career opportunities and employers include:

South African Law Commission · Academic law career · Messenger of the Court · Department of Correctional Services · National Directors of Prosecution · Human Rights Commission · Public Protector · Attorneys · Advocates · Companies, Patents and Trademarks · Commission for Reconciliation, Mediation and Arbitration · Directors of Public Protection (State advocates and prosecutors) · Masters of the High Court · Registrars of the High Court · State attorneys · Clerks of the Magistrates' Court · Legal Aid Board · South African Police Service · Legal aid and Legal advice · State legal advisor · Law Clinics at universities.



DEPARTMENTS

Mercantile Law

The field of Mercantile Law encompasses that section of the law that deals with aspects relating to the world of trade and commerce.

Specific modules in Mercantile Law include, among others:

- Instruments of Payment Law, dealing with cheques, travellers' cheques, etc.
- Law of Business Enterprises, where students learn about partnerships, close corporations, companies and trusts and how these entities function in the legal world.
- Labour Law, which has become an absolute necessity for any entrepreneur or manager – this field grows more important each day and encompasses all the rules applicable to the relationship between employers and employees.
- Tax Law, which deals with what is owed to the Revenue Service and when and why to pay it.
- Insurance Law, where students find out more about items and interests that can be insured, as well as how the law functions to treat the insurer and the insured fairly.
- International Economic Law, which introduces students to the field of international trade transactions and the international protection of investments.
- Insolvency and Liquidation Law, where students will learn about dissolving business ventures due to insolvency and also how to sequestrate the estates of persons.
- Mercantile contracts, insurance and consumer law, where students are introduced to the law applicable to day-to-day commercial transactions.

Permanent lecturing staff:

Head of Department: Dr HJ Moolman: +27 51 401 7084

Ms M Conradie · Mr PS Brits · Dr LM Jacobs · Ms L Fourie · Dr DM Smit

Ms BM Phora · Mr FQ Cilliers · Ms G du Toit · Prof E Snyman-Van Deventer

Private Law

Private Law is that section of the law that governs the relationship between persons, and covers aspects of society such as births and deaths, marriages, contracts, property, and succession. In the field of private law, the following modules are offered in the LLB degree:

- Family Law, in which you learn more about engagements, the Marriages Act, community of property, and the general principles applicable to divorce and child maintenance and custody.
- Law of Persons, where students obtain knowledge of legal subjects and their origin and status – this refers to when the law will recognise you as a living person who is capable of concluding transactions.
- Law of Succession and Administration of Estates deals with the contents of wills, how people inherit when there is no will, and the administration of the estates of deceased persons.

- Law of Property, in which you learn about the difference between possession and ownership, and what it means to be the holder of a right in property – also in terms of the Constitution.
- The Law of Delict, which deals with the negligent or purposeful causation of damage and the remedies available to the wronged party.
- The Law of Contract is one of the most important courses in legal studies and is studied extensively to prepare students for practice.
- Private Law further encompasses such fields as Enrichment, Estoppel, Insurance Law, Road Accident Fund, Sectional Title, Law of Damages, and the Law of Trusts.

Roman Law, Legal History, and Comparative Law (Part of Department of Private Law)

This field comprises the entire origin and background of the South African Legal System and includes a thorough study of the following modules:

- Legal history, which includes the history of the Roman Law, the development of this law in the west of Europe, and the eventual introduction of Roman Dutch Law into South Africa as the common law.
- Roman Law, in which students are introduced to the law of succession, law of persons, criminal law, procedural law, and family law of the ancient Romans.
- Comparative Law, which comprises the study of law utilising the comparative method of legal research and the application of this method on selected themes in South African law.

Permanent lecturing staff:

Head of Department: Dr NJB Claassen: +27 51 401 2697

Prof BS Smith · Ms JG Horn · Mr JT Faber · Mr KL Mould · Ms C Müller-Van der Westhuizen

Public Law

Criminal and Medical Law (Part of Department of Public Law)

Criminal Law is that section of the law that deals with what constitutes a crime, and when and how persons who commit crimes should be punished. Medical Law or Medicina Forensis, in turn, deals with the narrow interaction that exists between medicine and the law on all levels. Modules in these fields include:

- Criminal Law, which encompasses the general requirements to be satisfied before an act will be viewed as a crime, and the specific requirements set for certain crimes such as murder, public violence, robbery, assault, and trespassing; and
- Medical Law, in which students will be introduced to controversial legal issues such as euthanasia, sex changes, negligent medical practices, and much more.

Procedural Law and Law of Evidence (Part of Department of Public Law)

Procedural law focuses mainly on the procedures followed to enforce the law and it forms part of the formal law. Modules within this discipline include:

- Criminal Procedure, which governs the prosecution, hearing, and sentencing of transgressors. It prescribes principles for summons, arrest, searching, forfeiture, taking persons into custody, escape from custody, bail pleas, and the court process.
- The Law of Civil Procedure, which introduces students to the jurisdiction of various courts, the procedures that may be followed in civil disputes, judgement, appeal, and review.
- The Law of Evidence is that part of the formal law that prescribes the way in which a case or aspects of a case must be proved legally in a court of law. Primarily this discipline deals with the sources of the law of evidence, burden of proof, relevance, admissibility of evidence, character evidence, and other aspects such as expert evidence, hearsay, privilege, admissions and confessions, etc. The presentation of evidence, forms of real and documentary evidence and the influence of the Constitution are also dealt with.
- Legal Practice, in which academics and practitioners train students in the management of a law office and the management of cases and clients. This course is essential preparation for practice.

Constitutional Law and Philosophy of Law (Part of Department of Public Law)

Constitutional Law and Philosophy of Law have become one of the most important fields of law over the past five years and mainly govern the constitutional development in South Africa. The emphasis throughout is on human rights and the following modules are presented:

- International Law, in which you are introduced to the relationship between states, as well as institutions such as the United Nations. Controversial issues in international law are covered, such as the law in times of war, the prosecution of heads of state for human rights violations and environmental law.
- The interpretation of statutes, wills and contracts, which deals with the way in which laws, wills, and contracts must be read.
- Philosophy of Law, covering the most important thinkers in the field of legal philosophy and contemporary issues in Philosophy of Law, such as Marxism and feminism and their place in legal reality.
- Public Law, which includes administrative law, human rights, the relationship between the government and the citizens of a state, and the processes to be followed in legal administration.
- Environmental Law, which focuses on the most important legislation and international principles applicable to environmental protection.

Permanent lecturing staff:

Head of Department: Prof CF Swanepoel: +27 51 401 3458

Dr JM Reyneke · Adv IJ Bezuidenhout · Dr J-M Visser · Prof SA de Freitas · Mr A Nell
Mr C Vinti · Dr R Botha · Mr EC Muller

School of Financial Planning Law

The School of Financial Planning Law offers all the modules that are relevant to pure financial planning in the faculty. This includes economics, risk planning, investment planning, tax planning, retirement planning, and estate planning. In the Bluris course with endorsement in Financial Planning Law, the following modules are presented:

- Postgraduate Diploma in Financial Planning
- Advanced Postgraduate Diploma in Financial Planning

Permanent lecturing staff:

Director of the School: Adv SA Hyland: +27 51 401 2823
Dr L Alsemgeest · Ms H Steyn · Ms R van Zyl



CODE OF ETHICS FOR LAW STUDENTS:

I pledge loyalty to the Constitution of the Republic of South Africa and undertake to respect its laws and to maintain and develop its legal system.

I shall observe all the rules and regulations of the University of the Free State and the Faculty of Law.

I shall maintain high moral and ethical standards.

I shall strive towards ensuring that my actions are always in the interest of the public and directed towards improving the good name of the university and the faculty.

I shall uphold the dignity, traditions, and culture of the legal profession.

My behaviour shall be such that at all times I may be regarded as a person fit and suitable to be admitted as a legal practitioner.


As a prospective jurist, I shall display impeccable honesty at all times.

I shall maintain a high standard of integrity.

I shall act objectively, fairly, and without bias.

I shall employ my working potential to the full.

I bind myself to the code of conduct of the university and the faculty and to any disciplinary measures, should I fail to comply with my commitment to this code.



If you fail to comply with the above-mentioned code, it could result in suspension of all legal studies at the University of the Free State or that a certificate of good conduct, required for admission to all legal professions, is refused.

All information in this publication is subject to change. Information in this publication has been compiled with the utmost care. However, the Council and Senate accept no responsibility for errors. It is important to study the Faculty Undergraduate Rule Book, available at www.ufs.ac.za, as the final and correct source.

This publication was compiled and produced by the Department of Marketing and Recruitment at the University of the Free State.

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Bloemfontein
9301



R. SWART



**Bloemfontein
Campus
13 May 2017**

**Qwaqwa
Campus
20 May 2017**

UNIVERSITY OF THE FREE STATE
OPEN DAY



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