

# UNIVERSITY OF THE FREE STATE



## FACULTY OF LAW *BACCALAUREUS* DEGREES 2009



DEAN  
PROF JJ HENNING



## **FACULTY OF LAW**

**The Faculty of Law at the University of the Free State is situated near the Supreme Court of Appeal and is one of the oldest law faculties in South Africa.**

**The Faculty of Law is committed to excellence in teaching and to delivering jurists with qualifications of international renown to the professions.**

**Legal education will open up doors to a wide variety of professions, including the advocate's profession, attorney's profession, legal advisors, labour consultants, prosecutors, magistrates, and the insurance and banking industries.**

**The Faculty is renowned for research of international standard, and is also involved with community service, where the Kovsie Legal Clinic and several centres in the Faculty directly play a major roll.**

**The Faculty enjoys close ties with several international law schools and law faculties, in especially Britain, Europe and the USA.**

**The Faculty is proud of its alumni association, former law students which remain loyal to the Faculty, and the *Collegium Jurisprudentium*, an advice panel for the Faculty.**



## **VISION**

Within the broader context of the University of the Free State's vision to be a university of excellence, equity and innovation, the Faculty strives to:

- ❑ continually maintain and improve the recognition and acknowledgement afforded to the quality of its activities and the achievements of its students and staff both nationally and internationally;
- ❑ continually maintain a national and regional perspective in its activities;
- ❑ contribute, within the Faculty's context, towards the rebuilding and development of the entire community.

## **MISSION**

Using the vision, mission and values of the UFS as point of departure, the **mission** of the Faculty is to practise, promote and teach justice based jurisprudence.

## **Student Code of Ethics**

**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 a student fails to comply with the abovementioned code, it could result in suspension of all legal studies at the University of the Free State or in that a certificate of good conduct, required for admission to all legal professions, be refused.*

## **Lecturer Code of Ethics**

**I pledge loyalty to the Constitution of the Republic of South Africa and I 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 interests 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 proper to be admitted as a legal practitioner.**

**As a 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.**

## **ADDRESS**

---

All correspondence regarding academic matters can be addressed to:

**The Registrar  
University of the Free State  
PO Box 339  
BLOEMFONTEIN  
9300**

**Telephone: 051 401 9111  
Fax: 051 401 2117**

Further enquiries regarding studies in law can be addressed to:

**The Faculty Secretary  
Faculty of Law  
University of the Free State  
PO Box 339  
BLOEMFONTEIN  
9300**

**Telephone: 051 401 2451/401 9051/401 2735  
Fax: 051 444 5013  
e-mail: [law@ufs.ac.za](mailto:law@ufs.ac.za)**

## CONTENTS

---

ADDRESS	6
CONTENTS	7
STAFF	8
DEGREES	14
FACULTY REGULATIONS AND INFORMATION	15
<i>BACCALAUREUS LEGUM</i> DEGREE	15
FACULTY REGULATIONS AND INFORMATION	42
<i>BACCALAUREUS IURIS</i> DEGREE	42
SYLLABI	50
ANNEXURE	112

**Dean:**

**Prof JJ Henning\*\***

[B.lur., LL.B., LL.D. (UOFS), Hon. FSALS Hon. Coif (Kentucky);  
Attorney of the High Court of South-Africa]

---

**PERMANENT ACADEMIC STAFF**

---

**(Heads of department are indicated with an asterisk \*)**

---

**Mercantile Law**

---

Honorary professor:

**Prof BAK Rider** [LL.B. (Honours) (London), Ph.D. (Law) (London), Ph.D. (Law) (Cantab), LL.D. (Honoris Causa) (Dickinson), LL.D. (Honoris Causa) (UFS)]

Extraordinary professors:

**The Honourable Judge of Appeal LTC Harms** [B.A. Regte (cum laude), LL.B. (cum laude)]

**Prof MM Katz** [B.Com., LL.B. (Wits), LL.M. (Harvard), Attorney of the High Court of South-Africa]

Permanent lecturing staff:

**Prof J Baloro** [LL.B. (Ghana), LL.M. (Temple), Ph.D. (London), Barrister-at-Law and Solicitor of the Supreme Court of Ghana]

**Mr PS Brits** [B.Com. (cum laude) (UOFS), B.Com. (Hons), LL.B. (cum laude) (Pret), Attorney of the High Court of South-Africa]

**Ms M Conradie** [LL.B., M.A. (Latyn) (UFS), Attorney of the High Court of South-Africa]

**Mr HJ Deacon** [LL.B. (UOFS), LL.M. (UFS), Attorney of the High Court of South-Africa]

**Ms A de Bruyn** [B.Com. LL.B. (UFS)]

**Prof MJ Dednam** [B.Com., LL.B. (UOFS), Advocate of the High Court of South-Africa]

**Prof JV du Plessis\*** [B.A., LL.B. (UOFS), LL.D. (Unisa), Advocate of the High Court of South-Africa]



**Prof JJ Henning\*\***

**Ms SA Hyland** [LL.B., LL.M. (cum laude), Post Graduate Diploma in Financial Planning (UFS), Advocate of the High Court of South Africa]

**Mr CG Kilian** [LL.M. (Pret), Mastergrad (Regensburg), Advocate of the High Court of South-Africa]

**Ms T Matsaneng** [LL.B. (UOFS), LL.M. (UFS)]

**Mnr DR Nxumalo** [LL.B. (Unizul), Advocate of the High Court of South-Africa]

**Adv WM Oosthuizen** [B.Proc., LL.B., LL.M., CFP™, Advocate of the High Court of South-Africa]

**Prof E Snyman-van Deventer** [B.lur., LL.M., LL.M., LL.D. (UOFS), Advocate of the High Court of South-Africa]

**Ms Y-F Wen** [LL.B. (UOFS), LL.M. (UFS)]

---

### **Private Law**

---

Honorary professor:

**The Honourable Judge of Appeal JJF Hefer (SC)** [B.A., LL.B. (UOFS), LL.M. (cum laude) (Unisa), LL.D. (Honoris Causa) (UFS)]

Extraordinary professors:

**The Honourable Judge of Appeal FDJ Brand (SC)** [B.A., LL.B., LL.M. (cum laude) (US)]

**Prof W van der Westhuizen** [B.lur., LL.B. (PU for CHE), CTL (Unisa), Attorney of the High Court of South-Africa]

Permanent lecturing staff:

**Mr NJB Claassen\*** [B.lur., LL.B., LL.M. (UOFS), Attorney of the High Court of South-Africa]

**Mr JT Faber** [B.Proc., LL.B., LL.M. (cum laude) (UOFS), Attorney of the High Court of South-Africa]

**Prof GH Fick** [B.lur., B.Com., LL.B. (PU for CHE), LL.M., DCL (McGill), Advocate of the High Court of South-Africa]

**Mrs JG Horn** [B.Proc., LL.B., LL.M. (UOFS), Attorney of the High Court of South-Africa]

**Prof R-M Jansen** [B.Soc.Sc. (Hons)(Nursing), B.Iur., LL.B. (cum laude), LL.M. (cum laude) (UOFS), LL.D. (UFS), Advocate of the High Court of South-Africa]

**Mr KL Mould** [LL.B., LL.M. (UFS), Attorney and Conveyancer of the High Court of South-Africa]

**Adv BS Smith** [B.Com. (UOFS), LL.B. (cum laude), LL.M. (cum laude) (UFS), Advocate of the High Court of South-Africa]

---

### **Criminal and Medical Law**

---

Extraordinary professor:

**Her Honourable Judge of Appeal BJ van Heerden** [Bachelor of Arts (magna cum laude) (US), Bachelor of Laws (LL.B.) (magna cum laude) (US), Bachelor of Arts, Honours School of Jurisprudence, (Oxford University, England), Master of Arts (Oxford University, England)]

**The Honourable Judge SPB Hancke (SC)** [B.Com., LL.B. (UOFS), Hon. FSALS]

**Prof T Verschoor** [B.Iur., LL.B., LL.D. (Pret), Advocate of the High Court of South-Africa]

Permanent lecturing staff:

**Dr R Botha** [B.Iur., LL.B., LL.M., LL.D. (UOVS), Advocate of the High Court of South-Africa]

**Adv HB Kruger** [B.A. (Law), LL.B., LL.M. (UOFS), Advocate of the High Court of South-Africa]

**Prof H Oosthuizen\*** [B.Iur., LL.B., LL.D., LL.D. (UOFS), Advocate of the High Court of South-Africa]

---

### **Procedural Law and Law of Evidence**

---

Extraordinary professor:

**The Honourable Judge SPB Hancke (SC)** [B.Com., LL.B. (UOFS), Hon. FSALS]

Permanent lecturing staff:

**Adv JM Reyneke** [B.Com. Law, LL.B. (PU for CHE), LL.M. (UOFS), Advocate of the High Court of South-Africa]

**Dr CF Swanepoel** [B.A. LL.B. (US), LL.M. (UOFS), LL.D. (UFS),  
Attorney of the High Court of South-Africa]

---

**Roman Law, Legal History and Comparative Law**

---

Extraordinary professors:

**The Honourable Judge of Appeal IG Farlam (SC)** [B.A., LL.B. (UCT)]

**The Honourable Judge A Kruger (SC)** [B.A., LL.B. (US), Drs. Jur. (cum laude), Dr. Jur. (Leiden)]

**The Honourable Judge DH van Zyl (SC)** [B.A., LL.B., M.A. (Pret), Dr. Jur. (Leiden), Ph.D., LL.D. (UCT), D.Litt. (UOFS)]

Permanent lecturing staff:

**Adv JH de Bruin** [B.lur., LL.B., LL.M. (cum laude) (UOFS),  
Advocate of the High Court of South-Africa]

**Prof JJ Henning\*\***

**Dr NP Swartz** [B.Proc., LL.B. (UOFS), M.A. (Latin) Honnors (UFS), LL.M. (cum laude) (UFS), LL.D. (UFS)]

---

**Constitutional Law and Legal Philosophy**

---

Extraordinary professor:

**Prof RJ Cook** [A.B. (Columbia), M.A. (Tufts) M.P.A. (Harvard),  
J.D. (Georgetown), LL.M. (Columbia), J.S.D. (Columbia), Attorney  
at Law Washington D.C. Bar]

**The Honourable Judge of Appeal L Mpati (SC)** [B.A. (Law) (Rhodes), LL.B. (Rhodes), LL.D. (Honoris Causa) (Rhodes)]

Permanent lecturing staff:

**Prof SA de Freitas\*** [B.Proc., LL.B., LL.M. (UOFS)]

**Prof C Ngwena** [LL.B., LL.M. (Wales)]

**Prof JL Pretorius** [B.Com., LL.B., B.A. Hons, LL.D. (UOFS)  
Advocate of the High Court of South-Africa]

**Prof AWG Raath** [B.lur., LL.B. (PU for CHE), M.A.,  
D.Phil. (UOFS), Advocate of the High Court of South-Africa and  
the High Court of Bophuthatswana]

---

**Old Mutual Chair in Business Law**

---

Prof JJ Henning\*\*

---

**Centre for Business Law**

---

Prof JJ Henning (Head)\*\*  
Prof E Snyman-van Deventer

---

**Research Unit for Serious Economic Crime**

---

Extraordinary professor:

**Adv J Lubbe (SC)** [B.lur. (UOFS), LL.B. (Unisa), Advocate of the High Court of South-Africa]

Prof JJ Henning (Head)\*\*  
Adv JH de Bruin

---

**Centre for Continuing Legal Education**

---

Prof E Snyman-van Deventer (Head)

---

**Centre for Financial Planning Law**

---

Director: Mr WM Oosthuizen

---

**Centre for Legal Ethics**

---

Mr PS Brits  
Mr JT Faber

---

**Unit for Health and Human Rights in Africa**

---

In the Department for Constitutional Law and Legal Philosophy  
Prof. C. Ngwena (Head)

---

**Unit for Children's rights**

---

In the Department for Criminal and Medical Law  
Adv JM Reyneke (Head)

---

**Unit for Legal History Research**

---

Directors:  
Mrs AJ Ellis  
Dr NP Swartz

---

**Unit for Disability Rights in Africa**

---

In the Department for Constitutional Law and Legal Philosophy  
Prof. C. Ngwena (Head)

---

**UFS Legal Clinic**

---

Director: Dr CF Swanepoel

Permanent lecturing staff:

**Adv I Bezuidenhout** [B.lur., (UOFS) LL.B.(UFS), Advocate of the High Court of South-Africa]

**Me MG Karels** [LL.B., LL.M. (UFS), Attorney of the High Court of South-Africa]

**Mnr EC Muller** [B.lur., LL.B. (UOFS), Attorney of the High Court of South-Africa]

---

**PERMANENT SUPPORT STAFF**

---

**Mrs SJ Burger** – Senior Administrative Officer

**Mrs H Erasmus** – Faculty Secretary

**Mrs SAM Erasmus** – Administrative Assistant

**Mrs A Kotzé** – Faculty Manager

**Mrs JE Malan** – Dean's Secretary

**Mrs A Pieters** – Senior Assistant Officer

## DEGREES

---

In addition to degrees and diplomas that may be instituted by the University in the future, the following *Baccalaureus* degrees can currently be obtained in the Faculty of Law:

<b>Degree</b>	<b>Minimum period of study</b>	<b>Abbreviation</b>	<b>Study code</b>
<b>Baccalaureus Legum</b>	<b>4 years</b>	<b>LL.B.</b>	<b>3302</b>
<b>Baccalaureus Legum</b>	<b>5 years</b>	<b>LL.B.</b>	<b>3303</b>
<b>Baccalaureus Iuris with endorsement: Financial Planning Law</b>	<b>3 years</b>	<b>B.Iur.</b>	<b>3323</b>

**FACULTY REGULATIONS AND INFORMATION**

***BACCALAUREUS LEGUM* DEGREE**

The following *Baccalaureus Legum* degrees are awarded in the faculty:

<b>Degree</b>	<b>Minimum period of study</b>	<b>Abbreviation</b>	<b>Study code</b>
<b><i>Baccalaureus Legum</i></b>	<b>4 years</b>	<b>LL.B.</b>	<b>3302</b>
<b><i>Baccalaureus Legum</i></b>	<b>5 years</b>	<b>LL.B.</b>	<b>3303</b>

**Learning outcomes**

Students must acquire the ability to act as legal-professional practitioners.

The successful candidate will be able to:

- ❑ be a lifelong student with the ability to be well informed of the most recent legal developments;
- ❑ take part as a responsible citizen in local, national and international communities;
- ❑ be sensitive as a lawyer to the cultural and ethnic diversity in the community;
- ❑ explore educational and career possibilities and develop entrepreneurial skills.

The successful candidate will, more specifically, be able to:

- ❑ identify and solve legal problems through critical and creative thought;
- ❑ approach and study personal and professional activities in a responsible, ethical and effective manner;
- ❑ do effective legal research by gathering, analysing and critically evaluating information;
- ❑ communicate effectively in writing and verbally;
- ❑ co-operate effectively with others in society;
- ❑ use technology effectively and responsibly to the advantage of the community as a whole;
- ❑ see the law as a component of a system of interdependent systems within the community where problem solving cannot occur in isolation.

**REG. E5 BACCALAUREUS LEGUM: LL.B.**

---

The general regulations concerning first *baccalaureus* degrees apply *mutatis mutandis* to LL.B. candidates in this faculty.

**E5.1.1 Applicability**

These faculty regulations apply to candidates who register for the LL.B. from 2005 for the first time.

**E5.1.2 Special curricula**

The Dean may prescribe special curricula and programmes for candidates, should he/she deem these to be necessary for academic purposes. The stipulations of the faculty regulations apply *mutatis mutandis*.

**E5.1.3 Admission**

- (a) To be admitted to the four year LL.B. (study code: 3302), a candidate must -
- (i) be in possession of an endorsed Senior Certificate (until 2007) with a M-score of at least 34 points; or
  - (ii) be in possession of a National Senior Certificate (from 2008) with an AP score of at least 33 points, with (1) a minimum performance mark of 70% (performance level 6) in one of the official teaching languages of the UFS, and (2) a minimum performance mark of 70% (performance level 6) in mathematical literacy or a minimum performance mark of 50% (performance level 4) in maths.

Notwithstanding this, a candidate with a three year higher education qualification, or who is at least 23 years old and has applicable work experience, may at the recommendation of the dean, be admitted to the four year curriculum for the LL.B. (study code: 3302).



- (b) To be admitted to the five year LL.B. (study code: 3303), a candidate must -
- (i) be in possession of an endorsed Senior Certificate (until 2007) with M score of at least 28 points; or
  - (ii) be in possession of a National Senior Certificate (from 2008) with an AP score of at least 28 points, with a minimum performance mark of 50% (performance level 4) in one of the official teaching languages of the UFS.

Notwithstanding this, a candidate in possession of an endorsed Senior Certificate (until 2007) or a National Senior Certificate (from 2008) -

- (iii) with a M-score of 24 to 27 or an AP score of 23 to 27 points, and who has successfully completed the first year of study of an extended degree programme; or
- (iv) with a M-score of less than 24 points or an AP score of less than 23 points and who has successfully completed the entire Career Preparation Programme (CPP),

can, at the recommendation of the dean, be admitted to either the first or second year of study of the five year LL.B. (study code: 3303).

#### **E5.1.4 Duration of study**

- (a) The duration of study for the *Baccalaureus Legum* (study code: 3302) is a minimum of four years and the study for the *Baccalaureus Legum* (study code: 3303) is a minimum of five years.
- (b) The duration of study for the *Baccalaureus Legum* (study code: 3302) is normally a maximum of six years and the study for the *Baccalaureus Legum* (study code: 3303) is normally a maximum of seven years.

**Presentation of modules from other universities**

**(Explanation of Reg A10)**

1. All requests of students to present modules at other universities, should be motivated in writing.
2.
  - (a) Should the relevant head of department not be convinced that an acceptable reason exists why the equivalent UFS module cannot be presented, a request of a student for recognition of equivalent module(s) that he/she wishes to present at another university, shall only be granted by the Dean in terms of Reg A31.
  - (b) Should a student already have failed the equivalent UFS module twice or more than twice, his/her request for recognition of a module that he/she wishes to present at another university, shall only be granted in exceptional circumstances, with due consideration of Reg A31.

## E5.2 Sequence of modules and composition of years of study

(See Regulations A8, A19 and A31)

- (a) A student who failed or discontinued two or more modules in a semester, must repeat the concerned module(s) in the first semester in which the module(s) are presented by the faculty. A **maximum of six modules** may be taken in the semester in which the modules that were failed or discontinued are repeated. This regulation is always subject to the provisions of regulations A8, A19 and A31 of the University.
- (b)
  - (i) For admission to the second year of study of the five year LL.B. programme (study code: 3303), a student must, in the first year of study, have obtained 32 credits in the prescribed main stream modules, [namely: ILR114 (16 credits), RGK114 (16 credits), ILR124 (16 credits), ROR124 (16 credits)], as well as at least a further 64 credits in the pre-scribed development modules, [namely: VBL108 (32 credits), MTL108 (32 credits), ALC108 or AFA108 (32 credits), BRS111 (4 credits), BRS121 (4 credits)]. Students who do not meet these requirements, will not be re-admitted.
  - (ii) For admission to the third year of study of the five year LL.B. programme (study code: 3303), a student must, in the second year of study, have obtained all credits in the prescribed and outstanding main stream modules, as well as all credits in the prescribed and outstanding development modules. Students who do not meet these requirements, will not be re-admitted.

### E5.3 Degree with distinction

The LL.B. degree is awarded with distinction if a student:

1. completes the curriculum for the LL.B. (and any applicable preceding degree) within the minimum prescribed period, and
2. achieves a minimum combined average of 75% in the following modules, with the inclusion of modules for which recognition has been granted but with the exception of modules for which exemption has been granted as stipulated in regulations E7.3(b), E7.4.4 and E7.5.4:

<b>Module</b>	<b>Code First Semester</b>	<b>Code Second Semester</b>
Capita Selecta from Private Law	CPR414	
Civil Procedure	SVP414	
Commercial Law Contracts, Consumer and Insurance Law	HRO314	
Criminal Law	SFR114	SFR124
Criminal Law	SFR214	SFR224
Criminal Procedure		SPF224
Family Law		FAM124
Instruments of Payment and Immaterial Property Law		BIR324
International Law		INR424
Introduction to Legal Science	ILR114	ILR124
Jurisprudence	RGL414	RGL424
Labour Law	ARR214	ARR224
Law of Business Enterprises	ONR314	ONR324
Law of Contract	KON214	
Law of Delict	DEL314	
Law of Evidence		BWR224
Law of Insolvency and Liquidation		LIR424

Law of Persons	PSN114	
Law of Succession and Administration of Estates		ERF224
Law of Things		SAK324
Law of Third Party Compensation		MMF424
Legal History	RGK114	
Legal Interpretation	ULL214	
Legal Pluralism	RPL314	
Legal Practice	RPK112	RPK122
Legal Practice	RPK214	
Legal Practice	RPK312	RPK322
Legal Practice	RPK412	RPK422
*Mini Thesis		RSK424
Public Law	PBR314	PBR324
Public Law	PBR414	PBR424
Roman Law		ROR124
Tax Law		BLR324
<b>Two semester modules from the following fourth year <b>electives</b> (study code: 3302) and fifth year electives (study code: 3303):</b>		
Business Crimes		BCR424
Comparative Law		RVG424
Competition Law		MCR424
Environmental Law		OGR424
Financial Planning Law	FBR414	FBR424
Insurance Law	VOF414	
International Economic Law	IER414	
International Private Law	IPR414	
Internet- and Electronic Law		EIL424
Law of Damages	SDR414	
Legal History		RGK424
Medicina Forensis	MDF414	MDF424
Sectional Titles and Share Block	DEE414	

**E5.4 Modules necessary for obtaining the LL.B.**

- (a) The LL.B. degree (study code: 3302) is awarded if a candidate passes at least the following modules or has received exemption from or recognition of the relevant modules:

<b>Module</b>	<b>Code and Credit value (C) First Semester</b>	<b>Code and Credit value (C) Second Semester</b>
Capita Selecta from Private Law	CPR414 16C	
Civil Procedure	SVP414 16C	
Commercial Law Contracts, Consumer and Insurance Law	HRO314 16C	
Criminal Law	SFR114 16C	SFR124 16C
Criminal Law	SFR214 16C	SFR224 16C
Criminal Procedure		SPF224 16C
Family Law		FAM124 16C
Instruments of Payment and Immaterial Property Law		BIR324 16C
International Law		INR424 16C
Introduction to Legal Science	ILR114 16C	ILR124 16C
Jurisprudence	RGL414 16C	RGL424 16C
Labour Law	ARR214 16C	ARR224 16C
Law of Business Enterprises	ONR314 16C	ONR324 16C
Law of Contract	KON214 16C	
Law of Delict	DEL314 16C	
Law of Evidence		BWR224 16C

Law of Insolvency and Liquidation		LIR424 16C
Law of Persons	PSN114 16C	
Law of Succession and Administration of Estates		ERF224 16C
Law of Things		SAK324 16C
Law of Third Party Compensation		MMF424 16C
Legal History	RGK114 16C	
Legal Interpretation	ULL214 16C	
Legal Pluralism	RPL314 16C	
Legal Practice	RPK112 8C	RPK122 8C
Legal Practice	RPK214 16C	
Legal Practice	RPK312 8C	RPK322 8C
Legal Practice	RPK412 8C	RPK422 8C
Mini Thesis *		RSK424 16C
Public Law	PBR314 16C	PBR324 16C
Public Law	PBR414 16C	PBR424 16C
Roman Law		ROR124 16C
Tax Law		BLR324 16C
<b>Two semester modules from the following first year electives:</b>		
Afrikaans for the professions	AFP112 and AFP122	AFP132 and AFP142 <b>or</b>
English for Law	REN108 <b>or</b>	
Latin	LAT114 and	LAT124 <b>or</b>
Language and Legal Culture	RTK108	
<b>or</b> any other language which gives access to legal research and does not clash with the lecture and examination timetables of the Faculty of Law, for example:		
German	DTS154 DTS112 and DTS132	DTS164 <b>or</b> DTS122 and DTS142 <b>or</b>
French	FRN112 and FRN132	FRN122 and FRN142

<b>One of the following modules second year electives:</b>		
Accounting for Law	RRK208	or
Criminology for Law	RKR215 and	RKR225
<b>Two semester modules from the following fourth year electives:</b>		
Business Crimes	BCR424	16C
Comparative Law	RVG424	16C
Competition Law	MCR424	16C
Electronic- and Internet Law	EIL424	16C
Environmental Law	OGR424	16C
Financial Planning	FBR414	16C FBR424 16C
Insurance Law	VOF414	16C
International Economic Law	IER414	16C
International Private Law	IPR414	16C
Law of Damages	SDR414	16C
Legal History	RGK424	16C
Medicina Forensis	MDF414	16C MDF424 16C
Sectional Titles and Share Block Schemes	DEE414	16C
Trust Law	TRR424	16C

- (b) The five year LL.B. degree (study code: 3303) is awarded if a candidate has complied with paragraph (a) and have passed at least the following additional development modules, or has received exemption from or recognition of the relevant modules:

Module	Code and Credit value (C)	Code and Credit value (C)
	First Semester	Second Semester
Academic Language Course *	ALC108	32 C
or		or
Afrikaans for Academic Purposes *	AFA108	32 C



* A student must register for the language proficiency module in the language of instruction of his/her preference.		
Computer Literacy (Students who passed Computer Studies in Grade 12 with a D – HG or C – SG, are exempted from BRS 111.)	BRS111 4C	
Computer Usage		BRS121 4C
Legal Skills	RVD134 16C	RVD144 16C
Mathematical Literacy	MTL108 32C	
Skills and Competencies in Lifelong Learning	VBL108 32C	

---

**REG. E6(A) BACCALAUREUS LEGUM: LL.B.**

**Four year LL.B. curriculum**

(Study code: 3302; credits 784)

---

**E6(A).1** The general regulations regarding *baccalaureus* degrees, as well as Reg. E5, are *mutatis mutandis* applicable to these curricula.

**E6(A).2** The four year curriculum for the LL.B. degree is compiled, subject to regulation E5.2, from the following sequence of modules in the respective years of study:

---

**First year of study**

---

**First semester**

Criminal Law	SFR114
Introduction to Legal Science	ILR114
Law of Persons	PSN114
Legal History	RGK114
Legal Practice	RPK112
* One elective must be taken during the first semester	

## Second semester

Criminal Law	SFR124
Family Law	FAM124
Introduction to Legal Science	ILR124
Legal Practice	RPK122
Roman Law	ROR124
* One elective must be taken during the second semester	

### \* One of the following electives in each semester:

Afrikaans for the Professions <b>or</b>	AFP112 and AFP132 AFP122 and AFP142
Latin <b>or</b>	LAT114 and LAT124
English for Law <b>or</b>	REN108
Legal Language and Culture <b>or</b>	RTK108
French <b>or</b>	FRN112, FRN132, FRN122, FRN142
German <b>or</b>	DTS154, DTS164
German	DTS112, DTS132, DTS122, DTS142
<b>or</b> any other language, which gives access to legal research, provided it appears on the timetable of the Faculty of Human Sciences and does not clash with the timetable of the Faculty of Law.	

---

## Second year of study

---

### First semester

Criminal Law	SFR214
Labour Law	ARR214
Law of Contract	KON214
Legal Interpretation	ULL214
Legal Practice	RPK214
* One elective must be taken during the first semester	

## Second semester

Criminal Law	SFR224
Criminal Procedure	SPF224
Labour Law	ARR224
Law of Evidence	BWR224
Law of Succession and Administrative of Estates	ERF224
* One elective must be taken during the second semester	

### \* One of the following electives in each semester:

Accounting for Law or	RRK208 **
Criminology for Law	RKR215 and RKR225

\*\* For students who wish to practise as attorneys, RRK208 is recommended, as Accounting is part of the admission examinations for attorneys.

---

## Third year of study

---

### First semester

Law of Business Enterprises	ONR314
Law of Delict	DEL314
Legal Pluralism	RPL314
Legal Practice	RPK312
Commercial Law Contracts, Consumer and Insurance Law	HRO314
Public Law	PBR314

## Second semester

Instruments of Payment and Immaterial Property Law	BIR324
Law of Business Enterprises	ONR324
Law of Things	SAK324
Legal Practice	RPK322
Public Law	PBR324
Tax Law	BLR324

NOTE: Please note that the title and study leader of the mini thesis (RSK424) presented in the fourth year must be registered on the prescribed form within a department before 1 September in the third year of study. Formal registration takes place at the beginning of the fourth year of study. Registration forms must be submitted to the faculty secretary.

---

## Fourth year of study

---

### First semester

Capita Selecta from Private Law	CPR 414
Civil Procedure	SVP414
Jurisprudence	RGL414
Legal Practice	RPK412
Public Law	PBR414

**One of the following electives must be taken during the first semester:**

Financial Planning Law	FBR414
Insurance Law	VOF414
International Economic Law	IER414
International Private Law	IPR414
Law of Damages	SDR414
Medicina Forensis	MDF414
Sectional Titles and Share Block Schemes	DEE414

## Second semester

International Law	INR424
Jurisprudence	RGL424
Law of Insolvency and Liquidation	LIR424
Law of Third Party Compensation	MMF424
Legal Practice	RPK422
Mini Thesis *	RSK424
Public Law	PBR424

\* The mini thesis must be submitted at the beginning of the second semester (a maximum of 20 typed pages) and should be submitted to the study leader on the first Friday of the second semester.

### **One of the following electives must be taken during the second semester:**

Business Crimes	BCR424
Comparative Law	RVG424
Electronic- and Internet Law	EIL424
Environmental Law	OGR424
Financial Planning Law	FBR424
Law of Competition	MCR424
Law of Trusts	TRR424
Legal History	RGK424
Medicina Forensis	MDF424

NOTE: The availability of electives may be subject to a minimum number of candidates and the availability of staff as determined annually by the Faculty Board.

---

**REG. E6(B) BACCALAUREUS LEGUM: LL.B.****Five year LL.B. curriculum**

(Study code: 3303; credits 920)

---

**E6(B).1** The general regulations regarding *baccalaureus* degrees, as well as Reg. E5, are *mutatis mutandis* applicable to these curricula.

**E6(B).2** The five year curriculum for the LL.B. is compiled, subject to regulation E5.2, from the following sequence of modules in the respective years of study:

---

**First year of study**

---

**First semester**

Academic Language Course * <b>or</b> Afrikaans for Academic Purposes * * (A student must register for the language proficiency module in the language of instruction of his/her preference.)	ALC108 * <b>or</b> AFA108 *
Computer Literacy * (Students who passed Computer Studies in Grade 12 with a D – HG or C – SG, are exempted from BRS 111.)	BRS111
Introduction to Legal Science	ILR114
Legal History	RGK114
Mathematical Literacy *	MTL108
Skills and Competencies in Lifelong Learning *	VBL108

**Second semester**

Academic Language Course <b>or</b> Afrikaans for Academic Purposes	ALC108 <b>or</b> AFA108
Computer Usage	BRS121
Introduction to Legal Science	ILR124
Mathematical Literacy *	MTL108
Roman Law	ROR124
Skills and Competencies in Lifelong Learning	VBL108

**Second year of study****First semester**

Criminal Law	SFR114
Law of Persons	PSN114
Legal Practice	RPK112
Legal Skills	RVD134
Elective *	

**Second semester**

Criminal Law	SFR124
Family Law	FAM124
Legal Practice	RPK122
Legal Skills	RVD144
Elective *	

**\* One of the following electives**

Afrikaans for the Professions <b>or</b>	AFP112, AFP132 AFP122 and AFP142
Latin <b>or</b>	LAT114 and LAT124
English for Law <b>or</b>	REN108
Legal Language and Culture <b>or</b>	RTK108
French <b>or</b>	FRN112, FRN132, FRN122 and FRN142
German <b>or</b>	DTS154 and DTS164
German	DTS112, DTS132 DTS122 and DTS142
<b>or</b> any other language, which gives access to legal research, provided it appears on the timetable of the Faculty of Human Sciences and does not clash with the timetable of the Faculty of Law.	

**Third year of study**

**First semester**

Criminal Law	SFR214
Labour Law	ARR214
Law of Contract	KON214
Legal Interpretation	ULL214
Legal Practice	RPK214
* An elective must be taken during the first semester	

**Second semester**

Criminal Law	SFR224
Criminal Procedure	SPF224
Labour Law	ARR224
Law of Evidence	BWR224
Law of Succession and Administration of Estates	ERF224
* An elective must be taken during the second semester	



**\* One of the following electives in each semester:**

Accounting for Law <b>or</b>	RRK208 **
Criminology for Law	RKR215 and RKR225

\*\* For students who wish to practice as attorneys, RRK208 is recommended, as Accounting is part of the admission examinations for attorneys.

---

**Fourth year of study**

---

**First semester**

Law of Business Enterprises	ONR314
Law of Delict	DEL314
Legal Pluralism	RPL314
Legal Practice	RPK312
Mercantile Law Contracts, Consumer and Insurance Law	HRO314
Public Law	PBR314

**Second semester**

Instruments of Payment and Immaterial Property Law	BIR324
Law of Business Enterprises	ONR324
Law of Things	SAK324
Legal Practice	RPK322
Public Law	PBR324
Tax Law	BLR324

NOTE: Please note that the title and study leader of the mini thesis (RSK424) presented in the fifth year, must be registered on the prescribed form within a department before 1 September in the fourth year of study. Formal registration takes place at the beginning of the fifth year of study. Registration forms must be submitted to the faculty secretary.

---

**Fifth year of study**

---

**First semester**

Capita Selecta from Private Law	CPR414
Civil Procedure	SVP414
Jurisprudence	RGL414
Legal Practice	RPK412
Public Law	PBR414

**One of the following electives must be taken during the first semester:**

Financial Planning Law	FBR414
Insurance Law	VOF414
International Economic Law	IER414
International Private Law	IPR414
Law of Damages	SDR414
Medicina Forensis	MDF414
Sectional Titles and Share Block Schemes	DEE414

**Second semester**

International Law	INR424
Jurisprudence	RGL424
Law of Insolvency and Liquidation	LIR424
Law of Third Party Compensation	MMF424
Legal Practice	RPK422
Mini Thesis *	RSK424
Public Law	PBR424

\* The mini thesis (a maximum of 20 typed pages) should be submitted to the study leader on the first Friday of the second semester of the fifth study year.

**One of the following electives must be taken during the second semester:**

Business Crimes	BCR424
Comparative Law	RVG424
Electronic and Internet Law	EIL424
Environmental Law	OGR424
Financial Planning Law	FBR424
Law of Competition	MCR424
Law of Trusts	TRR424
Legal History	RGK424
Medicina Forensis	MDF424

\*NOTE: The availability of electives may be subject to a minimum number of candidates and the availability of staff as determined annually by the Faculty Board.

---

**REG. E7 BACCALAUREUS LEGUM: LL.B.****As a second Baccalaureus degree**

(Study code: 3302)

---

- E7.1** The LL.B. can also be obtained as a second *baccalaureus* degree. A student can, for example, register for a B.Com. (Law) degree. Law modules which were passed during such programme and before 1994 need not to be repeated for the subsequent LL.B. study, with the result that a student can obtain the LL.B. degree after only, but not less than two years of further study.
- E7.2** The general regulations regarding *baccalaureus* degrees, as well as Reg. E5, are *mutatis mutandis* applicable to these curricula.
- E7.3** (a) Curricula for the LL.B. preceded by any *baccalaureus* degree other than intended in E7.4 and E7.5 below will be drawn up in consultation with the dean.
- (b) Students who follow the LL.B. degree preceded by any *baccalaureus* degree other than intended in E7.4 and E7.5, are exempted from the following modules intended in regulation E5.4(A):
- (a) RPK112 and 122.
- (b) RPK312, 322, 412 and 422, in the case of students who already passed the practical examinations in terms of section 15 of the Attorneys' Act 53 of 1979.

---

**REG. E7.4 THE CURRICULUM FOR THE LL.B. PRECEDED BY THE B.IUR.**

(Study code: 3302)

---

- E7.4.1** The minimum duration of the curriculum for the LL.B. preceded by the B.lur. is two years.
- E7.4.2** The curriculum for the LL.B. preceded by a B.lur. other than intended in E7.4.3, is drawn up in consultation with the dean.
- E7.4.3** The curriculum for the LL.B. preceded by the B.lur. with endorsement: Financial Planning Law (UFS) is, with consideration of Reg. 5.2(a), composed of the following sequence of modules in the various years of study:

**First year**

<b>Module</b>	<b>First Semester</b>	<b>Second Semester</b>
Law of Persons	PSN114	
Family Law		FAM124
Legal History	RGK114	
Roman Law		ROR124
Criminal Law	SFR114	SFR124
Criminal Law	SFR214	SFR224
Law of Criminal Procedure		SPF224
Law of Evidence		BWR224
Legal Practice	RPK214	
Legal Practice	RPK312	RPK322
Law of Delict	DEL314	
Public Law	PBR214	PBR324
Instruments of Payment and Immaterial Property Law		BIR324

NOTE: Please note that the title and study leader of the mini thesis (RSK424) presented in the second year of the LL.B. must be registered on the prescribed form within a department before 1 September in the

first year of the LL.B.. Formal registration takes place at the beginning of the fourth year of study. Registration forms must be submitted to the faculty secretary.

---

**Second year**

---

<b>Module</b>	<b>First Semester</b>	<b>Second Semester</b>
Legal Pluralism	RPL314	
Capita Selecta from Private Law	CPR414	
International Law		INR424
Jurisprudence	RGL414	RGL424
Law of Third Party Compensation		MMF424
Civil Procedure	SVP414	
Legal Practice	RPK412	RPK424
Mini Thesis		RSK424
Public Law	PBR414	PBR424

**E7.4.4** Students who follow the LL.B. degree preceded by the B.lur. with endorsement: Financial Planning Law (UFS), are exempted from the following modules intended in regulation E5.4(A):

- (a) RPK112 and 122.
- (b) RPK312, 322, 412 and 422, in the case of students who already passed the practical examinations in terms of section 15 of the Attorneys' Act 53 of 1979.

---

**REG. E7.5 THE CURRICULUM FOR THE LL.B. PRECEDED BY THE B.COM. (LAW)**

(Study code: 3302)

---

**E7.5.1** The minimum duration of the curriculum for the LL.B. preceded by a B.Com is two years.

**E7.5.2** The curriculum for the LL.B. preceded by a B.Com. (Law) from other universities, is drawn up in consultation with the dean.

**E7.5.3** The curriculum for the LL.B. preceded by the B.Com (Law) (UFS), is with consideration of Reg.5.2(a), composed of the following sequence of modules in the various years of study.

---

**First year**

---

<b>Module</b>	<b>First semester</b>	<b>Second semester</b>
Accounting for Law ** or Criminology for Law	RRK208 ** or RKR215 *	RRK208 * or RKR225 *
Commercial Law Contracts, Consumer and Insurance Law	HRO314	
Criminal Law	SFR214 *	SFR224 *
Instruments of Payment and Immaterial Property Law		BIR324
Labour Law	ARR214 *	ARR224 *
Law of Business Enterprises	ONR314	ONR324
Legal History	RGK114 *	
Legal Pluralism	RPL314	
Legal Practice	RPK312	RPK322
Public Law	PBR314	PBR324
Roman Law		ROR124 *
Tax Law		BLR324

NOTE: Please note that the title and study leader of the mini thesis (RSK424) presented in the second year of LL.B. studies must be registered before 1 September within a department on the prescribed form in the first year of LL.B. study; formal registration takes place at the beginning of the second year of LL.B. study. Registration forms must be submitted to the faculty secretary.

\* If these modules were already additionally presented during the B.Com. (Law) study years, the student will be credited. Students who have not taken the indicated \* modules during the B.Com. study years, are recommended to lengthen their studies for one year in order to pass the incomplete 114/124- en 214/224 modules, before the 314/324 modules are presented.

\*\* Accounting for Law can be taken in consultation with the School for Accounting, Faculty of Economic and Management Sciences.

---

### **Second year**

---

<b>Module</b>	<b>First semester</b>	<b>Second semester</b>
Capita Selecta from Private Law	CPR414	
Civil Procedure	SVP414	
International Law		INR424
Jurisprudence	RGL414	RGL424
Law of Insolvency and Liquidation		LIR424
Law of Third Party Compensation		MMF424
Legal Practice	RPK412	RPK422
Mini Thesis		RSK424
Public Law	PBR414	PBR424
<b>Two semester modules from the following electives:</b>		
Business Crimes		BCR424
Comparative Law		RVG424
Electronic- and Internet Law		EIL424
Environmental Law		OGR424
Financial Planning Law	FBR414	FBR424



Insurance Law	VOF414	
International Economic Law	IER414	
International Private Law	IPR414	
Law of Competition		MCR424
Law of Damages	SDR414	
Legal History		RGK424
Medicina Forensis	MDF414	MDF424
Sectional Titles and Share Block Schemes	DEE414	
Trust Law		TRR424

**E7.5.4 Students who follow the LL.B. degree preceded by the B. Com. (Law) (UFS), are exempted from the following modules intended in regulation E5.4(A):**

- Electives in first year
- RPK112 and RPK122
- RPK214.

**Important note:**

It is the responsibility of a student who takes the LL.B. preceded by a first *Baccalaureus* degree to consult the timetable before registering for modules, as timetable clashes may occur, in which case the specified sequence of modules may be changed.

**Students should take note of general regulation A15(f) and (g):**

- A student in his/her final year who has to extend his/her study period after writing the June examinations because he/she failed only one module during the June examination without considering the November examination that would still have to be written, will be admitted to the second examination, opportunity without any stipulations.
- A student in his/her final year who has to extend his/her study period after writing the November examination because he/she failed only one module during the November examination, will be admitted to the second examination opportunity in January, without any stipulations.

## FACULTY REGULATIONS AND INFORMATION

### **BACCALAUREUS IURIS DEGREE**

The following Baccalaureus degree is awarded in the faculty:

<b>Degree</b>	<b>Minimum period of study</b>	<b>Abbreviation</b>	<b>Study code</b>
<b>Baccalaureus iuris with endorsement: Financial Planning Law</b>	<b>3 years</b>	<b>B. Iur. with endorsement Financial Planning Law</b>	<b>3323</b>

#### **Learning outcomes**

Students must acquire the ability to act as legal-professional practitioners in financial planning law.

The successful candidate will be able to:

- ❑ be a lifelong student with the ability to be well informed of the most recent developments in financial planning law;
- ❑ participate as a responsible citizen in local, national and international communities;
- ❑ be sensitive as a financial adviser to the cultural and ethnic diversity in the community;
- ❑ explore educational and career possibilities and develop entrepreneurial skills.

The successful candidate will, more specifically, be able to:

- ❑ identify and solve problems in the field of basic financial planning law through critical and creative thought;
- ❑ approach and manage personal and professional activities in a responsible, ethical and effective manner;
- ❑ do effective legal research by gathering, analysing and critically evaluating information;
- ❑ communicate effectively in writing and verbally;
- ❑ co-operate effectively with other members of society;
- ❑ use technology effectively and responsibly to the advantage of the community as a whole;
- ❑ see financial planning law as a component of a system of interdependent systems within the community where problem-solving cannot take place in isolation.

---

**REG. E8 BACCALAUREUS IURUS: B.IURIS**  
**Three year B.IUR. (study code: 3323)**  
(Currently not being presented)

---

---

**REG E9 BACCALAUREUS IURIS with endorsement:**  
**FINANCIAL PLANNING LAW**  
(Study code: 3323) (total credits: 488)

---

The general regulations concerning first *baccalaureus* degrees apply *mutatis mutandis* to B.luris with endorsement: Financial Planning Law candidates in this faculty.

### **E9.1 Applicability**

These faculty regulations apply to candidates who register for the B.luris with endorsement: Financial Planning Law from 2007 for the first time.

### **E9.2 Special curricula**

The Dean may prescribe special curricula and programmes for candidates, should he/she deem these to be necessary for academic purposes. The stipulations of the faculty regulations apply *mutatis mutandis*.

### **E9.3 Admission**

To be admitted to the three year B.luris with endorsement: Financial Planning Law (study code 3323), a candidate must –

- (i) be in possession of an endorsed Senior Certificate (until 2007), with a M-score of at least 28 points; or
- (ii) be in possession of a National Senior Certificate (from 2008) with an AP score of at least 28 points, with a minimum performance mark of 50% (performance level 4) in one of the official teaching languages of the UFS.

Notwithstanding this, a candidate in possession of an endorsed Senior Certificate (until 2007) or a National Senior Certificate (from 2008) –

- (iii) with a M-score of 24 to 27 or an AP score of 23 to 27 points, and who has successfully completed the first year of study of an extended degree programme, or
- (iv) with a M-score of less than 24 or an AP score of less than 23 points, and who has successfully completed the entire Career Preparation Programme (CPP),

can, at the recommendation of the Dean, be admitted to the first year of study of the three year B.luris with endorsement: Financial Planning Law (study code 3323).

#### **E 9.4 Duration of study**

- (a) The duration of study for the degree *Baccalaureus Iuris* with endorsement: Financial Planning Law (study code 3323) is a minimum of three years.
- (b) The duration of study for the degree *Baccalaureus Iuris* with endorsement: Financial Planning Law (study code 3323) is normally a maximum of five years.

#### **Presentation of modules from other universities**

##### **(Explanation of Reg A10)**

1. All requests of students to present modules at other universities, should be motivated in writing.
2.
  - (a) Should the relevant head of department not be convinced that an acceptable reason exists why the equivalent UFS module cannot be presented, a request of a student for recognition of equivalent module(s) that he/she wishes to present at another university, shall only be granted by the Dean in terms of Reg A31.
  - (b) Should a student already have failed the equivalent UFS module twice, or more than twice, his/her request for recognition of a module that he/she wishes to present at another university, shall only be granted in exceptional circumstances, with due consideration of Reg A31.

### **E9.5 Sequence of modules and composition of years of study**

(See Regulations A8, A19 and A31)

- (a) Students in the B.luris with endorsement: Financial Planning Law programme take as a general rule the modules in the years of study and sequence as stipulated by the curriculum.
- (b) The modules Financial Planning Law FBR114 and FBR124 must be successfully completed before the candidate will be allowed to continue with the modules FBR214, FBR224, FBR314 and FBR324.
- (c) A student who failed or discontinued two or more modules in a semester, must repeat the module(s) concerned in the first semester in which the module(s) are presented by the faculty. A maximum of six semester modules may be taken in the semester in which the modules that were failed or discontinued are repeated. This regulation is always subject to the provisions of regulations A8, A19 and A31 of the University.

### **E9.6 Degree with distinction**

The B.luris with endorsement: Financial Planning Law is awarded with distinction if a student:

- 1. completed the curriculum for the B.luris with endorsement: Financial Planning Law within the minimum prescribed period, and
- 2. achieved a minimum combined average of 75% in the following modules:

<b>Module</b>	<b>First Semester Code and Credit value (C)</b>	<b>Second Semester Code and Credit value (C)</b>
Accounting for Law	RRK208 32 C	
Business Trust Law	HTR314 16 C	

Commercial Law Contracts	HRO314 16 C	HRO324 16 C
Economic Systems and Basic Micro Economy	EBN114 16 C	
Electronic- and Internet Law		EIL424 16 C
Financial Planning Law	FBR114 16 C	FBR124 16 C
Financial Planning Law	FBR214 16 C	FBR224 16 C
Financial Planning Law	FBR314 16 C	FBR324 16 C
Financial Practice	FPK112 8 C	FPK122 8 C
Financial Practice	FPK212 8 C	
Introduction to Basic Economy		EBN124 16 C
Introduction to Legal Science	ILR114 16 C	ILR124 16 C
Labour Law	ARR214 16 C	ARR224 16 C
Law of Business Enterprises	ONR314 16 C	ONR324 16 C
Law of Contract	KON214 16 C	
Law of Insolvency and Liquidation		LIR424 16 C
Law of Succession and Administration of Estates		ERF224 16 C
Law of Things		SAK324 16 C
Legal Interpretation	ULL214 16 C	
Statistics	STK114 16 C	STK124 16 C
Tax Law		BLR324 16 C
<b>One of the following elective modules:</b>		
Afrikaans for the Professions <b>or</b>	AFP112, AFP132,	<b>32 C</b>
	AFP122 and AFP142	<b>32 C</b>
English for Law <b>or</b>	REN108	<b>32 C</b>
French <b>or</b>	FRN112, FRN132,	<b>32 C</b>
	FRN122 and FRN142	<b>32 C</b>
German <b>or</b>	DTS154, DTS164	<b>32 C</b>
German <b>or</b>	DTS112, DTS132,	<b>32 C</b>
	DTS122 and DTS142	<b>32 C</b>
Latin <b>or</b>	LAT114 and LAT124	<b>32 C</b>

Legal Language and culture	RTK108	<b>32 C</b>
----------------------------	--------	-------------

or any other language which gives access to legal research provided that it appears on the timetable of the Faculty of the Humanities and does not clash with the timetables of the Faculty of Law.

**E9.7 The following modules should be passed to obtain the B.luris with endorsement: Financial Planning Law (study code 3323):**

**First year of study**

**First semester**

Economic Systems and Basic Micro Economy	EBN114
Financial Planning Law *	FBR114
Financial Practice	FPK112
Introduction to Legal Science	ILR114
Language course (see under-mentioned electives)	#
Statistics	STK114

**Second semester**

Financial Planning Law *	FBR124
Financial Practice	FPK122
Introduction to Basic Economy	EBN124
Introduction to Legal Science	ILR124
Language Course (see undermentioned electives)	#
Statistics	STK124

\* The modules Financial Planning Law FBR114 and FBR124 must be successfully completed before the candidate will be allowed to continue with the modules FBR214, FBR224, FBR314 and FBR324.

**# One of the following elective modules in each semester:**

Afrikaans for the Professions <b>or</b>	AFP112, AFP132 AFP122 and AFP142
English for Law <b>or</b>	REN108
French <b>or</b>	FRN112, FRN132, FRN122 and FRN142
German <b>or</b>	DTS154 and DTS164
German	DTS112, DTS132 DTS122 and DTS142
Latin <b>or</b>	LAT114 and LAT124
Legal language and culture	RTK108
<b>or</b> any other language which gives access to legal research provided that it appears on the timetable of the Faculty of the Humanities and does not clash with the timetables of the Faculty of Law.	

---

**Second year of study**

---

**First semester**

Accounting for Law (year module)	RRK208
Financial Planning Law	FBR214
Financial Practice	FPK212
Labour Law	ARR214
Law of Contract	KON214
Legal Interpretation	ULL214

**Second semester**

Accounting for Law (year module)	RRK208
Electronic- and Internet Law	EIL424
Financial Planning Law	FBR224
Labour Law	ARR224
Law of Succession and Administration of Estates	ERF224



---

**Third year of study**

---

**First semester**

Business Trust Law	HTR314
Commercial Law Contracts	HRO314
Financial Planning Law	FBR314
Law of Business Enterprises	ONR314

**Second semester**

Financial Planning Law	FBR324
Law of Business Enterprises	ONR324
Law of Insolvency and Liquidation	LIR424
Law of Things	SAK324
Tax Law	BLR324

**Syllabi and modules**

**Reg. E14**

- E14.1** Where applicable, the contents of syllabi for modules are in accordance with the minimum requirements of the Board for the Recognition of Examinations in Law.
- E14.2** The syllabi offered by the various departments of the Faculty of Law are as follows \*:

- 
- Details concerning syllabi of modules presented by departments that fall under other faculties are contained in the calendar of the relevant faculty. The most important of those modules that are normally included in this faculty's programmes, are included at the end of this section for the convenience of the student.

Modules are herein arranged alphabetically according to module code.

**ARR214 Labour Law**

The module ARR214 Labour Law (16 credits) is presented in the Department of Mercantile Law.

Knowledge of the Law of Contract is a recommendation.

*Description and aim of course*

The student will be introduced to the basic concepts and principles of Labour Law.

After successful completion of this module the student should be able to explain and apply the basic labour law concepts and principles, through the identification of problems and formulation of resolutions with reference to the common law, the Labour Relations Act, 1995, and relevant case law.

*Integrated knowledge and skills*

The student will obtain knowledge of the basic concepts and principles of Labour Law, with reference to the following:

- the nature of Labour Law and Labour Relations;
- the development of Labour Law;
- the contract of employment, common law duties of the employer and employee, and the termination of a contract of employment;
- the Labour Relations Act, 1995.

The student will learn to integrate these basic concepts and principles with specific legal skills.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **ARR224 Labour Law**

The module ARR224 Labour Law (16 credits) is presented in the Department of Mercantile Law.

Knowledge of the Law of Contract is a recommendation.

#### *Description and aim of course*

The student will be introduced to the basic concepts and principles of Labour Law.

After successful completion of this module the student should be able to explain and apply the basic labour law concepts and principles, through the identification of problems and formulation of resolutions with reference to the applicable legislation and relevant case law.

#### *Integrated knowledge and skills*

The student will obtain knowledge of the basic concepts and principles of Labour Law, with reference to the following:

- The Compensation for Occupational Injuries and Diseases Act, 1993;
- The Occupational Health and Safety Act, 1993;
- The Unemployment Insurance Act, 2001;
- The Basic Conditions of Employment Act, 1997;
- The Skills Development Act, 1998; and
- The Employment Equity Act, 1998.

The student will learn to integrate these basic concepts and principles with specific legal skills.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **BCR424 Business Crimes**

The module BCR424 Business Crimes (16 credits) is presented in the Research Unit for Serious Economic Crime of the Department of Mercantile Law.

*Description and aim of course*

After completion of this module, the student should be able to distinguish between the different forms of business crimes from a national and comparative perspective and understand and apply the principles regarding the prevention and control thereof.

*Integrated knowledge and skills*

The successful student will have a basic understanding of the theories to prevent, combat and recover losses resulting from financial crimes.

*Assessment*

Continuous assessment by way of case studies and assignments during the module, as well as the attendance of the Cambridge Symposium on Economic Crime, will culminate in a learner portfolio.

---

**BIR324 Instruments of Payment and Immaterial Property Law**

The module BIR324 Instruments of Payment and Immaterial Property Law (16 credits) is presented in the Department of Mercantile Law.

Knowledge of the Law of Contract, the Law of Things and the Law of Business Enterprises is a prerequisite.

*Description and aim of course*

Students will be introduced to general principles of **Instruments of Payment**, the requirements for validity to which negotiable instruments must adhere, different processes in which negotiable instruments may imply rights and duties, as well as different negotiable instruments such as the bill of exchange, cheque, promissory note, credit card, travellers' cheques and debit cards.

Students are also introduced to the basic principles and concepts of **Immaterial Property Law**. The course aims at guiding students in the legal principles governing relationships between individuals as far as their intellectual creations are concerned. Students are equipped to identify problems in the field of

Immaterial Property and to solve them by applying the relevant principles involved.

*Integrated knowledge and skills*

After successful completion of this module, a student will be able to gather and understand principles and terms, to identify problems and to formulate solutions regarding:

- General principles of Instruments of Payment;
- Requirements for validity which must be adhered to before a document will be valid as a negotiable instrument;
- Different processes like negotiation and acceptance;
- The term 'holdership';
- Different negotiable instruments like the bill of exchange, cheque, promissory note, credit card, travellers' cheques and debit cards.

and also in respect of:

- Copyright
- Trademarks
- Designs
- Patents.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**BLR324 Tax Law**

The module BLR324 Tax Law (16 credits) is presented in the Department of Mercantile Law.

Knowledge of general principles of law, Administrative Law and Procedural Law is a prerequisite.

*Description and aim of course*

Students are introduced to the basic principles and concepts of Tax Law. The course is aimed at equipping students to identify tax problems and to find solutions through the practical application of tax principles.

### *Integrated knowledge and skills*

After successfully completing this module students should be able to gather principles and concepts, identify problems and formulate solutions in respect of:

- Introduction to Tax Law
- Interpretation of tax legislation
- Gross income
- Income and capital
- Special inclusions
- Residence and source
- Exempt income
- General and special deductions
- Individuals and fringe benefits
- Partnerships, companies and close corporations
- Tax evasion
- General provisions
- Capital Gains Tax
- Donations Tax
- Trusts
- Insolvent and deceased estates
- Estate Duty
- Value-Added Tax.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **BWR224 Law of Evidence**

The module BWR224 Law of Evidence (16 credits) is presented in the Department of Procedural Law and Law of Evidence.

### *Description and aim of course*

Students will be acquainted with the elementary principles and concepts of Law of Evidence and the practical application thereof with constant reference to the constitutional influence.

### *Integrated knowledge and skills*

After successful completion of this module a student ought to be able to collect concepts and principles, to identify problems and to formulate solutions regarding:

- Introduction to the Law of Evidence
- Principles in evidence
- Presentation of evidence
- Constitutional aspects

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

## **CPR414 Capita Selecta from Private Law**

The module CPR414 Capita Selecta from Private Law (16 credits) is presented in the Department of Private Law.

Knowledge of the Law of Contract, the Law of Delict, the Law of Things and the Law of Succession is a prerequisite.

### *Description and aim of course*

The student will be equipped with specialised knowledge in the field of the law of enrichment in order to be able to identify and critically analyse an unjustified shift in means from the impoverishee to the enrichee with a view to:-

- establishing liability on the basis of a general enrichment action;
- categorising the late-classical enrichment actions; and
- applying casuistic ad hoc extensions.

With specialised knowledge in the field of Estoppel, students will be able to identify and critically analyse the defence relying on the misrepresentation made to the representee acting to his detriment with the view to:-

- using the defence to stop the misrepresentor from relying on the truth;



- ❑ critically investigating the acquisition of the right of ownership and the completion of consensus in contracts by way of Estoppel;
- ❑ investigating the application of the useful defence as part of the material law.

#### *Integrated knowledge and skills*

##### Enrichment:-

- ❑ Define the concept with respect to the basis of enrichment, objective legal grounds, unjustified causal shift in means, rights of retention, concepts pertaining to the Law of Things and the Law of Contract.
- ❑ A general enrichment action.
- ❑ Classical enrichment actions.
- ❑ Ad hoc extensions in order to provide casuistically for new cases.

##### Estoppel

- ❑ Define the concept with respect to the basis of Estoppel, mis-representation, change of legal position and form of guilt possibly required.
- ❑ Elements of Estoppel, such as misrepresentation, fault, causality and substantial prejudice.
- ❑ Application possibilities.
- ❑ Restrictions on Estoppel.

##### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

The successful student will be able to:-

- ❑ identify and solve problems regarding *sine causa* transference of assets, cases of misrepresentation to the detriment of the deceived;
- ❑ analyse, distinguish and establish relations between concepts concerning unjustified enrichment, *res judicata*, Estoppel and between related study areas;
- ❑ communicate in an effective, intelligible and logical manner in order to give expression to ready knowledge.

## **DEE414 Sectional Titles and Share Block Schemes**

The module DEE414 Sectional Titles and Share Block Schemes (16 credits) is presented in the Department of Private Law.

### *Description and aim of course*

Students are introduced to the general legal principles to sectional titles and share block schemes as well as the practical application thereof.

### *Integrated knowledge and skills*

After the successful completion of this module, a student should be able to gather concepts and principles, identify problems and formulate solutions pertaining to:

- The dogmatic basis for sectional ownership;
- Establishment of a sectional title scheme;
- Statutory protection of purchaser and tenants;
- Sanctions and settlement of disputes;
- Legal transactions in respect of sectional title units and common property;
- Phased development of units;
- The rules and management of a sectional title scheme;and
- Reconstruction or termination of a sectional title development.
- Share block schemes and share block companies
- The following aspects regarding the planning and execution of a share block scheme:
  - The formation of the company
  - The memorandum and articles of association of the company
  - The use agreement
  - The capacity of the share block company and the role of the ultra vires doctrine
  - The developer's rights and duties
  - Marketing a Share block scheme
- Aspects regarding shareholding and the rights of the member, occupancy, voting rights, dividends, and the duties of the block shareholder
- The management and termination of a share block scheme.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **DEL314 Law of Delict**

The module DEL314 Law of Delict (16 credits) is presented in the Department of Private Law.

Knowledge of the module Introduction to the Law is a prerequisite.

### *Description and aim of course*

Students are introduced to the basic principles and concepts of the Law of Delict and the practical application thereof with reference to the influence of the Constitution.

### *Integrated knowledge and skills*

After successful completion of this module, a student should be able to understand the basic concepts and principles, identify problems and formulate solutions regarding:

- establishing whether the requirements for a delict are met, namely:
  - Conduct,
  - Wrongfulness,
  - Fault and contributory fault,
  - Causation,
  - Damage.
- applying the correct remedies;
- providing basic advice concerning the assessment and compensation of damage;
- establishing possible defences against liability;
- Joint wrongdoers;
- Specific forms of delict:
  - *damnum iniuria datum*;
  - *iniuria*;
  - liability without fault.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **EIL424 Electronic- and Internet Law**

The module EIL424 Electronic- and Internet Law (16 credits) is presented in the Department of Mercantile Law.

#### *Description and aim of course*

The aim of the module is to introduce students to the nature of electronic and internet law, to acquaint them with the technical terms, the liability of network service providers, telecommunication legislation, operation of electronic transactions, cryptography and authentication. Online consumer protection, card payments taxation, freedom of expression and privacy will also be dealt with. Criminal law and intellectual property protection as well as online dispute resolution, will form part of the module.

#### *Integrated knowledge and skills*

The successful student will be able to:

- ❑ identify the direct or indirect influence of cyber law in business, education, entertainment, communications, crime, etc;
- ❑ explain national, cross-border and international protection against cyber infringements;
- ❑ apply constitutional rights to IT with reference to freedom of speech and the right to privacy;
- ❑ explain the operation of e-commerce with reference to digital signatures, intellectual property, domain names, tax contracts online payment and delicts;
- ❑ advise clients on consumer protection on the internet;
- ❑ discuss and apply telecommunications legislation;
- ❑ identify and apply criminal law provisions;
- ❑ explore the possibilities of online dispute resolution as an alternative to traditional litigation.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **ERF224 Law of Succession and Administration of Estates**

The module ERF214 Law of Succession and Administration of Estates (16 credits) is presented in the Department of Private Law.

#### *Description and aim of course*

The student will:

- be made familiar with the theory of testate and intestate Law of Succession;
- be able to administer a deceased estate;
- be able to establish what will happen with a person's property after his death;
- know how to draw up a will;
- know how to apply intestate Law of Succession;
- know how to report a deceased estate to the Master;
- know how an executor is appointed;
- know the legal steps in the administration of a deceased estate;
- know how to calculate estate duty.

#### *Integrated knowledge and skills*

Wills Act.

Intestate Succession Act.

Estate Duty Act.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

The successful student will be able to:

- determine intestate heirs;
- explain a will and determine heirs;
- determine who will inherit what;
- draw up a will;
- administer a deceased will.

---

### **FAM124 Family Law**

The module FAM124 Family Law (16 credits) is presented in the Department of Private Law

#### *Description and aim of course*

Students will, with continuous reference to the impact of the Constitution, be introduced to the basic principles, concepts and practical implications of Family Law.

#### *Integrated knowledge and skills*

After successfully completed this module, the student should, with due cognisance of constitutional values, be able to assimilate the relevant concepts and principles and to formulate solutions regarding:

- The requirements for engagements, marriages and civil unions;
- The various Matrimonial Property systems;
- The prescribed formalities for, and the contents of Antenuptial contracts;
- The termination of the marriage / civil union and the legal consequences which attach thereto.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **FBR414 Financial Planning Law**

The module FBR414 Financial Planning Law (16 credits) is presented in the Department of Mercantile Law.

Knowledge of the Laws of Contract, Insurance and Tax is a prerequisite.

#### *Description and aim of course*

Students are introduced to the regulatory environment for financial planning, including the role of ethics, the regulatory background and framework, consumer protection and alternative dispute resolution in the financial services industry, contractual and delictual liability and relevant case law. Learners are further introduced to the use of a financial calculator and the performing of various financial calculations with regard to the time value of money.

#### *Integrated knowledge and skills*

After successful completion of this module, a student will be able to:

- Understand the regulatory environment in which financial planners operate, advise accordingly and show the necessary knowledge in order to comply with the regulatory requirements in practice.
- Perform various financial calculations with regard to the time value of money.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **FBR424 Financial Planning Law**

The module FBR424 Financial Planning Law (16 credits) is presented in the Department of Mercantile Law.

Knowledge of the Laws of Contract, Insurance and Tax is a prerequisite.

### *Description and aim of course*

Students are introduced to the principles of tax in South Africa, including income tax, capital gains tax, estate duty and donations tax and the calculation thereof in the context of personal financial planning. Learners are further introduced to basic estate planning principles and instruments including wills, matrimonial property dispensations, trusts and the use thereof in estate planning.

### *Integrated knowledge and skills*

After successful completion of this module, a student will be able to:

- Display knowledge surrounding the principles of income tax, capital gains tax, estate duty and donations tax as well as applying it practically in the calculation of tax liability for these taxes in the context of personal financial planning.
- Display knowledge and apply the principles in relation to the principles of estate planning and the instruments used in the estate planning process.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

## **HRO314 Commercial Law Contracts, Consumer and Insurance Law**

The module HRO314 Commercial Law Contracts, Consumer and Insurance Law (16 credits) is presented in the Department of Mercantile Law.



*Description and aim of course*

Students are introduced to the basic principles and concepts of the Law of Competition, Insurance and Pension Funds and the practical implications thereof.

*Integrated knowledge and skills*

After successful completion of this module, students should be able to understand the principles and concepts, identify problems and formulate solutions with regard to:

- the Law of Competition,
- Insurance and
- Pension Funds.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**IER424 International Economic Law**

The module IER424 International Economic Law (16 credits) is presented in the Department of Mercantile Law.

*Description and aim of course*

The module is aimed at the obtaining of a broad knowledge of the International Economic Law and the regulating thereof.

*Integrated knowledge and skills*

The successful student must demonstrate knowledge of:

- International investments.
- International trade including sale transactions.
- Dispute resolution.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **ILR114 Introduction to Legal Science**

The module ILR114 Introduction to Legal Science (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

#### *Description and aim of course*

Introduction to Legal Science introduces students to an overview of the South legal system. ILR114 concentrates on an overview of the South African legal system; basic aspects of law; an overview of the history of South African law; sources of the South African law; classification of the law; aspects of private law, law of civil procedure, and criminal law; and practical legal skills.

#### *Integrated knowledge and skills*

After successfully completing this module, the student should, with due cognizance of constitutional values, be able to assimilate the relevant concepts and principles and to formulate solutions regarding:

- A general overview of the law of South Africa;
- The historical overview of South African law;
- The sources of South African law;
- The classification and functioning of the South African law;
- Aspects of private law, law of civil procedure and criminal law;
- Functioning of the South African courts; and
- Legal research and practical legal skills.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (class tests, assignments, semester tests) and summatively (examination).

---

### **ILR124 Introduction to Legal Science**

The module ILR124 Introduction to Legal Science (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

### *Description and aim of course*

Introduction to Legal Science introduces students to an overview of the South legal system. ILR124 concentrates on an overview of the South African legal system; aspects of criminal law and law of evidence; law and the business world; the jurisdiction and functioning of South African courts and alternative dispute resolution; an overview of the South African Constitution; the legal profession; legal comparison; legal language and communication; legal argument and logic; different perspectives on the law; HIV/AIDS and the law; and legal research.

### *Integrated knowledge and skills*

After successfully completed this module, the student should, with due cognisance of constitutional values, be able to assimilate the relevant concepts and principles and to formulate solutions regarding:

- General aspects of the South African law;
- Aspects of law of criminal procedure and law of evidence;
- Contracts and forms of business;
- Jurisdiction and functioning of ordinary courts, the Constitutional Court, special courts and alternative dispute resolution;
- Types of constitutions, the constitutional history of South Africa, the 1996 final constitution and human rights;
- Different legal professions in the private- and public sector;
- Reasons for legal comparison and different legal systems;
- Legal language and communication;
- Legal argument and logic;
- Different philosophical perspectives on law;
- HIV/AIDS and the law; and
- Legal research and legal skills.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests, class tests and assignments) and summatively (examination).

---

## **INR424 International Law**

The module INR424 International Law (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

### *Description and aim of course*

The aim of the module is to equip students with knowledge of:

- the ways as to how International Public Law is formed and enforced; and
- the rights and obligations of states as members of the international community.

### *Integrated knowledge and skills*

- Historical review
- Sources of international law
- Formation and enforcement of international law
- Recognition of states and governments
- Jurisdiction
- Extradition
- State and diplomatic immunity
- Responsibilities of states
- International and regional organisations
- International human rights: covenants and mechanisms
- Humanitarian law

The students must show that he/she is able to:

- understand the nature of legal problems in International Law;
- apply the correct principles in respect of such problems; and
- answer questions in this respect in a logically integrated manner; and
- make effective use of a variety of legal sources.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes, takes place both formatively (tests and assignments) and summatively (examination).

---

## **IPR414 International Private Law**

The module IPR414 International Private Law (16 credits) is presented in the Department of Private Law.

### *Description and aim of course*

The successful learner will be able to -

- identify the origin of the conflicts law problem;
- apply the terminology and types of conflict rules;
- determine the successive steps in a Private International Law dispute;
- solve the conceptual problems in Private International Law;
- identify and apply the connection factors of the different categories of problem fields;
- determine the possible solutions by means of the *leges causae*;
- give the substantive solution for a private international case.

### *Integrated knowledge and skills*

- Introduction to the Private International Law.
- Classification.
- Doctrine of *Renvoi*.
- *Capita selecta* from Private International Law, for instance Law of Persons, Family Law, Law of Contract, Law of Delict, Law of Property and Law of Succession.
- *Leges causae*.

The successful student will be able to:

- identify legal disputes where legal systems of different countries are concerned;
- ascertain foreign law by means of the category and connecting factor;
- how to prove foreign law;
- solve problems with a foreign Private Law character with Private International Law rules and substantive rules.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **KON214 Law of Contract**

The module KON214 Law of Contract (16 credits) is presented in the Department of Private Law.

#### *Description and aim of course*

The successful student will be equipped with knowledge of -

- requirements for a valid contract;
- breach of contract;
- remedies for breach of contract;
- satisfaction and transfer of rights and duties.

#### *Integrated knowledge and skills*

- Requirements for a valid contract.
- Breach of contract.
- Remedies for breach of contract.
- Satisfaction and transfer of rights and duties.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **LIR424 Law of Insolvency and Liquidation**

The module LIR424 Law of Insolvency and Liquidation (16 credits) is presented in the Department of Mercantile Law.

#### *Description and aim of course*

Law of Insolvency is a subsection of Mercantile Law which prepares the student for a profession in or in support of commerce. The module will enable the student to provide the best advice to clients, creditors or debtors involved in insolvent estates.

In order to do so, it is essential that the student becomes familiar with the basic principles of the Law of Insolvency and develops a sound scientific background for the application thereof. Law of Liquidation consists of liquidation and related subjects from Company Law, Close Corporation Law and the Law of Partnership. The aim of the module is to familiarise the student with the legal principles underlying these processes and business forms as well as how these are applied in practice.

The module also offers a perspective on legal science as a whole, for example the application of the principles of contractual capacity and allegiances, obligations, legal liability and legal claims required.

#### *Integrated knowledge and skills*

The successful students must show knowledge with respect to -

- introduction to the Law of Insolvency;
- the sequestration process;
- the result of sequestration;
- the rights of creditors;
- curatorship;
- the winding up process;
- composition and rehabilitation;
- judicial provisions;
- stipulations regarding business forms;
- partnerships;
- trusts;
- companies;
- Close Corporations;
- remedies; and
- Rehabilitations and business rescue procedures

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **MCR424 Competition Law**

The module MCR424 Competition Law (16 credits) is presented in the Department of Mercantile Law.

#### *Description and aim of course*

Students are introduced to the basic principles and concepts of Competition Law. The course aims at enabling students to apply the common law principles of delict to competitors, as well as the statutory enactments in the public interest that are available.

#### *Integrated knowledge and skills*

After successfully completing this module students should be able to gather principles and concepts, identify problems and formulate solutions in respect of:

- Competition and subjective rights
- The right to goodwill
- Direct and indirect infringements
- Passing off, assimilation and performance competition
- Contractual provisions
- Statutory provisions.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **MDF414 Medicina Forensis**

The module MDF414 Medicina Forensis or Forensic Medicine (16 credits) is presented in the Department of Criminal and Medical Law.

#### *Description and aim of course*

Successful students will be able to master established aspects concerning Medical Law not dealt with in any other subject in the legal-professional training programme, amongst which:

- to identify legal-ethical problems;
- to solve such legal-ethical problems or advise clients accordingly.
- to always take the practical implications of the constitution in consideration.



### *Integrated knowledge and skills*

#### Medical Law:

- ❑ The South African legal system with respect to Medical Law.
- ❑ Contractual relations between doctor and patient.
- ❑ Contractual relations between doctors.
- ❑ Consent to treatment.
- ❑ Invasion of the patient's right to privacy.
- ❑ The doctor as expert witness in court.
- ❑ Euthanasia.
- ❑ Sex change.
- ❑ Child abuse.
- ❑ Doctor, patient and AIDS.
- ❑ Medical records.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **MDF424 Medicina Forensis**

The module MDF424 Medicina Forensis or Forensic Medicine (16 credits) is presented in the Department of Criminal and Medical Law.

#### *Description and aim of course*

Successful students will be able to master established aspects concerning Medical Law not dealt with in any other subject in the legal-professional training programme, amongst which:

- ❑ to identify legal-ethical problems;
- ❑ to solve such legal-ethical problems or advise clients accordingly.
- ❑ to always take the practical implications of the constitution in consideration.

### *Integrated knowledge and skills*

#### Medical Law:

- Negligent malpractices.
- Alcohol and relevant aspects.
- Regulation of medicine and poison.
- Persons in custody and alleged torture.
- Medico-legal post mortem, inquests and issuing of death certificates,

#### Forensic Medicine:

- Introduction.
- Death and the changes associated therewith.
- Child abuse / sudden unexpected death syndrome.
- Judicial implications associated with pregnancy.
- Rape.
- Traffic accidents.
- Statutory aspects of forensic medicine.
- Various aspects of forensic medicine.
- Hypothermia.
- Respiratory obstruction/asphyxiation.
- General traumatology.
- Abdominal injuries.
- Head injuries.
- Gunshot wounds/injuries in explosions.
- Ethyl alcohol.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **MMF424 Law of Third Party Compensation**

The module MMF424 Law of Third Party Compensation (16 credits) is presented in the Department of Private Law.

*Description and aim of course*

Students are introduced to the general legal principles of the law of third party compensation as well as the practical application thereof.

*Integrated knowledge and skills*

After the successful completion of this module, a student should be able to gather concepts and principles, identify problems and formulate solutions pertaining to:

- The requirements for liability in the case of identified claims as well as hit-and-run collisions;
- Exclusion of liability;
- Assessment and restriction of recoverable damage;
- Prescription and handling of claims and
- The right of recourse of the Road Accident Fund.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**OGR424 Environmental Law**

The module OGR424 Environmental Law (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

*Description and aim of course*

Students will be acquainted with the basic principles of environmental law, the most important environmental legislation and their practical implications.

*Integrated knowledge and skills*

After the successful completion of the course, students ought to be able to understand and critically evaluate concepts and principles, to identify problems and formulate solutions concerning:

- The nature and scope of environmental law;
- National and international sources of environmental law;
- The constitutional right to the environment;

- Framework legislation on the environment;
- The law pertaining to specific environmental themes, e.g. nature conservation, water and air pollution, waste management, mining, etc.
- General principles of waste management.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**ONR314 Law of Business Enterprises**

The module ONR314 Law of Business Enterprises (16 credits) is presented in the Department of Mercantile Law.

*Description and aim of course*

Students will be introduced to the basic principles and concepts of the Law of Business Entities (the Law of Partnership, the Law of Close Corporations and the law pertaining to business trusts and stokvels) as well as the practical implication thereof and with reference to constitutional impact.

*Integrated knowledge and skills*

The student will obtain knowledge of the basic concepts and principles of the law of business entities, with reference to -

- the partnership as legal concept and business form;
- formation of partnership;
- the internal and the external relations in partnership;
- dissolution of partnership;
- the close corporation as legal person and as business form;
- setting up a close corporation;
- the internal and external relations in close corporations;
- the business trust as legal concept and business form;
- the "stokvel" as legal concept and business form.

The student will learn to integrate these basic concepts and principles with established legal skills.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **ONR324 Law of Business Enterprises**

The module ONR324 Law of Business Enterprises (16 credits) is presented in the Department of Mercantile Law.

#### *Description and aim of course*

Students will be introduced to the basic principles and concepts of the Law of Business Entities (Company Law) as well as the practical implication thereof and with reference to law reform and the constitutional impact.

#### *Integrated knowledge and skills*

The student will obtain knowledge of the basic concepts and principles of the law of business entities, with reference to -

- the company legal concept and business form;
- formation of a company;
- internal relations (including shareholders, directors, management etc) in companies;
- external relations in companies;
- dissolution and deregistration of a company;
- development of company law.

The student will learn to integrate these basic concepts and principles with established legal skills.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

## **PBR314 Public Law**

The module PBR314 Public Law (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

### *Description and aim of course*

Successful students will be equipped with specialised knowledge and abilities in the field of Public Law, fundamental human rights and constitutional organisational law.

### *Integrated knowledge and skills*

Successful students will:-

- ❑ Know and understand what is meant by Public and Constitutional Law.
- ❑ Know the Constitutional History of South Africa.
- ❑ Know and understand the basic principles/values of the New Constitutional Order.
- ❑ Know the sources of Constitutional Law.
- ❑ Know and understand the concept of Human Rights, as well as understand the various theories regarding the interpretation of the Bill of Rights.
- ❑ Know and understand the application of Human Rights.
- ❑ Be familiar with three important rights enshrined in the South African Constitution namely, the right to life; freedom of religion; and freedom of expression.
- ❑ Understand the Justifiable Limitation of Rights and its application.
- ❑ Know the basics of Organisational Law, more specifically regarding co-operation between spheres of government; legislative and executive competencies in national, provincial and local spheres of government; as well as the conflict of laws between the spheres of government.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **PBR324 Public Law**

The module PBR324 Public Law (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

#### *Description and aim of course*

Students are introduced to the basic and foundational principles, concepts and notions of Administrative Law and the practical implications and basic techniques in solving problems pertaining to administrative justice and administrative legality with specific reference to the impact of the Constitution.

#### *Integrated knowledge and skills*

The successful completion of this module should empower learners to accumulate knowledge of concepts, notions and principles, identify issues and solve problems pertaining to:

- Sources of Administrative Law;
- Administrative justice in the constitutional sphere;
- Administrative legality;
- State accountability; and
- Administrative Procedural Law.

#### *Assessment*

Both formative methods (through tests and assignments) and summative methods (exams), are applied to determine whether learners have attained the required outcomes.

---

### **PBR414 Public Law**

The module PBR414 in advanced Public Law (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

#### *Description and aim of course*

Students will be introduced to selected topics of constitutional law in order to enable them to critically evaluate and apply the applicable legal principles.

### *Integrated knowledge and skills*

The successful completion of this module should empower learners to accumulate knowledge of concepts, notions and principles, identify issues and solve problems pertaining to:

- The right to property and land reform legislation;
- The right of access to information and the Promotion of Access to Information Act;
- The right to equality, the Employment Equity Act, the Promotion of Equality and Prevention of Unfair Discrimination Act; legislation with regard to black economic empowerment;
- Selected second generation rights; and
- The right to administrative justice and the Promotion of Administrative Justice Act.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **PBR424 Public Law**

The module PBR424 in advanced Public Law (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

### *Description and aim of course*

Students will be introduced to selected topics of constitutional law in order to enable them to critically evaluate and apply the applicable legal principles.

### *Integrated knowledge and skills*

The successful completion of this module should empower learners to accumulate knowledge of concepts, notions and principles, identify issues and solve problems pertaining to:

- The right to property and land reform legislation;
- The right of access to information and the Promotion of Access to Information Act;



- The right to equality, the Employment Equity Act, the Promotion of Equality and Prevention of Unfair Discrimination Act; legislation with regard to black economic empowerment;
- Selected second generation rights; and
- The right to administrative justice and the Promotion of Administrative Justice Act.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**PSN114 Law of Persons**

The module PSN114 Law of Persons (16 credits) is presented in the Department of Private Law.

*Description and aim of course*

Students are equipped with specialised knowledge in the field of the Law of Persons.

*Integrated knowledge and skills*

After the successful completion of this module, a student should be able to gather concepts and principles, identify problems and formulate solutions pertaining to:

- definition of the concepts with respect to positive law, subjective rights, competencies and legal subjectivity, status;
  - origin and termination of legal subjectivity;
  - content and scope of legal subjectivity;
  - factors that influence legal status;
- taking into consideration constitutional values.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RGK114 Legal History**

The module RGK114 Legal History (16 credits) is presented in the Department of Roman Law, Legal History and Comparative Law.

#### *Description and aim of course*

The aim of this module is to enable students to trace and critically evaluate the sources and historical development of the South African common law.

#### *Integrated knowledge and skills*

The communication of a sound knowledge of, and insight into, the social and historical development of the common law of South Africa as well as the ability to report critically on possible future development.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RGK424 Legal History**

The module RGK424 Legal History (16 credits) is presented in the Department of Roman Law, Legal History and Comparative Law.

#### *Description and aim of course*

The aim of the module is to make the student sensitive to the process of development of the South African Law and to the development of the South African Law by means of history of law.

#### *Integrated knowledge and skills*

- The legal-historical method of developing law - theory and practice.
- The application of the legal-historical method to selected themes of the law.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RGL414 Jurisprudence**

The module RGL414 Jurisprudence (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

#### *Description and aim of course*

Students are introduced to the basic and foundational principles, concepts and notions of legal ideology, jurisprudence and legal theory pertaining to:

- Law and statism;
- Law and the internationalisation of human rights jurisprudence;
- Law and religion;
- Law and the foundations of social contractarianism and human rights jurisprudence;
- Law and the ideological underpinnings of justice;
- Law and the origins of legalism and positivism;

Students are furthermore empowered to understand and critically evaluate the implications of various problematical judicial approaches and theories to the application of law and justice with specific reference to the South African constitutional state and the ideological approaches of the South African judiciary.

#### *Integrated knowledge and skills*

The successful completion of this module should empower learners to accumulate knowledge of concepts, notions and principles, identify issues and solve problems pertaining to:

- the ideological content of law;
- the most influential ideological approaches to law and justice;
- the various models pertaining to justice and their practical implications for society;
- human rights and the philosophical content thereof;
- critical analysis of positivistic jurisprudence, and
- the ethical refinement of law and justice.

### *Assessment*

Both formative methods (through tests and assignments) and summative methods (exams), are applied to determine whether learners have attained the required outcomes of the systematising, analysis and integration of knowledge as required by the outcomes.

---

### **RGL424 Jurisprudence**

The module RGL424 Jurisprudence (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

#### *Description and aim of course*

Students are introduced to the basic and foundational principles, concepts and notions of law and views that law has a moral content; justice and private property; legal positivism and amoralism; justice and the right of resistance; subjectivism, objectivism and the moral content of law as reflected in jurisprudential models of legal hermeneutics and deconstruction, communitarianism versus liberalism, feminism and the law, constitutionalism and critical legal studies, liberalism, libertarianism and socialism, Dworkin's paradigm of reconstruction, social justice and the judiciary, American realism and the role of human rights and justice in the legal system.

#### *Integrated knowledge and skills*

The successful completion of this module should empower learners to accumulate knowledge of concepts, notions and principles, identify issues and solve problems pertaining to:

- Law and morals;
- Jurisprudential implications of natural law and natural rights;
- Justice and private property;
- Law and freedom;
- Law and social justice;
- Law, sovereignty and the state;
- Law, society and reconstruction;
- The judicial process;
- Conceptual thinking in law with specific reference to the South African constitutional state.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **ROR124 Roman Law**

The module ROR124 Roman Law (16 credits) is presented in the Department of Roman Law, Legal History and Comparative Law.

#### *Description and aim of course*

To make the student familiar with the basic principles of Roman Private Law.

#### *Integrated knowledge and skills*

The student is introduced to the Roman -

- Law of Persons.
- Law of Succession.
- Law of Things.
- Procedural Law.
- Law of Obligations.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RPK112 Legal Practice**

The module RPK112 Legal Practice (8 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

The student will be able to -

- understand the need for professional ethics;
- define professional ethics;
- explain the term “fit and proper”;
- explain the term “clash of interests”;
- explain the meaning of the practitioner’s duty to respect the law;

- ❑ analyse the international ethical code;
- ❑ understand the sources of professional ethics;
- ❑ understand the structure of and admission to the organised profession;
- ❑ understand the basic principles applicable to the attorney-client relationship.
- ❑ understand the importance of the Fidelity Fund;
- ❑ analyse the students ethical code.

*Integrated knowledge and skills*

The student will be able to master the following skills -

*The use of the FIRAC model*

*Writing skills*

*Communication skills*

*Argumentation skills*

*Interviewing skills*

*Numerical skills*

*Research skills.*

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

**RPK122 Legal Practice**

The module RPK122 Legal Practice (8 credits) is presented in the Department of Procedural Law and Law of Evidence.

*Description and aim of course*

The student will be able to -

- ❑ understand the need for professional ethics;
- ❑ define professional ethics;
- ❑ explain the term “fit and proper”;
- ❑ explain the term “clash of interests”;
- ❑ explain the meaning of the practitioner’s duty to respect the law;
- ❑ analyse the international ethical code;
- ❑ understand the sources of professional ethics;

- understand the structure of and admission to the organised profession;
- understand the basic principles applicable to the attorney-client relationship.
- understand the importance of the Fidelity Fund;
- analyse the students ethical code.

*Integrated knowledge and skills*

The student will be able to master the following skills -

*The use of the FIRAC model*

*Writing skills*

*Communication skills*

*Argumentation skills*

*Interviewing skills*

*Numerical skills*

*Research skills.*

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

**RPK214 Legal Practice**

The module RPK214 Legal Practice (16 credits) is presented in the Department of Procedural Law and Law of Evidence.

*Description and aim of course*

The student must master the following computer skills:

- mouse and keyboard skills;
- "Windows";
- basic and advanced "Word";
- "Excel";
- "Powerpoint";
- use of sources which include hard drive searches;
- internet use which includes an overview, future, change, navigation, evaluation, law websites, e-mail;
- databases which include search strategies, "Kovsiecac", "Kovsiedex", "SA Studies", "Index to Legal Periodicals";
- the writing of a script.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RPK312 Legal Practice**

The module RPK312 Legal Practice (8 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

The aim of the course is to enable students to practically apply the labour law and consists of the following:

- Drafting of a contract of employment and to distinguish it from related contracts;
- Drafting of a grievance and disciplinary code
- The referral of a dispute
- The completion and drafting of documentation
- CCMA litigation
- Practical application of the Employment Equity Act
- Drafting of an Affirmative Action Plan and Report.

#### *Integrated knowledge and skills*

After successful completion of this module students should be able to apply the labour law by identifying problems and resolving it through the application of legislation and case law. Students should be able to draft employment contracts, codes and applications and should be able to complete CCMA documentation. Students should be able to give a complete overview of the disciplinary process.



### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RPK322 Legal Practice**

The module RPK322 Legal Practice (8 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

The course consists of two parts. The first part is in preparation of the student to write the mini-thesis (RSK424) and involves the preparation and registration of the research title for the mini-thesis, the research and the writing of the mini-thesis. The second part extends on ethics and professional conduct to which the student was introduced in the first year.

Aim (1) - Students are introduced to the requirements for legal research and in particular are prepared to write the mini-thesis required for the LLB degree.

Aim (2) - Students are further exposed to the professional duties of a legal practitioner, with specific reference to professional duties arising from his/her professional relationship with clients, the court, the state, the public, the professional bodies, the public and colleagues.

#### *Integrated knowledge and skills*

- Requirements for the registration of a research proposal
- Identification of a research topic
- Research and the writing of the mini-thesis
- The content and practical application of the legal practitioner's professional responsibility towards the client, the state, the court, the public, the professional bodies and colleagues.

### *Assessment*

Both formative (an assignment and the research proposal) and summative (final examination) will be used as assessment methods to determine whether the student achieved the course outcomes.

---

### **RPK412 Legal Practice**

The module RPK412 Legal Practice (8 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

The course consists of the following units: consultation skills, the writing of attorney's letters, the drafting of pleadings and notices and practice management.

The respective aims of the units are:

- To enable the student to consult properly
- To enable the student to write a proper and professional attorney's letter
- To enable the student to prepare basic legal notices and pleadings.
- To provide the student with knowledge and skills required for proper practice management.

#### *Integrated knowledge and skills*

- The purpose of client consultations
- The structure of a consultation
- The purpose of attorney's letters.
- The purpose of pleadings and legal notices.
- The purpose of practice management
- The different facets of practice management.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (the writing of tests, the handing in of assignments and the performance of practical work at the UFS Law Clinic) and summatively (the writing of a final examination).

---

### **RPK422 Legal Practice**

The module RPK422 Legal Practice (8 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

The Course deals with practical divorce litigation. It reinforces existing knowledge of the student gained in Family Law in the first year of study and then proceeds to enable the student to apply this knowledge practically in the different facets of divorce litigation.

#### *Integrated knowledge and skills*

- The choice of marriage or union.
- Consequences of matrimonial property regimes
- Changes to matrimonial property regimes.
- Jurisdiction in divorce and related matters.
- The grounds of divorce.
- Division/transfer of assets.
- Custody and access.
- Maintenance.
- Pleadings and notices that are used in divorces and related matters.
- Preparation for trial in opposed divorces.
- Advice after divorce.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (the writing of tests, the handing in of assignments and the performance of practical work at the UFS Law Clinic) and summatively (the writing of a final examination).

---

### **RPL314 Legal Pluralism**

The module RPL314 Legal Pluralism (16 credits) is presented in the Department of Private Law.

Knowledge of the modules Introduction to Law, Law of Persons, Family Law and Law of Succession is a prerequisite for this module.

### *Description and aim of course*

Students are introduced to the basic principles and concepts of Legal Pluralism and the practical application thereof with reference to the influence of the Constitution.

### *Integrated knowledge and skills*

After successful completion of this module, a student should be able to understand the basic concepts and principles, identify problems and formulate solutions regarding:

- Basic characteristics, historical background and recognition of Legal Pluralism and Customary Law.
- The provision of basic legal advice regarding Constitutional implications of the customary law;
- The correct handling of internal conflicts of law;
- The application of Customary Law regarding Private Law matters, namely:
  - Law of Persons.
  - Family Law and Civil Marriages.
  - Law of Delict.
  - Law of Succession.
  - Law of Contract and Property.
- Demonstrate insight regarding the role of traditional leaders;
- Use of customary court structures;
- Demonstrate knowledge regarding the general foundations and the law of marriage of the religious legal systems.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RVD134 Legal Skills**

The module RVD134 Legal Skills (16 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

To, in general, provide a bridging course to the 5 year LLB students and to thereby equip them with the basic skill requirements of both law study and eventual legal practice.

#### *Integrated knowledge and skills*

After successful completion of this module the student shall be equipped with the following skills and competencies:

- The writing skills necessary for the drafting of legal documents.
- Numeracy skills required in legal practice.
- The interpretation of authority.
- The integration of sources.
- Skills for examination preparation.
- Administrative skills necessary to the study and practice of law.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **RVD144 Legal Skills**

The module RVD144 Legal Skills (16 credits) is presented in the Department of Procedural Law and Law of Evidence.

#### *Description and aim of course*

To, in general, provide a bridging course to the 5 year LLB students and to thereby equip them with the basic skill requirements of both law study and eventual legal practice.

#### *Integrated knowledge and skills*

After successful completion of this module the student shall be equipped with the following skills and competencies:

- Drafting of documents in civil law.
- Schematic representations of the procedures in criminal and civil law.
- Introductory advocacy skills in litigation.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**RVG424 Comparative Law**

The module RVG424 Comparative Law (16 credits) is presented in the Department of Roman Law, Legal History and Comparative Law.

*Description and aim of course*

The contents of the module entail a study of the method of comparative law as an instrument to access legal systems.

*Integrated knowledge and skills*

After the completion of this course students will be able to access foreign legal systems by way of the legal comparison.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**SAK324 Law of Things**

The module SAK324 Law of Things (16 credits) is presented in the Department of Private Law.

*Description and aim of course*

Students are introduced to the basic legal principles and concepts of the Law of Property as well as the practical application thereof with continuous reference to the constitutional impact.

### *Integrated knowledge and skills*

After the successful completion of this module, a student should be able to gather concepts and principles, identify problems and formulate solutions pertaining to:

- Introduction to Property Law.
  - Ownership.
  - Possession and holdership.
  - Limited rights and other rights in property
- with continuous reference to the constitutional impact.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

## **SDR414 Law of Damages**

The module SDR414 Law of Damages (16 credits) is presented in the Department of Private Law.

### *Description and aim of course*

The student will be able to -

- define and distinguish damage and damages;
- understand and apply the content, assessment and quantification of damage and damages;
- distinguish between the nature and assessment of patrimonial and non patrimonial damage;
- acquire a clear understanding of prospective loss and *lucrum cessans*;
- acquire a basic knowledge of the rules limiting damage and damages for instance “once and for all” the collateral rule, duty to mitigate loss, remoteness of damage, legal causation, statutory limitations.

### *Integrated knowledge and skills*

- The nature, extent and assessment/quantification of damage and damages.
- The abstract sum formula in contrast with the concrete approach.

- ❑ Realised and expected losses and the “once and for all” rule.
- ❑ The quantification of damages.
- ❑ The rule limiting the extent of liability for damages.

The successful student will be able to:

- ❑ distinguish between damage and damages;
- ❑ conciliate and explain past losses, prospective damage, and the “once and for all” rule;
- ❑ calculate damages;
- ❑ know and apply the limitations on liability for damages.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

### **SFR114 Criminal Law**

The module SFR114 Criminal Law (16 credits) is presented in the Department of Criminal and Medical Law.

#### *Description and aim of course*

Students are introduced to:

- ❑ what Criminal Law comprises and its place in the total legal system;
- ❑ the elements of the crime;
- ❑ the practical implications of the Constitution on Criminal law.

#### *Integrated knowledge and skills*

After the successful completion of this module, students should have knowledge regarding the following:

- ❑ The place of Criminal Law.
- ❑ Investigating and reading a criminal case.
- ❑ The elements of the crime.



Successful students will be able to:

- ❑ establish the place of Criminal Law in the South African legal system;
- ❑ abstract the main information from a reported criminal judgement;
- ❑ analyse the specific elements of the crime;
- ❑ analyse a given situation of fact and answer it with reference to theoretical knowledge as well as relevant case law.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **SFR124 Criminal Law**

The module SFR124 Criminal Law (16 credits) is presented in the Department of Criminal and Medical Law.

#### *Description and aim of course*

Students are introduced to:

- ❑ which actions are crimes and which elements must be present before there is talk of a crime;
- ❑ the various crimes in the South African law.
- ❑ the practical implications of the Constitution on Criminal law.

#### *Integrated knowledge and skills*

After the successful completion of this module, students should have knowledge regarding the following:

- ❑ Participation.
- ❑ The incomplete crime.

Specific crimes:

- ❑ Crimes against the State and the Administration of Justice.
- ❑ Crimes against the community.
- ❑ Crimes against the person.
- ❑ Crimes against property.

Successful students will be able to:

- identify specific crimes;
- analyse crimes in respect of the specific elements of each;
- identify possible defences in a charge concerning such crimes;
- motivate points of view in this respect with reference to case law.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **SFR214 Criminal Law**

The module SFR214 in advanced Criminal Law (16 credits) is presented in the Department of Criminal and Medical Law.

#### *Description and aim of course*

The aim of this module is the mastering of knowledge and understanding of the prescribed crimes, as well as the ability to apply, analyse, integrate and evaluate the acquired knowledge.

#### *Integrated knowledge and skills*

After completion of this module, successful students will be able to

- Give an integrated overview of Criminal Law;
- Analyse and compare the elements of specific crimes;
- Draft basic charge sheets;
- Identify legal problems on specific crimes and formulate solutions;
- Provide basic legal advice on specific crimes concerning the success of a criminal prosecution

#### *Assessment*

Both formative (e.g. tests, assignments, class presentations) as well as summative (examinations) assessment methods are used to determine whether the student has complied with the learning outcomes.

---

### **SFR224 Criminal Law**

The module SFR224 in advanced Criminal Law (16 credits) is presented in the Department of Criminal and Medical Law.

#### *Description and aim of course*

The aim of this module is the mastering of knowledge and understanding of the prescribed crimes, as well as the ability to apply, analyse, integrate and evaluate the acquired knowledge.

#### *Integrated knowledge and skills*

After completion of this module, successful students will be able to:

- ❑ Analyse and compare the elements of specific crimes;
- ❑ Draft basic charge sheets;
- ❑ Identify legal problems on specific crimes and formulate solutions;
- ❑ Provide basic legal advice on specific crimes concerning the success of a criminal prosecution
- ❑ Discuss the principles pertaining to sentencing and the application thereof.

#### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **SPF224 Law of Criminal Procedure**

The module SPF224 Law of Criminal Procedure (16 credits) is presented in the Department of Procedural Law and the Law of Evidence.

#### *Description and aim of course*

Students are introduced to the basic legal principles and concepts of criminal practice, with continuous reference to the constitutional impact.

### *Integrated knowledge and skills*

After the successful completion of this module, a student should be able to:

- analyse the selected general principles of the criminal process;
- analyse the pre-trial phase;
- analyse the trial phase;
- analyse the judgment phase;
- analyse the remedies after judgment.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

## **SVP414 Law of Civil Procedure**

The module SVP414 Law of Civil Procedure (16 credits) is presented in the Department of Procedural Law and Law of Evidence.

### *Description and aim of course*

The course Civil Procedure introduces the student to all the facets concerning the execution of the civil process in the South African legal system. The purpose of the course is:

To equip the student with knowledge outcomes regarding, the different courts and their respective jurisdictions, different causes of action and the formulation thereof, the parties to a civil dispute and the citation of those parties, pleadings and notices, the different forms of civil litigation, the sequence of the process, interim steps, preparation for trial, the trial appeals and reviews.

### *Integrated knowledge and skills*

The successful student will be equipped with knowledge and practical skills for the application of this knowledge regarding:

- Jurisdiction
- Locus standi in iudicio
- Application and action procedures
- Interdicts

- ❑ Systematic sequence of civil procedure
- ❑ Demand and calculation of periods
- ❑ Judgment by default
- ❑ Plea and counter claim
- ❑ Pre-trial procedures
- ❑ Trial
- ❑ Costs
- ❑ Execution
- ❑ Appeals and reviews.

*Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

**TRR424 Law of Trusts**

The TRR424 Law of Trusts (16 credits) is an elective module presented jointly by the Departments of Private Law and Mercantile Law.

*Description and aim of course*

Students will, with continuous reference to the impact of the Constitution, be introduced to the basic principles, concepts and practical implications of the Law of Trusts.

*Integrated knowledge and skills*

After successfully completing this module, the student should, with due cognisance of constitutional values, be able to assimilate the relevant concepts and principles and to formulate solutions regarding:

- ❑ The origin of the trust.
- ❑ Requirements for valid trust deeds.
- ❑ The amendment of trust deeds.
- ❑ The termination of a trust.
- ❑ The rights and duties of the parties to a trust.
- ❑ Trust Law in practice.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

### **ULL214 Legal Interpretation**

The module ULL214 Legal Interpretation (16 credits) is presented in the Department of Constitutional Law and Philosophy of Law.

#### *Description and aim of course*

Students are introduced to the basic principles and concepts of statutory interpretation and the practical implications thereof, with continuous reference to constitutional impact.

#### *Integrated knowledge and skills*

After successful completion of this module a student ought to be able to collect concepts and principles, to identify and to formulate solutions regarding:

- theories of interpretation;
- the Constitution and statutory interpretation;
- the three-phase model of interpretation of statutes;
- constitutional interpretation;
- specific principles, rules and presumptions of statutory interpretation; and
- aids in statutory interpretation.

### *Assessment*

Both formative (eg. tests, assignments) as well as summative (examinations) methods of assessing will be used to ascertain whether a student has achieved the necessary outcomes.

---

## **VOF414 Insurance Law**

The module VOF414 Insurance Law (16 credits) is presented in the Department of Mercantile Law.

### *Description and aim of course*

Students are introduced to the basic principles and concepts of Insurance Law. The course is aimed at equipping students to identify insurance problems and to find solutions through the practical application of insurance principles.

### *Integrated knowledge and skills*

After successfully completing this module students should be able to gather principles and concepts, identify problems and formulate solutions in respect of:

- Introduction to Insurance Law
- Short-term insurance
- Long-term insurance
- Statutory insurance
- Business practice.

### *Assessment*

Assessment to determine whether the student has attained the module outcomes takes place both formatively (tests and assignments) and summatively (examination).

---

## **AFA108 Afrikaans for Academic Purposes**

### *Aim*

To equip students with basic general knowledge of the language to improve their academic communicative skills in both subject specific and general context.

### *Assessment*

Continuous evaluation applies. This implicates that class attendance is of paramount importance, as assignments are completed and submitted during lecture time.

---

## **AFP112/AFP122, AFP132/AFP142 Afrikaans for the Professions**

### **AFP112 Effective Listening and Reading**

### **AFP122 Text Logic and Coherence**

### **AFP132 Effective Formulation**

### **AFP142 Convincing Strategies**

---

## **ALC108 Academic Language Course**

### *Aim*

This course aims to develop students' academic reading and writing skills to a level that will give them a fair chance to obtain success at university study.

### *Assessment*

Continuous evaluation with two summative tests written in June and October.

---

## **BRS111 Basic Computer Literacy**

(Department of Computer Science and Informatics)

### *Aim*

To have a basic knowledge of the principles of microcomputers, and microcomputer hardware, knowledge and application skills of: basic commands of an operating system, a general word processing programme and the Internet.



*Assessment*

This module is evaluated by means of continuous assessment and no special examinations are granted.

**BRS121 Advanced Computer Usage**

(Departement of Computer Science and Informatics)

Pre-requisite RKG 131, RKG 141, BRS 111 or BAS 111

*Aim*

To have knowledge and application skills of: advanced aspects of a general word processing program, advanced aspects of spreadsheets, the basic commands of a presentation programme and a database programme.

*Assessment*

This course is evaluated by means of continuous assessment, and no special examinations are granted.

---

**DTS112/DTS 122 German Communicative Language Studies**

**DTS132 German Prose**

**DTS142 German Drama**

*Aim*

Designed for students with basic knowledge of the language on a grade 12 level. The modules aims to consolidate and develop the four language skills of listening, speaking, reading and writing.

*Assessment*

Continuous evaluation.

---

## **DTS154/DTS164 German for Beginners**

### *Aim*

This is a communicative German language study course for students who have no previous knowledge of German. The aim is to develop speaking, listening, reading and writing skills.

### *Assessment*

Continuous evaluation.

---

## **FRN112 Communicative French an Introduction**

### *Aim*

This module focuses on the basics of learning a new foreign language and particularly on equipping students with the tools to handle basic communicative situations.

### *Integrated knowledge*

After completion of this module, students will be able to:

- Understand and answer certain questions used in the classroom.
- Understand basic classroom commands.
- Use basic grammar.

### *Assessment criteria*

Two semester tests, continuous evaluation and examinations.

---

## **FRN122 Communicative French**

### *Aim*

This module focuses on the basics of learning a new foreign language and specifically focuses on preparing the student for basic communicative situations and equipping the students with the tools to handle these situations.

### *Integrated knowledge*

After completion of this module, students will be able to:

- Understand and answer certain questions.
- Use basic grammar.

*Assessment criteria*

Two semester tests, continuous evaluation and examinations.

---

**FRN132 Communicative French:  
The Huguenots and French Missionaries**

*Aim*

This module focuses on French history and culture and influences thereof on South Africa and South Africans. The emphasis is on kingship (Henry IV, King Moshoeshoe of Lesotho) and on Huguenot influence on South Africa. The module will also improve students' oral and written language skills in French.

*Integrated knowledge*

After completion of this module, students will be able to:

- Answer certain questions on king Moshoeshoe, the Huguenots and French missionaries in Southern Africa as well as the influence of the Huguenots and the missionaries on South Africa and Lesotho respectively.
- Explain the link between France and Southern Africa.

*Assessment criteria*

One assignment, one essay and one oral assessment.

---

**FRN142 Business French South Africa in French texts**

*Aim*

Semester two focuses on references to South/Southern Africa in French texts belonging to diverse genres. Students will be introduced to Business French during a few lectures offered in the fourth term.

*Integrated knowledge*

After completion of this module, students will be able to:

- Discuss subjects emphasized in the different textual categories.
- Comment on works by Jules Verne.
- Comment on French travel writing that focuses on South/Southern Africa.

- Discuss the lives of different personages investigated during the module.

*Assessment criteria*

One assignment, one essay, one oral assessment and examinations.

---

**LAT114/LAT124 Latin**

*Aim*

To enable the student to read elementary literary and legal texts, and to understand and intelligently use the Latin phrases in legal documentation, to greatly improve English and Afrikaans vocabulary, to develop the necessary skills and critical abilities for the study of other languages, to acquire a general overview of the roman civilization.

*Assessment*

Class and semester tests to determine an average semester mark.

---

**MTL108 Mathematical Literacy**

The module **MTL108** Mathematical Literacy is offered in the Department of Mathematics and Applied Mathematics.

*Aim*

To enable students to: do arithmetic and mathematical calculations, use a calculator accurately, analyse data from various contexts to make informed judgements, use mathematical language to communicate mathematical ideas, concepts, generalizations and thought processes.

*Assessment criteria*

Continuous evaluation.

---

## **REN108 English**

### *Aim*

To help students improve their English, to understand spoken and written English clearly, use the language correctly and effectively, especially as English is the language of the law.

### *Assessment*

Continuous evaluation reflected by a year mark, and made up of various components.

---

## **RKR215 Criminology for Law (Sentencing)**

The module RKR215 Criminology for Law (sentencing) is presented in the Department of Criminology

### *Aim*

The aim of the module is to equip students with scientific knowledge on the theory and practice of sentencing that will enable them as legal representatives, public prosecutors and juridical officers to apply the guidelines in order to impose appropriate sentences.

### *Assessment*

Continuous and end assessment.

---

## **RKR225 Criminology for Law (Crime Causation and Victimology)**

The module Criminology for Law RKR225 (Crime Causation and Victimology) is presented in the Department of Criminology.

### *Aim*

The aim of the module is to equip students with scientific knowledge on crime causation theories and the victim of crime that will enable them as legal representatives, public prosecutors and juridical officers to assist the victim and gain knowledge of the accused as well as the victim in order to promote a holistic approach in applying the law.

*Assessment*

Continuous and end assessment.

---

**RRK208 Accounting for the Legal Profession**

*Aim*

Specifically compiled to equip law students to be able to apply basic accounting and record keeping skills, as well as the understanding and practical application of the basic mechanics of VAT and Income Tax.

*Assessment*

Continuous and end assessment.

---

**RTK108 Legal Language and Culture**

*Aim*

To enable the student to understand and intelligently use the most frequently occurring Latin terms and abbreviations found in legal documentation, to understand the social and cultural circumstances of the time when Roman law originated, to improve and greatly enrich English vocabulary, since a great number of English words are directly derived from Latin.

*Assessment*

Class and semester tests to determine a final average semester mark.

---

**VBL108 Skills and Competencies for Lifelong Learning**

*Aim*

To equip students with skills and Competencies for Lifelong Learning, amongst others the following: memory skills, problem solving, reading and learning skills, critical thinking and portfolio development, healthy lifestyle, effective stress management, personal financial management, self motivation, etc.

### *Assessment*

Students will be assessed on a continuous basis on both their theoretical knowledge, as well as their ability to practically implement the skills they have learned in theory.

### *Methods of assessment*

Formative assessment by means of:

- ❑ Portfolio's
- ❑ Group discussions
- ❑ Feedback after each practical activity
- ❑ Self assessment

Summative assessment by means of:

- ❑ Tests
  - ❑ Assignments
  - ❑ Portfolio's.
-

ANNEXURE

---

**Faculty of Economic and  
Management Sciences  
B.Com. (Law)**



## **REG. F9 BACCALAUREUS COMMERCII B.COM. (LAW)**

---

**This degree is presented by the Faculty of Economic and Management Sciences and is taken up in this book for information of prospective students.**

### **INFORMATION**

This option is:

- (a) for students who envisage a career in the business world but who would like to equip themselves with a basic knowledge of law; or
- (b) for students who envisage a career in law, who would like to become attorneys, advocates or legal advisors for financial institutions and other enterprises.

It is highly recommended to complement this degree with LL.B.-studies.

This degree is characterised by the considerable number of law modules, especially in the second and third years of study. However in the third year of study only one management-based major subject can be accommodated.

Accounting is required up to second-year level.

### **CONDITIONS FOR ADMISSION**

#### **B. Com (Law) – Study code 6309**

- Grade 12 certificate with endorsement.
- M-score of 28 and higher.
- Grade 12 Mathematics (SG) with at least a C-symbol.
- Grade 12 (HG) with at least a C-symbol in Afrikaans and English.

### **TIMETABLE CLASHES**

Students must compile their curriculums in accordance with the class and lecture hall timetable and the examination timetable, and are personally responsible to ensure that there are no clashes.

## CURRICULUM

Students registering for the degree B.Com. (Law) must satisfy the Faculty and general regulations when compiling their curriculums as set out in the following schedule.

A student must ensure that the subject preconditions are complied with, (as required by the Faculty of Economic- and Management Sciences).

### **B.COM. (LAW) Study Code: 6309**

COMPULSORY:	FIRST YEAR		SECOND YEAR		THIRD YEAR	
	Sem. 1	Sem.2	Sem.1	Sem. 2	Sem.1	Sem.2
Economics	EKN114	EKN124	EKN214	EKN224	EKN314 or EKN324	EKN324 or EKN324
Business Management	OBS134			OBS244	OBS314	OBS324
Marketing		OBS144			or	or
Financial Management			OBS234			OBS364 or
Accounting	REK114	REK124	REK204 BRF214	REK204	REK308	REK308
Accounting for Law					RRK208*	RRK208*
Computer Literacy	BRS111	BRS121				
Criminal Procedure						SPF224
Criminology for Law					RKR215*	RKR225*
Family Law**		FAM124				
Introduction to Legal Science	ILR114	ILR124				
Labour Law					ARR214* or	ARR224* or
Criminal Law			SFR114	SFR124	SFR214*	SFR224*
Language Proficiency: Afrikaans for the profession	AFP132 or	AFP122 or				
Business English	EBE112 or	EBE122 or				
Latin	LAT114 or	LAT124 or				
Latin Special	RTK108	RTK108				
Law of Contract			KON214			
Law of Delict					DEL314	
Law of Evidence				BWR224		
Law of Persons**	PSN114					
Law of Succession and Administration of Estates				ERF224		
Law of Things						SAK324
Legal History	RGK114*					
Legal Interpretation					ULL214	
Roman Law		ROR124*				

\*These modules can be taken additionally to the prescribed B.Com. (Law) degree. The additional modules do not carry credits for B.Com. (Law) and as such can not be “exchanged”. To obtain the B.Com. (Law) degree, the prescribed curriculum should be followed.

\*\*A 34 M-score in grade 12 is strongly recommended for Family Law (FAM124) and Law of Persons (PSN114).