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Faculty of **Law**

Dean:

Prof GF Lubbe

BA, LLB (Stell), LLM (Yale)



CALENDAR 2012
PART 8



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General Information

STANDING INVITATION TO PAST STUDENTS

The Registrar cordially invites all past students of Stellenbosch University to notify him in writing of any change of address.

The Registrar also welcomes news of distinctions, academic or other, won by our past students, and would appreciate being informed of the titles of any of their publications.

The Senior Director: Library and Information Services would be equally happy to receive copies of such publications on behalf of the University Library.

SUMMARY: LANGUAGE POLICY AND PLAN

The official Language Policy and Plan of Stellenbosch University was approved by the Council of the University in 2002. The following summary is provided in the interests of brevity, but must be read in conjunction with, and is subject to, the full Language Policy and Plan. The full version is available at <http://www.sun.ac.za/taal>.

A. Language Policy

1. The University is committed to the use and sustained development of Afrikaans as an academic language in a multilingual context. Language is used at the University in a manner that is directed towards its engagement with knowledge in a diverse society.

2. The University acknowledges the special status of Afrikaans as an academic language and accepts the responsibility to promote it. At the same time, it takes account of the status of English as an international language of communication and of isiXhosa as an emerging academic language.

3. The University distinguishes between the use of the three languages in the following manner:

- Afrikaans is by default the language of learning and teaching at undergraduate level, while English is used to a greater extent at the postgraduate level;
- isiXhosa is promoted as an emerging academic language. The University creates opportunities for students and staff to acquire communication skills in isiXhosa.

4. The institutional language of the University is, by default, Afrikaans, while English is also used, depending on the circumstances, as an internal language of communication. All three languages are used, where possible, for external communication.

B. Language Plan

1. The Language Plan distinguishes between the implementation of the policy in learning and teaching situations and in the support services and management.

2. Choices between various language options may be made in learning and teaching situations, depending on the language abilities of the lecturer and the composition of the students and programme. These language options are arranged in a hierarchy. Reasons must be provided for deviating from the default option (see point 4 for details).

In extraordinary and compelling circumstances the University may deviate from the language specification of a module or programme, on condition that any such deviation must be reviewed at the end of each semester to determine whether its continuation remains justified. The deans manage this process, reporting on it to the Executive Committee (Senate). The Language Committee must be informed of any deviation from the language specification of a module or programme and must be given the opportunity to enquire about such deviation, where necessary.

3. Three general guidelines apply with regard to the language of learning and teaching in class:

- Modules in which a language is taught are conducted mainly in the language in question (e.g. isiXhosa is taught mainly in isiXhosa, Mandarin in Mandarin) and tasks, tests and examinations are set and answered accordingly.
- Questions papers in all other modules are set in Afrikaans and English and students may answer in Afrikaans or English.
- Except in cases where the aim of the module is language acquisition or the study of the language, students may ask questions and expect answers in Afrikaans or English.

4. Departments choose and implement the various language specifications as follows (the above three points apply generally for all options):

A Specification*

Rationale

Applies as the default mode for all undergraduate modules. No reasons need to be given for exercising this option.

Characteristics

- Teaching is mainly in Afrikaans
- Study material such as textbooks, notes, transparencies, electronic learning and teaching material may be in Afrikaans and/or English
- Study framework is in Afrikaans and English.

T Specification (bilingual classes)

Rationale

Is used for classes where

- students' language competence requires greater use of English
- a programme offered is unique to the University
- multilingualism is important in the context of a specific occupation
- the lecturer does not yet have an adequate command of Afrikaans.

Characteristics

- Teaching is in Afrikaans for at least 50% of the time.
- Textbooks and reading matter are in Afrikaans and/or English.
- Study notes, transparencies and electronic learning and teaching material are fully in Afrikaans and English, or alternately in Afrikaans and English.

E Specification (English as the main medium of instruction)

Rationale

Is used only in highly exceptional circumstances for

- programmes unique in South Africa
- programmes in which students do not have adequate language skills (foreign or English- speaking students)
- modules in which the lecturer does not have a command of Afrikaans
- regional co-operation and strategic aims necessitate English.

Characteristics

- Teaching is primarily in English.
- Textbooks and reading matter are in Afrikaans and/or English.

- Notes are in English with core notes in Afrikaans.
- Transparencies and electronic learning and teaching material are in English.

A & E Specification (separate 'streams' in Afrikaans and English)

Rationale

Used only in most exceptional circumstances when academically and financially justified and attainable for

- modules with large numbers of students
- regional co-operation and attaining strategic goals
- programmes offered by satellite technology or interactive telematic education.

Characteristics

- The characteristics of the A and E options apply respectively here.

*For both of these options an academic language competence in Afrikaans and English is essential for successful study.

5. Afrikaans is the default language of communication for the support services and management. All official documents of the University are available in Afrikaans. 'Default' does not, however, mean 'exclusively': important policy documents are available in English and communication with staff is also conducted in English. Guidelines are provided for the language to be used at meetings. Documents relating to the service conditions for staff are available in Afrikaans, English and isiXhosa.

6. Written communication with students is conducted in Afrikaans and English, and recruitment is conducted, where possible, also in isiXhosa. Oral communication is conducted in Afrikaans or English, according to the language of preference of the student.

7. The corporate image of the University reflects the Language Policy and Plan.

8. A Language Committee is appointed by the Council to implement the Language Policy and Plan.

9. The Language Centre assumes the responsibility for the provision of and/or co-ordination of the relevant language support required for the effective implementation of the Language Policy and Plan.

CODE OF CONDUCT FOR LANGUAGE IN THE CLASSROOM

This Code of Conduct has been drawn up in order to provide practical guidelines for understanding and implementing the Language Policy and Plan of the US, which was accepted by the University Council in 2002. The Council regards it as important that the Language Policy and Plan of the US should be implemented with integrity. The Code is offered as an aid for dealing constructively with possible difficulties or uncertainties. The core principle governing the day-to-day use of language on the campus is that all staff, students and clients of the University are responsible for language matters and may have the expectation that disputes will be approached and dealt with in a spirit of co-operation in which workable solutions are sought.

A distinction is drawn in the Code of Conduct between the responsibilities and expectations of staff and of students. Complaints on language matters of an academic nature will be dealt with in accordance with standard procedures.

The Language Policy and Plan sets the minimum language requirements for students studying at Stellenbosch University (Language plan 2002:5):

As a general rule, students taking an A module or a T module require an academic language proficiency in both Afrikaans and English for effective study at the undergraduate level. A higher level of academic language proficiency is required for postgraduate study. Lecturers, especially with regard to their obligations to set and assess assignments, tests and question

papers in English and Afrikaans, will be expected within a reasonable time from their appointment to develop sufficient receptive skills (listening and reading) in Afrikaans and English to be able to follow discussions in class, to set assignments and examination question papers in both languages and to be able to understand students' answers in both languages. They should also be capable of judging the equivalence of translations and of fairly assessing answers in Afrikaans and English.

Lecturers' Responsibilities

Lecturers bear the responsibility of:

1. implementing the language specifications of the module being taught in accordance with the requirements of the Language Plan (see especially paragraph 3 of the Language Plan).
2. revising and adjusting the language specifications where necessary and according to the circumstances (new text books, other lecturers).
3. informing students briefly at the beginning of the teaching of the module, orally and in the module framework, of the choices and alternative for which the language specifications make provision.
4. ensuring that questions in assignments, tests and examinations have exactly the same content in English and Afrikaans.
5. developing sufficient language proficiency to be able to mark assignments, tests and examinations in Afrikaans and English, or making other satisfactory arrangements that it takes place.
6. ensuring that, in accordance with the guidelines for the T option (see 3.3.1.2 of the Language Plan), students' language proficiency is sufficiently developed, and the necessary measures are in place to ensure subject-specific language proficiency in Afrikaans and English.
7. striving at all times to act courteously and accommodatingly in situations involving language use (e.g. when questions are asked in English in a class where the language specification for the module is A).

Lecturers' Expectations

Lecturers can expect students to:

1. take note of the characteristics of the language specification applicable to the specification laid down for the module. (See paragraph 3, Language Plan).
2. inform the lecturer of their needs with regard to academic language skills.
3. respect the spirit of the Language Policy and Plan, especially with regard to the development of skills in a language which is not their language of choice, by deliberately paying attention to it, taking part actively in class and working on their knowledge of subject terminology and subject discourse in both languages. This expectation applies especially to the T Specification for modules.

Students' Responsibilities

Students bear the responsibility of:

1. ascertaining the language options for each module and noting especially the consequences; e.g. that translations will not be available in some instances.
2. being honest and open-hearted about their language skills and taking the responsibility for early and appropriate action if they should experience difficulties.
3. deliberately developing the receptive skills (listening and reading) in the language not of choice for learning and teaching by active participation in class.

4. buying and using the prescribed material (especially text books) to improve their language skills in the subject.
5. being courteous and accommodating, and acting accordingly, in situations where language use is at issue, e.g. with regard to the difficulties of the minority group in the class.
6. accepting that one or a few students, because of inadequacies in his/their language proficiency, may not exercise or try to exercise a right of veto with regard to the use of Afrikaans or English in the class situation.

Students' Expectations

Students can expect that:

1. help with language skills development will be provided should their academic language proficiency in Afrikaans and/or English be inadequate.
2. they can ask questions and conduct discussions in Afrikaans or English (unless the other languages are required, as in language modules), taking into account their own and the lecturer's language proficiency.
3. Afrikaans and English versions of assignments and question papers will be available and will have the same content.
4. there will be a sensitivity for language difficulties, so that language errors made under examination conditions will be assessed with discretion.

NON-RACISM

Stellenbosch University admits students of any race, colour, nationality or ethnic origin to all rights, privileges, programmes and activities generally accorded or made available to students of the University. The University does not discriminate on the basis of race, colour, nationality or ethnic origin in the implementation of its educational policies, its scholarship and loan programmes, or its sports programmes.

PLEASE NOTE

1. In this publication any expression signifying one of the genders includes the other gender equally, unless inconsistent with the context.
2. Before making a final choice of modules (subjects), every student should closely consult the relevant timetables. Should it then become apparent that two modules fall in the same time slot on a particular timetable, the University will not allow registration as a student in both of them for the same year/semester since they will be an inadmissible combination.
3. The University reserves the right to amend the Calendar at any time. The Council and the Senate of the University accept no liability for any inaccuracies there may be in the Calendar. Every reasonable care has, however, been taken to ensure that the relevant information to hand as at the time of going to press, is given fully and accurately in the Calendar.
4. In the event of uncertainty or a dispute regarding information in Part 6 of the Calendar, the final interpretation will be based on the Afrikaans version.
5. Parts 1, 2 and 3 of the Calendar contain general information applicable to all students. Students are urged to note with special care the content of the Provisions relating to Examinations and Promotions in the "University Examinations" chapter of Part 1 of the Calendar.

CALENDAR CLASSIFICATION

The University Calendar is divided into the following parts:

General	Part 1
Bursaries and Loans	Part 2
Student Fees	Part 3
Arts and Social Sciences	Part 4
Science	Part 5
Education	Part 6
AgriSciences	Part 7
Law	Part 8
Theology	Part 9
Economic and Management Sciences	Part 10
Engineering	Part 11
Health Sciences	Part 12
Military Science	Part 13

Afrikaans (Part 1 - 12) or English copies of the individual parts may be obtained from the Registrar on request.

COMMUNICATION WITH THE UNIVERSITY

Student Number

In dealing with new formal applications for admission, the University assigns a student number to each applicant. This number serves as the unique identification of the person concerned. However, the mere assignment of a student number does not imply that the applicant has been accepted for the proposed programme of study. You will be advised whether or not you have been accepted in a separate letter.

Once you have been informed of your student number you must please quote it in all future correspondence with the University.

Addresses at the Central Administration

Correspondence on academic matters – i.e. study-related matters, bursaries, loans, etc. – should be directed to

The Registrar
Stellenbosch University
Private Bag X1
MATIELAND
7602

Correspondence on matters relating to finance and services, including services at University residences, should be directed to

The Executive Director: Operations and Finance
Stellenbosch University
Private Bag X1
MATIELAND
7602

Other official addresses

The Dean: Faculty of Law
Stellenbosch University
Private Bag X1
MATIELAND
7602

Centre for Student Affairs (Non-academic matters)
Neelsie
Private Bag X1
MATIELAND
7602

USEFUL TELEPHONE AND FAX NUMBERS

For divisions or sections not listed below, please contact the Stellenbosch University Contact Centre on the Stellenbosch Campus at 021 808 9111, with fax number 021 808 3822 and e-mail info@sun.ac.za.

Faculty of Law	Telephone	Fax
The Dean	(021) 808 4853	(021) 886 6235
Academic Manager	(021) 808 3780	(021) 886 6235
Faculty Secretary: Mr Shirle Cornelissen	(021) 808 9111	(021) 808 3822
Department of Mercantile Law: Mrs E Ferrier	(021) 808 3561	(021) 886 6235
Department of Private Law: Ms SL Moses	(021) 808 3184	(021) 886 6235
Department of Public Law: Mrs A King	(021) 808 3195	(021) 886 6235
Major entities by campus		
Library (=JS Gericke) (Stellenbosch)	(021) 808 4385 (021) 808 4883	(021) 808 4336
Health Sciences, Faculty of (Tygerberg)	(021) 938 9111	(021) 931 7810
Military Science, Faculty of (Saldanha)	(022) 702 3999	(022) 814 3824
Graduate School of Business (Bellville Park)	(021) 918 4111	(021) 9184112
School of Public Leadership (Bellville Park)	(021) 918 4122	(021) 918 4123
Telematic Services (Stellenbosch)	(021) 808 3563	(021) 808 3565
Other units		
Bursaries (Postgraduate candidates)	(021) 808 4208	(021) 808 2739
Bursaries and Loans (Undergraduate candidates)	(021) 808 9111	(021) 808 2954
Communication and Liaison	(021) 808 4977	(021) 808 3800
Development and Alumni Relations	(021) 808 4020	(021) 808 3026
Examinations Section	(021) 808 9111	(021) 808 2884
Postgraduate and International Office (PGIO)	(021) 808 4628	(021) 808 3799
Research Development	(021) 808 4914	(021) 808 4537
Student Communities, Centre for	(021) 808 2848	(021) 808 2847
Student Counselling and Development, Centre for	(021) 808 3894	(021) 808 4706
Teaching and Learning, Centre for (Extended degree programmes)	(021) 808 3717	(021) 886 4142
Other faculty secretaries		
AgriSciences	(021) 808 9111	(021) 808 3822
Arts and Social Sciences	(021) 808 9111	(021) 808 3822
Economic and Management Sciences	(021) 808 9111	(021) 808 3822
Education	(021) 808 4831	(021) 808 3822
Engineering	(021) 808 9111	(021) 808 3822
Health Sciences: Applications, Stellenbosch	(021) 808 9111	(021) 808 3822
Health Sciences: Tygerberg Campus	(021) 938 9204	(021) 931 7810
Military Science	(021) 808 9111	(021) 808 3822
Science	(021) 808 9111	(021) 808 3822
Theology	(021) 808 9111	(021) 808 3822

UNDERGRADUATE ENROLMENT MANAGEMENT

In order to meet the targets of Council with regard to the size (the total number of students) and shape (fields of study and diversity profile) of the student body of Stellenbosch University (SU), it is necessary to manage the undergraduate enrolments at SU.

SU's total number of enrolments is managed to be accommodated by its available capacity. SU offers a balanced package of programmes covering all of three main study areas, namely

- (a) the humanities,
- (b) the economic and management sciences, and
- (c) the natural sciences, agricultural sciences, health sciences and engineering (Science, Engineering and Technology or SET).

SU is committed to the advancement of diversity.

Undergraduate enrolment management at SU adheres to the framework of the national higher-education system. A well grounded cohesion between national and institutional goals, respecting important principles such as institutional autonomy, academic freedom and public responsibility, is pursued. The following points of departure apply:

- The expansion of academic excellence by maintaining high academic standards.
- The maintenance and improvement of high success rates.
- The fulfilment of SU's commitment to redress, to social responsibility and to contributing towards the training of future role models from all population groups.
- The expansion of access to higher education especially for students from educationally disadvantaged and economically needy backgrounds who possess the academic potential to study at SU with success.

Due to the limited availability of places and the strategic and purposeful management of enrolments, not all undergraduate applicants who meet the minimum requirements of a particular programme will automatically gain admission.

Details about the selection procedures and admission requirements for undergraduate programmes are given on www.maties.com and on the faculty's web page at www.sun.ac.za/law.

All undergraduate prospective students with the 2013 intake and beyond in mind must write the National Benchmarking Test (NBT). Consult the NBT web site (www.nbt.ac.za) or the SU web site at www.maties.com for more information on the National Benchmarking Test. The results of the National Benchmarking Tests may be used by SU for the following purposes (details are available at www.maties.com):

- Supporting decision-making about the placement of students in extended degree programmes,
- selection, and
- curriculum development.

Faculty of Law

The Law Faculty of Stellenbosch University (SU) was established in 1921 and is situated in the historical "Ou Hoofgebou" (Old Main Building). The Faculty comprises the following three Departments: The Department of Mercantile Law, the Department of Private Law and the Department of Public Law. The extended law library comprises a large section of the upper floor of the JS Gericke Library.

1. DEGREES AWARDED IN THE FACULTY OF LAW

Legum Baccalaureus (LLB)

Legum Magister (LLM)

Legum Doctor (LLD)

Postgraduate Diploma in Tax Law (PDTL)

Since 1998 a four-year LLB degree programme has been offered and the curricula of the existing BA (Law) and BComm (Law) programmes have been adapted accordingly.

This LLB is offered as the basic law degree programme by the Faculty and may be followed over a minimum period of four years. The BA (Law) and BComm (Law) degree programmes require three years of study and are integrated with the curriculum of the four-year LLB programme. On completion of a BA (Law) or BComm (Law), a student may enrol for the LLB and complete the final two years of this programme, hereafter he obtains the LLB degree. Such a student will accordingly, after five years of successful study, obtain both a BA (Law) or BComm (Law) and a LLB degree.

Since 1999 a three-year postgraduate LLB programme has been offered, based on the curriculum of the four-year LLB programme.

A BAccLLB programme has also been offered since 2001. This programme enables students to complete both the BAcc and LLB degrees within a minimum period of five years.

2. SELECTION POLICY (UNDERGRADUATE PROGRAMMES)

Since 2004 a selection policy has been implemented for all undergraduate law programmes. This policy provides for the limitation of the number of new first-year law students accepted for the following programmes: the four-year LLB, BA (Law), BComm (Law) and BAccLLB. In terms of the policy, all applicants are required to undergo the National Benchmark Test. The results of the National Benchmark Test will be considered, in conjunction with school results, in the relation 20:80 to place students on a list of academic merit. In line with the University's policy on diversity, the selection process will provide for the admission of students from underrepresented groups. Applicants have to meet the admission requirements as set out further on in "5. Admission Requirements".

Note

Applications close on 30 June of the relevant year. Prospective students must complete the National Benchmark Test before the aforesaid closing date.

3. STANDING RULES FOR DEAN'S CONCESSION EXAMINATIONS (DCEs)

1. A final-year student who, when he has taken all the examinations and when all final marks are available, is one module with a credit value of no more than 32 credits in arrears for his degree may – subject to the provisions of paragraph 2 below – be admitted to a Dean's Concession Examination (DCE) as a concession by the Dean, in consultation with the academic department(s) concerned.

2. Where a student qualifies for a DCE in an examination module subsequent to the first round of examination (May/June or October/ November), such DCE must be taken during

the second round of examination, (June or November/December). The Faculty Secretary must inform the relevant department(s) accordingly, but it remains the responsibility of the student concerned to identify himself as a DCE candidate and to gain the necessary clearance to present himself for the second round of examination. If the student again fails the module, no further DCE will be granted.

3. Where a student qualifies for a DCE subsequent to the second examination opportunity (June or November/December), the DCE must be taken at a specified time before the commencement of lectures in February the next year.
4. The students referred to paragraph 3 above must be identified by the Faculty Secretary, who must send their names to the departments concerned via the Dean's office. The onus, however, will be on the students concerned to apply to the Faculty Secretary in good time about possible admission to the DCE. Students who are granted a DCE must present themselves for the examination, which will be conducted departmentally.
5. DCEs in modules subject to continuous assessment must be taken at the same time as referred to in paragraph 3 above, subject to the procedures laid down in paragraph 4 above.
6. Students who have been granted a DCE must ascertain when and where the DCE in question is to be written and present themselves at such time and place.
7. DCEs are granted only with the approval of the Dean. Under no circumstances may any department grant a DCE without the Dean's approval. No lecturer may give an undertaking to a student in this matter.

Note

Also take note of the general arrangement regarding DCEs in the *Calendar*, Part 1.

4. READMISSION OF UNDERGRADUATE STUDENTS

Students who are registered for the four-year LLB, three-year LLB, two-year LLB, BAccLLB, BComm (Law) or BA (Law) programme must obtain 0,5 HEMIS credits to automatically qualify for readmission to the following academic year. All undergraduate students in the Faculty of Law are subject to this rule, irrespective of the particular academic year of registration.

5. ADMISSION REQUIREMENTS

5.1 LLB (four years)

This is a selection programme and only a limited number of students will be admitted. Applications close 30 June.

Admission Requirements

- The National Senior Certificate (NSC) with at least six NSC subjects (excluding Life Orientation)
- National Senior Certificate (NSC) with at least a 4 (50% - 59%) in four NSC university admission subjects
- An overall average mark of at least a 5 (60% - 69%)
- Afrikaans (Home Language) or English (Home Language) at least a 5 (60% - 69%)

Notes:

- Students selecting Economics as a subject must pass Mathematics with an average mark of at least 5 (60% - 69%)
- If a student selects a module from the Faculty of Arts and Social Sciences (e.g. a language), the onus lies on the student to determine the prerequisites set for the module

5.2 LLB (three-year postgraduate programme)

This is a selection programme and only a limited number of students will be admitted. Applications close 30 June.

Admission Requirements

- Normally only students in possession of a degree from a South African university in which an average of 60% was obtained in the final year of the degree

5.3 LLB (two-year postgraduate programme)

Admission Requirements

- A prior BComm (Law) or BA (Law) degree from Stellenbosch University

5.4 BAceLLB

This is a selection programme and only a limited number of students will be admitted. Applications close 30 June.

Admission Requirements

- National Senior Certificate (NSC) with at least a 4 (50% - 59%) in four NSC university admission subjects (excluding Life Orientation)
- An NSC average of at least 70%
- Afrikaans (Home Language) 4 (50% - 59%) and English (First Additional Language) 5 (60% - 59%) OR
- English (Home Language) 4 (50% - 59%) and Afrikaans (First Additional Language) 5 (60% - 69%)
- Mathematics at least a 6 (70% - 79%) OR
- Mathematics at least a 5 (60% - 69%) and Accounting at least a 6 (70% - 79%)

5.5 BComm (Law)

This is a selection programme and only a limited number of students will be admitted. Applications close 30 June.

Admission Requirements

- National Senior Certificate (NSC) with at least a 4 (50% - 59%) in four NSC university admission subjects (excluding Life Orientation)
- An NSC average of at least 60%
- Afrikaans (Home Language) 4 (50% - 59%) and English (First Additional Language) 5 (60% - 69%) OR
- English (Home Language) 4 (50% - 59%) and Afrikaans (First Additional Language) 5 (60% - 69%)
- Mathematics at least a 5 (60% - 69%)

5.6 BA (Law)

This is a selection programme and only a limited number of students will be admitted. Applications close 30 June.

Admission Requirements

- The National Senior Certificate (NSC) with at least 6 NSC subjects (excluding Life Orientation)
- National Senior Certificate (NSC) with at least a 4 (50% - 59%) in four NSC university admission subjects
- An overall average mark of at least a 5 (60% - 69%)
- Afrikaans (Home Language) or English (Home Language) at least a 5 (60% - 69%)

Notes:

- Students selecting Economics as a subject must pass Mathematics with an average mark of at least 5 (60% - 69%)
- The onus lies on the student to determine the prerequisites set for modules from the Faculty of Arts and Social Sciences (e.g. a language)

5.7 LLM

A student with an LLB degree conferred by this University or any other bachelor's degree in Law (excluding the BLuris degree) and who has attained an average of 60% in the final year of this degree or a comparable achievement in another (for example, foreign) qualification, or a student who has attained a level of proficiency or accomplishment in Law which, in the judgement of the Senate, is regarded as adequate for this purpose, may apply in writing to read for a Master's degree in Law. The Senate will consider every application on merit.

Note

International students applying for admission to the LLM programme (by coursework) are required to submit proof of their current level of proficiency in English (for example, through IELTS or TOEFL scores). Students with English as home language or students who have completed their first degree in English are exempted from this requirement.

5.8 LLD

A student with an LLM degree, or a student with an LLB degree conferred by this University or any other bachelor's degree in Law (excluding the BProc and BLuris degrees) approved for this purpose by the Senate, and with relevant academic or professional experience, or a student who has attained a level of proficiency or accomplishment in Law which, in the judgement of the Senate is regarded as adequate for this purpose, may apply in writing to read for a Doctoral degree in Law. The Senate will consider every application on merit.

5.9 Postgraduate Diploma in Tax Law

A Postgraduate Diploma in Tax Law has been offered since 1999.

Admission requirements

The following persons will be considered by the Senate as candidates for this diploma:

- an LLB graduate who obtained the degree from this University;
- a BAcc or BComm graduate who obtained the degree from this University;
- a graduate from any other university who has been granted the status of LLB, BProc, BComm or BAcc of the university concerned in terms of section 65B of the Higher Education Act No. 101 of 1997;
- a person who has been admitted to practice as an attorney in any province of South Africa or in Namibia;
- a person who is registered as an accountant with the Public Accountants' and Auditors' Board, or registered as a chartered accountant with the South African Institute for Chartered Accountants; and
- a person with any other academic or professional qualification which the Senate deems to be sufficient for admission.

6. COMPLETION OF MODULES/SUBJECTS THROUGH ANOTHER UNIVERSITY

A maximum of 44 pre-final-year and/or final-year credits for the four-year LLB programme and three-year, postgraduate LLB programme may be completed at another university, with special permission from the Faculty, subject to the following additional requirements:

- the credits must be relevant and on the required academic level;
- except in the case of elective modules it will be required that the specific module was followed at the Faculty of Law, Stellenbosch University, and that the student failed the module; and
- if the student was already credited for modules completed elsewhere and still wishes to register for a further module at another institution, the total credits to be recognized may not exceed a maximum of 148 credits.

7. RECOGNITION OF SUBJECTS/MODULES/CREDITS COMPLETED ELSEWHERE

A maximum of 148 credits completed at another institution and which are relevant and on the required academic level may be recognised for purposes of the four-year LLB programme and the three-year, postgraduate LLB programme. However, the full pre-final year and final year of these two programmes must be followed at the Faculty of Law, Stellenbosch University.

8. STUDENT ACTIVITIES

Juridical Society:

The Juridical Society organises a wide range of academic and social activities (inter alia visiting lecturers, guest speakers, moot courts) and represents law students in the liaison committee with lecturers.

Legal Aid Clinic:

Students who assist at the Legal Aid Clinic provide free legal assistance on an organised basis to students and needy persons in the Stellenbosch district.

Responsa Meridiana:

This is a legal journal published annually in collaboration with law students of the University of Cape Town, consisting solely of contributions by students. A prize is awarded for an outstanding contribution.

Programme Offering

1. THE FOUR-YEAR LLB PROGRAMME

The undergraduate LLB programme has been offered since 1998. Prospective LLB students who have already graduated with a BA (Law) or BComm (Law) degree, may complete the two-year LLB programme (postgraduate).

First year (160 credits)

Introduction to Law	171(24)
Private Law	171(24)
Criminal Law	171(24)
Indigenous Law	171(24)
Writing Skills	171(10)

Compulsory year module

Information Skills	172(6)
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Other modules

Two subjects from the following list, with a combined credit value of 48; your choice must comprise at least one language with a total credit value of 24:

Afrikaans en Nederlands	178(24)
Afrikaans Language Acquisition	178(24) (only on first-year level)
English Studies	178(24)
Basic Xhosa	114(12), 144(12) Or
Xhosa	178(24) Or 188(24)
German	178(24) Or 188(24)
French	178(24) Or 188(24)
Latin	178(24) Or
Classical Legal Culture	114(12), 144(12)
Economics	114(12), 144(12)
Philosophy	112(6), 122(6), 142(6), 152(6), 162(6) (follow four modules)
Political Science	112(6), 122(6), 142(6), 152(6)

Second year (146 credits)

Compulsory law modules (year modules)

Private Law	272(16), 273(16)
Roman Law	271(24)
Constitutional Law	271(26)
Law of Criminal Procedure	271(20)

Compulsory law module (first semester)

Interpretation of Enacted Law	211(12)
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and

One subject from the following list with a combined credit value of 32:

Afrikaans en Nederlands	278(32)
English Studies	278(32)
Xhosa	214(16), 244(16) Or 224(16), 254(16)
German	278(32)
Latin	214(16), 244(16)

Ancient Cultures	211(8), 212(8), 221(8), 222(8), 241(8), 242(8), 251(8), 252(8) (follow four modules)
Philosophy	212(8), 222(8), 252(8), 262(8)
Political Science	212(8), 222(8), 242(8), 252(8)
Economics	214(16), 244(16)

Third year (148 credits)

Compulsory law modules (year modules)

Private Law	372(32), 373(32)
Law of Civil Procedure	371(24)

Compulsory law modules (first semester)

Constitutional Law	312(12)
Mercantile Law	311(12), 312(12)

Compulsory law modules (second semester)

International Law	341(12)
Legal Philosophy	341(12)

Fourth year (152 credits)

Compulsory law modules (year modules)

Mercantile Law	471(32)
Law of Evidence	471(20)

Compulsory law modules (first semester)

Private Law	411(12)
Administrative Law	411(16)
Legal Skills	411(12)
Law of Taxation	411(12)

Law modules (second semester)

A choice of any four from the following modules, of which at least one must come from Mercantile Law. The choice is subject to timetable constraints. It may be announced in a particular year that certain module combinations will not normally be possible due to timetable constraints. It should also be noted that not all the modules will be offered each year. A minimum of 10 students must register for a particular module before the module will be offered. On request of a particular lecturer the maximum number of students per module may be restricted to 35 students. Students should consequently be available for a selection process before the final registration date of second-semester modules. Such a selection process will be determined by a particular lecturer and may include the following considerations: a student's academic performance in particular, related modules and/or late registration.

Mercantile Law

Law of Taxation	441(12), 442(12)
Mercantile Law	441(12), 442(12), 443(12), 444(12), 445(12), 447(12), 448(12), 449(12)
Intellectual Property Law	441(12)
Accounting for Law Students	441(12)

Private Law

International Private Law	451(12)
Private Law	451(12), 452(12), 453(12), 454(12), 455(12), 457(12)
Practical Legal Training	471(24) (provides exemption from Legal Skills 411)

Public Law

Legal Philosophy	451(12)
Criminal Law	451(12)
International Law	451(12)
Constitutional Law	451(12)
Public Procurement Law	451(12)
Environmental Law	451(12)

Dissertation elective

Mercantile Law 446; Private Law 441; Public Law 451

In the place of one of the above taught modules, a student may elect to write and present for assessment a dissertation of prescribed length and scope on an approved topic selected in consultation with the chair of the relevant department, or a student may publish an article in an approved legal journal, in consultation with the chair of the relevant department. A student exercising this option must present, at registration, written approval of the topic by the chair of this department. Normally only students with an average of 60% for the pre-final year of the LLB programme will be permitted to register for the dissertation option. Students, who participate in the trial rounds of an approved moot competition, may also apply in writing to the relevant departmental chair to be assessed on their individual written and oral contributions and such contributions may be accredited in place of the dissertation.

Note

Students who are not in the final year of the programme and who have failed modules from previous academic year(s) may not register for any modules from the subsequent academic year without special permission. This restriction is valid for all modules, irrespective of any prerequisite pass, prerequisite and corequisite requirements for modules as stated in this Part of the Calendar.

2. THE THREE-YEAR LLB PROGRAMME (POSTGRADUATE)

Since 1999 a three-year, postgraduate LLB programme has been offered.

First year (172 credits)*Compulsory law modules (year modules)*

Introduction to Law	171(24)
Private Law	171(24), 272(16), 273(16)
Criminal Law	171(24)
Constitutional Law	271(26)

And one of the following two modules:

Indigenous Law	171(24)
Roman Law	271(24)

Compulsory law module (first semester)

Interpretation of Enacted Law	211(12)
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Other compulsory year module

Information Skills	172(6)
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Second year (156 credits)*Compulsory law modules (year modules)*

Private Law	372(32), 373(32)
Law of Civil Procedure	371(24)
Law of Criminal Procedure	271(20)

Compulsory law modules (first semester)

Constitutional Law	312(12)
Mercantile Law	311(12), 312(12)

Compulsory law module (second semester)

Legal Philosophy	341(12)
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Third year (152 credits)*Compulsory law modules (year modules)*

Mercantile Law	471(32)
Law of Evidence	471(20)

Compulsory law modules (first semester)

Law of Taxation	411(12)
Private Law	411(12)
Administrative Law	411(16)
Legal Skills	411(12)

Compulsory and elective modules (second semester)

International Law 341(12) is a compulsory second-semester module.

A choice of any three from the following modules, of which at least one must come from Mercantile Law. The choice is subject to timetable constraints. It may be announced in a particular year that certain module combinations will not normally be possible due to timetable constraints. It should also be noted that not all the modules will be offered each year. A minimum of 10 students must register for a particular module before the module will be offered. On request of a particular lecturer the maximum number of students per module may be restricted to 35 students. Students should consequently be available for a selection process before the final registration date of second-semester modules. Such a selection process will be determined by a particular lecturer and may include the following considerations: a student's academic performance in particular, related modules and/or late registration.

Mercantile Law

Law of Taxation	441(12), 442(12)
Mercantile Law	441(12), 442(12), 443(12), 444(12), 445(12), 447(12), 448(12), 449(12)
Intellectual Property Law	441(12)
Accounting for Law Students	441(12)

Private Law

International Private Law	451(12)
Private Law	451(12), 452(12), 453(12), 454(12), 455(12), 457(12)
Practical Legal Training	471(24) (provides exemption from Legal Skills 411)

Public Law

Legal Philosophy	451(12)
Criminal Law	451(12)
International Law	451(12)
Constitutional Law	451(12)
Public Procurement Law	451(12)
Environmental Law	451(12)

Dissertation elective

Mercantile Law 446; Private Law 441; Public Law 451

In the place of one of the above taught modules, a student may elect to write and present for assessment a dissertation of prescribed length and scope on an approved topic selected in consultation with the chair of the relevant department, or a student may publish an article in an approved legal journal, in consultation with the chair of the relevant department. A student exercising this option must present, at registration, written approval of the topic by the chair of this department. Normally only students with an average of 60% for the pre-final year of the LLB programme will be permitted to register for the dissertation option. Students, who participate in the trial rounds of an approved moot competition, may also apply in writing to the relevant departmental chair to be assessed on their individual written and oral contributions and such contributions may be accredited in place of the dissertation.

Notes

1. Students are not permitted to commence with the second year of this degree programme, unless they have successfully completed at least four law year-modules from the first year (which must include Private Law 171, Private Law 272, Private Law 273 and Constitutional Law 271).
2. The prerequisite pass, prerequisite and corequisite requirements of the third and fourth year of the four-year LLB programme are also applicable to the second and third year of the three-year, postgraduate LLB programme.
3. A student may not register for any additional subject or module without the permission of the Senate.
4. Only the final marks obtained in modules prescribed for the second and third year of this programme are considered for the purpose of calculating a *cum laude* pass, which requires the attainment of a minimum average of 75%.
5. Students who are not in the final year of the programme and who have failed modules from previous academic year(s) may not register for any modules from the subsequent academic year without special permission. This restriction is valid for all modules, irrespective of any prerequisite pass, prerequisite and corequisite requirements for modules as stated in this Part of the Calendar.

3. THE TWO-YEAR LLB PROGRAMME (POSTGRADUATE)**First year (148 credits)***Compulsory law modules (year modules)*

Private Law	372(32), 373(32)
Law of Civil Procedure	371(24) (students who register for the first time in 2012 – see the note below)

Compulsory law modules (first semester)

Constitutional Law	312(12)
Mercantile Law	311(12), 312(12)

Compulsory law modules (second semester)

International Law	341(12)
Legal Philosophy	341(12)
Two LLB electives (24) (except students who register for the first time in 2012 – see the note below)	

Second year (152 credits)*Compulsory law modules (year modules)*

Mercantile Law	471(32)
Law of Evidence	471(20)

Compulsory law modules (first semester)

Private Law	411(12)
Administrative Law	411(16)
Legal Skills	411(12)
Law of Taxation	411(12)

Law modules (second semester)

A choice of any four from the following modules (which had not already been taken in the first year of the programme), of which at least one must come from Mercantile Law. The choice is subject to timetable constraints. It may be announced in a particular year that certain module combinations will not normally be possible due to timetable constraints. It should also be noted that not all the modules will be offered each year. A minimum of 10 students must register for a particular module before the module will be offered. On request of a particular lecturer the maximum number of students per module may be restricted to 35 students. Students should consequently be available for a selection process before the final registration date of second-semester modules. Such a selection process will be determined by a particular lecturer and may include the following considerations: a student's academic performance in particular, related modules and/or late registration.

Mercantile Law

Law of Taxation	441(12), 442(12)
Mercantile Law	441(12), 442(12), 443(12), 444(12), 445(12), 447(12), 448(12), 449(12)
Intellectual Property Law	441(12)
Accounting for Law Students	441(12)

Private Law

International Private Law	451(12)
Private Law	451(12), 452(12), 453(12), 454(12), 455(12), 457(12)
Practical Legal Training	471(24) (provides exemption from Legal Skills 411)

Public Law

Legal Philosophy	451(12)
Criminal Law	451(12)
International Law	451(12)
Constitutional Law	451(12)
Public Procurement Law	451(12)
Environmental Law	451(12)

Dissertation elective

Mercantile Law 446; Private Law 441; Public Law 451

In the place of one of the above taught modules, a student may elect to write and present for assessment a dissertation of prescribed length and scope on an approved topic selected in consultation with the chair of the relevant department, or a student may publish an article in an approved legal journal, in consultation with the chair of the relevant department. A student exercising this option must present, at registration, written approval of the topic by the chair of this department. Normally only students with an average of 60% for the pre-final year of the LLB programme will be permitted to register for the dissertation option. Students, who participate in the trial rounds of an approved moot competition, may also apply in writing to the relevant departmental chair to be assessed on their individual written and oral contributions and such contributions may be accredited in place of the dissertation.

Notes

1. Students who are not in the final year of the programme and who have failed modules from previous academic year(s) may not register for any modules from the subsequent academic year without special permission. This restriction is valid for all modules, irrespective of any prerequisite pass, prerequisite and corequisite requirements for modules as stated in this Part of the Calendar.
2. Students who register for the first time in 2012 for this programme, must still register for Law of Civil Procedure 371. Such students need not register for the two LLB elective modules.

4. THE BAccLLB PROGRAMME

The Faculties of Law and Economic and Management Sciences have been offering a combined BAccLLB programme since 2001 to enable students to obtain both the LLB and BAcc degrees within a minimum period of five years. In 2004 an amended programme was implemented. More revisions have also been incorporated in the existing programmes in 2005 and 2006.

First year (168 credits)

Introduction to Law	171(24)
Private Law	171(24)
Criminal Law	171(24)
Theory of Interest	152(6)
Economics	114(12), 144(12)
Financial Accounting	178(24)
Information Systems	188(24)
Statistics	186(18)

Second year (162 credits)

Private Law	272(16), 273(16)
Roman Law	271(24)
Law of Criminal Procedure	271(20)
Constitutional Law	271(26)
Interpretation of Enacted Law	211(12)
Business Ethics	214(8), 242(4)
Auditing	288(24)
Information Systems	284(12)

Third year (172 credits)

Private Law	372(32), 373(32)
International Law	341(12)
Mercantile Law	311(12)

Financial Accounting	278(32)
Management Accounting	278(24)
Constitutional Law	312(12)
Administrative Law	411(16)

Fourth year (164 credits)

Mercantile Law	312(12), 471(32)
Law of Civil Procedure	371(24)
Law of Taxation	411(12), 441(12)
Private Law	411(12)
Legal Philosophy	341(12)
Legal Skills	411(12)
Information Systems	312(12)
Two LLB elective modules from Mercantile Law (24*)	
*See the elective modules for the four-year LLB	

Fifth year (164 credits)

Law of Evidence	471(20)
Financial Accounting	379(48)
Auditing	378(24)
Taxation	399(36)
Management Accounting	378(36)

Notes

1. See Part 10 of the Calendar for the content of modules that are offered by the Faculty Economic and Management Sciences.
2. Students who are not in the final year of the programme and who have failed modules from previous academic year(s) may not register for any modules from the subsequent academic year without special permission. This restriction is valid for all modules, irrespective of any prerequisite pass, prerequisite and corequisite requirements for modules as stated in this Part of the Calendar.
3. Students who are in the fourth year of the programme in 2012, must take Constitutional Law 312 from the third year of the programme.

5. THE BA (LAW) PROGRAMME

For more information with regard to the BA (Law) programme and the content of modules offered by the Faculty of Arts and Social Sciences, please see Part 4 of the Calendar.

First Year (160 credits)*Compulsory law modules*

Introduction to Law	171(24)
Private Law	171(24)
Indigenous Law	171(24)
Writing Skills	171(10)

Other compulsory year module

Information Skills	172(6)
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Elective modules (3 x 24)

Choose **any three subjects**, of which **at least one** must be a language, from the following list:

Afrikaans en Nederlands	178(24)
Afrikaans Language Acquisition	178(24) (only on first-year level) Or 188(24) (only on first year level)
German	178(24) Or 188(24)
Economics	114(12), 144(12)
English Studies	178(24)
French	178(24) Or 188(24)
Latin	178(24) Or
Classical Legal Culture	114(12), 144(12)
Philosophy	112(6), 122(6), 142(6), 152(6), 162(6) (follow four modules, only on first-year level)
Political Science	112(6), 122(6), 142(6), 152(6)
Psychology	114(12), 144(12)
Xhosa	178(24) Or 188(24)

Second Year (144 credits)*Compulsory law modules*

Private Law	272(16), 273(16)
Roman Law	271(24)
Criminal Law	171(24)

Elective modules (2 x 32)

Continued study of two of the following subjects:

Afrikaans en Nederlands	278(32)
German	278(32)
Economics	214(16), 244(16)
English Studies	278(32)
Latin	214(16), 244(16) Or
Ancient Cultures	211(8), 212(8), 221(8), 222(8), 241(8), 242(8), 251(8), 252(8) (follow four modules in consultation with Department)
Philosophy	212(8), 222(8), 242(8), 252(8), 262(8) (follow four modules, two in the first semester and two in the second semester)
Political Science	212(8), 222(8), 242(8), 252(8)
Psychology	212(8), 222(8), 242(8), 252(8)
Xhosa	214(16), 244(16) Or 224(16), 254(16)

Third year (154 credits)*Compulsory law modules*

Constitutional Law	271(26)
Law of Criminal Procedure	271(20)
Interpretation of Enacted Law	211(12)
Law of Civil Procedure	371(24)

Elective modules (1 x 48 + 1 x 24)

Continued study of one and one-half subjects (48 credits + 24 credits):

Ancient Cultures	311(12), 312(12), 321(12), 322(12), 341(12), 342(12), 351(12), 352(12) (follow four modules in consultation with Department)
Economics	318(24), 348(24)
English Studies	318(24), 348(24)
Latin	318(24), 348(24)
Philosophy	314(12), 324(12), 334(12), 344(12), 354(12), 364(12) (follow four modules in consultation with Department)
Afrikaans en Nederlands	318(24), 348(24)
Political Science	314(12), 324(12), 344(12), 354(12)
Psychology	318(24), 348(24)
Xhosa	318(24), 348(24) Or 328(24), 358(24)

Notes

1. Students may not enrol for both Afrikaans and Dutch 178 and Afrikaans Language Acquisition 178.
2. Students may only enrol for both Economics 114, 144 and English Studies 178 at first-year level.
3. A student may not enrol for any other module as an additional module in the final year of the BA (Law) programme without the permission of the Faculty Board of the Faculty of Law.

6. THE BComm (LAW) PROGRAMME

For more information with regard to the BComm (Law) programme and the content of modules offered by the Faculty of Economic and Management Sciences, please see Part 10 of the Calendar.

First Year (160 credits)

Financial Accounting	188(24)
Economics	114(12), 144(12)
Theory of Interest	152(6)
Business Management	113(8), 142(6)
Industrial Psychology	112(4)
Private Law	171(24)
Introduction to Law	171(24)
Writing Skills	171(10)
Information Systems	112(6)
Afrikaans en Nederlands	178(24) Or
English Studies	178(24) Or
Basic Xhosa	114(12), 144(12) Or
Xhosa	178(24) Or 188(24) Or
Latin	178(24)

Second Year (144 credits)

Private Law	272(16), 273(16)
Roman Law	271(24)
Criminal Law	171(24)
Economics	214(16), 244(16)
Financial Accounting	288(32)

Third Year (154 credits)

Constitutional Law	271(26)
Law of Criminal Procedure	271(20)
Interpretation of Enacted Law	211(12)
Law of Civil Procedure	371(24)
Economics	318(24), 348(24) Or
Financial Accounting	389(48)
Economics	381(24) Or
Taxation	388(24)

Notes

1. A student may not enrol for any other module as an additional module in the final year of the BComm (Law) programme without the permission of the Faculty Board of the Faculty of Law.
2. Students with a BComm (Law) degree may register for the BCommHons programme in Financial Accounting (ACCA), provided that they meet the admission requirements as stated in Part 10 of the Calendar. However for Financial Accounting, Statistical Methods 176(18) or Statistics 186(18) must be done additionally, before or during the BCommHons programme.

7. THE LL.M PROGRAMME**7.1 Research option**

The LL.M degree is awarded to a student who has conducted an approved research curriculum of at least one year's duration (this period commencing after the attainment of the bachelor's degree or reaching the required level of proficiency referred to above) at this University or at some other institution approved by the Senate; and has presented for assessment a thesis of an acceptable standard and completed any additional work or study as required by the lecturer(s) concerned.

Full-time LL.M students will be allowed to register for a maximum of two consecutive academic years. Part-time students will be allowed to register for a maximum of three consecutive academic years. Further registration and the continuation of studies will only be allowed with the special permission of the Dean of the Faculty of Law.

Note

For further details (and specifically with respect to thesis work) the provisions regarding the Master's degree in Part 1 of the Calendar may be consulted.

7.2 LL.M by Coursework

The LL.M modules are presented in English. A student obtains the LL.M by Coursework degree by:

7.2.1

following four modules in an academic year and passing the relevant examinations; and

7.2.2

completing, under supervision of an appointed supervisor, a research paper of 15 000 to 20 000 words (including footnotes, but excluding bibliography) on a topic approved by the Faculty Board.

With the permission of the Faculty Board, students may elect to distribute their studies over a period of two years, on condition that at least one module is followed per semester.

Full-time LLM students will be allowed to register for a maximum of two consecutive academic years. Part-time students will be allowed to register for a maximum of three consecutive academic years. Further registration and the continuation of studies will only be allowed with the special permission of the Dean of the Faculty of Law.

Students choose four modules from the following list: Advanced South African Human Rights Law; Comparative Apartment Ownership; Law of Trusts; Comparative Private Law; Corporate Acquisitions; Competition Law; International Business Transactions A: Contract of Sale; International Business Transactions B: Instruments of Payment and Guarantee, particular aspects of Carriage of Goods by Sea; International Tax Law; Advanced Company Law; International Commercial Arbitration; Employment Rights; Equality in the Workplace; Information Technology; Intellectual Property Law; International Criminal Law; Legal Aspects of World and Regional Trade; International Law and Children's Rights; Legal Medicine; Selected issues in International Labour and Social Security Law; Public Procurement Regulation; Aspects of Environmental Law.

A prospectus containing full details is available on request from the LLM Co-ordinator at 021 808 3780.

7.3 LLM in International Trade Law

This programme is completed either on a full-time basis over a minimum residential period of one year, or on a part-time basis over a residential period of two years. Students obtain the degree by successfully completing four semester modules as well as a research paper.

Programme content

International Business Transactions A: Contract of Sale and B: Instruments of Payment and Guarantee, particular aspects of Carriage of Goods by Sea (compulsory modules); and International Commercial Arbitration (compulsory module); and Legal Aspects of World and Regional Trade or International Tax Law, and

A research paper of 15 000 to 20 000 words (including footnotes, but excluding bibliography), on a topic approved by the Faculty Board and under direction of a designated supervisor.

Students will be allowed to register for a maximum of three consecutive academic years. Further registration and the continuation of studies will only be allowed with the special permission of the Dean of the Faculty of Law.

A prospectus containing full details is available on request from the LLM Coordinator at 021 808 3780.

8. THE LLD PROGRAMME

The LLD degree is awarded to a student who –

8.1

is registered at the University as a doctoral degree student for at least two years after he:

8.1.1 has obtained the LLM degree; or

8.1.2 has obtained the LLB degree from this University, or any other bachelor's degree in law (excluding the BProc and BJuris degrees) approved for this purpose by the Senate, and has applicable practical or academic experience; or

8.1.3 has attained a level of proficiency or accomplishment in law in any other way, which in the judgement of the Senate, is regarded as adequate for this purpose,

8.2

has conducted an approved period of research of at least two years' duration (this period commencing after the attainment of the bachelor's degree or level of proficiency referred to above) at this University or at some other institution approved by the Senate, and

8.3

has presented for assessment a doctoral dissertation of an acceptable standard and completed any additional research required by the promoter, and

8.4

has successfully conducted himself in an oral examination, except if exemption from such oral examination has been granted.

Notes

1. Students will be allowed to register for a maximum of five consecutive academic years. Further registration and the continuation of studies will only be allowed with the special permission of the Dean of the Faculty of Law.

2. For further details (and specifically with respect to doctoral dissertation work) the provisions regarding the doctoral degree in Part 1 of the Calendar may be consulted.

9. POSTGRADUATE DIPLOMA IN TAX LAW

A Postgraduate Diploma in Tax Law has been offered since 1999. New applications are considered every two years; the next intake will take place in 2013.

Duration of the programme

Two year study period.

February 2011 – November 2012

February 2013 – November 2014

Curriculum (120 credits)

The curriculum comprises the following modules:

10393 – 711:	Basic principles of Income Tax (20).
10468 – 762:	International Tax Law (20). This module is only presented in English.
13943 – 721:	Advanced Income Tax Law (20).
10668 – 722:	Legal aspects pertaining to Donations Tax, Estate Duty and Estate Planning (20).
12271 – 725:	Legal aspects pertaining to Value Added Tax and Transfer Duty (20).
63142 – 725:	Letter of Objection; Notice of Appeal (20).

Subjects, Modules and Module Content

ABBREVIATION AND NUMBERING SYSTEM

All subjects are represented by a subject number of 5 digits. Each module of the subject is represented by a three-digit module code, in which the year of study and semester of presentation (unless otherwise stated) are combined.

The subjects, as well as their modules, credit value, module subjects, teaching loads, language specifications and module contents are given below.

Example:

17914 PRIVATE LAW				
171	24	Law of Persons and Family Law	3L, 1T	A/T

Explanation:

17914 is the subject number and refers to the subject Private Law.

171 is the module code of the module Private Law 171 with the module subject Law of Persons and Family Law.

The module code 171 has the following meaning:

First digit: 1 – refers to the year of study in which the module is presented;

Second digit: 7 – is a number to discriminate between modules of the same subject in the same year of study and refers to the semester (unless stated otherwise), according to the following pattern:

1, 2 or 3: modules offered in the first semester;

4, 5 or 6: modules offered in the second semester;

7, 8 or 9: modules offered over two semesters, i.e. a year module.

Third digit: 1 – has no specific meaning, but can be used to discriminate between different modules of the same subject in the same semester of the same year of study.

Please note that there is a deviation from this pattern in the postgraduate modules, where the five-digit subject number and the three-digit module code are indicated together in one square.

The number in the second square (otherwise in brackets) (24) – indicates the credit value of the module. Private Law 171(24) is therefore offered during both semesters of the first year and a student will acquire 24 credits on completion.

The teaching load of each module is indicated in brackets.

The following abbreviations are used:

L – lectures lasting 50 minutes each (e.g. 1L, 2L)

P – practical periods lasting 50 minutes each (e.g. 1P, 2P, 3P)

S – seminar lasting 50 minutes (e.g. 1S)

T – tutorials lasting 50 minutes each (e.g. 1T, 2T)

The teaching load of Private Law 171(24) amounts to three lectures plus one tutorial of 50 minutes each per week for the duration of the module, i.e. two semesters.

In the last square the language specification of each module is indicated.

After the description of the content of the module, where applicable, the pass prerequisite, prerequisite and/or corequisite modules are given for that module. The following abbreviations are used:

PP – Prerequisite Pass module

P – Prerequisite module

C – Corequisite module

The following definitions apply:

A prerequisite pass module is a module which students must have passed before they are allowed to take the module(s) for which it is a prerequisite pass module

A prerequisite module is a module in which students must have achieved a class mark of at least 40, or a final mark of at least 40 in the case of a module subject to continuous assessment, before they are allowed to take the module for which it is a prerequisite module.

A corequisite module is a module that students must take in the same academic year as the module for which it is a corequisite, or in an earlier academic year.

Note

No qualification will be awarded unless the candidate passed all the relevant prerequisite and corequisite modules.

MODULE CONTENT (UNDERGRADUATE):

1. DEPARTMENT OF MERCANTILE LAW

48089 ACCOUNTING FOR LAW STUDENTS				
441	12	Accounting for Law Students	2L	T
Purpose of accounting records, basic concepts concerning double entry, owner's equity, accounting period, capital income and operating income, expenditure and profit, accounting cycle, entry of financial facts with specific regard to records (statutory or otherwise) held in an attorney's practice, accounts of partners, compilation and presentation of financial reports with specific regard to company accounts.				
<i>1 question paper of 3 hours</i>				
<i>Note:</i>				
This module is presented by the Department of Accounting and may not be followed by a student who has already passed Financial Accounting 188 and 288.				

41599 LAW OF TAXATION				
411	12	Law of Taxation	3L	T
<i>Income Tax:</i> The law regarding income tax: introduction to law of taxation; gross income; special inclusions; general deductions; special deductions; tax on capital gains; tax administration and additional tax.				
<i>1 question paper of 2 hours</i>				
<i>C Mercantile Law 471</i>				
441	12	Law of Taxation	2L	T
Legal aspects of donations tax; estate duty; estate planning; value-added tax; transfer duty and other taxes.				
<i>1 question paper of 2 hours</i>				
<i>P Law of Taxation 411</i>				
442	12	Law of Taxation	2L	T
Capita Selecta concerning the law of income taxation, including corporate and individual taxation; trusts; PAYE; labour brokers and personal service providers; taxation of fringe benefits, tax avoidance.				
<i>1 question paper of 2 hours</i>				
<i>P Law of Taxation 411</i>				

41602 INTELLECTUAL PROPERTY LAW				
441	12	Immaterial Property Law	2L	T
Principles of the South African law applicable to the protection of intellectual property: copyright, trademarks and unlawful competition. <i>1 question paper of 2 hours</i>				

37273 MERCANTILE LAW				
311	12	Mercantile Law	2L	T
Individual and collective Labour Law; commercial dispute resolution. <i>1 question paper of 1½ hours</i> <i>C Private Law 372</i>				
312	12	Mercantile Law	2L	T
Insolvency Law and sequestration procedures. <i>1 question paper of 1½ hours</i> <i>C Private Law 372</i>				
441	12	Mercantile Law	2L	T
<i>Advanced Labour Law:</i> Capita Selecta concerning Labour Law. <i>1 question paper of 2 hours</i> <i>P Mercantile Law 311</i>				
442	12	Mercantile Law	2L	T
<i>Commercial Dispute Resolution:</i> Capita Selecta concerning the legal aspects of alternative dispute resolution, including: Commercial arbitration: legislation, case law and practice; Mediation, Conciliation; Basic principles of international commercial arbitration. <i>1 question paper of 2 hours</i> <i>C Law of Civil Procedure 371</i> <i>C Private Law 372</i> <i>Notes</i> 1. Not all components are necessarily offered every year 2. Only a limited number of selected students will be permitted to take the component on conciliation and mediation. Conciliation and mediation will thus be set against additional work required for components 1 and 4, and students not selected for conciliation and mediation must therefore complete these additional components.				
443	12	Mercantile Law	2L	T
<i>Advanced Company Law:</i> Public issue by companies and related topics such as the statutory structure of financial markets and insider-trading transactions, company reorganisations and take-overs, including minority protection; corporate governance; corporate rescue. <i>1 question paper of 2 hours</i> <i>C Mercantile Law 471</i> <i>PP Private Law 372</i>				
444	12	Mercantile Law	2L	T
<i>Insurance Law:</i> Historical overview; types of insurance; content of an insurance contract; misrepresentation and the duty to disclose in insurance law; subrogation; overview of insurance legislation; legal aspects of control over financial institutions. <i>1 question paper of 2 hours</i> <i>PP Private Law 372</i>				

445	12	Mercantile Law	2L	T
<i>Competition Law:</i> The legal rules that are aimed at the promotion of competition in markets; the economic foundations of these rules, the structure of relevant legislation and public institutions, enforcement of competition law, and the different aspects of substantive competition law; restrictive practices; abuse of dominance and mergers. <i>1 question paper of 2 hours</i>				
446	12	Mercantile Law	1S	T
<i>Dissertation:</i> Only students with an average of at least 60% for the penultimate year of the LLB may normally register for the dissertation option.				
447	12	Mercantile Law	2L	T
<i>Internet Law:</i> Legal principles regarding the Internet as electronic communications and transactions medium, including contractual and criminal liability, electronic agreements and methods of payment, jurisdiction, aspects of intellectual property rights and international trade law regarding computer technology. <i>1 question paper of 2 hours</i>				
448	12	Mercantile Law	2L	T
<i>Carriage of goods:</i> Admiralty practice and contracts for the carriage of goods by sea: relevant legislation and regulatory measures; a caput from maritime law (salvage, wreck, marine insurance or safety at sea). Comparisons will also be made with the carriage of goods by road, rail and air. <i>1 question paper of 2 hours</i> <i>PP Private Law 372</i> <i>P Law of Civil Procedure 371</i>				
449	12	Mercantile Law	2L, 0.5S	T
Bank-client relationship; cheques and bills of exchange; contemporary domestic and international methods of payment; domestic and international supervision of banks. <i>1 question paper of 1½ hour</i> <i>PP Private Law 372</i>				
471	32	Mercantile Law	1L, 1S	T
<i>Law of Business Entities:</i> The law in respect of the structure, financing and management of business enterprises, especially companies. <i>1 question paper of 3 hours</i> <i>P Mercantile Law 311 and 312</i> <i>P Private Law 372</i>				

2. DEPARTMENT OF PRIVATE LAW

25666 CUSTOMARY LAW				
171	24	Indigenous Law	3L, 1T	T
Introduction to multi-culturalism and legal pluralism in South Africa; overview of traditional and modern South African Customary Law of Persons, Family, Property, Succession, Contract, as well as Criminal and Procedural Law and Conflict of Law Rules. <i>1 question paper of 2 hours</i>				

23906 CONFLICT OF LAWS

451	12	International Private Law	2L	T
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The history and operation of the system of rules that South African courts apply to determine which legal system governs a dispute with a foreign element; the choice of law in disputes regarding family and persons, contract, delict and property; the local recognition and enforcement of foreign judgments; the ascertainment of foreign laws in local courts; related conceptual problems.

1 question paper of 2 hours

C Private Law 372, 373

48070 INTRODUCTION TO LAW

171	24	Introduction to Law	3L, 1T	T
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Foundation and historical development of South African law; Bill of Rights; legal skills (teaching and practical training in the use of South African legal sources such as legislation, reported court cases, common-law writers, legal databases and law journals); what is the law?; introduction to the administration of justice and the legal profession in South Africa; the theory of subjective rights; classification of the law; aspects of Criminal Law; introduction to Criminal Procedure and Civil Procedure; Law of Evidence; juristic facts.

1 question paper of 2 hours

51543 CIVIL PROCEDURE

371	24	Law of Civil Procedure	2L, 1T	T
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The function of the Law of Civil Procedure in the legal system; the general principles upon which this discipline is based; the historical development of South African civil procedure; the composition and jurisdiction of the judiciary; an overview of the course of the litigation process in the upper and lower courts; some particular procedures.

1 question paper of 2 hours

PP Private Law 171

51527 LEGAL SKILLS

411	12	Legal Skills	2L	T
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Advanced teaching and practical training in the use of South African and foreign legal sources; development of computer skills for use of legal databases; applied legal research; professional ethics; legal aid; management of estates; legal drafting; practical aspects of litigation.

Continuous assessment; assignment

PP Private Law 372, 373

58386 PRACTICAL LEGAL TRAINING

471	24	Practical Legal Training	2L, 1S	T
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Advanced teaching and practical training in the use of South African and foreign legal sources, further development of computer skills for the use of legal databases and legal bibliographies; applied legal research, professional ethics; legal aid; basic management of estates.

Legal drafting; practical legal aspects of litigation; practical training in the Legal Aid Clinic; moot court and simulated dispute resolution.

Continuous assessment

PP Law of Civil Procedure 371

Notes

1. Only a limited number of selected students may follow this module. Selection is based on the candidate's performance in Law of Civil Procedure 371, legal and community service experience and related considerations.
2. Students who follow this module will be exempted from the test and examination in the Practice and Procedure part of Legal Skills 411 and may not register for the said module.
3. Students who complete their LLB studies as exchange students in Europe will not be permitted to register for this module.

17914 PRIVATE LAW

171	24	Private Law	3L, 1T	T
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Law of Persons:

Juristic and natural persons, the status of a natural person, the influence of domicile, age, gender and mental capacity.

Family Law:

Engagement, entering into marriage and legal impediments; personal consequences of marriage; matrimonial property law; divorce; parental power.

1 question paper of 2 hours

C Introduction to Law 171

272	16	Private Law	2L	T
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Law of Things:

Introduction to law of things; the concept 'thing'; the distinction between personal and real rights; possession; content, acquisition and protection of ownership; co-ownership; the property clause; basic principles of land reform; servitudes; pledge; mortgage; notarial bond and judicial pledge.

1 question paper of 2 hours

PP Private Law 171

P Introduction to Law 171

C Private Law 273

273	16	Private Law	2L	T
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Law of Succession:

Basic principles of intestate and testate succession; intestate succession; formalities in the execution, amendment and revocation of wills; the capacity to inherit; content of wills; conditions; massing of estates and election; accrual; succession by contract; the interpretation and rectification of wills; the administration of estates.

1 question paper of 2 hours

PP Private Law 171

P Introduction to Law 171

C Private Law 272

372	32	Private Law	4L	T
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Law of Contract:

The obligation; requirements for a valid contract, viz., consensus, capacity to act, formalities, possibility of performance, legality of performance; obligations arising from agreement; discharge of the obligation; breach of contract and appropriate remedies; cession and extinction of personal rights, representation and authority.

<i>1 question paper of 3 hours</i> <i>PP Introduction to Law 171</i> <i>PP Private Law 272, 273</i> <i>P Roman Law 271</i> <i>C Constitutional Law 271</i> <i>C Private Law 373</i>				
373	32	Private Law	4L	T
<i>Law of Delict:</i> The concept delict; historical development of the lex Aquilia and the actio iniuriarum; elements of delict; wrongfulness, act, fault, causation, damage; remedies; particular forms of Aquilian liability and iniuria, strict liability; the system of third-party compensation in motor vehicle accidents. <i>1 question paper of 3 hours</i> <i>PP Introduction to Law 171</i> <i>PP Private Law 272, 273</i> <i>P Roman Law 271</i> <i>C Constitutional Law 271</i> <i>C Private Law 372</i>				
411	12	Private Law	2L, 1S	T
The nature, contents and legal consequences of contracts of sale, lease and suretyship. <i>1 question paper of 2 hours</i> <i>PP Private Law 372</i>				
441	12	Private Law	1S	T
<i>Dissertation:</i> Only students with an average of at least 60% for the penultimate year of the LLB may normally register for the dissertation option.				
451	12	Private Law	2L	T
Sectional Titles; share block and time-share schemes. <i>1 question paper of 2 hours</i> <i>PP Private Law 272</i>				
452	12	Private Law	2L	T
<i>Advanced Family Law:</i> A comparative law overview of various matrimonial property regimes, with particular attention to cohabitative relationships; the legal position of children, especially with respect to guardianship, custody and right of access; surrogate motherhood and artificial insemination; procedural law aspects of divorce; mediation and family courts; maintenance; implications of the Bill of Rights for Family Law; the theoretical foundations of Matrimonial Law. <i>Indigenous Family Law:</i> Matrimonial Law; the status of parties and the position of the child. <i>1 question paper of 2 hours</i> <i>PP Private Law 272</i>				
453	12	Private Law	2L	T
Provision of credit and the regulation of finance charges with reference to the National Credit Act, and the Alienation of Land Act. <i>1 question paper of 2 hours</i> <i>PP Private Law 372</i>				

454	12	Private Law	3L	T
<p><i>Enrichment Liability:</i> Relationship between enrichment liability as a source of liability and other remedies in contract law, the law of delict and the law of things; specific enrichment actions; the measure of enrichment liability.</p> <p><i>Cession and Estoppel:</i> The legal nature of cession; requirements for cession; the function of notice to the debtor; the legal consequences of cession; cession as a form of security; particular emphasis on the use of estoppel to protect third-party interests in cases of cession.</p> <p><i>1 question paper of 2 hours</i> <i>PP Private Law 372</i></p>				
455	12	Private Law	2L	T
<p><i>Advanced Law of Delict:</i> Defamation and other forms of iniuria; strict liability.</p> <p><i>1 question paper of 2 hours</i> <i>PP Private Law 373</i></p>				
457	12	Private Law	2L	T
<p><i>Statutory Law of Things:</i> Registration, control and development of land, including: registration of deeds (current system as well as reform proposals); physical planning; urban development (formal or otherwise); rural development; land reform.</p> <p><i>1 question paper of 2 hours</i> <i>PP Private Law 272</i></p>				

18260 ROMAN LAW				
271	24	Roman Law	3L	T
<p>Law of Obligations, Law of Things and Law of Sale in the pre-classical, classical and post-classical periods.</p> <p><i>1 question paper of 3 hours</i> <i>C Private Law 272, 273</i></p>				

3. DEPARTMENT OF PUBLIC LAW

49409 ADMINISTRATIVE LAW				
411	16	Administrative Law	2L, 1S	T
<p>Foundation and sources of Administrative Law; the administrative law relationship; different types of administrative acts; requirements for validity of administrative acts; judicial control of administrative acts; constitutional provisions.</p> <p><i>1 question paper of 2 hours</i> <i>PP Constitutional Law 271</i></p>				

44342 CONSTITUTIONAL LAW				
271	26	Constitutional Law	2L, 1S	T
<p><i>Basic principles of Public Law:</i> Constitutionalism, rule of law and legality, democracy, separation of powers, devolution of powers, collective government.</p> <p><i>General principles of human rights litigation:</i> Application of the Bill of Rights, locus standi, jurisdiction of the courts, interpretation and limitation of human rights, remedies.</p>				

Structure of government:

General principles underlying the structure of government, the legislature, executive and judiciary, national, provincial and local government.

1 question paper of 3 hours

P Introduction to Law 171 (excepting postgraduate LLB students)

312	12	Constitutional Law	2L, 1T	T
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Content, scope and application of specific rights in the Bill of Rights, such as life, freedom and security of the person, equality, political rights, socio-economic and cultural rights, environmental rights, freedom of expression, freedom of religion, access to courts, and access to information. Specific themes will also be dealt with, including remedies for infringements of human rights, and the role of human rights litigation and adjudication under a transformative constitution.

Continuous assessment

PP Constitutional Law 271

451	12	Constitutional Law	2L	T
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Capita Selecta from topics such as the following: the constitutional right of access to information and accompanying legislation; legislation and institutions aimed at the implementation of the constitutional right to equality, including equality courts; the relationship between the different branches of state (legislative, judicial and executive) in the execution of and control over public power; extra-judicial mechanisms for control over state power, namely the Public Protector, the Auditor-General and the Human Rights Commission; state liability.

Continuous assessment

PP Constitutional Law 271

PP Administrative Law 411

37281 CRIMINAL LAW

171	24	Criminal Law	3L	T
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Introduction; theories of punishment; the principle of legality; the influence of the Constitution of the Republic of South Africa 1996 on Criminal Law; the elements of a crime: act, causation, unlawfulness, liability and fault; participation; incomplete crimes e.g. attempt; specific crimes, e.g. crimes against life and crimes against the person and bodily integrity.

1 question paper of 2 hours

451	12	Criminal Law	2L	T
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Specific common law and statutory crimes; Capita Selecta of national and international criminal justice.

1 question paper of 2 hours

PP Law of Criminal Procedure 271

60704 ENVIRONMENTAL LAW

451	12	Environmental Law	2L	T
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This module provides an introduction to Environmental Law relating to the following three broad but inter-related areas of environmental concern: natural resource use and conservation; pollution control and waste management, land-use planning and environmental assessment. It does so by examining various branches of law, including the Bill of Rights, Administrative Law, Criminal Law and International Environmental Law.

1 question paper of 2 hours

PP International Law 341

PP Administrative Law 411

59811 INTERNATIONAL LAW				
341	12	International Law	3L	E
Introduction to international law; an overview of the fundamental principles governing international relations; the subjects of international law; the sources of international law; the relationship between national and international law according to the Constitution of South Africa; territory, jurisdiction and immunity from jurisdiction; state responsibility under international law; international dispute settlement; introduction to the United Nations and the structure of the United Nations.				
<i>1 question paper of 2 hours</i>				
<i>P Constitutional Law 271</i>				
451	12	International Law	2L	E
Philosophical and historical origins of human rights; contemporary foundations of human rights; the protection of human rights within the United Nation's system; international protection of minority, indigenous and women's rights; the regional protection of human rights; international peace and security and the protection of human rights; international dispute resolution and humanitarian law and refugee law.				
<i>1 question paper of 2 hours</i>				
<i>P International Law 341</i>				

59838 INTERPRETATION OF ENACTED LAW				
211	12	Interpretation of Enacted Law	2L	T
Statutory and constitutional interpretation: theories, methods and strategies; the place, role, authority and status of legislation as a source of law in a new constitutional dispensation; the impact of the Constitution of the Republic of South Africa 1996 on the construction of statutes; the traditional canons of statutory interpretation in a new dispensation and their applicability in respect of both statutory and constitutional interpretation.				
<i>1 question paper of 1½ hours</i>				
<i>P Introduction to Law 171 (excepting postgraduate LLB students)</i>				
<i>C Constitutional Law 271</i>				

41610 LAW OF CRIMINAL PROCEDURE				
271	20	Law of Criminal Procedure	2L	T
Analysis of the criminal justice system and of criminal procedure; the different courts and their jurisdiction; prosecuting authority; search and seizure; arrest; provisional hearings; bail; indictment; plea and procedure during trial; sentencing; punishment; appeal and review; criminal procedure and the Constitution				
<i>1 question paper of 2 hours</i>				
<i>P Criminal Law 171</i>				

41629 LAW OF EVIDENCE				
471	20	Law of Evidence	2L	T
History and sources of the South African law of evidence; rules relating to relevance, character, opinion, hearsay, admissions and confessions, privilege, burden of proof and presumptions; the law of evidence and the Constitution.				
<i>1 question paper of 2 hours</i>				
<i>PP Constitutional Law 271</i>				

53333 LEGAL PHILOSOPHY				
341	12	Legal Philosophy	2L, 1S	T
An introduction to legal philosophical concepts and methods with particular reference to issues of elementary scientific theory and scientific philosophy and themes encountered in the history of Western and African philosophy on law and justice. <i>1 question paper of 2 hours</i>				
451	12	Legal Philosophy	2L	T
Legal philosophical Capita Selecta determined in consultation with students. The following are examples of possibilities: concentration on particular themes or philosophers encountered in the history of legal philosophy; the relationship between law and ethics with particular emphasis on current legal-ethical or bio-ethical issues; civil disobedience; law in an African context; the issue of justice; schools and tendencies in South African legal philosophy; elementary legal sociology; criticism of the justice system and the judiciary; critical legal studies. <i>1 question paper of 2 hours</i> <i>P Legal Philosophy 311</i>				

41637 PUBLIC LAW				
451	12	Public Law	1S	T
<i>Dissertation:</i> Only students with an average of at least 60% for the penultimate year of the LLB may normally register for the dissertation option.				

12482 PUBLIC PROCUREMENT LAW				
451	12	Public Procurement Law	2L	T
The module will deal with the following broad topics: the nature of public procurement and the purposes of public procurement regulation both locally and internationally; the regulation of procurement in South Africa and the law that applies to the different stages in the procurement process; the relevance and application of the Constitution and other legislation; the importance and application of the requirements of competition, fairness and transparency in procurement processes; the use of public procurement for policy purposes; and the availability of remedies. <i>Continuous assessment</i> <i>PP Private Law 372</i> <i>PP Administrative Law 411</i>				

12761 WRITING SKILLS				
171	10	Writing Skills	1L, 1T	A & E
The focus of this module is on the development of reading, writing and thinking skills in the academic environment in general and specifically within a legal context. <i>Continuous assessment</i>				

MODULE CONTENT (POSTGRADUATE):**1. DEPARTMENT OF MERCANTILE LAW**

13951 - 845	30	Advanced Company Law	2L	E
<p>Introduction to comparative company law; company structures and principles in English-law systems (including South Africa); company structures and principles in other European legal systems, particularly Germany.</p> <p>Corporate governance issues with examples from South Africa and other jurisdictions, self-regulatory governance codes; the influence of the USA's Sarbanes-Oxley Act on corporate governance worldwide.</p> <p>Further capita selecta in company law, for example the regulation of executive remuneration.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
62553 - 847	30	Competition Law	2L	E
<p>In this module, South African competition law is studied from a comparative perspective. The main jurisdictions for comparison are the European Union and the United States but passing reference will be made to German, Canadian, Australian and UK law. In most legal systems the focus of competition law now is on interests of consumers in productive, dynamic and allocative efficiency. The first part of the module considers the goals of South African competition law against this backdrop. The next section concerns the economics of competition. Economics is central to the resolution of competition law issues and this part of the module is intended to provide the student with the basic economic skills that are needed for this purpose. Thereafter the jurisdiction of competition authorities and the international dimension of competition are studied. Next comes the central part of the module. The substantive competition law, that is the law regarding horizontal and vertical restrictive practices, abuse of dominance and mergers, is evaluated in detail. Finally, a brief survey of the institutions responsible for regulating competition law and the remedies available for breaches of competition law will be done.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
11810 - 825	30	Corporate Acquisitions	2L	E
<p>The legal aspects of corporate acquisitions: the principal types of acquisitions and the regulation of such transactions. A large part of the module is dedicated to the acquisitions of public companies and the regulation thereof pursuant to the Securities Regulation Code on Take-overs and Mergers. Although the module is principally concerned with South African law, references are made to and comparisons drawn with the position under the UK and USA law.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
12226 - 844	30	Equality in the Workplace	2L	E
<p>This module focuses on the emerging field of employment equity in South Africa. The Labour Relations Act of 1995 (LRA) and the Employment Equity Act of 1998 (EEA) prohibit discrimination against employees and extend that protection to applicants for work. The EEA also makes provision for the implementation of affirmative action measures to redress the disadvantages in employment experienced by black people, women, and the disabled. The module will be divided into two parts: The first part will concentrate on the prohibition of discrimination. Issues such as the meaning of discrimination, the structure of a discrimination claim, the difference between direct and indirect discrimination, justification and proof and evidence will be examined. Attention will also be paid to some of the typical areas of application, such as pregnancy, sexual harassment and equal pay claims.</p> <p>In the second part of the module, affirmative action will come under the spotlight. South Africa's Constitution breaks ranks with many legislative provisions elsewhere in the</p>				

world by making explicit provision for affirmative action policies. In this regard, it is asserted that the South African Constitution embraces a substantive or asymmetrical – rather than a formal or symmetrical notion of equality. In order to give effect to the Constitution, the EEA places an obligation on 'designated employers' to implement affirmative action measures to redress the disadvantages in employment experienced by black people, women and people with disabilities. Against this background, the response of the South African judiciary and arbitrators to challenges launched against affirmative action practices and policies will be examined, and the principles that have crystallised against the framework of the constitutional commitment to substantive equality will be evaluated. Even though the focus will be on South Africa, the module will be approached from an international and comparative perspective.

1 question paper of 4 to 8 hours

62510 - 814	30	Employment Rights	2L	E
<p>In this module the interaction of the three main sources of labour law and of terms and conditions of employment, namely the Constitution, legislation and the contract of employment (as influenced by collective agreements) will be evaluated. Once the scene has been set with an overview of the interaction between these three sources, attention will shift to the examination of selected issues under each of the three headings. Although the emphasis of the module is on individual labour law (i.e. the relationship between the individual employee and his employer), the principles of collective labour law will also be addressed and incorporated where necessary. Students who complete the module will have a sound understanding of South African labour law in general, as well as an advanced understanding of some of the more important issues in individual labour law (many of which have proved to be problematic in other jurisdictions). Note, however, that some issues – such as dismissal, discrimination as well as the individual rights underlying collective labour law (e.g. freedom of association and the right to strike) – will not receive detailed attention in this module, simply because these topics are dealt with in other LLM modules in labour law to which students have access.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
10468 - 843	30	International Tax Law	2L	E
<p>The tax implications of cross-border transactions are examined. Topics that are considered include: source and residence, unilateral tax relief, double taxation treaties, transfer pricing, thin capitalisation, some aspects of customs and excise, international aspects of the taxation of trusts and international aspects of the taxation of companies, including controlled foreign companies and dividends.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
62529 - 846	30	Information Technology Law	2L	E
<p>The law relating to and legal issues arising from the use of electronic communications and computer systems is examined. Specific focus will be placed on the legal issues arising from the development, acquisition and use of computer programs and databases (and particularly intellectual property and liability aspects thereof), data protection and privacy, computer crimes and evidence, the interception and monitoring of electronic mail and internet usage, the law of telecommunications and electronic commerce. In light of the international nature of the material, the module not only focuses on South African law, but compares and contrasts international trends, including the approaches taken in Europe (with particular focus on the United Kingdom) and the United States of America.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
41602 - 815	30	Intellectual Property Law	2L	E
<p>The law of intellectual property, including the protection of intellectual property by way of copyright, trade mark, patent and unlawful competition is examined. The module</p>				

compares and contrasts South African intellectual property law as contained in the relevant legislation with international developments, focusing particularly on the law as it has developed in Europe (and more specifically the United Kingdom) and also refers to decisions from the United States of America, Canada, Australia and New Zealand in the light of the relevant international and regional treaties. This is done by way of brief introduction to the appropriate basic legal principles in each area followed by discussion of specific topical issues arising in that area and possible approaches to the resolution of such issues.

1 question paper of 4 to 8 hours

10552 - 842	30	International Business Transactions A	2L	E
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This module deals with international sales law and related issues. The following topics are dealt with: the structure of the international sales transaction and its context; salient features and problems requiring legal regulation; the documentary nature of the transaction; trade terms (with special emphasis on the ICC's Incoterms 2000); the role of international private law; the evolving international law; the need for a uniform law of international sale, and the agencies involved therein; an overview of the structure and general characteristics of the Vienna Convention for the International Sale of Goods, 1980 (CISG); factors relevant to the decision of a state to accede to the Convention; criteria governing the application of the Convention; the formation of contracts of sale under the CISG; the substantive sales law under the CISG including the duties and remedies of the parties, remedial provisions common to the parties, exemption from liability, and the passing of risk; evaluation of the CISG with reference to the needs and concerns of international trade and the extent to which it succeeds in striking a balance between divergent principles of the important legal families of the world.

1 question paper of 4 to 8 hours

10551 - 812	30	International Business Transactions B	2L	E
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This module deals with the instruments of payment and guarantee encountered in international business transactions (approximately 65% of the module), as well as with aspects of the contract of carriage (approximately 35% of the module). The following issues, among others, are addressed: problems and risks relating to payment in international business; different payment mechanisms with the emphasis on documentary collections and documentary credits and their regulatory frameworks (the ICC's Uniform Rules for Collections (URC) and Uniform Customs and Practice for Documentary Credits (UCP) and its addendum the eUCP, as well as Article 5 of the American Uniform Commercial Code; independent guarantees and standby letters of credit and their regulatory frameworks (the United Nations Convention on Independent Guarantees and Standby Letters of Credit, the ICC's International Standby Practices 98 (ISP98), the ICC's Uniform Rules for Demand Guarantees (URDG)); the relationships between the different parties in abstract payment and guarantee relationships; the documents and their presentation with special emphasis on the doctrine of strict compliance; the principle of independence of the different relationships and the exceptions to this principle; the frustration of payment especially in the context of fraud (by injunctions and attachments); discounting arrangements. With regard to the contract of carriage the emphasis falls on the international regulation of charter parties, bills of lading, waybills as well as other regulatory materials regarding international carriage by sea.

1 question paper of 4 to 8 hours

54925 - 813	30	International Commercial Arbitration	2L	E
The law and practice regarding the resolution of international commercial and investment disputes by arbitration, especially from the perspective of parties from Southern Africa and Europe. <i>1 question paper of 4 to 8 hours</i>				
12763 - 842	30	Legal Aspects of World and Regional Trade	2L	E
This module deals with the international law principles governing trade among states. The focus is primarily on the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO). The treaties establishing them contain the principles and mechanisms regulating inter-state trade. The theory behind international trade is explained, as well as the present nature of the international economic order. This includes institutional arrangements and the dispute-solving mechanisms of the WTO. The principles governing trade in goods (GATT), in services (GATS) and with respect to the protection of intellectual property (TRIPS) are discussed. Regional trade agreements (e.g. SADC) are examined with reference to, inter alia, South Africa's position. The constitutional provisions on the incorporation of international trade obligations into the domestic sphere are comparatively explained and discussed. <i>1 question paper of 4 to 8 hours</i>				
62596 - 872	60	Mercantile Law: Research Paper	1L	A & E
12484 - 815	30	Selected Issues in International Labour and Social Security Law	2L	E
This module comprises an advanced study of selected topics in international labour and social security law. Topics include: the application of the rules of international private law to employment contracts across national borders; globalisation and the development of international labour standards (with specific reference to implications for Southern Africa); the impact of labour market regulation on economic competitiveness; and the position of migrant workers with regard to social security. <i>1 question paper of 4 to 8 hours</i>				

41599 LAW OF TAXATION				
778	120	Law of Taxation		
Postgraduate Diploma in Tax Law, with the following six modules:				
10393 - 711	20	Basic principles of Income Tax	2L	A
Basic principles of income tax; distinction between income and capital; general deduction formula; special deductions; objection and appeal; tax avoidance; tax administration <i>1 question paper of 4 hours</i>				
10468 - 762	20	International Tax Law	2L	E
Fiscal implications of international trade, including double taxation agreements; controlled foreign companies; foreign dividends; taxation of non-residents and businesses with foreign branches in South Africa; transfer pricing; thin capitalisation and similar techniques; possible future developments in South African tax law. <i>1 question paper of 4 hours</i>				
13943 - 721	20	Advanced Income Tax Law	2L	A
Advanced income tax law; tax on capital gains; tax planning. <i>1 question paper of 4 hours</i>				

10668 - 722	20	Legal aspects pertaining to Donations Tax, Estate Duty and Estate Planning	2L	A
Legal aspects pertaining to donations tax, estate duty and estate planning. <i>1 question paper of 3 hours</i>				
12271 - 725	20	Legal aspects pertaining to Value Added Tax and Transfer Duty	2L	A
Legal aspects pertaining to value added tax and transfer duty. <i>1 paper of 3 hours</i>				
63142 - 725	20	Letter of Objection: Notice of Appeal	2L	A
The drawing up of a Letter of Objection and Notice of Appeal or the drawing up of Heads of Argument for litigation in the Tax Court. <i>1 question paper of 4 hours</i>				

2. DEPARTMENT OF PRIVATE LAW

62588 - 844	30	Comparative Private Law	2L	E
This module – which is aimed at local as well as foreign students – first examines the method and purpose of comparative law in general, and then proceeds to focus on key issues of private law (most notably the law of obligations, i.e. contract, delict and unjustified enrichment) in the mainly Continental European civil law family and Anglo-American common law family. The specific issues vary from year to year, but usually include improperly obtained consent, breach of contract and impossibility or frustration, agreements in restraint of trade, the relationship between contractual and delictual liability; pure economic loss; the role of good faith in contract and different approaches to the law of unjustified enrichment. The purpose of this module is to promote an understanding of the merits of, and relationship between, various systems of private law. Attempts at guiding their development by devising internationally acceptable sets of principles such as the UNIDROIT Principles of International Commercial Contracts and the Principles of European Contract Law, are also examined. <i>1 question paper of 4 to 8 hours</i>				
11811 - 825	30	Comparative Apartment Ownership	2L	E
The module provides an international overview of apartment ownership (condominium, strata titles, Wohnungseigentum, propiedad horizontal, appartementeneigendom), which relates to residential, commercial, office and resort condominiums. The module examines the role of the developer in the establishment of apartment ownership and sales off building plans and developments in stages in order to finance the construction of the buildings comprised in the scheme. It explores the subdivision of the buildings into units, common property and limited common property and deals with the rights owners have with regard to these areas. It shows the importance of participation quotas as a formula to determine an owner's share in the common expenses, the common property and the value of his vote at general meetings. It also covers the enforcement of financial and social obligations in order to prevent the condominium from degenerating into a slum, alterations and improvements and the importance of sound management of the scheme. It concludes with a discussion of the conversion of rental buildings into apartment ownership schemes. This module provides an excellent background for students to evaluate apartment ownership schemes in their own countries. <i>1 question paper of 4 to 8 hours</i>				

62537 - 843	30	International Law and Children's Rights	2L	E
This module deals with the main international children's rights documents pertaining to children and their rights. The following aspects are covered: the status of international children's rights instruments in South Africa; the United Nations Convention on the Rights of the Child; the African Charter on Rights and Welfare of the Child; The Hague Convention on Inter-Country Adoptions and Children in Armed Conflict. <i>1 question paper of 4 to 8 hours</i>				
62634 - 814	30	Law of Trusts	2L	E
The origin, nature and development of the trust; the trust in legal comparative perspective; the formation of a trust and the requirements for a valid trust; the legal position of the trustee; the administration of the trust; the legal position of the trust beneficiary; the variation, revocation and termination of trusts; types of trusts; the trust and taxation; challenges and change in the law of trusts. <i>1 question paper of 4 to 8 hours</i>				
62618 - 872	60	Private Law: Research Paper	1L	A & E

3. DEPARTMENT OF PUBLIC LAW

65110 - 843	30	Advanced South African Human Rights Law	2L	E
An advanced study of: selected topics in human rights law under the 1996 Constitution, for example, interpretation of the Bill of Rights, the right to equality, socio-economic rights, religious freedom, the rights of cultural communities, and the horizontal application of the Bill of Rights; the role of international human rights law and comparative constitutional law in interpreting human rights guarantees under the Constitution; a number of contemporary issues in the field of the constitutional protection of human rights, for example, restitutionary equality, gender equality, the enforcement of socio-economic rights and the operation of the Bill of Rights in the private sphere. <i>1 question paper of 4 to 8 hours</i>				
12481 - 815	30	Aspects of Environmental Law	2L	E
This module primarily examines the following aspects of Environmental Law: International Environmental Law; recent reform of Environmental Law in South Africa; environmental governance; compliance and enforcement of Environmental Law; and constitutional dimensions of Environmental Law. <i>1 question paper of 4 to 8 hours</i>				
62545 - 812	30	International Criminal Law	2L	E
The module International Criminal Law is a study of both substantive and procedural issues in the emerging system of international criminal law (ICL). By way of introduction the sources of and basic principles underlying ICL will be discussed. In order to analyse the substantive issues in ICL a capita selecta of important international crimes such as aggression, war crimes, crimes against humanity, and genocide will be studied. In addition, we will also focus on some of the emerging transnational crimes like money laundering and corruption. In terms of procedural issues we will look at the most important aspects of direct and indirect enforcement of ICL. For this we will study various international tribunals, with specific attention given to the permanent International Criminal Court. We will also look at the way ICL is enforced at national level through domestic legal systems. <i>1 question paper of 4 to 8 hours</i>				

65102 - 843	30	Legal Medicine	2L	E
<p>An introduction to legal medicine for law students, focusing on death and dying as defined in legal medicine; post-mortem changes in the human body; the basic principles of human identification (including DNA samples and fingerprinting); the medico-legal interpretation of external forces on the human body; death by anoxia (also known as death by asphyxia); thermal, electrical and radiation injuries; injuries caused by firearms and explosives; toxicology (including carbon monoxide poisoning and intoxication by alcohol). The module also deals with the procedural and evidential rules and principles governing expert testimony in this regard and finally introduces the students to the concept of public health and human rights and more specifically covers a capita selecta of topics in public health.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				
62626 - 872	60	Public Law: Research Paper	1L	A & E
12480 - 843	30	Public Procurement Regulation	2L	E
<p>An advanced study of select topics such as international and comparative procurement regulation; the use of regulatory techniques to address corruption and conflicts of interest; the use of procurement as a tool of transformation and development, including the protection of the environment; rules on the participation of foreign suppliers for the award of public contracts in South Africa; the state of public procurement regulation in South Africa in relation to its participation in free trade agreements; public-private partnerships; defence procurement; electronic procurement.</p> <p><i>1 question paper of 4 to 8 hours</i></p>				

Prizes and Bursaries

Reference in this section is made only to prizes and bursaries that pertain particularly to the Law Faculty. Part 2 of the Calendar may be consulted for details of other prizes and bursaries with respect to which law students may be considered.

1. PRIZES

Adams & Adams Prize:

A prize awarded annually from funds provided by the law firm Adams & Adams, for the best achievement in Mercantile Law 445 (Competition Law).

Bowman Gilfillan Prize:

A prize to the value of R1 000 is awarded annually from funds provided by the law firm Bowman Gilfillan for the best achievement in Taxation Law 411.

Brink Cohen Le Roux Inc. Prize:

This prize is awarded annually from funds provided by the law firm Brink Cohen Le Roux Inc. for the best overall achievement in the penultimate year of the LLB programme.

Brits and Pretorius Prize:

A prize awarded annually by the Picketberg law firm Brits and Pretorius for the best achievement in Criminal Law 451.

LexisNexis Book Prize:

A book prize awarded annually from funds provided by the law publisher LexisNexis for the best achievement in Legal Philosophy 311.

Cliffe Dekker Hofmeyr Medal

A gold medal awarded annually to a final-year LLB student for the top achievement in the LLB degree. The medal is donated by the law firm Cliffe Dekker Hofmeyr.

Hübner Prize:

A prize awarded annually from a donation by Mr AGJ Hübner for the best achievement in Private Law 272 and 273.

JC de Wet Prize:

A prize awarded annually by former students of Professor JC de Wet for the best achievement in the Law of Contract (Private Law 372).

Glyn Marais Prizes:

Annually two book prizes are awarded to the top achievers in Mercantile Law 443 and Law of Taxation 411 respectively by the law firm Glyn Marais.

Juta Book Prize:

A book prize awarded annually from funds provided by the law publisher Juta & Co. Ltd for the best achievement in Criminal Law 171.

Phatsoeane Henney Inc. Medal:

A gold medal will be awarded annually to all final year LLB students who pass their degree *cum laude*.

SALAW Prize:

A prize awarded for the top achievement in Mercantile Law 441 (Labour Law).

Stonehage Medal for Community Interaction:

A gold medal awarded to the final-year LLB student who has demonstrated academic excellence, combined with community involvement and upliftment. The medal is donated by the Stonehage Group, which provides international families with wealth management and fiduciary services.

Servaas Hofmeyr Memorial Prize:

A prize awarded annually in memory of Mr Servaas Hofmeyr from funds donated by him to the Faculty to the LLB student regarded by the Dean as most deserving.

Spoor & Fischer Prize:

A prize awarded to a student for the second best achievement in Immaterial Property Law 441.

Sylvian Meneses Memorial Prize:

A prize awarded annually from funds donated in memory of the late Miss Sylvian Meneses (LLB 1977) to an outstanding female student in the penultimate LLB class.

Werksmans Prize:

A prize awarded annually from funds provided by the law firm Werksmans for outstanding service rendered to the Legal Aid Clinic.

2. BURSARIES

Adams & Adams Bursary:

A bursary awarded annually by Adams & Adams on the basis of merit and need.

Judge of Appeal FW Beyers Bursary:

A bursary awarded annually from the legacy of the late Judge of Appeal FW Beyers by virtue of exceptional achievement in the first year of the BA (Law) or BComm (Law) degree programme.

Smith Tabata Buchanan Boyes Bursary:

This law firm annually awards a bursary to a pre-final-year law student who shows the most promise as a future attorney. The award is based on the candidate's academic performance, extramural activities and character. Interviews will be conducted by representatives of the firm during the first semester of every year. Candidates for this bursary will be designated by the faculty committee of the Faculty of Law.

Cliffe Dekker Hofmeyr Bursary:

The law firm Cliffe Dekker Hofmeyr annually awards a bursary to a promising LLB III student on the grounds of merit and need.

Georgala family Bursary:

Financial assistance is awarded to students from previously disadvantaged population groups in the final or pre-final LLB year on the basis of need.

Smuts, Kemp and Smal Inc. Bursaries:

Two bursaries are awarded annually to two LLB students from previously disadvantaged communities in the final year of study who intend to practise as attorneys. A strong academic record, good interpersonal skills and versatility are prerequisites. These bursaries are awarded from funds made by Smuts, Kemp and Smal Inc. (Bellville).

Stonehage First-year Scholarship:

Scholarships, covering full tuition fees, have been provided as part of a strategic partnership between the Stonehage Group and the Stellenbosch University Faculty of Law. The

scholarship is for academically gifted students, in particular those from previously disadvantaged communities, registering for the first year of the BA (Law), BComm (Law), LLB and BAccLLB programmes. Preference will be given to applicants from Bloemhof Girls' High School, Kayamandi High School, Lückhoff High School, Paul Roos Gymnasium, Rhenish Girls' High School and Stellenbosch High School.

Stonehage Scholarship:

The Stonehage Group, an international wealth management and fiduciary services group, provides financial support for needy students in the second, third or final year of the LLB programme.

The Link-SA Trust Bursary:

Financial support awarded to needy students from previously disadvantaged communities, in the pre-final- and final-year LLB class.

Visagie, Vos and Partners Bursary:

A bursary awarded annually to a needy LLB III student.

Webber Wentzel Bursary:

The law firm Webber Wentzel annually awards a bursary to an academically strong student in the penultimate year of their LLB and who displays particular promise as a future attorney.

Prerequisite Pass, Prerequisite and Corequisite Modules

ADMINISTRATIVE LAW	411	PP	Constitutional Law 271
CONSTITUTIONAL LAW	271	P	Introduction to Law 171 (excepting postgraduate, 3-year LLB students)
CONSTITUTIONAL LAW	312	PP	Constitutional Law 271
CONSTITUTIONAL LAW	451	PP	Constitutional Law 271, Administrative Law 411
CRIMINAL LAW	451	PP	Law of Criminal Procedure 271
ENVIRONMENTAL LAW	451	PP	International Law 341, Administrative Law 411
INTERNATIONAL LAW	341	P	Constitutional Law 271
INTERNATIONAL LAW	451	P	International Law 341
INTERNATIONAL PRIVATE LAW	451	P	Private Law 372, 373
INTERPRETATION OF ENACTED LAW	211	P C	Introduction to Law 171 (excepting postgraduate, 3-year LLB students) Constitutional Law 271
LAW OF CIVIL PROCEDURE	371	PP	Private Law 171
LAW OF EVIDENCE	471	PP	Constitutional Law 271
LAW OF CRIMINAL PROCEDURE	271	P	Criminal Law 171
LAW OF TAXATION	411	C	Mercantile Law 471
LAW OF TAXATION	441	P	Law of Taxation 411
LAW OF TAXATION	442	P	Law of Taxation 411
LEGAL PHILOSOPHY	451	P	Legal Philosophy 341
LEGAL SKILLS	411	PP	Private Law 372, 373
MERCANTILE LAW	311	C	Private Law 372
MERCANTILE LAW	312	C	Private Law 372
MERCANTILE LAW	441	P	Mercantile Law 311
MERCANTILE LAW	442	C	Private Law 372, Law of Civil Procedure 371
MERCANTILE LAW	443	C PP	Mercantile Law 471 Private Law 372
MERCANTILE LAW	444	PP	Private Law 372
MERCANTILE LAW	448	PP P	Private Law 372 Law of Civil Procedure 371
MERCANTILE LAW	449	PP	Private Law 372
MERCANTILE LAW	471	P P	Private Law 372 Mercantile Law 311, 312
PRACTICAL LEGAL TRAINING	471	PP	Law of Civil Procedure 371
PRIVATE LAW	171	C	Introduction to Law 171
PRIVATE LAW	272	PP P	Private Law 171 Introduction to Law 171

		C	Private Law 273
PRIVATE LAW	273	PP P C	Private Law 171 Introduction to Law 171 Private Law 272
PRIVATE LAW	372	PP PP P C C	Introduction to Law 171 Private Law 272, 273 Roman Law 271 Constitutional Law 271 Private Law 373
PRIVATE LAW	373	PP PP P C C	Introduction to Law 171 Private Law 272, 273 Roman Law 271 Constitutional Law 271 Private Law 372
PRIVATE LAW	411	PP	Private Law 372
PRIVATE LAW	451	PP	Private Law 272
PRIVATE LAW	452	PP	Private Law 272
PRIVATE LAW	453	PP	Private Law 372
PRIVATE LAW	454	PP	Private Law 372
PRIVATE LAW	455	PP	Private Law 373
PRIVATE LAW	457	PP	Private Law 272
PUBLIC PROCUREMENT LAW	451	PP	Private Law 372, Administrative Law 411
ROMAN LAW	271	C	Private Law 272, 273